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Globalization, Justice, and Communication

A Critical Study of Global Ethics

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Abstract
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The purpose of this study is to seek to an answer to the question of what constitutes a tenable model for global ethics. This is done in part by a critical engagement with four different models of global ethics; two proposals from political philosophy and two contributions from theological ethics. The models analyzed in the study are: (1) the capabilities approach as developed by Martha Nussbaum, (2) Seyla Benhabib's discourse ethics and model of cosmopolitan federalism, (3) David Hollenbach's model of the common good and human rights, and (4) the model for responsibility ethics and theological humanism as developed by William Schweiker. These models contain different understandings of global justice, human rights, and sustainable development.

The study works with six primary problems: (1) Which are the main moral problems associated with different processes of globalization? (2) What should be the response to these problems, in the form of a normative ethical model? (3) What is the relation between global ethics and universalism? (4) What kind of institutional vision for the international arena does a tenable global ethic promote? (5) Given the human diversity and global pluralism, what would be a reasonable view of the human being included in a global ethic? (6) What kind of ethical theory is sustainable for global ethical reflection? These questions also form the basis for the analysis of the models.

The study uses a set of criteria in order to assess the answers that the models offer for these questions. These criteria also constitute the framework within which the author's contribution to the discussion of global ethics is phrased. The criteria are founded on an idea of what characterizes global ethical reflection. The contention is that a tenable global ethic should be relevant, and it should also be related to a reasonable view of human beings and a plausible ethical theory. Together these support the criterion of communicability, which argues that a global ethic should above all be communicable, i.e. capable of enabling cross-cultural communication. A central argument which this study makes is that a kind of ethical contextualism is more reasonable than an epistemological universalism.

Keywords: global ethics, globalization, ethical theory, normative ethics, human rights, global justice, discourse ethics, universalism, contextualism, moral pluralism, communication, capabilities approach, M.C Nussbaum, S. Benhabib, D. Hollenbach, W. Schweiker

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Introduction

How to properly portray the changes that the world is undergoing due to globalization is a subject that is the cause of much heated discussion. Some argue that we are experiencing the emergence of a social reality which radically interrupts what has previously been: the idea is that globalization compresses time and space so that new forms of interconnectedness become perceptible in all spheres of social life. As a consequence of this, the international order can no longer be conceived of as dominated by the actions and intentions of isolated national players. This notion of an international arena as primarily or solely regulated by state actors has ceased to offer an adequate picture of the world as we have entered an era of globalization. However, how we should conceive of and so locate agential power in this new global order radically divides opinion. Some make the claim that in this emerging order, new structures of power and dependency are established, as the sovereignty of national states is circumscribed by the actions of the new dominant actors on the world stage. Some identify these as the agents of the global market; large-scale corporations with multiple and supra-national affinities. This study inquires about the import of globalization on ethical reflection, included in the inquiry is the question of what meaning we should assign, to begin with, to the concept of globalization.

Those assuming a critical stance towards the phenomenon of globalization usually contend that a significant feature of the present global situation is a radically uneven dispersion of the consequences, both gains and costs which the new forms of interconnectedness have yielded. The changes in international trade that are described as having caused greater economic freedom for some segments of the world's population have at the same time meant that other communities have had their abilities to make ends means seriously frustrated. These critical interlocutors commonly target international economic bodies and their actions to remove 'barriers' for economic growth, and the effects of their policies which advocate lessening the old, allegedly growth-

inhibiting, restrictions on commerce and financial transactions between nations and regions. The critical interpolations further exclaim that rather than leveling the field of global economic cooperation, so to speak, the real consequences of international agreements on free trade and financial activity is that yet further strain has been put on the economies of the 'developing countries'. As a result of this, they have lost central means to regulate their economies in accordance with national financial goals by having been forced to adapt to the global 'free' market. Thus, free trade and the (hegemonic) economic policies issued primarily by the 'developed nations' have really diminished the prospects for social and economic improvement in the 'third world'.[1]

Others who are still critical of the current global order, would be hesitant to affirm such statements. Instead, they offer a more indeterminate picture of what actions, and on whose part, really do contribute to the current highly unequal distribution of economic and political power. However much debated the subject of the shape of the global arena is, and withstanding differences in opinion of how to interpret cause and effect in this area, it seems likely that most would agree to the statement that what we are facing is a situation in which the changes towards greater global economic integration poses challenges to classical conceptions of national sovereignty and autonomy. The term 'economic globalization' is commonly understood to denote processes whereby national economies are exceedingly intertwined into a global financial market. However, upon closer scrutiny of the confines of this emerging global economy, the chances or opportunities which people in various countries and regions have to partake in the forms of economic activity propagated by the global capitalistic system seem essentially different. This situation of highly differentiated economic and social conditions has been the basis of dialogue concerning 'winners and losers' of globalization. Some theorists also draw an explicit link between the emergence of the present global market system and the older colonial system by which the countries of the western and northern hemispheres exploited the so called global south.

The situation of global migration is commonly enough portrayed as posing a serious moral and political challenge for the modern nation-

[1] The policies following the Washington consensus, which above all have advocated 'liberalization' of domestic markets and efforts to obliterate import tariffs and so called trade barriers, are usually the recipients of such criticism.

state system. Many of those subject to migratory movements are persons who leave their country of origin to work in low-income jobs in wealthier parts of the world, searching for economic and social betterment. Additional reasons for relocation are comprised of forms of political suppression or on-going armed conflicts in their original domicile. For those who are denied the status of being legally recognized as either migrants or refugees, conditions are particularly distressful. These are persons whose situation is marked by a high degree of vulnerability and they are susceptible to both great physical and psychological harm. For many, this is not just a transitory state of being but rather is the way life is framed for long periods of time. What we have is a situation where persons serve as a form of 'shadow-citizens' as they contribute to the economy of the country through their labor but normally with an almost complete lack of formal rights.[2]

Here, we seem to be faced with a real moral predicament, which specifically relates to those of us who could be seen as the 'winners' of globalization in our role as citizens of affluent countries. How should we respond morally and politically to the situation of those persons whose work and station seems needed in order to make 'our' way of life possible? Does the situation call for greater global justice or does the 'solution' lie in greater implementation of the system of human rights? Is it a choice of either/ or?

Whether a conception of global justice, or further implementation of the rights specified in documents such as the United Nations Universal Declaration and in the various conventions that have been articulated since is needed to counter these and other problems is an issue of central concern to global ethical reasoning. Similar issues are also perceptible in the debate over what globalization as an economic phenomenon means for the shape of international law and politics. As the world is becoming increasingly interconnected through the global network of trade and finance, the question of whether or not there is a way to enact the moral responsibilities created by the forms of joint economic activity within the present political arrangement of the world proffers itself.

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[2] Ulrich Beck has written extensively on the subject of globalization. In *Twenty Observations on a World in Turmoil,* Beck presents a compilation of the texts and articles that he has submitted to the public debate of the last decade. In the chapter named "Illegal World Citizens", he addresses the grievances of undocumented migrants. See Beck, Ulrich: *Twenty Observations on a World in Turmoil.* Polity, Cambridge 2012, pp 28-35.

Alternatively, are thorough revisions of the international order subsequently needed to counter globalization and the problems it gives rise to? Today, not only the borders of the economic sphere are re-written due to globalization; there are also noticeable changes occurring in the international political landscape which make it plausible to argue that globalization drastically reconfigures the political scope and life of different societies. Therefore, some argue, globalization does yield a situation wherein claims for absolute national sovereignty seem utterly implausible. Given the new sites of power within the global economy, international authority is changing in crucial ways.

An interesting account of how globalization influences both social and political thought and agency is offered by Ulrich Beck, professor of sociology. Beck draws attention to the question concerning proper relation between market economy and political power in the global era. He analyzes the situation for politics which has emerged as a consequence of economic globalization, and uses the term 'global domestic politics' to portray the political reality which now faces the national state. Beck argues that the illuminating potential of this term lies in the close connection it identifies between global and national level, and that it is able to illustrate a situation wherein it no longer seems plausible to conceive of the fates of political communities one at a time. Such separation in thought is utterly illusory as they are all really part of one global and interdependent system. Clearly, Beck surmises that one of the major problems is the lack of political institutions able to stand up to the task of mitigating, at least the most morally startling, consequences of economic globalization.[3]

Beck introduces the term 'risk society' to portray the condition in which societies find themselves as a response to the perceived risks of modernity and the processes of international integration and interdependency.[4] This shapes societies' self-perception and spurs the emergence of the peculiar state of being that is 'globality'. In such a state of globality, risks and threats are shared but are perceived differently depending on position in the social and political order. The space is open for opposing interpretations of what ought to be done, and as a response to what. What is really being debated, Beck claims, are different futures. Disputes over the preferred future scenario include dissenting views on

[3] Beck, Ulrich: *Twenty Observations on a World in Turmoil,* pp 24 ff.
[4] Beck, Ulrich: *Risk Society: Towards a New Modernity*. Sage, London 1992.

what the prospective form of human interaction, in the areas of politics, culture, and in basic social relations should be.[5]

These vast differences in perspective on the perceived risks and problems further complicate the search for answers to the questions of what should be done in response to globalization, and makes views dissent on the question of whether it constitutes a desired course of development and if some measure of control over it is both needed and possible. Some critical voices have responded to the afore-mentioned problems by arguing that we need to adopt a strategy based on the idea that the whole of the world constitutes one moral community, and that a set of universal values ought to be promoted everywhere. Yet others argue that we can conduct an ethically informed discussion on the problems of globalization without asserting the existence of such a thing as a global moral community. The fact of dependency and/or consequences of our actions upon others, irrespective of their nationality, constitutes enough of a ground for such ethical reflection to guide action for relief and betterment. We find different proposals for what could be an appropriate normative model for our global interactions, and a multitude of authors have chosen to engage in the dispute on how such a global ethic is best articulated.

Common to them all, is the presupposition that some kind of global outlook is needed, which is minimally defined as having concern for the whole, or the globe, but beyond this they vary greatly in their view on what the implications of this outlook should be.

Globalization and challenges for ethics

The different processes and dimensions of globalization bring a range of moral problems to the fore. These problems are of such complexity that their solution, if such a thing is possible, is unlikely to be brought about by agents acting in isolation.[6] Therefore we need to engage in ethical reflection that takes the perspective of the globe, a perspective

[5] "To generalize, the complications and confusions of global domestic politics are exacerbated by the fact that all risks are not equal. For some they open up possibilities (hence the door to progress) whose exploitation represents a threat to others." Beck, Ulrich: *Twenty Observations on a World in Turmoil,* p 35.

[6] I am thinking of nation states and other at least somewhat demarcated regional bodies.

that widely extends that of national self-interest.[7] Such ethical reflection could then be conceived of as similar to the task of offering a normative response to globalization, in its many facets. The work of political philosophers Martha Nussbaum and Seyla Benhabib together with the ideas present in the various writings of the theologians and ethicists William Schweiker and David Hollenbach, constitute examples of the endeavor to articulate such a normative proposal for meeting with the moral problems that globalization entails.

The questions surrounding such ethical reflections are many; what form should it take, and given the diversity of the world is it plausible to try to articulate common moral norms? Will it even make sense to approach the problems of globalization by way of normative reasoning? The point of departure in this study is that such is both possible and truly needed. In the current political-moral debate we find a number of proposals for how to deal with the moral problems of today's globalized world. Common for these is the idea that we are now facing a set of problems which in a very vivid sense make it clear that we are 'a whole', that is, that we live in a globally interdependent world. However this could be done in a number of ways, and as we shall see different thinkers supply us with different kinds of arguments for why certain courses of action are to be preferred. What will be demonstrated during the course of this study is that different normative positions on globalization hold rather different views on what it is that is characteristic for ethical reflection. In different accounts of what ought to be done in a global world, morally and politically, we find different stances concerning ethical theory as well as different views of human beings. A central aim for this study is to clarify how these subjects relate to the endeavor of articulating a tenable global ethic.[8]

Several issues are thus involved in the articulation of a global ethic. Firstly, I contend, one needs to identify the moral challenges that globalization makes present. A very brief sketch of some major approaches to what constitutes the serious moral problems facing us in the global world was offered above. By this initial discussion, we can comprehend

[7] A view that approximates the one that ethicist Peter Singer expresses in his book on globalization. See Singer, Peter: *One World: The Ethics of Globalization.* Yale University Press, New Haven 2004, pp 8 ff.

[8] I distinguish between an ethical theory that addresses so called 'meta-ethical' questions, and a normative ethical model that sets out to offer responses to questions such as what constitutes right action, what values ought to be realized in life (individual and social), and what the marks of a good human being are.

that the issue of how to properly depict globalization and the problems it occasions for ethical reasoning, is a subject of far-reaching controversy. In order to identify such global problems we need to consider the accuracy of different descriptive accounts of global processes. Furthermore, we must also contemplate how to assess their respective importance by scrutinizing them from different theoretical and philosophical perspectives. Therefore in the effort to give a plausible description of the phenomenon of globalization, a multi-focal form of investigation seems warranted.

Part of the reason why the concept of 'globalization' holds such a contested nature is owed to the fact that interpreters differ in their views on the world. More often than not, accounts of globalization vary in their narratives of cause and effect, and make different proclamations of future trajectories. Judging which ones are related to different ideological and political stances constitutes a highly intricate task. Therefore, the inquiry on moral challenges in relation to globalization is complicated by vast disagreement concerning what kind of phenomenon it constitutes, and the fact that different accounts of globalization are related to different presuppositions: ideological, theoretical and normative. This of course impinges on the endeavor to articulate a global ethic, as different interpretations of globalization lend support to diverging accounts of the global problems, subsequently yielding different ideas in terms of 'solutions'. Thus the disagreement on the issue of globalization spans all the way from articulation of problem to suggested remedy.[9] Therefore, the question of how globalization should best be conceptualized is central for any study in global ethics.

Of course, the subject area of global ethics spans a larger field than just globalization theory. Global ethical reflection centers on the effort to present values and norms for actions and association that prevail in a global world. Needless to say, the outlines of such proposals differ vastly among various ethicists. A question that is essential for global ethics is the question which concerns the possibility of ethical universalism. The discussion of whether we could plausibly articulate a global ethic must be conducted with recognition of the actual intersocietal di-

[9] The argument made here is that different normative considerations are involved in the various accounts of globalization featured in both academic and political forums. This view finds resonance in the work of ethicist Göran Collste and his study of the descriptive and normative elements operative in characterizations of globalization. Collste, Göran: *Globalisering och global rättvisa*. Studentlitteratur, Lund 2004.

versity in terms of differences in history, culture, and religious traditions that shapes the world. Can there then be something such as a common perspective that can be presupposed or adopted in deliberations on how to deal with moral challenges raised by globalization? Is it even possible to reach common identification and articulation of such problems, intelligible to all persons?

Perhaps we should be skeptical towards all forms of universalistic discourse, viewing it, as some claim, as the effort to impose what is actually a particular tradition's perspective on a politically and culturally pluralist world. Yes, say some, arguing that the fact of pluralism and the legacy of Western imperialism and Enlightenment rationalism constitute reasons to abstain in global discussions from appeals to universals. We need tropes and concepts other than those related to the idea of a common human reason for moral discussions in a global situation that is marked both by pluralism and by radical unevenness in power and material resources.

By this line of argumentation some have drawn the conclusion that ethical universalism is implausible in theory and should not serve as ground for normative proposals for policy. Withstanding this, other theorists maintain that some form of universalism must inevitably be endorsed, as otherwise the prospect of global ethical reflection would coalesce into relativistic conceptions of value. This, they claim, would be particularly unfortunate in a time as ours, where the world is becoming utterly interdependent. Positions regarding what would constitute a proper depiction of the nature of value, norms and principles vary in different conceptions of global ethics.[10] We might then ask whether it is a choice between either affirming the essentially contextual nature of all moral discourse, or proclaiming the existence of moral universals, possible to apprehend by persons belonging to radically different traditions.

Another associated and yet distinct set of issues relate to the question concerning what role religion could possibly play in global ethical reflection. The world's major religious traditions and the communities that uphold them make up large international networks in which both ethical and political concerns form a substantial part of the agendas of

[10] Concerns that are of an epistemological nature constitute one 'dimension' of the position here referred to as ethical universalism. In this study I also inquire whether the authors advocate versions of descriptive and/or normative universalism.

discussion. But could they, and should they, make significant contributions to global discussions of morality? If so, what would these theological contributions look like? In what kind of terminology would such input into the moral conversation have to be cast in order to be accessible to a global audience? Suggestions have been made that, despite diversity in ways of life and faith, the major religious traditions of the world share some basic ethical convictions that could act as the foundation for a common global ethic. In the framework of this study I analyze proposals for a global ethic that have been put forth by two theologians, and by so doing I approach the vivid discussion concerning what contributions different religious and theological traditions can actually offer to global ethical reflection.[11]

The theoretical discussion on normative responses to globalization, and the different proposals for a global ethic, relates to several of the areas and issues commonly debated within the discipline of ethical theory. It is therefore an essential task for theorists interested in global ethics to also pay close attention to the central subjects of ethical theory. Examination of explicitly and implicitly stated views regarding moral epistemology, on the function and purpose of moral language, and concerning the nature of moral values constitutes an indispensable part of the study of global ethics. Besides different stances on the subjects of ethical theory, models of global ethics also differ concerning their view of human beings. Throughout history, both philosophy and theology have offered different interpretations of the significant features of humans, and based on these, have suggested rather different arrangements for society as well as for the life of the individual. Whether the human being is considered from a basically individualistic perspective or is instead interpreted through her role as a participant in community, has a persuasive influence on the kind of normative ethical model that an author suggests. This study targets the varying views of human beings which hold central roles in different models of global ethics, and it aims to show how different standpoints in case of such views and ethical theory inform normative reasoning about globalization.[12]

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[11] The claim that both a realistic conception of value and ethical universalism are necessitated by a theist worldview is dealt with in my critical engagement with these authors. However it should be noted that the view that global ethics constitutes a form of universalistic ethical reasoning also finds resonance amongst thinkers who do not subscribe to a religious worldview.

[12] I make a distinction between ethical reflection that is expressively normative and that form of reflection concerning ethics and morality that appears centered on the set of

Problems and purposes of the study

This thesis has three distinct but related purposes. First, my purpose is to examine different suggestions or models for a global ethic. This encompasses: an analysis of arguments concerning the nature of globalization and the moral challenges it presents; rejoinders to these challenges in terms of principles and norms; and the suppositions in the form of ethical theories and views of human beings which their respective normative arguments presuppose. My second purpose is to scrutinize the models according to a set of evaluative criteria informed by what I argue are features of a 'tenable' version of global ethics. The third purpose for which this study is undertaken is to present some constructive suggestions as to how a tenable model for global ethics could be articulated.

In order to clarify then: the thesis has an analytic, an evaluative and a constructive purpose, where the fulfilling the two former is a necessary but not sufficient conditions for meeting the latter. I conduct a critical discussion with four different models of global ethics and invoke the criteria to assess the different arguments that they put forth. In this way the criteria hold a central role and they shape the argument regarding tenability in global ethics that is made throughout this study. The criteria are presented at the end of chapter one, along with an explanatory discussion of the status and function which I assign to them.

These are the main aims of this study, and in turn they give rise to a set of over-arching questions with which the inquiry deals. Some of the arguments as to why these are central for an inquiry of tenable forms of global ethics have been addressed in the antecedent parts of this chapter, and some are offered in following sections. Further reasons are made present as the theoretical perspectives that inform this study of global ethics are discussed in the subsequent chapter.

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questions that might be described as meta-ethical to their nature. However, I chose to denote this latter activity as the quest of articulating an ethical theory in order to give proper import to the 'fact' that this form of reasoning is also deeply implicated in every effort of normative reasoning, thus it is not something that appears subsequently to it, but acts as one of its constitutive parts. These considerations are what have inspired my choice of the terms 'normative ethical model' and 'ethical theory' to describe the different form of the conclusions reached at the end of these forms of inquiry. Carl-Henric Grenholm has presented an elucidating argument concerning different ethical terms and the connotations they respectively convey in Grenholm, Carl-Henric: *Etisk teori: kritik av moralen.* Studentlitteratur, Lund 2014, p 20.

1. Which are the main moral problems associated with the different dimensions of the phenomenon of globalization?
2. What should the response to these problems, in the form of a normative ethical model, be?
3. What is the relation between global ethics and universalism? Is a global ethic most reasonably understood as a form of universalistic ethics? Or could a global ethic instead be articulated as advocating contextualistic moral reasoning?
4. Are there some institutional arrangements that seem more plausible than others in relation to the insights gained by scrutiny into the nature of global ethical reflection? What kind of political and/or institutional vision for the international arena does a tenable global ethic promote?
5. Given the vast plurality in terms of traditions, cultures and more general ways of life, what would be a reasonable view of the human being included in a global ethic?
6. What kind of ethical theory, as a stance on moral justification, the nature of moral values, and the meaning of moral language, is sustainable for global ethical reflection?

These questions are further explicated into the set of analytical questions that this study uses to examine different models of global ethics.

Globalization – a contested notion

An analysis of different suppositions about globalization and its meaning for ethical reflection forms an essential part of the inquiry that this study undertakes. It has already been stated that the views on what globalization is and what its consequences for ethics are differ widely, and therefore the question of what the features of globalization with relevance for normative theory are, is also a much-discussed matter. One approach to these matters is put forth by Peter Singer in his book *One World: The Ethics of Globalization.* Singer traces the meaning of different globalizing processes and their significance for ethics by turning his attention to the 'dimensions' of environment, economy/finance, and jurisprudence and legislation.[13] He argues that globalization should be scrutinized in terms of its moral implications, because irrespective of

[13] See the introductory chapter in Singer, Peter: *One World*, pp 1-13.

the difficulties associated with both the descriptive and interpretative task in relation to the phenomenon of globalization (its causes, processes and effects), the growing enmeshment of the world yields the need for global ethical reflection on basic moral questions. Singer also states that, notwithstanding the more precise meaning behind it, we can conclude that the increased economic global interconnectedness of the last decades has not been accompanied by universal improvements in material and social conditions. Rather, what strikes the observer taking a global outlook is the radical inequality in the chances people have for leading decent human lives, and that these also vary substantially between different regions of the globe.

In this study I place myself in the on-going discussion concerning the moral implications of globalization and I argue that it has crucial effects on both economy and politics. As the processes of globalization seems to impinge in crucial ways on both intra- and inter-communal social relations, ethical scrutiny of this phenomenon is called for. International trade and the integration of national economic markets into a global counterpart has led to a both novel and puzzling situation for political decision-making and action. As theorists Ulrich Beck and David Held both claim, this causes the need for elaborating models for democracy and political legitimacy in the global arena. Globalization in both political and economic life actualizes issues central to the discipline of political philosophy. My contention is therefore that it yields the need to consider such questions as: what are legitimate forms of governance in the global arena; how should governments act in relation to it; does globalization radically alter the conditions for assuming political responsibility; and what should the role of the international community be in the securement human rights? Furthermore, given the radically interdependent nature of the word, the question of just distribution of resources on a global scale stands forth as utterly pertinent.

In order to better grasp the import of these developments within the economy and politics on ethical reflection, I use perspectives from sociology and political theory. Although a critical discussion on different theories of globalization, together with a stance on the major moral problems associated with it are offered in the subsequent theoretical chapter, I want to make clear that a central thesis of this study concerns the issue of globalization as a multifaceted phenomenon, comprising processes which amongst them show a great diversity. An attempt at a qualified interpretation of its meaning is both desirable and possible.

Such an interpretation should be supported by sound sociological and political theoretical arguments, and as such these form part of the basis of a normative assessment of, and response to, globalization.

Global ethics and a global ethic

In conjunction with ethicist Nigel Dower, I to argue that a distinction can be plausibly made between global ethics and a global ethic.[14] According to this scheme, *a global ethic* denotes a set of values, principles or norms proposed by some actor, which can either be a person, a group of persons, or larger unit such as a tradition, to be of global significance. On this view, what make the proposed values or norms 'global' are that they apply globally, that is for people all over the world. This can be coupled with the idea of a universal morality, one that recommends normative standards valid for every social constellation. Another stance concerning what characterizes a global ethic is the idea that amongst different societies we find a set of values and norms that are basically similar. Then according to this view, a global ethic is something that is equivalent or at least very similar to the normative commitments which different societies already live by. 'Global ethics' however, is not merely the plural form of a global ethic but constitutes the critical scrutiny of the norms, values and principles advocated as having global validity and applicability. As such it should be conceived of as a critical endeavor that comprises the aim of explicating both the content and the strategies of justification proposed for the norms, values and principles part of different models for global ethics. Thus, it is to be understood as the analysis and critical engagement with different versions of a suggested global ethic. This study relates to global ethics in both these senses.

Examples of proposals for a global ethic, in the first sense mentioned above, come from different directions; we find both academics and political actors engaging in discussion on global ethics. These suggestions respectively target different aspects of the global condition. One exam-

[14] Dower, Nigel "The Challenge of Global Ethics. Is a Global Ethic either Possible or Desirable?" in Grenholm, Carl-Henric and Kamergrauzis, Normunds (eds.): *Sustainable Development and Global Ethics*. Acta Universitatis Upsaliensis, Uppsala 2007, pp 79 ff.

ple is the contention that the major religious traditions show resemblance of central moral convictions, as discussed by theologian Hans Küng. Küng's claim is that the substance of convergence of convictions is conveyed in the Golden Rule. This central moral principle and the norms it supports would then constitute sufficient ground for a declaration of a global ethic common to the world's major religions.[15]

Yet another example of a global ethic is constituted by the various conceptions of sustainable development which have been articulated by different political bodies, interest groups and researchers. However, the proposal for global norms that has by far received the greatest attention is the UN-project of enunciating universal human rights. The central place which this proposal for global moral norms has held in international deliberations since the last mid-century, also helps account for the great differences in opinion concerning the proper interpretation of what the language of human rights really signifies, and what limits it actually puts on the states in their dealings with both citizens and non-citizens.[16]

These are moral and political projects with significant global influence, which involve people of vastly different cultural, religious and social backgrounds. However the primary focus of my investigation and analysis of different versions of a global ethic is on the proposals put forth by political philosophers and Christian ethicists. The forms of global ethics I engage with are thus both theoretically well-demarcated and relatively refined, as the proposals analyzed are put forth by academic writers consciously relating to the central theoretical issues involved in the global ethic-discourse. This means that I will conduct an inquiry into the content, nature and justification of different theoretically sophisticated proposals for a global ethic. By choosing models of

[15] In the 1990s, Hans Küng initiated a project called Weltethos (World Ethics), which was presented as an attempt to define what the world's different religious traditions have in common, and also to suggest a set of norms that they could jointly accept. These efforts resulted in the declaration entitled *Towards a Global Ethic: An Initial Declaration* which was signed at the 1993 Parliament of the World's Religions by leaders from several religious groups. Küng himself has elaborated his ideas concerning these matters in various texts. See for instance: Küng, Hans: *A Global Ethic for Global Politics and Economics*. Oxford University Press, New York 1998.

[16] To give a comprehensive introduction to the history of human rights discourse is beyond the scope of this study, however the interested reader might turn to scholar Samuel Moyn who, in his book *Last Utopia* gives a critically versed reading of the UN-project of HR. Moyn, Samuel: *The Last Utopia: Human Rights in History*. Belknap Press of Harvard University Press, Cambridge 2010.

this kind to act as the objects of my analysis, I am able to inquire concerning both normative content and the wider ethical suppositions that theoretical elaborations of global ethic(s) contain. What I hope to have convinced the reader about at the end of the theoretical chapter which follows this introduction, is that a global ethic ought to be viewed as comprising normative arguments targeting the global situation as well as certain considerations on the level of ethical theory.

By this broad analytic focus on the theoretical efforts that a number of researchers have made to articulate normative reasoning in relation to global moral problems, the kind of global ethics conducted in this study is related to, yet distinct from, enquiry about the relation between globalization and ethics in another, and broader, sense. Global ethics is sometimes understood to be equivalent with inquiry about the globalization of ethics and is then conceived of as the study of the global adoption and implementation of certain values and norms. The last two decades have witnessed the growth of this field up to the point where it now constitutes a distinguishable theoretical discipline. Some of the work being done under the heading of global ethics has fastened on the effort to investigate if there are any 'global' values and norms; 'global' in the sense that people all over the world share them. This essentially descriptive analysis is primarily conducted by sociologists and researchers of religion.[17]

The examination of different models of global ethics that this study makes includes an illustration of the stances that they adopt on the topic of pressing global issues, with a primary focus on the ethical meaning of globalization. However, the point of departure for the review of different descriptions of the nature of globalization is the insight that what is described as a descriptive statement can, on closer examination be

[17] One of the most influential efforts at such a description of values held by people in a global perspective is The World Values Survey (WVS), a research project in which people's values and beliefs are surveyed. Changes over time together with social and political impact of such changes are also included in the survey. Established in 1981, it includes surveys in over a hundred countries. The findings have been analyzed by political scientists Ronald Inglehart and Christian Welzel, who claim that global cross cultural variation can be arranged according to a scheme with two major dimensions wherein two opposite sets of values are found: Traditional values versus Secular-rational values, and Survival values versus Self-expression values. However, their arguments have met with much criticism, suggesting that they are indicative of Western ethnocentrism. A theoretical elaboration on their findings is given in Inglehart, Ronald and Welzel, Christian: *Modernization, Cultural Change, and Democracy: The Human Development Sequence.* Cambridge University Press, New York 2005.

shown to have clear ideological, and normative, components. In the case of accounts of globalization involved in different models of global ethics this means that global ethics as critical inquiry should also target such understandings. For instance we can see that different political persuasions animate different descriptions of the meaning of globalization, and its import for economy and politics.

The distinction between global ethics and a global ethic also informs the tentative definition of the concept of a global ethic which is suggested in this study: 'a global ethic' is the endeavor to treat global moral issues from a critical perspective, an effort that might result in a normative ethical model regarding globalization and its associated moral issues. Thus, a model for global ethics is partly a response to global moral problems in the form of a collection of values and norms suggested to guide our thinking in these matters. A global ethic offers a description of global moral problems, and these might be viewed as consequences of globalization, in which case an account of globalization is part of it.

The essential part of a model of global ethics, however, is the argument it proposes for how to normatively deal with these global moral problems. This dimension concerns the substance of the normative ethical model, and relates to several branches of the discipline of ethics. Firstly, as a normative model for global issues, a model of global ethics constitutes an example of ethical reflection applied to a certain area of morality. For instance, these problems can be global poverty, development and international aid, the political and legal status of immigrants and refugees, and how to deal with social, cultural and political pluralism when relating to others on the global scene. The systematic reflection and elaboration of either one of these global moral problems (and one could of course conceive of other), is constitutive for a normative ethical model for global moral issues i.e. a global ethic. The adjective 'global' stands for the area of investigation which the normative ethical models characterized as versions of global ethic have. A model of global ethics also relates to that which is here called ethical theory. I contend this is so because the normative enunciations which are part of a global ethic are underpinned by certain beliefs concerning the nature and scope of moral norms and values. If a model asserts the universality or global status of certain principles or norms then it should also be made clear what is meant by such statements. This indicates the need for some theory of justification in models for global ethics.

Universalism and contextualism

Within the Western moral-philosophical tradition the predominant view on moral reasoning has been that it ought to be both conceived of and cast in universalistic terms. Different proposals and models have usually incorporated claims concerning universal validity and application. The assumption has been that morality to its nature is such that all human beings, irrespective of their different societal or cultural belonging, can comprehend it. According to thinkers that adopt this stance, human beings can utilize their practical reason in order to become knowledgeable about the morality required. Their ability for reasoned reflection gives that rational moral conclusions regarding what ought to be done is possible. However, such ethical rationalism together with the presumption of a universal human nature explicated in terms of the ability for reasoned reflection has been radically challenged. Critics point to what they take as an excruciating argument in its disfavor: namely that we see no consensus on moral matters and that it is unlikely that we ever will.[18] Moral pluralism is a feature of existence which disproves all claims that a universal ethic is either possible or desirable. The differences that are displayed in the life of the world's communities make claims to a common human ability for reasoned reflection seem purely speculative. Furthermore, such claims are also deeply unfeasible given the risk that they are used by agents that seek to reinforce their own political and cultural agenda on other communities, postulating this as a universally 'true' or practicable program.

Nevertheless, critical interjections such as these have not caused total relinquishment of ethical universalism in moral philosophy. Some have responded to the argument of apparent moral pluralism by stating that primarily, it is a question of disagreement on a descriptive level. The argument follows that although it is obvious that we use different words and concepts for moral problems, this should not be taken as a sign that we invoke radically different standards for moral reflection. The variation in vocabularies invoked to describe the moral life both in

[18] A substantial amount of the critique aired against universalism points to the way that alleged universal articulations of morality have really been an imposition of the moral understandings of a particular (and powerful) minority on the majority. As such, projects that aim at articulating a universal morality are allies to colonialism and imperialism. Iris Marion Young pointed to the way that the ideal of impartiality has been used to mask actual differences, and how this has played a part in the effective exclusion of groups that did not fit in the stipulated norms of justice. Young, Iris Marion: *Justice and Politics of Difference*. Princeton University Press, Princeton 1990, pp 5, 37 ff.

and between different communities does not render the search for joint moral standards utterly meaningless.[19] Skepticism concerning the possibility of rationally justifying moral judgments is therefore uncalled for and we can reason together in central moral concerns. According to this view it is possible to reach conclusions about what constitutes right action or a good human life, which will be valid for different societies.

Ethical universalism and contextualism offer different answers to the epistemological question of how moral judgments can be justified, and theorists differ in their respective views concerning the nature of the reasons that can be employed in moral justification. The term 'ethical universalism' denotes the view that the reasons that can be invoked in support of valid moral judgments are of such kind that they could yield acceptance from all people. Several of the universalistic theories have also been rationalistic as they have claimed that the use of human reason yields arguments which can act as support in reasonable moral argumentation. Theories expressive of the stance labeled 'ethical contextualism' instead assert that traditions give different accounts of moral rationality and thus argue that the reasons invoked in moral argumentation are decisively formed by context.[20]

Whether it is portrayed monolithically or pluralistically, a theory of moral justification relates in a central way to the issue of what constitutes ethical rationality. Ethical rationalism has been thoroughly challenged. Critics have claimed that this position fails to take heed of the crucial interdependence between articulations of what counts as rational and the concepts and other cognitive resources of the tradition from which it has emanated. An account of how moral justification is to be both conceived of and undertaken, is essential for an acceptable model of normative ethics. However, a theory of moral justification needs to be corroborated in a way that takes the pluralism which we inevitably encounter in the global arena, into serious consideration.

Related to the polarity of universalism and contextualism regarding differences in epistemological position, are the further questions com-

[19] One could say that lines of critique stemming from 'communitarian' thinkers, a category into which Michael Walzer is often placed, conjoin in the view that forms of universalistic ethics are founded on an implausible idea – that general, and thus necessarily abstract, universal principles could actually offer any viable guidance in specific instances of the moral and political life of different communities.

[20] These terms are clarified in Grenholm, Carl-Henric: *Bortom Humanismen. En studie i kristen etik*. Verbum, Stockholm 2003, pp 17 ff.

monly associated with the philosophical justification of moral judgments, namely: how should we understand the meaning of moral language? Are moral utterances to be conceived of as statements of facts, or are they rather to be interpreted as expressions of feelings or attitudes, and does morality as a human phenomenon relate to anything beyond the discursive resources of different societies? Is there a realistic quality attached to statements concerning the ethically right and morally good? As these queries form a central part of this inquiry, they are the object of substantial analysis and treatment in the subsequent chapter.

Method

A considerable part of this study is devoted to an analysis of different models suggested for a global ethic. The aim is to clarify how these models respectively account for globalization, what kind of normative model their reasoning is an example of, their epistemological position, the view on human beings advocated, and the ethical theory endorsed. I do this by posing a set of analytical questions regarding the factual or descriptive claims, normative argumentation, and philosophical and ethical theoretical suppositions that their reasoning is explicative of.

Through this analytical treatment of the models, I create the necessary foundation for fulfilling my second purpose, namely to evaluate them according to a set of criteria regarding tenability in relation to global ethics. The results engendered by the critical discussion in which the evaluative criteria are related to the models and the criteria themselves are essential in meeting the last of my purposes: to offer constructive argumentation in favor of a certain conception concerning a tenable version of global ethics. The evaluative criteria are thus essential for this study and they are presented and defended at the end of chapter one. This is a matter to which we will return but it is here worth mentioning that these criteria are not posited as either strictly formal or as having unequivocal meaning and implications. Rather, they are related to certain suppositions in terms of standpoints adopted by this study in central philosophical and theological concerns. Nevertheless my intention is to make them as accessible as possible by offering an argument in support of them which is hopefully both cogent and transparent concerning my own philosophical and theoretical persuasions.

The overarching goal of the study is to propose constructive answers to the question of what it is that denotes a tenable global ethic. As mentioned above, this aim is pursued in part by analysis of different proposals for a global ethic originating from Christian-based theological ethics and political philosophy. Two models from each strand have been chosen for examination, and the primary material of the study consists of these four different models of global ethics. To fulfill the overarching aim of the study, inquiry proceeds in two steps: initially, the four different theories are analyzed and assessed according to the evaluative criteria. Secondly, constructive suggestions are put forth concerning why a certain understanding of global ethics can be considered more tenable than others, a stance formed in some measure by identifying shortcomings with the models. In this way are the scrutiny of the models and the constructive arguments that this study puts forth clearly related. The criteria hold central place in both these effort. The reading of the arguments of the theorists whose work has been chosen for examination is of course just that, a reading, and as such an interpretation of what might be reasonable conclusions regarding 'their' answers to my analytical questions. However I intend to make this analysis as transparent and traceable as possible by continuously presenting the reader with arguments as to why I have committed to certain interpretative choices and thus abstained from other conceivable understandings of their reasoning.

In this study I take the work of four ethicists as examples of different conceptions of global ethics. The selection of these models is based on the understanding of the constitutive part of a global ethic that I propose and which was somewhat corroborated above. Even though a definition of a global ethic is invoked to make my choice of material, the way the model is presented by the author has played some part in the selection of relevant theories. However primary concern in the process of choice has been the quality of the reasoning presented by the author. In order for it to qualify as a version of global ethics, in the understanding of the term invoked in this study, it has been a requirement that the models deal with both normative issues and ethical theory. By the term 'model for global ethics', I intend ethical reflection that is clearly delineable by its focus on global moral problems. The epithet 'model' is then applicable to the outcome of the kind of reasoning in which an ethicist gives sustained treatment of the normative and ethical theoretical questions, which are central to global ethics. Common for the models are that in

addition to systematic treatment of a defined set of global issues, they also comprise of endeavors for philosophical justification of the norms and values that they respectively suggest.

In the framework of this study then, inquiry into the form and substance of global ethics is conducted in part by an analysis of four models, and it is this study's understanding concerning the constitutive parts of models for global ethics that has motivated the choice and phrasing of analytical questions. In the analysis of the four different models, I work primarily with six clusters of questions that, although they are related, stand on their own as distinct questions for analysis. They are the analytic and systematic measures by which I approach the models and in this respect, they assume a key role in the inquiry of the present book. I have articulated them in the following way:

- How is the phenomenon of globalization, explicitly or implicitly, accounted for by the model? What are the major moral problems engendered by globalization?
- What kind of normative response to these problems actualized by globalization does the model prescribe? What are the principles, values, or norms that are considered central for a model of global ethics?
- Does the author present ideas concerning institutions for the global order? Granted that institutional visions can be designated more or less clearly; does the model supply any particular political vision, either explicitly or implicitly?
- How does the author treat the tension in ethical discourse meant for global reach between universalism and regard for the role of particulars, such as: location, tradition, religious or social belonging, of different moral subjects? Does the model advocate a form of ethical universalism, or does the author instead favor some version of ethical contextualism?
- What view of human beings is related to the model? Again this is a question that addresses both explicit and implicit stances that the normative position relates to. What are the basic assumptions about the human being that the model articulates? Here it is a matter of asking what the model argues is characterizing for human beings.
- What kind of postulations within the area of ethical theory does the global ethic proposed by the author incorporate? What kind of ethical theory is related to the model?

Hopefully, I have now succeeded in giving effect to my intention by offering these arguments, namely: to expound the methodological considerations that have guided the design and framing of this study concerning a tenable model of global ethics. These are the considerations that have played a central role for the selection of material, and they are also central for the articulation of categories by which the material are analyzed.

Material

Four different models of global ethics are analyzed in this study, and these are: Martha Nussbaum, Seyla Benhabib, David Hollenbach and William Schweiker. In this section their work is briefly introduced.

There are four main reasons behind the choice of material for this study. Firstly, the four models I have chosen are good examples of global ethics in that they recommend different normative models for global problems, but also on account of the critical engagement with the various issues of ethical theory that the authors respectively perform. Secondly, it is also the case that together, the models comprise a set of approaches to global ethics that emanate both from political philosophy and theological discourses. As my main academic affiliation is with theological ethics, the choice to include theologians Hollenbach and Schweiker in this study is founded by my intention to examine possible contributions from theology to the discussion on global ethics. However as my objective is to conduct such inquiry in dialogue with political philosophy, I have chosen to include models presented by political ethicists such as Nussbaum and Benhabib as well. Thirdly, the selection of authors strikes a balance between female and male theorists. Fourth and lastly, the models selected represent different theoretical perspectives and offer a variety of approaches to both normative ethics and ethical theory. Amongst them, we find models that focus on different aspects of the global condition: global justice, human rights and sustainable development, and thus they relate to somewhat different discourses of global ethics.

Martha Nussbaum, who is professor of Law and Ethics at the University of Chicago, has written extensively on a variety of subjects in the fields of moral and political philosophy. However, the subject that has yielded most attention in her academic production is probably the

model known as the capabilities approach which she initially worked on alongside Amartya Sen. Nussbaum states that it was originally proposed as a theoretical perspective meant to guide discussions in development studies. The Human Development Index now used by the United Nations Development Program makes use of the concept of capability in its measurements of social progress and in its comprehension of wellbeing. In *Women and Human Development: The Capabilities Approach* (2000) Martha Nussbaum provides her version of the capabilities approach and presents a list of ten central human capabilities which she argues are essential for authentic human life. A central part of Nussbaum's argument as to why her enunciation of capabilities constitutes a good ground for basic political principles evolves around the distinction between capabilities and functionings that she argues can be plausibly drawn.

In focusing especially on the lives of women in developing countries in *Women and Human Development*, Nussbaum adopts a global viewpoint as she contends that her capabilities approach yields a set of basic political principles that ought to be included in the constitution of every nation state. Clearly, Nussbaum conceives her approach to be of global import. In her later book *Frontiers of Justice: Disability, Nationality and Species Membership* (2006) Nussbaum goes directly to the issues of how a model for global justice should be articulated and makes suggestions for principles for a global institutional order. Nussbaum argues that the Capabilities approach has clear advantages to the Rawlsian-styled procedural accounts of justice in a global setting presented by Thomas Pogge and Charles Beitz.

Seyla Benhabib is professor of philosophy and political science at Yale University. Positioned in the intersection of political theory, ethics and law, her work has received much attention in the current philosophical debate. Benhabib is known for her work in both critical and feminist theory. One of her primary contributions to the philosophical debate is her work in discourse ethics, and Benhabib has become known for elaborating the accounts originally given by Karl-Otto Apel and Jürgen Habermas. The most extensive formulation of her version of discourse ethics is found in *Situating the Self: Gender, Community and Postmodernism in Contemporary Ethics* (1992). Here, Benhabib's primary concern is to offer plausible responses to the critique ventured against universalism from postmodern, communitarian and feminist theorists. The argumentation that Benhabib advances in this book gives crucial leads on

the form of ethical theory that is related to her version of discourse ethics. However, her global ethic is most clearly expressed in *The Claims of Culture: Equality and Diversity in the Global Era (2002)* and *The Rights of Others: Aliens, Residents, and Citizens (2004)*. In both of these, Benhabib addresses the problems facing ethical reasoning in a global world. In particular, she points to the fact that a growing human rights regime challenges classical notions of national sovereignty, as proponents of universal rights argue that states have responsibilities not just towards their own citizens, but to humanity at large. In this way, the democratic community is obliged to secure both the rights of its residents and also to respect the human rights of every person. A potential tension is thus present in the fact that a democracy, in order to work, requires borders. Benhabib argues that this conflict is especially noticeable in political discussions of how to deal with 'resident aliens', a category which includes both economic migrants and asylum-seekers. This, she asserts, seems to be the form of conflict or tension that we cannot finally resolve, but rather creates a need for constant mitigation.

Throughout the course of *The Rights of Others,* Benhabib pursues the thesis that citizenship is being subjected to a form of disaggregation due to the processes of globalization, and that this gives impetus to revise our apprehensions of the shape and nature of international relations.[21] Benhabib contends that the form of cosmopolitanism suggested by Kant in his *Zum ewigen Frieden* published in 1796 serves as a good point of departure for these discussions, and she states that her proposal proceeds from the principle of Universal hospitality that Kant suggested there. Furthermore, Benhabib argues that this constitutes a principle which can be invoked in support of a human right to political membership. This is a central part of the cosmopolitan federalism which she advocates.

The third author who's reasoning on global moral problems that this study analyzes is David Hollenbach, professor in social ethics and Chair in Human Rights and International Justice at Boston University. Committed to the Catholic tradition of common goods, Hollenbach's work relates to topics and discussions which are central for both political philosophy and Christian social ethics. Over the years he has actively engaged in political debates, arguing in support of a more just economic

[21] Benhabib, Seyla: *The Rights of Others: Aliens, Residents, and Citizens.* Cambridge University Press, Cambridge 2004, pp 172 ff.

order in the United States as well as in the global arena. In 1986, Hollenbach was a part of the group that wrote "Economic Justice for All: A Catholic Social Teaching and the U.S. Economy", a pastoral letter issued by the Catholic bishops in the United States concerning urgent social issues that the church needs to respond to.

The starting point for Hollenbach's reasoning in both *The Common Good and Christian Ethics* (2002) and *The Global Face of Public Faith: Politics, Human Rights, and Christian Ethics* (2003) is the assertion that globalization has a profound impact on the possibility of people leading good lives. Hollenbach contends that as globalization makes us ever more dependent, the need for a cosmopolitan perspective in ethical inquiry becomes progressively apparent. Economic globalization, or the globalization of economy, is given particular focus in his reasoning, partly because he sees it as the principal engine of the changes occurring in the global arena and partly due to the circumstance that his social ethics includes a clear focus on questions of economic distributions. In order to respond to this new global situation and the economic system that it creates, Hollenbach argues that ethical reasoning must be guided by the search for a common good. He states that "In this interdependent world, the need for a clear vision of the common good of the whole human race is evident."[22]

In the more recently published *Refugee Rights: Ethics Advocacy, and Africa* (2008) and *Driven from Home: Protecting the Rights of Forced Migrants* (2010), Hollenbach engages in the discussion on the rights of migrants, refugees, and internally displaced persons.[23] In these later writings the connection between the theory of common goods and human rights is less obvious. Instead Hollenbach applies the arguments formerly developed to the international political discussions on the rights of refugees and migrants. Human rights, he asserts, should be understood as the justified claim of every human being to be assured the basic means for participation in society. However, as these rights-claims are directed to humanity at large, neither their validity nor the responsibility for responding to them ought to be conceived of as restricted by national boundaries. Hollenbach presents us with a theory of

[22] Hollenbach, David: *The Global Face of Public Faith: Politics, Human Rights, and Christian Ethics*. Georgetown University Press, Washington D.C 2003, p 3.

[23] This latter category is especially important as it denotes a group of persons often neglected in discussions on human rights. Responding to their situation morally and in terms of political initiatives means challenging classical conceptions of national sovereignty, Hollenbach argues.

human rights that he argues can find recognition in both religious groups (mainly Christian) and political philosophical circles.

William Schweiker is professor of theological ethics at the Divinity School of the University of Chicago. Over the years, Schweiker's scholarly work has ranged from questions concerning comparative religious studies to inquiry into the history of ethics, as well as moral philosophy. His theoretical affinities can be roughly characterized as hermeneutical and phenomenological philosophy, as well as Christian responsibility ethics. Schweiker has set out to elaborate a theological ethical position by way of dialectic discussion with major strands of thought in Christian ethics and moral philosophy. His central claim is that Christian and theological ethics contribute substantially to the philosophical reflection on morality, and in Schweiker's view, theological and philosophical arguments are not contradictory but rather should be essentially viewed as complementary.

Schweiker argues that the basic problem facing ethical reflection today is that the termination, in philosophy as well as in theology, of traditional concepts such as realism and objectivity has occasioned widespread confusion concerning what constitutes the ground of value. It is no longer the case that moral value is perceived as something which is different from human power, Schweiker claims, instead are concepts such as good and right taken to be equivalent with human valuation. These tendencies have caused the present state of being which is best described as 'overhumanization', Schweiker argues. On his account, morality and ethical reasoning are currently characterized by pluralism and widespread confusion about the values that ought to guide individual and communal life.

According to Schweiker, this extension of human power and the loss of a sense of value beyond human evaluation pose an imminent threat to the future of life on earth. Globalization makes this even more persistent, as it highlights and speeds up the abovementioned tendencies and processes. Schweiker is in this way dealing with problems that are central for global ethics and his position should be viewed as a model of global ethics. Although, Schweiker presents us with a model that is less focused on the political and institutional challenges of a globalized world than the other models. Nevertheless, by its focus on non-human life and the environment Schweiker's model makes a valuable addition to the models suggested by the other authors. Furthermore, Schweiker

is a theologian who has contributed greatly to the subject of ethical theory by his discussion of epistemology, realism and moral pluralism.

Outlining the model of responsibility ethics forms the central task of Schweiker's *Responsibility and Christian Ethics* (1995). The arguments he develops there reoccur in *Power, Value and Conviction: Theological ethics in the Postmodern Age* (1998), which is a compilation of various texts on moral realism and other issues related to ethical theory. In *Theological Ethics and Global Dynamics: In the time of Many Worlds* (2004), Schweiker applies the model of theological responsibility ethics to a set of perceived global problems and introduces and corroborates the stance he entitles 'Theological Humanism'. Schweiker contends that *responsibility* is a moral concept which is central both for philosophy and for different versions of theological ethics. The idea that moral inquiry needs to be conducted by adhering to the major insights of both these disciplines is crucial to his argument.

Previous research

As has been previously stated, global ethics is a subject that has received increased attention in the academic context. An example of this is the work of ethicist Peter Singer. Originally known for his model of animal rights and reasoning concerning world poverty, Singer has since focused on the import of globalization on morality and ethics. In the already-mentioned *One World,* Singer argues that a preference-utilitarian model or stance is especially conducive for matters that relate to the world as one, as a globe. The 'impartial' perspective which it supports could then form the base of an ethics of globalization, Singer claims. It recommends far-reaching re-arrangements of the current institutional world order, as well as individual incentives and actions.[24] Also arguing that the present shape of the world demands joint moral responses, philosopher Kwame Anthony Appiah has taken an interest in the history and legacy of the idea of cosmopolitanism. Appiah interprets cosmopolitanism as the idea that all people belong to a single *polis*, and in virtue of their humanity are fellow citizens of the world. Appiah appropriates both historical texts as well as ideas and notions which are part of the philosophical and ethical heritage of the Enlightenment to corroborate the form of cosmopolitanism which he denotes as 'rooted'. He

[24] Singer, Peter: *One World,* pp 162 ff.

argues that this would be a cosmopolitan stance which is respectful of cultural variation and differences. However, Appiah does not make suggestions for institutions or forms of governance that are suitable for the global world. Rather it advocates cross-cultural dialogue and globally inclusive conversations.[25]

Furthermore, several research centers have been established with the purpose of facilitating academic engagement with issues relating to global ethics. At the University of Birmingham there is the Centre for the Study of Global Ethics which is devoted to research and education on subjects essential for global ethics. Heather Widdows, who is active at the center, has written about several of the issues that relate to ethics and globalization. In *Global Ethics: An Introduction* published in 2011, Widdows focuses on both theoretical and practical issues that relate to global ethics.[26] Together with Nigel Dower, Widdows also acts as editor for the Edinburgh Studies in Global Ethics, which is a series of monographs addressing contemporary global ethical concerns. The series is composed by contributions from authors who have their primary research interests in a variety of fields, and thus it holds a multi-disciplinary nature. It covers issues addressed in disciplines such as moral and political philosophy, international relations, politics, sociology, development and environmental studies. This series constitutes an example of the kind of multi-disciplinary endeavor that global ethics often constitutes.

In this context we also find Nigel Dower, who is an example of a moral philosopher with a primary research focus on the topics of global ethics. Dower has been working extensively with international ethics as well as the ethics of war and peace and cosmopolitanism.[27] Amongst his contributions is the proposal for a classification of different forms of global ethics, which offers an elucidating illustration of the many ways in which the term is being invoked in current debates. This aspect of Dower's work is of crucial interest for this study; it is part of the theoretical framework which is elaborated in the subsequent chapter.
In addition, centers for both education and research on human rights are increasing in number as universities in different parts of the academic

[25] Appiah, Kwame Anthony: *Cosmopolitanism: Ethics in a World of Strangers*. W.W. Norton, London 2007.
[26] Widdows, Heather: *Global Ethics: An Introduction*. Acumen, Durham 2011.
[27] See for instance Dower, Nigel: *World Ethics: the New Agenda*. Edinburgh University Press, Edinburgh 1998, and Dower, Nigel: *The Ethics of War and Peace: Cosmopolitan and Other Perspectives*. Polity, Cambridge 2009.

community have taken an interest in the many issues that this multi-faceted phenomenon makes present. For example, in the Scandinavian context we find the Division of Human Rights at Lund University, which gathers researchers from a range of disciplines. The research conducted there encompasses historical, philosophical and legal perspectives on the subject of human rights.

An early example of theological ethical research on global ethics is found in Elisabeth Gerle's dissertation *In Search of a Global Ethics*. Gerle conducts a critical analysis of theological, political, and feminist perspectives that are present in the documents JPIC and WOMP issued by the World Council of Churches.[28] Also located in the theological discourse is ethicist Pamela Slotte who, in her doctoral thesis *Mänskliga rättigheter, moral och religion: om de mänskliga rättigheterna som moraliskt och juridiskt begrepp i en pluralistisk värld* (2005), discusses the relation between religion and morality in different comprehensions of human rights and inquiries concerning the substance and the legitimacy of the kinds of claims that human rights constitute. Slotte's suggestion is that we ought to conceive of human rights as a concept that has both moral and legal connotations as well as practical import.[29] This study focuses on topics similar to those attended to in Slotte's reasoning but has a broader purview, as the global issues it works with are not restricted to the topic of the meaning of current human rights discourse.

In his dissertation (2006) Dan-Erik Andersson conducts a critical analysis of the suggestion for a global ethic put forth by Hans Küng.[30] The inquiry Andersson makes concerning the reasoning of Küng is interesting and deserves to be mentioned in the context of current research on global ethics. However the critical engagement that my study expounds with both explicitly theological as well as political philosophical models concerning the proper outlines of a global ethic distinguishes it from Andersson's, which focuses primarily on the work of one, theological, scholar. It should however be noted that Andersson uses

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[28] Gerle, Elisabeth: *In Search of a Global Ethics: Theological, Political, and Feminist Perspectives Based on a Critical Analysis of JPIC and WOMP*. Lund University Press, Lund 1995.

[29] Slotte, Pamela: *Mänskliga rättigheter, moral och religion: om de mänskliga rättigheterna som moraliskt och juridiskt begrepp i en pluralistisk värld*. Åbo Akademis förlag, Åbo 2005. The translated title reads *Human Rights, Morality and Religion: On Human Rights as a Moral and Legal Concept in a Pluralistic World.*

[30] Andersson, Dan-Erik: *En moral för hela världen?: en analys av Hans Küngs Projekt Weltethos*. Lund University Press, Lund 2006.

Küng's reasoning as a stepping stone in order to conduct further discussions on the tension between visions of a universal morality and the apparent fact of social, cultural and religious pluralism.

In 2005, at the Department of Theology at Uppsala University, Carl-Henric Grenholm and Normunds Kamergrauzis initiated and led a research project on a set of issues which relate to the overarching question about sustainability and ethical reflection in a globalized world. This resulted in the publication of the anthology *Sustainable Development and Global Ethics* (2007).[31] The articles included in it offer comprehensive engagement with different theoretical concerns related to global ethics. Yet another contribution to the subject of human rights in a global world is constituted by Elena Namli's *Human Rights as Ethics, Politics, and Law* (2014). In this book, Namli (who is also active at the department of theology in Uppsala) discusses the many components of modern human rights cultures, and through the course of her inquiry she elaborates an argument for a principle by which to make prioritizations between competing rights claims. Namli suggests that Ronald Dworkin's principle of equal concern and respect could fill such a function. I also support the idea that this principle is central for sustainable human rights discourse and implementation and it figures at several points in the argument concerning tenable global ethics that this study makes.

The issue concerning the kind of ethical theory that a tenable global ethic relates to is central to the inquiry undertaken in this book. By also posing the question of a plausible view of human beings in relation to global ethics I am able to target dimensions of ethical reflection not commonly addressed by those working in the field. These questions are present in the discourse on global ethics, yet they rarely receive explicit treatment and are treated mainly in adjunct. In this respect my study fills a clear void in the current research and discussions on global ethics. I am interested not only in the normative models which are contenders for global acceptability and application, but also in the theoretical perspectives that justify different theological and philosophical approaches to global ethics.

[31] Grenholm, Carl-Henric & Kamergrauzis, Normunds (eds.): *Sustainable Development and Global Ethics*.

Outline

Following this introduction, the next chapter 'Globalization and Ethical Reflection' gives yet further explication of the analytical framework within which this study is positioned. This is achieved by a qualification, in terms of background and statement of intent, concerning my research questions. Part of this effort consists in making demarcations and introducing the terms and concepts used for the analysis of the four models. The terminology employed in the analysis is explicated as the research questions are discussed in relation to the work that different scholars have contributed to the discussion of issues that are central for global ethics. By presenting both how these issues are given substantiation and critical treatment in various theories, and how my understanding and usage of terms and concepts diverges from theirs, I hope to achieve clarification concerning how these problems are understood in the framework of this study. The chapter is concluded by a discussion on the evaluative criteria.

After the chapter which introduces the theoretical framework and language, the study turns to the different normative models. In the four chapters that follow, the reasoning of the chosen authors are critically analyzed and discussed. Starting with Martha Nussbaum I give an outline of the capabilities approach that she advocates both in terms of its nature as a form of social ethics and as a specific contribution to the subject of global ethics. Nussbaum presents us with a particular understanding of social justice and she argues in case of threshold levels of capability. She also expounds a universalistic position that claims convergences in both descriptive and epistemological outlooks of different traditions. In analyzing her view of human beings I specifically focus on the claim Nussbaum makes that we could become, by way of our intuitions, aware of what it is that constitutes a dignified human life. This idea regarding commonality or human essence beyond cultural divides is also recognizable in Nussbaum's appropriation and argumentation concerning Aristotle's notion of practical reason which I focus on when inquiring about the ethical theory related to her capabilities approach.

Upon the analysis of Nussbaum's position, there follows a critical engagement with Seyla Benhabib's model of cosmopolitan federalism. Having accounted for the main contours of the discourse ethical arguments in case of universal human rights, her theory of justification is considered. As we will see, her model both converges and diverges

from Jürgen Habermas' arguments concerning the universal nature of moral judgments. The notion of discursive freedom central to Benhabib's model of rights also constitutes an essential component in the view of human beings that is related to her normative position. Benhabib's idea that 'the self' be understood as both autonomous and situated is a crucial part of her argument concerning the rights of persons, and it is also central for her view of human beings. In a section on ethical theory, I scrutinize the claim put forth by Benhabib, that her discourse ethical theory, also known as communicative ethics, constitutes a form of ethical cognitivism. The chapter ends with a critical discussion on the resources and problems that are associated with her model.

Having engaged with the reasoning of two political philosophers, moral theological David Hollenbach and his model of human rights as global common goods forms the object of investigation in chapter five. The chapter starts with a presentation and interpretation of the conception of social justice that Hollenbach advocates which is founded on the idea that the community ought to seek common goods in a mode of social solidarity. Hollenbach's idea that a principle of a responsibility to protect should be considered essential for the global community is scrutinized as his institutional visions are analyzed. Furthermore, Hollenbach's argumentation is in several instances a form of natural law reasoning, and in the analysis focus on the 'dialogical universalism' that he suggests is a plausible interpretation of this tradition in a modern and global world. The view of human beings that Hollenbach develops is crucially inspired by theologian Jacques Maritain and the conception of 'personalism' that he elaborated. Hollenbach's argumentation in case of personalism and a certain conception of freedom is focused in the section that deals with his view on the human being. The chapter continues with andelineation of the ethical theoretical position related to his model, and ends with a critical discussion concerning the merits and problems that are related to his argumentation concerning global ethics.

The last of the analytical chapters focuses on the reasoning of theological ethicist William Schweiker and the stance of theological humanism that he proposes. The chapter begins with an exploration of the model of responsibility ethics and continues by investigating the meaning and substance of his theological humanism. Schweiker's view on the possibilities of universal moral reasoning is scrutinized in a subsequent section, in which his views on the global situation of cultural pluralism are also reviewed. In the section on view of human beings,

Schweiker's elaborate argumentation concerning the nature of human freedom and agency is delineated and his suggested agentic-relational view of the human being is discussed. The focus of the inquiry then turns to the position of hermeneutical realism, and the reasons Schweiker presents concerning its purported ability to simultaneously expound the realistic or objective nature of morality and grant human subjectivity a key role in ethics are analyzed. In similarity with the other analytical chapters the final section of this chapter comprises a critical discussion of whether Schweiker's model complies with the evaluative criteria.

Following the analytical chapters, and concluding the study, comes a chapter in which I present my stance regarding tenability and global ethics. In this chapter the critical engagement with the models continues and is further advanced as arguments for certain responses to the main questions of this study are elaborated. The chapter is organized so that the research questions are answered one at a time, and as the reader will notice, my argument concerning reasonable positions towards these issues draws on the critical engagement with the models which appeared in the antecedent analytical chapters. I set out to present the ways which my argumentation concerning tenable global ethics complies with the evaluative criteria. The reader will hopefully recognize continuity between the position I adopt and the arguments concerning criteria by which to judge the tenability of various suggestions for global ethics that were offered at the end of chapter one.

Chapter 1

Globalization and Ethical Reflection

This chapter has two main purposes: it introduces the terminology with which the models are analyzed, and designates the set of criteria that are used in the critical review of different models of global ethics. The theoretical framework of the study is elaborated as the concepts that are central in the discourse on global ethics are qualified, and in this way are the analytical questions given a more exhaustive meaning. In the chapter a range of positions regarding concepts and notions that are crucial for the subject area of global ethics are scrutinized, the intention is to indicate different theoretical and methodological considerations that this discourse entails. The contention is that a tenable model offers reasonable answers to the issues and questions that were specified in chapter one. It is also maintained that global ethics beside issues that are of a clearly normative nature deal with issues that concern philosophical justification, a review of suggestions for a global ethic therefore focus on both explicit and implicit justificatory arguments.

The chapter encompasses explications of concepts and issues associated with globalization, global ethics and a global ethic, ethical universalism and contextualism, a view of human beings and ethical theory respectively. It starts with a discussion of the concept 'globalization' and reviews the different ways in which some theorists engaging in contemporary economical and sociological debate understand it. In this section different interpretations of the influence globalization has on ethics are discussed. Following this, comes a section that comprises an overview of the directions in which proposals for a global ethic have moved, and I argue that they usually follow one of four major lines of thought. Clearly related to this is the issue of how one interprets the meaning of the concept and in the section named 'Global ethics and a

global ethic' I continue the previously initialized explication of the connotations these two terms convey. Following this a discussion of the problems associated with ethical universalism and ask if we should instead adopt a form of contextualism as part of a tenable global ethic is conducted.

As was previously mentioned, models of global ethics comprise different views of human beings. In the section entitled 'A view of human beings' I discuss the issues related to, and constituent parts of, a view of human beings. Here, the different interpretations of humanness and the human condition that have emanated from different philosophical traditions, constitute the topics of discussion. Having done so, the chapter continues with a substantial review of the questions commonly dealt within ethical theory. In this section, the inquiry deepens the ethical theoretical discussion that the section on universalism and moral epistemology introduced. The inquiry focuses the topic of moral values, and asks how we should plausibly interpret their existence. Furthermore, it discusses different suggestions for analysis of the function of moral language. The central task is to elaborate the bearing these questions have on the discourse of global ethics. My contention is that some positions on ethical theory are more difficult to combine with a tenable version of a global ethic.

Having discussed these central problems and presented the critical perspectives that are invoked in the analysis of the models, this chapter continues by suggesting a set of criteria that can be used to critically evaluate models of global ethics. These evaluative criteria also shape the contribution to the issue of a tenable global ethic that this study makes.

Globalization

An inquiry into what would constitute tenable normative responses to globalization must start with a description of the phenomenon that the concept refers to. One must ask; what is it that one intends to signify by invoking the concept of globalization? An initial overview of the discussion on the phenomenon of globalization gives that it holds an utterly disputed meaning as scholars have profoundly differing views on

its sources, principal processes and effects.[32] Notwithstanding this fact of contention, most scholars working with globalization would agree, or at least not directly oppose, the very general and also minimal definition of it as "the growing interconnectedness and interrelatedness of all aspects of society".[33] This definition also testifies to a further point of agreement amongst several of the scholars working on globalization; namely that it is plausible to describe globalization as a phenomenon occurring in and on different dimensions of societal life.

Not every researcher focuses equally on every aspect of social life in relation to globalization: some single out one aspect that is then made key in the effort to interpret the phenomenon. However I am convinced that a credible account of the changes and transformations that are occurring through globalization demands a multifocused approach that inquires about the effects this phenomenon has on the economic, political and cultural spheres of society alike. In this sense then, I will be speaking of economic, political and cultural globalization, where each of these 'globalizations' are considered as constituted of a set of processes leading to increased levels of global interconnectedness. This, however, does not mean that these yield greater global homogeneity. Rather, these processes are complex, at times contradictory and do not follow a clearly delineable trajectory.

In the subsequent parts of this chapter globalization is treated as a phenomenon that affects social reality in a complex of ways, and I claim that they have different meaning for different domains of society. In this effort I turn to the work of theorists working in the social sciences and political philosophy. Together these theorists cover several of the central issues of the globalization debate. German sociologist Ulrich Beck engages critical theory in his line of arguments regarding the meaning and effects of globalization, and along with the work of political scientist David Held who in his work has focused on democratic theory and the question of proper conceptualization of globalization. The perspectives which they provide are central for the stance on globalization that this study adopts. The reasons for turning to the work of Held and Beck are mainly two. First, both of them approach globalization as a complex and multi-dimensional phenomenon, as they describe globalization as

[32] Compilations of different theoretical stances towards the phenomenon of globalization as well as critical guidance for how they ought to read have proliferated recently, one, well-known, example is Ritzer, George (ed.): *The Wiley-Blackwell Encyclopedia of Globalization*. Wiley Blackwell, Sussex 2012.
[33] Jones, Andrew: *Dictionary of Globalization*. Polity Press, Cambridge 2006, p 2.

having economic, political and cultural implications, and portray how processes occurring in these different dimensions of society link on to one another. Their multi-focused engagement with globalization enables them to identify a number of challenges for a globalized world. Secondly, a common feature of their respective stances is resistance to the idea that a linear trajectory of the phenomenon globalization could be identified. Instead they both argue that globalizing processes are profoundly multi-directional and contend that a plausible account makes this a guiding insight. Held suggests that globalization can be understood according to a number of different logics, and argues that the presumption that it can be subsumed to one explanatory narrative is therefore invalid. Globalization does not have a 'necessarily fixed form'.[34]

Having stated this, Held nevertheless suggests that globalization as a phenomenon can be conceptualized in terms of the extensity, intensity, velocity and impact propensity of its processes. However the view on what globalization is, the nature of the phenomenon alluded to by the concept, is an issue that relates to a number of 'sources of contention', where the one about proper conceptualization of main processes is among several. Held argues that a cogent account offers plausible interpretations of the transformations that are occurring on a global scale. In order to provide such clarification one must attend to the question of causation, but also examine the socio-political conditions that these processes prompt. Therefore, Held argues do conceptualization, causation, periodization, impacts, and the trajectories of globalization together form the essential topics that a theory of globalization deals with.[35]

Of central interest for my study on ethical responses towards globalization is the contention Held makes that different apprehensions of these sources of contention will issue differing judgments as to whether the phenomenon means positive or negative change. Views differ on the question of whether it is possible and desirable to manage globali-

[34] Even though these are very interesting theories to pursue these issues in further detail would lead me too far astray from the scope of this study. Therefore, I settle with mentioning these issues that are suggested as central for a proper definition and conceptualization of globalization. Further explication is found in Held, David, Goldblatt, David, McGrew, Anthony & Perraton, Jonathan (eds.): *Global Transformations: Politics, Economics and Culture*. Polity, London 1999, p 21.

[35] It is suggested that an account of globalization that leaves either one of these 'dimensions' without explication is basically insufficient. Held et al, op.cit., p 10.

zation through political and legal initiatives. It then seems as if a genuine disagreement concerning what kind of social reality globalization creates is present in the scientific community. However, several theorists designate ongoing integration of finance and commerce as the decisive features of a globalized world.[36] Such investigative focus sometimes yields that globalization is accounted for mainly by its economic consequences. In such narratives it is common to depict free trade agreements and the evolution of transnational corporations as crucial factors spurring a line of development where national economies have had to adapt to the emerging global market. In an era of economic globalization capital is rendered 'fluid', that is, in the global market economy resources move across national borders and so renders national financial policies increasingly obsolete. It is now global investors and capital that dictates the economy as they can always move their business to wherever the most beneficial financial conditions are offered. States thus experience the need to adopt policies that could attract the interest of global economic actors.[37]

Common in the discourse on economic globalization is the view that the origins of the processes towards global economic integration are traceable to the operations of the large-scale transnational corporations (TNC) and intergovernmental organizations (IGO). These are appointed roles as crucial players in the developments towards the global economic integration of the last decades. Several of these organizations

[36] Although, there has also been much discussion as to whether economic globalization constitutes a new phenomenon. It is maintained that the current degree of economic integration does not supersede earlier periods experiencing extensive economic growth. Held denotes these as 'sceptics' of globalization and argues that even if there is some accuracy in the claim that economic globalization is not entirely novel, the current forms of economic integration are nevertheless distinguishable on quantitative as well as qualitative terms. Held et al: *Global Transformation*, p 5.

[37] I am thinking here about the thesis of American sociologist Immanuel Wallerstein who performs a form of Marxian analysis of the global capitalistic system and suggests a 'world systems theory'. He has published extensively and his major work on globalization *The Modern World-System* has appeared in four volumes since 1974. Besides this, central texts in which his views on globalization and economy are presented are Wallerstein, Immanuel: *The Capitalist World-Economy: Essays*. Cambridge University Press, Cambridge 1979, and also the more recent book in which he restates and summarizes his theory on the world system Wallerstein, Immanuel: *World-Systems Analysis: an Introduction*. Duke University Press, Durham 2004.

were established in the wake of World War II and are sometimes referred to as the Bretton Woods institutions.[38] These organizations were established with the stated purpose of promoting transnational economic cooperation, and both international free trade and free movement of capital were targeted as central means for pursuing increased growth. With the new international economic bodies implementing and guarding the interests of international commerce, TNCs could easily assume a central position on economic globalization. By conducting businesses in and with different national economies, these corporations spurred development towards a global market and so rendered the distinction between domestic and global economy obsolete.

However, what this shifting order of roles within the global economy has actually meant for the international political order, cast primarily in terms of sovereign nation states, is the subject of much heated debate.[39] Some argue that the autonomy and mandate of the state is effectively reduced in the face of these major economic transformations. The claim is then that what we are observing in the era of economic globalization is a process where crucial aspects of the exercise of political power are transferred from national constituencies to various regional and international economic bodies.[40] It is common to point to their form of organization as an explanation of what made the TNCs so central in economic globalization. The fact that they could relatively easily relocate production also meant that they came to exhibit a decisive form of power on governments. Democratic representative bodies have so had their essential task, which consists in articulating social and financial policy, radically circumscribed by international commercial preferences pushing for favorable business conditions.[41]

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[38] This label covers the International Monetary Fund (IMF), the World Bank, and the General Agreement on Tariffs and Trade (GATT), later to be transformed into today's World Trade Organization (WTO).

[39] When discussing the 'new' role of the state under present processes of globalization, Held et al claims that "(B)y cutting through and across political frontiers globalization is associated with both the deterritorialization and reterritorialization of socio-economic and political space." Held, David et al: *Global Transformations*, p 28.

[40] See Thomas Pogge "Why Inequality Matters" in Held, David and Kaya, Ayse (eds.): *Global Inequality: Patterns and Explanations*. Polity, Cambridge 2007, p 132 ff. Beck makes a similar argument in the Introduction to Beck, Ulrich: *What is Globalization*? Polity Press, Malden 2000.

[41] A view that I argue is represented by Indian social anthropologist Arjun Appadurai's thesis that the relation between economy, politics and culture can be captured by the idea of different 'scapes' along which imagination and action are coordinated in the

Held gives basic concession to this account of developments spurred by globalization but also offers some critical remarks concerning the problems implicated in the effort of describing the import of globalization on politics:

> But the impact of globalization may not always be best understood in terms of decisions taken or forgone, since it may operate less transparently by reconfiguring the agenda of decision-making itself and, consequently, the available choices which agents may or may not realistically make.[42]

Thus, Held claims, one major consequence of globalization on the prospects of politics is that it induces policy- and decision-making with a high degree of uncertainty and elusiveness, something that infers actual restrictions on the scope of action available for national governments. This could also be described, Held argues, as that circumstance that globalization alters various political and social actors' perception of time and space. Globalization in relation to political life can then, at least partly, be explained as the situation where global enmeshment exerts crucial influence on national actors, and so clearly evocate how these actors conceive of their political options.[43]

Ulrich Beck makes a similar argument and asserts that social imagination as well as discourse concerning plausible political alternatives relate in a clear way to material conditions. Ideas on institutional arrangements stand in a dialectical relationship with the social and economic terms that are prevalent in the lives of different individuals and societies. According to Ulrich Beck it is possible to sort the various stances adopted towards the phenomenon of globalization into three broad categories: as globalism, globality and globalization.[44] *Globality*

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global era. Appadurai, Arjun: *Modernity at Large: Cultural Dimensions of Globalization*. University of Minnesota Press, Minneapolis 1996, pp 34 ff.

[42] Held, David et al: *Global Transformations*, p 18. Further on the same page it is also stated that "Thus, while the notion of decisional impacts focuses attention on how globalization directly influences the preferences and choices of decision-makers, the notion of institutional impact highlights the ways in which organizational and collective agendas reflect the effective choices or range of choices available as a result of globalization. In this respect, it offers insight into why certain choices may never even be considered as options at all."

[43] Held, David et al: *Global Transformations*, pp 17 f.

[44] These stances are not primarily theoretical, rather what Beck's intends to circle in this analytical schema are the different perceptions of the global condition of the world that different social actors endorse.

in this terminology stands for a kind of global 'state of mind' and is to be thought of as a mode of perception by which different agents, individuals and states, come to identify themselves as inhabiting a global world. This new awareness relates to and influences action in all spheres of social life because when agents come to view themselves as in some sense part of a global society this novel awareness will affect 'the decisions taken and foregone' (to borrow the words of Held). *Globalization* on the other hand refers to the processes which cause the state of globality. It denotes the economic, political and cultural integration that leads to the global state of mind, nonetheless, the relationship between the two is dialectical so that a kind of global perception is needed for global processes to get off the ground, so to speak. Finally, *Globalism* is an ideological stance by which it is postulated that the processes of global economic integration are both unavoidable and desirable. In the developments occurring in the global arena, advocates of this position see a benign progress where a global market emerges, freed from constraints of political management by national governments. This is a neo-liberal economic ideology that views all forms of concerted action for political global governance redundant, as it is instead argued that the global capitalistic system that follows from economic integration harbors its own regulative standards. Striving for constant economic growth adding to overall utility are thus thought to be proper cooperative goals.[45]

Both Held and Beck address the far-reaching changes in the outline of the international landscape that the emergence and consolidation of the UN-led human rights project have brought about since the turn of the last century. The changes that these novel legal and political provisions have spurred in the international scene have had a decisive influence on the nature and scope of national sovereignty. The systems of governance now in place in the global arena imply that classical conceptions of national sovereignty are faced with a need for revision. Today, such conceptions must consider the fact that states, through various international agreements and conventions, have 'pooled' some of their power. International customary law is a phenomenon that clearly effects the nation state and the power regularly ascribed to it. In signing and

[45] Beck furthers his view on the globalization debate by delineating three stances or positions which he argues are commonly featured in it, namely; globalism, globality, and globalization. Beck, Ulrich: *What is Globalization?,* pp 9-13.

ratifying human rights conventions, states have surrendered some political power and autonomy as they have conceded that these accords should direct national legislation. Now, what these changes in the international legal and political systems have effectively meant for the states and their scope of action is, verging on stating the obvious, a subject much debated.

To refer back to the reasoning of Beck, in his reflections on what might best be described as the global condition, he affords much space to the stance labeled globalism. This, I would argue, is most probably occasioned by the risk he identifies that transnational economic actors become so powerful that in effect it is they who govern the global arena, and consequently, politics on the national level. In such a situation Beck argues that we are faced with a form of sub-politics where it is in fact the aims of TNCs that decide which policies and courses of actions different states pursue. Governments act on the imminent threat founded by the circumstance that these transnational corporations can re-consider their location for production sites in case the national policies are not to their liking (for instance legislation concerning corporate taxes and working conditions). Decisions that profoundly influence the lives of ordinary citizens are therefore effectively being made by corporate boards.[46]

By the term 'globalism', Beck aims to give an interpretation of a view of the global condition that holds a powerful grip on the imagination of many, both within and outside of the academic sphere. Beck argues that we ought actively to discourage this conceptualization of the global condition. The ideological component in this account which concentrates on economy developments, needs to be rendered apparent in order to be altered so that a more accurate picture of the processes of globalization and the state of globality inform our thinking instead. Beck agrees with parts of the diagnosis of the current situation that globalism advances, but strongly objects to its declaration that these are transformations towards a desirable state of affairs. Instead he argues

[46] Beck also describes this in terms of 'the meta-game of world politics'; a concept he invokes to portray the 'rule-changing' character of globalization processes -the 'rules of power' by which the actors on the international arena have traditionally oriented their conduct according to have drastically changed in the global era. A characteristic sign for this meta-game is the high degree of unpredictability it infers on strategic action, not just in terms of the effects it will yield but in the terms of who the actors in the first instance are. Beck, Ulrich: *Power in the Global Age: A New Global Political Economy*. Polity, Cambridge 2005, pp 2 ff.

that economic globalization should be governed by public initiative so that the spaces of political action still available in the global matrix are not all ruined by the forces of global capital. In his account of the different narratives that surround globalization, Beck identifies economic and political globalization as occurring very much in tandem, and therefore treats the processes leading to greater economic integration and the institutional changes occurring in the international arena coincidentally.

Before I conclude this section about the meaning of globalization one of the dimensions that was brought up earlier but not explicated in terms of its substance needs to be addressed, and that is the phenomenon sometimes referred to as cultural globalization. If the meaning and implications of the other major dimensions of globalization discussed so far are considered to be contentious, then the same holds very much true for globalization of culture. This aspect of globalization could, in analogy with the already mentioned ones, be interpreted as contingent on the compression of space and time that the innovations of modern information- and communication technology have brought about. However, the task of conceptualizing the globalization of culture presents us with yet further quandaries as it relates to the deeply controversial question of how to account for the impacts of the increased intermingling of different 'world views' (which covers both the ideas about the good life and aesthetic preferences that different societies endorse). Arjun Appadurai suggests that we understand the cultural facets of globalization along the logic of essential 'disjunctures and difference'. A central insight behind this conceptual scheme is that the nature of the global cultural economy ought to be apprehended as a 'complex, overlapping, disjunctive order that cannot any longer be understood in terms of existing center-periphery models'.[47] Appadurai argues that we can consider cultural globalization via a five-fold set of 'scapes'. It is in these that the major disjunctures and negotiations of culture envelop. I will reiterate all their essential features, briefly stating them will have to suffice: ethnoscapes; technoscapes; financescapes: mediascapes; ideoscapes.[48] However from Appadurai, we can extract the central contention that the cultural dimensions of globalization carry complex meaning and are crucially related to processes and events in economic and socio-political life.

[47] Appadurai, Arjun: *Modernity at Large*, p 32.
[48] Appadurai, Arjun, op.cit., pp 33 ff.

As we saw, a feature of global interconnectedness resides in the convergence and intersection of perceived risks and threats. Environmental destruction, global terrorism and rapid spread of infectious diseases connect societies all over the world in terms of a mutual vulnerability and in this way make them susceptible to a common fate.[49]Beck argues that to a certain extent, this situation can be described as contingent on a transition from the first to a second form of modernity. He then contrasts the cosmopolitan outlook distinctive of second modernity or 'the era of self-reflexive modernity' with the national outlook that allegedly marked the mindset of the first. The former then denotes a state of mind wherein national borders loses their determinative force on perception of what constitutes our human condition.[50] Thus, argues Beck, adoption of a cosmopolitan outlook is essential in order for us to properly comprehend the social and political realities of present times. A similar line of thought can traced in the reasoning of Held when he claims that one of the qualitative difference that separates the present form of globalization from previous forms of multinational interconnectedness is the kind of global self-awareness that marks the former. Present economic, political and social processes both proceed from and make possible a form of sensibility that is distinctively global in kind: this as they act to condense the spatial-temporal order of the world and so tie societies closely together. What they both bring to light are forms of socio-cultural global processes which draws traditions together and propels a situation in which divergent views on life, both religious and secular, have to co-exist in society.[51]

Global dissemination of ideas is discernible for instance in the rise of various international non-governmental organizations (NGOs), and

[49] Held employs the concept 'overlapping communities of fate' to denote this global predicament. Ulrich Beck has written extensively about the 'risk society' which he claims comes as part of the second modernity.

[50] A stance seen in the following quote "Globalization calls into question a basic premise of the first modernity: the conceptual figure that A.D. Smith calls 'methodological nationalism', according to which the contours of society largely coincide with those of the national state." Beck, Ulrich: *What is Globalization*?, p 21.

[51] Although, I do not claim that cultural pluralism is a novel phenomenon as travel, commerce and war have had similar effects on the composition of societies in earlier historic periods. New is rather rapidness with which ideas and expressions spread and the multi-directionality of the flows of interaction (not just from the west to the rest), and also, a kind of self-reflexive awareness of plurality and thus the essentially contingent nature of our various political and moral institutions. The project of Human Rights makes this apparent in interesting and somewhat ambiguous ways – but this is a point I will have to return to later.

are at times described as the central actors in global civil society.[52] Although their role on the international arena has not gone unquestioned, nor has it been unequivocally asserted that it is plausible to assume the actual existence of a kind civil society at the global level. Critique has emanated from various directions and it is questionable whether NGOs are to be conceived of as communities for global dialogue or if they mainly give expression for an agenda composed by a 'global elite'. If found accurate, it would mean that traditions and cultures which do not belong to the cultural hemisphere of the Global north remain fundamentally unrecognized in central global discourses. It could then also be argued that such phenomena as 'globalization of culture' is in fact equivalent to cultural homogenization through a form of imperialistic imposition on a global scale of Western ideas and values.

The reasoning of Beck and Held respectively suggests that globalization, in its various instances, has contributed to a situation in which the notion of a clearly delineable national community that autonomously governs a circumscribed territory holds limited explanatory potential. Further, neither of them is convinced by an account of globalization that equates it with processes of international economic integration. In their respective arguments concerning globalization focus is put equally on economy and politics. In a constructive perspective, I interpret both Beck and Held as giving voice to the contention that global markets ought to stand under political control, and that endeavors to democratize the global arena are implicated in this. None of them conceive of globalization as heralding a line progress in which the role of states will ultimately be rendered obsolete, and they also discard the vision of global governance as best instantiated through a world government.

In relation to cultural globalization and the idea that it means a dissemination of cultural and aesthetic ideal and notions on a global scale, I noted that both authors argue in case of a new kind of perception and sense of living in a world that is increasingly shaped by global forces, ones that can be benign as well as potentially destructive. Drawing on this I will argue that a major consequence of globalization on ethical reflection is the need, in discussions of required actions, to recognize that several, if not most, problems faced by societies today are actually

[52] NGOs are commonly defined as associations based voluntary intra- and international interactions between individuals, examples of such associations are trade unions and groups for environmental and human rights support.

problems shared with others in an intricate web of global relations. Having stated this, it must also be admitted that I see both cultural and political pluralism as two major aspects of the globalized world that we ought to attend to in plausible and therefore non-obtrusive ways. My interest in this thesis is the many and complex ways in which the global condition both infuses and conditions ethical reflection and, especially, the implications of the plurality and intermingling of various moral and social values and norms that is brought on by global interaction.

We have seen that the globalization debate fastens on several issues: it concerns definition as well as conceptualization, and makes manifest diverging views on what caused present forms of globalization. Central for ethics is the discussion of impacts of globalization, on the lives of individuals and societies, and opportunities for wellbeing and security. Also in the discussion on the morally relevant effects of globalization we find a range of different stances. I focus on the work of moral philosopher Peter Singer and Swedish ethicist Göran Collste as examples of critical engagement with the morally problematic aspects of globalization. This directs the investigation to the question of whether certain consequences or effects of globalization can be described as more morally alarming than others.

A review of the area of discussion shows that many of those adopting a critical perspective towards globalization conjoin in the claim that the modes of economic activity that globalization facilitates have led to a greater inequality and has increased the number of people living in absolute poverty in the world. In *One World* Peter Singer suggests that this view is possible to discern in the rhetoric of the anti-globalization movement. The central contention is that globalization is equivalent with an imposition of a hegemonic Western neoliberal ideology on rest of the world. IMF and WTO are central actors and perpetrators of global economic domination.[53] The critique consists mainly in the claim that these organizations have promulgated socially destructive policies and agreements regarding free trade and movement of capital. These fail to take heed of parameters other than economic growth, and the measures assigned for social improvement, namely economic expansion through increased international trade are thoroughly questioned. Critics charge

[53] This point about 'globalization-critics' often assuming a causative link between economic globalization and inequality and/or poverty is put forth by Singer, as he discusses the four 'charges' that argues are commonly voiced against WTO that he assumes that the over-all globalization critique can be categorized into. Singer, Peter: *One World*, pp 54 f.

that the 'leveling of hindrances' for foreign investment advocated by these IGOs has had gruesome consequences for the economies of developing countries. In summary, global economic integration and the emergence of a global market contribute to greater global inequality.

Singer himself does not wholly subscribe to these assessments as he argues that the possibility of identifying causal relations between economic globalization and global inequality is limited on account of the information available. In the policies and actions of WTO, Singer identifies a form of neoliberal agenda that gives economic utility highest regard. Nevertheless, he withholds the judgment whether they have actually contributed to a worsened situation for the world's poor. He concludes the inquiry of economic globalization, exemplified through WTO's agenda of free trade and economic liberalization, by stating the there is no clear evidence as to whether it has caused greater inequality between individuals measured on a global scale. [54] We would need more data to reach valid conclusions of the role of economic globalization in the current global dispersion of resources.[55]

However, Singer argues that global economic activity needs to be put to the scrutiny and governance of democratically elected bodies. From his purview it is obvious that we can do better in terms of equality and democracy in the global arena. The serious democratic deficit of major IGOs such as WTO and IMF makes the problem of political legitimacy in the global order particularly pertinent. The present situation, where the ones controlling the global agenda and who exert influence on almost all vital societal spheres have not been politically appointed

[54] Singer suggests that there is no clear answer to the questions of whether global inequality has increased during the era of economic globalization and if there is a causal link between economic integration of different formerly more autonomous markets and the number of persons living in absolute poverty globally. Whether the emergence of a global financial market has actually resulted in a greater degree of economic inequality between individuals measured globally than would a world economic order based on more regionally or nationally based economies have done, is a question whose answer would demand empirical data that does not exist Singer states. Singer, Peter: *One World*, pp 89 ff.

[55] This proposition is also supported by Held as seen in the introduction to the anthology on global inequality that he has co-edited with Ayse Kaya. There he argues that what we can get hold off through turning to different statistical data is basically tendencies and correlations. He, as Singer, claims that the question of whether economic globalization has meant a more unequal distribution of income on a global scale and if a large number of people have been made worse off (in terms of absolute poverty) are too vast and the parameters one would have to take into consideration in order to offer reliable answers too many. Held, David and Kaya, Ayse: *Global Inequality*, p 14.

by the persons whose lives they effectively govern, constitutes a problem acutely in need of address.

Collste also approaches the question of the nature and consequences of economic globalization by analyzing the actions and politics of a major IGO, namely the IMF, in particular the structural adjustment policies (SAPs) it has been issuing as the 'cure' for stifled national economies. These programs comprise a predominant focus on economic liberalization and free trade, policies believed to spur economic and social prosperity for 'developing' countries. Collste considers different reports about the effect these have had and finds that there is widespread disagreement as to whether they have actually contributed to economic and social betterment. Collste's own assessment is that we must seek to obliterate global inequality and assess economic globalization by its effects on the prospects of achieving just global relations.[56]

Other theorists have gone further in their critical assessment. Thomas Pogge has for instance repeatedly accused internal economic institutions of reinforcing global poverty. Pogge maintains that their performance has had detrimental effects for the developing countries and targets the practice of assigning 'resource' and 'borrowing' privileges to illegitimate political leaders. These allow them to sell natural resources and to borrow money in the name of the country. In Pogge's analysis, this has a crucial causal role in perpetuating absolute poverty. This, Pogge maintains, is a clear example of one of the ways in which the wealthy part of the world takes part in global exploitive systems. He also argues that they are allowed to endure, as it is in the interest of holders of global power that the supply of raw materials and demand for high-interest loans remain constant.[57]

Having reviewed the arguments of a couple of researchers that have given sustained thought to the phenomenon of globalization, I have reached some conclusions that will guide my analytical work in this study. Firstly, the global economic order consists of structures and schemes of association that constitute multifaceted forms of interconnectedness and dependence. These are both dense and profoundly com-

[56] Collste offers a moral assessment of the politics surrounding the SAPs and the consequences that a report issued by the World Bank and an alternative report presented by a group of NGOs respectively assign to them. See Collste, *Göran, Globalisering och global rättvisa*, pp 92 ff.

[57] Pogge, Thomas: *World Poverty and Human Rights: Cosmopolitan Responsibilities and Reforms*. Polity, Cambridge 2008.

plex, and it should be acknowledged that certain problems of interpretation shape the effort to give them proper explication. It is essential that we address the different instances of globalization and my contention is that we need to address the social and political consequences of global economic systems and structures. The analysis performed in social ethics is, to a large extent, focused on social institutions and economic practices as these are commonly understood to stand in a decisive relationship to the moral beliefs and ideas that different societies entertain. Therefore, I argue that in order to reach tenable normative conclusions regarding moral action in the global community models of global ethics need to relate to work done within political and economic theory.

Secondly, in dealing with the work of authors of different theoretical persuasion I have found that a common assumption in their argumentation is that the globalized world is characterized by rampant inequality in terms of economic and material resources. The argument is that in the current world, we can identify a number of global economic processes that, whilst clearly contributing to the wealth and affluence of some segments of the world's population, also means that the life of already vulnerable groups have becomes yet further impoverished. In relation to this, I argue that globalization ought to be scrutinized by considering its import on equality between individuals and societies and that the detrimental conditions that large segments of the global population live according to warrant sustained theoretical and practical attention.

Global ethics and a global ethic

As was stated in the Introduction, several proposals for global norms and values have been put forth by different political philosophers and theologians. These suggestions have proceeded along basically four lines of thought: models based on natural law-reasoning, exemplified in Hans Küng's proposal for a global ethic; models of human rights; models for global justice; and models for sustainable development. Of course, different models gives these topic somewhat different emphasize, and it is also not uncommon that more than one of them figures as central in the model. In the following the topics of a common human

morality and theories of human rights are first discussed. Secondly, theories of global justice are reviewed, and thirdly, the theories on sustainable development and the future of life on earth are discussed.

Amongst the proponents of models that primarily focus on human rights we find scholars with different disciplinary backgrounds. One example of a theorist who has exerted great influence on the human rights discourse is late legal philosopher Ronald Dworkin. In his various writings Dworkin elaborated a position that posits human rights as specifications of the general moral principle that postulates that every person is entitled to equal respect and concern. Human rights discourse should be conceived of both in terms of written law and as expressing a set of basic moral norms.[58] However, how this general articulation of human rights as founded on the principle of equal concern and respect should be interpreted in relation to specific rights-claims has been much-discussed. Dworkin's own alternative of granting high regard to freedom of speech when this right clashes with other right-claims, has been challenged by scholars arguing that prioritizing between different classes of rights demands proper analysis of the social and economic power that the rights-claimants in question dispose of.[59]

Theological engagement in discussions concerning what could constitute a viable global ethic has proceeded along diverse lines and has adopted different positions towards the idea of a common human morality. The idea and notion of a natural law goes far back in Christian theology, and common amongst its advocates is the view that human beings have been endowed with an ability for reasoned reflection: one that makes them apt to become knowledgeable about what is right, good and valuable. In this tradition human nature is considered the measurement for that which is good in life and as this nature is both given and in a sense identical for all, every human being can have knowledge about the morally required. However, as theological ethicist Elena Namli notes this fundamentally theological idea was appropriated by the modern discourse of universal human rights, and it was also supplied with a form of normative individualism which was originally foreign to it.[60]

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[58] His ideas have been a point of reference for many subsequent elaborations of human rights. Dworkin, Ronald: *Taking Rights Seriously*. Duckworth, London 1977, pp 150-183.

[59] For the argument Elena Namli makes, see *Human Rights as Ethics, Politics, and Law*. Acta Universitatis Upsaliensis, Uppsala 2014, pp 16, 25 ff.

[60] Namli, Elena: *Human Rights as Ethics, Politics, and Law*, pp 194 f.

Different religious traditions have also responded differently to the Universal Declaration of Human Rights. A number of non-Western contexts have brought forth alternative articulations of basic human rights by invoking different resources from their various cultural and religious traditions.[61] Others have disputed such measures as they purport that the Western philosophical and political heritage of human rights render them liable for status as modern forms of imperialism. Post-colonial criticism of the human-rights paradigm nevertheless holds a multifaceted nature, as the scholars performing it come from different disciplinal traditions. However, a common thread in their different critical interpolations is the claim that human rights historiography as well as its current representations in political- and academic discourse, seriously lacks awareness of the hegemonic connotations the discourse evokes in large segments of the world's traditions and cultures. To many, human rights-talk stands forth as the instrument of a yet another form of Western imperialistic project to 'civilize the other'.[62]

Another central point of contention in the discourse on human rights regards what significance they carry as concepts. Put differently, this concerns how we should conceive of the meaning of rights discourse: is it primarily to be related to the legal sphere of societies, or does it convey a set of moral ideals? And how are rights related to the political practices? Seyla Benhabib views human rights as existing in a 'conceptual space between universal norms of morality and positive law' and argues that as such they ought to be considered guiding for the actions of sovereign democratic communities.[63] The classical discussion concentrating on what form of claims that human rights actually do engender is central for several of the authors whose models of global ethics this study analyzes. As we will see, a discussion concerning the relation

[61] Examples of such include the *Cairo Declaration on Human Rights in Islam* adopted by the member states of the Organization of the Islamic Conference in 1990, and also *The Arab Charter on Human Rights (ACHR)*, adopted by the Council of the League of Arab States 2004. The African Charter on Human and Peoples' Rights (also known as the Banjul Charter) focuses on human rights and basic freedoms in the African continent. *The African Charter on Human and Peoples' Rights.* United Nations, New York 1990.

[62] See for instance the critical reading of the concept of universal right as part of a Western liberal agenda offered by political theorist Chantal Mouffe in Mouffe, Chantal: *The Democratic Paradox*. Verso, London and New York 2000.

and balance between the so called political and civil rights, and the social and economic, sometimes referred to as the second generation of rights, figures in both Hollenbach's and Nussbaum's reasoning.

As was mentioned above, the emergence of an international human rights regime has meant that traditional conceptions of national sovereignty have been challenged. The idea of a 'Responsibility to Protect', was proposed by the International Commission on Intervention and State Sovereignty, and purported as necessary in order to prevent genocide and other forms of crimes against humanity. The 'R2P-principle' expounds that the international community have a joint responsibility to see to it that the human rights part of the UN-declaration are globally respected.[64] This responsibility might imply far-reaching circumscriptions of national sovereignty, and military interventions are not ruled out as part of the measures that the international community can resort to in order to 'prohibit human rights violations'. My contention is that the idea of a 'responsibility to protect' is related to a set of both political and moral problems and that it ought to become the object of careful theoretical scrutiny and critical discussion.

A second major direction in which proposals for global norms and values have moved is the various conceptions of global justice currently on offer. Even though John Rawls never articulated a global ethic, his theory of justice as well as his book *The Law of Peoples*, has been widely influential in discussions on global justice. Rawls' own reluctance to extend his theory of justice to the international arena has not stopped scholars from proposing that the principles of justice that it comprises could and should be applied globally. The arguments of the previously-mentioned ethicist Thomas Pogge constitutes one very prominent example of a model for justice that proceeds from a global application of Rawls' difference principle.[65] As was earlier noticed Pogge argues that the current global economic system has both decisive and unequal effects on the chances people have of attaining good lives or, more minimally put, decent human lives. He argues that these effects

[64] International Commission on Intervention and State Sovereignty: *The Responsibility to Protect: Report of the International Commission on Intervention and State Sovereignty*. International Development Research Center, Ottawa 2001.

[65] Additional examples of scholars who are of this opinion are Charles Beitz and Göran Collste. Onora O'neill is influenced by Rawls' thinking but also diverges from it in distinctive ways. Similar to the other scholars here mentioned she elaborates a conception of justice that is meant to have global implications.

need to be countered through the implementation of a global redistributive system in which transfers from the wealthy part of the world to those suffering heavily in the global economic system would be enacted.[66] Not surprisingly, Pogge's arguments have met with stark criticism. Several theorists have stated that even though they are sympathetic to the aim of alleviating global poverty they doubt the factual and theoretical underpinnings of his normative argument.[67]

The redistributive focus has encountered critique from scholars who have claimed that it distorts attention and causes us to neglect or oversee areas of societal life that must also be addressed by a model for social justice. They argue that the parameters of social recognition and political representation must be part of the analysis if we are to render clear what actual opportunities different groups have to participate in societal life. Both Iris Marion Young and Nancy Fraser argue along these lines. They respectively propose conceptions of global justice that place a particular focus on political global institutions and practices, and the ways in which these should be devised so as to make room for multiple political and cultural traditions.[68] Young proposes that in discussions of global justice, we should put an explicit focus on the design of international and multinational organizations and institutions. Young contends that a troublesome feature of the current state of the world, is that the economic systems that operate the global arena, which make societies and persons radically dependent on each other, have not been accompanied by the creation of forums for instantiating political and social responsibility. Social interconnectedness through global systems of production and distribution necessitates that conceptions of justice and responsibility focus on distribution of burdens and rewards as well as on forms for global political deliberation on, and governance of, economic interactions.

She also suggests that what different critics of globalization really oppose is a line of development in which power is transferred from democratically elected bodies to powerful multinational corporations.

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[66] See the chapter "Moral Universalism and Global Economic Justice" in Pogge, Thomas: *World Poverty and Human Rights,* pp 97-123.

[67] Jaggar, Alison M (ed.): *Thomas Pogge and His Critics*. Polity, Cambridge 2010, pp 17 f.

[68] Fraser, Nancy: *Scales of Justice: Reimagining Political Space in a Globalizing World*. Columbia University Press, New York 2009, and Young, Iris Marion: *Global Challenges: War, Self-determination and Responsibility for Justice*. Polity, Cambridge 2007.

Young argues that this is a tangible threat as the current shape of the global systems shows clear signs of democratic deficit. Proposals for global justice should therefore be concerned with how to make the ideal of democratic participation manifest in the global arena.[69] The understanding of democratic participation that Young proposes converges in large measures with the way proponents of discourse ethics conceive of valid forms of government. From the purview of her conception of global justice, it is central that persons have the chance to influence and direct the future of the global structures, especially since these have a clear influence on persons lives and opportunities to make ends means. This means that Young's model for global justice takes the fact that persons today are connected to each other via global structures that create and sustain a radically unjust world as a point of departure. Young argues that a viable model for just global relations incorporates a conception of responsibility formed by the idea of social connectivity.[70] It is only fair, she claims, that those of us who benefit greatly from global systems also bear a greater responsibility for trying to alleviate the gruesome conditions it also infers on large segments of the world's population. She thus proposes that these responsibilities can be specified in relation to different structurally defined social positions and roles.[71]

Yet another area of the discussion on justice concerns its metric, i.e. what it is that should be distributed according to a standard that is 'just'. Amartya Sen, with whom Martha Nussbaum initially corroborated the capabilities approach, has made a distinctive contribution to it. Sen, in his by now well-known essay *Equality of What?*, initially delivered as a tanner lecture on human values, argues that the effort of elaborating a plausible conception of justice in addition to establishing what counts as just shares and what the distributive principle ought to be, must determine what it is that is the object of a just distribution. As candidate for this, Sen suggests 'substantive freedoms' or capabilities for human

[69] Young, Iris Marion: *Global Challenges*, pp 8 f, for the argument concerning structural injustice see pp 168 ff.

[70] Young writes: I will argue that obligations of justice arise between persons by virtue of the social processes that connect them; political institutions are the responses to these obligations rather than their basis. Young, Iris Marion, op.cit., p 159.

[71] An example she gives is that those of us who, in the global structures of production and consumption, are so placed that we can select between a range of different products and goods should use the freedom for consumption that the systems assign us to make choices that change conditions to the better for the people who suffer exploitation in the form of receiving inadequate wages and having to abide by deplorable working conditions.

functioning.[72] This is clearly relevant for the discussion on global justice and Sen has sternly argued that this focus on capabilities offers a novel entry to the discussion on international development and poverty that has been dominated by a utilitarian perspective and focus on economic growth.[73]

Even though in the context of this discussion these two areas have so far been treated separately, it is not the case that we find a clear-cut divide in discussions concerning the outline of a global ethic between those who champion global justice and those who advocate global adoption of human rights. These two areas of concern commonly overlap in the arguments of scholars engaging in discussions of globally relevant norms and values. However, a recurrent critique against the human rights paradigm coming from those advocating global redistributive justice has been that the rights-discourse has focused too heavily on political and civil rights, to the neglect of actual social and economic global disparities. In order to achieve global implementation of universal human rights, these critics argue, international deliberations need to focus more clearly on the way the current global economic-political order is organized and how it operates to disenfranchise large segments of the world's population. In this sense there is a tension between certain human rights based models and some conceptions of global justice.

A third area where the aims of different proposals for a global ethic conjoin is the question of a viable future. Over the last couple of decades, 'sustainability' has been increasingly suggested as a central global ideal. First part of the United Nations World Commission on Environment and Development's report *Our Common Future*, 'sustainable development' has been proposed as a goal to unite international policy-making.[74] The arguments put forth in support of this notion have for instance been that it constitutes a plausible alternative to the narrow fo-

[72] Amongst these are: the ability to live to an old age, engage in economic transactions, or participate in political activities.

[73] Sen, Amartya and Nussbaum, Martha (eds.): *The Quality of Life*. Clarendon Press, Oxford 1993. Sen has continuously engaged in issues concerning social justice. For an example of his theorizing about justice and substantial freedoms or capabilities see Sen, Amartya: *The Idea of Justice*. Belknap Press of Harvard University Press, Cambridge 2009.

[74] The report is commonly referred to as the Brundtland report and it suggests that sustainable development should be the central focus in an articulation of a global ethic. World Commission on Environment and Development: *Our Common Future.* United Nations Environment Programme, Nairobi 1987.

cus on economic growth that has allegedly permeated political deliberation on development issues. Nonetheless the notion of sustainability is fraught with difficulties. Central aspects of these problems relate to questions such as: what is it that is supposed to be sustained, which are the morally relevant agents, and which interests must we take under consideration as we ponder sustainable courses of action? Environmental ethicists and those persuaded that non-human forms of life should receive greater recognition and protection have been known to make the argument that any viable global ethic must incorporate a focus on sustainability and explicate how a sustainable development ought to be pursued.

The discussion about a global ethic relates to the longstanding discussion about proper scope of the moral community, that is, it is connected to the debate of whether humanity should be viewed as belonging to a single moral community, the idea supporting cosmopolitanism. When discussing the kind of ethical response called for in a global world, Nigel Dower states that:

> What we need is a frank recognition that we do indeed live in a diverse world, but also that we need to find areas of convergence in an agreed global ethic.[75]

This acknowledgment of both convergence and diversity are, in my view, an important feature of any tenable articulation of global ethics. Yet, as Dower points to, most attempts at articulating normative guidance for the world as a whole, have been in the form of cosmopolitan theories. Cosmopolitanism comes in different forms but common is the stress on presumably common features of human life, and which make possible a form of 'common' human experience of life that could be referred to in political deliberations. This fact of shared human experiences, in the view of cosmopolitans, ultimately transcends different social and cultural identities, and makes calls for global political membership stand forth as warranted.

Dower argues that it is possible to distinguish between weaker and stronger versions of cosmopolitanism, and the universal suggestions they make might then be cast primarily in the form of general principles or be more concrete in terms of their substance. Nigel utilizes this dis-

[75] Dower, Nigel: *World Ethics*, p x.

tinction in order to present his argument that a version of cosmopolitanism that tends towards the minimalistic conception is compatible with a global ethic that affirms human distinctiveness. Arguments in resemblance with that of Dower are made by several of the authors whose models I analyze. However, the claim about affinity between cosmopolitanism and a global ethic can be given many possible interpretations.

In order to further assess the theoretical and practical links between global ethics and cosmopolitanism, of some sort, we need additional qualification concerning the idea that humans can reach common moral-political conclusions. Part of the varieties of cosmopolitanism is often some idea of how we could become knowledgeable of universal moral principles and norms. That is, different models that embrace a form of cosmopolitanism, give different suggestions for how we could go about in justifying their allegedly universally applicable content. This study is a version of global ethics, in the sense of critical inquiry, and it comprises a critical engagement with different views on the level of ethical theory. In the next section it deals with topics that are central for ethical theory, namely the respective positions of ethical universalism and contextualism.

Ethical universalism or contextual moral reasoning

I have thus far only briefly touched upon some of the issues that relate to the question of epistemological perspective in global moral reasoning. In this section the contention made above that issues that concern possibilities of justifying moral judgments are clearly brought to the fore in the discussion on viable forms of global ethics is further qualified. This section offers an initial discussion and categorization of different questions that pertains to the notion of universalism in morality. Following this comes a review of different forms of universalistic ethics and their conceptions of moral justification. Here it is suggested that universalistic moral epistemological positions can be categorized as adhering primarily to one of the following lines of thought: Natural law reasoning; Kantian conceptions of rationality; or the discourse ethical conception of communicative rationality. This means that versions of ethical universalism diverge concerning views on what constitutes proper ways to reach valid moral conclusions vis-à-vis right action or

the form of a good human life. After having presented these philosophical traditions in terms of their contribution to the question of justifying cross-culturally valid moral judgments I continue by examining critique of the idea of epistemological universalism in moral reasoning. Several scholars have made the contention that universalism constitutes an implausible position that needs to be discarded, and some have then instead proposed a form of contextualistic position concerning moral reasoning and practical rationality.

The position here labeled 'ethical universalism' can be further elaborated by distinguishing between the forms it can assume on a descriptive, normative and epistemological dimension. All the models analyzed in this book claim that the task of articulating normative ethical models with relevance for vastly diverse social and communal settings is meaningful. This means that they attest to a form of 'normative universalism' that postulates that moral judgment cannot at the same time be held right or good in one context while considered wrong or bad in another. Inherent in correct normative statements, advocates of this stance say, is a universal purview. However a scholar advocating universalism in this normative sense may not subscribe to a form of 'descriptive universalism'. This is a stance that stipulates that different communities, traditions, and societies, coincide in their different normative commitments. One could understand this position as arguing that there exists obvious overlaps in the schemes of moral values and norms of different groups or that consensus on some essentials is a part of lived reality.[76]

The form of universalism that has possibly yielded most attention, and which is the form this study mainly concentrates on is 'epistemological universalism'. This is a stance that holds that it is possible to offer reasons for a justified moral judgment that are universal. That is, proponents of epistemological universalism argue that reasons can be offered for moral judgment that persons, even though they belong to different cultural and social contexts, can nevertheless comprehend. For instance, according to classical Christian natural law reasoning, every human being can upon reasoned reflection gain moral knowledge, and in this endeavor proper use of reason and adherence to conscience are

[76] Carl-Henric Grenholm elaborates the concepts of descriptive, normative and epistemological universalism in Grenholm, Carl-Henric: *Bortom humanismen*, p 17 ff.

central.[77] It should be noted that scholars of this epistemological tradition have commonly maintained that use of our divinely given reason, together with the normative standards that God through Creation have embedded in nature and humanity, make up the basic outlines of morality. Proponents of this theological tradition have usually advanced the view that Christ's revelation in the world does not present us with any radically new form of knowledge. Rather, they argue, the revelation in Christ affirm what God has already illustrated in Creation.[78]

Following Enlightenment, rationalistic forms of ethics have been prevalent in the Western moral philosophical tradition. The belief that morality is a wholly rational phenomenon has been entertained by scholars who claim that moral judgments can be justified solely by human reason. The reasoning of Immanuel Kant has been preeminent for this tradition. In his reasoning, Kant distinguished between the theoretical and the practical reason, he also postulated that moral actions are those that conforms to the maxim that the will can freely embrace. Only a free will governed by universal laws embraced in accordance with reason can deserve the judgment of being truly moral. The emphasis on reason and its ability to guide us to valid conclusions on the practically required is characteristic also for the reasoning of John Rawls. One of his central arguments in *A Theory of Justice* is that principles of justice can be justified with reasons that are both rational and universal in kind.[79]

The group of theorists professing to a communicative conception of rationality commonly make the claim that a solitary use of reason, even if it complies with logical standards of coherence and non-contradiction, does not provide adequate ground for reaching morally valid judgments. An individual may exhibit perfect rationality in the sense that this person has succumbed her thoughts and actions to principles which she consider meet the criterion of non-contradiction. However this kind of reflection does not yield morally valid judgments. Jürgen Habermas

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[77] Karl Barth, Reinhold Niebuhr and K.E. Løgstrup, as well as Catholic Bruno Schüller are examples of modern theologians that have addressed the epistemological question in different ways.

[78] In *Natural and divine law* theological ethicist Jean Porter traces the development of the notion of Natural Law from the scholastic period and onwards, she finds that it has also been understood as a decisively theological idea, notwithstanding its claimed universal content. See Porter, Jean: *Natural and Divine Law: Reclaiming the Tradition for Christian Ethics*. Novalis, Ottawa 1999.

[79] Rawls, John: *A Theory of Justice*. Oxford University Press, Oxford 1973, p 15 f.

has consistently argued that the reasons that support justified moral judgments are those that could meet with the assent of all those participating in practical discourses. The argument proposed is then that in this form of discourse different suggestions for valid moral norms are put to scrutiny by way of conversation, and every participant is considered equally entitled to introduce subjects for discussion and to enjoy the right to have its reasons and arguments heard.[80]

Several theorists defending the validity of epistemological universalism have sought to challenge the rationalistic conception of morality by claiming that a plausible interpretation of moral reasoning should give recognition of the role that experience and emotions plays in moral life and practice. They then claim that relying on considerations of reason, which are in this sense 'rationalistic', is insufficient if we want to reach proper moral conclusions. As part of this reasoning, it is often maintained that the form of practical rationality crucial for accomplishing valid moral judgment is one that also accounts for persons' experiences and moral intuitions.[81] This stance concerning the 'true' form of practical reason can be combined with different positions concerning issue of ethical justification. The claim that universal justification of moral judgments is possible need not, as we have seen, be cast in rationalistic terms. However, the question of which other forms of considerations, experiences, emotions, feelings, intuitions, that could form the base of universal reason is of course utterly complex.

By this short exposition of different universalistic positions we get some insights concerning the chief similarities and differences that exist between diverse schools of thought. In several of them 'reason' as a feature of our 'human nature' is invoked in support of the claim that universal moral justification is possible. Morality is also largely conceived of as rationalistic, whether this rationality is presented as 'natural' in the sense part of our human nature, or is primarily described in terms of freedom of will and non-contradiction, or is made equivalent to a set of rules governing practical discourses. We could also notice that some have argued in favor of letting reference to experiences and emotions make substantial contributions to universalistic moral discourse.

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[80] Habermas, Jürgen: *Justification and Application.* Polity Press, Cambridge 1993.
[81] For a relatively recent elaboration of an intuitionistic position see Audi, Robert: *The Good in the Right: a Theory of Intuition and Intrinsic Value*. Princeton University Press, Princeton 2004.

Others have responded to the problem of epistemological position by arguing that objectivism in the sense of presenting 'human reason' as having an unequivocal and universal meaning is utterly misleading. A common line of criticism voiced against ethical universalism has been that it does not take heed of how social station permeates perception, and context determines the view on valid reasons and justified arguments. Although there is the apparent risk of parochialism in all in forms of ethical reasoning, some critics say, this need not mean that moral justification is rendered wholly unfeasible.

Scholars advocating 'contextualistic' forms of moral reasoning have in different ways addressed that which they consider constitutes an implausible claim, namely that persons from diverse moral and cultural traditions could adopt a shared epistemological vantage point. Some have suggested that we leave the quest for one version of ethical rationality and instead acknowledge that different traditions adhere to distinct patterns of moral justification. Alaisdair MacIntyre, for instance, makes this contention and has persistently argued that 'rationality' is a notion whose explication is deeply contingent on the resources of different traditions. What is considered rational in terms of morality depends on such things as history or collective memory, language and culture. It is only in relation to these resources, whose substance varies between different communities, that rationality is explicable. Thus the project of articulating a universal ethic underpinned by reasons that are rationally available to all humans must be emphatically refuted.[82]

This would mean that opportunities for rational communication across the borders of different traditions are lost. However, the position presented by MacIntyre is not the only alternative that has been put forth to epistemological universalism. Influenced by the American tradition of pragmatism, philosopher Jeffrey Stout argues that the recognition that traditions have their own particular views on what constitutes valid reasons does not render the pursuit of arguments meant for cross-cultural moral justification finally obsolete. If we recognize the contingency of moral discourse and favor contextualistic strategies of moral justification, then a form of non-dominative communication across different moral traditions could be realized. Stout argues that part of such a strategy is the central distinction between someone being justified in their moral convictions, and a moral belief being justified. The latter

[82] He gives this idea its maybe most lucid articulation in MacIntyre, Alasdair C: *Whose Justice? Which Rationality?* University of Notre Dame Press, Notre Dame 1988.

concerns the objective truth of the belief, whereas the former has to do with the epistemic circumstances – for instance the form and substance of reasons – that would make us entitled to uphold a certain belief.[83] This is an example of a contextualistic position which argues that moral justification should be thought of as forms of activities situated in a particular spatial and temporal order.[84]

What have interested me here has been the tension between ethical universalism and ethical contextualism. As one reviews this polarity in to relation global ethics one finds a number of scholars who argues against the idea that we could find or agree upon common moral standards. However, it is also the case that these critics of epistemological universalism still entertain the idea that moral conversations in the global arena are possible. If we assert that what counts as 'rational' is in crucial ways linked to the various epistemological and normative commitments by which different communities live, then we are on the way to an account of moral justification that could be viable in a global perspective.

In the following section I focus on a subject closely related to the issues surrounding universality and rationality, namely different apprehensions of what it is that is distinctive for the human being. How different scholars positions themselves in relation to the idea of a shared (practical) rationality is dependent, I argue, on what stance they adopt concerning the notion of human nature. Thus the discussion regarding ethical universalism and contextualism is further qualified when we in the following section turn to various understandings of human nature that philosophical traditions expound. Here the focus is on the constitutive parts of a view on the human being.

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[83] Stout, Jeffrey: *Democracy and Tradition*. Princeton University Press, Princeton 2004, pp 234 f.

[84] Stout argues that justification and truth-discussions should relate to the 'practical task of community-building', and in these efforts 'moral vocabularies' and 'patterns of reasoning' specific to these communities are invoked, i.e. different communities have their own standards for that which counts as rational discourse. Stout, Jeffrey, op.cit., pp 225 ff.

A view of human beings

As was noticed in the preceding discussion a strong faith in the potential of rational moral discourse has often been connected with an apprehension of human nature as regulative for morality. It is then asserted that a common morality rests upon the ability humans have to use reason to reach conclusions about what is right or good. Rationality is then purported to constitute a distinctive feature of human nature, but how should we account for this characteristic more explicitly, and how does it relate to yet further features of the human person? These issues directly relate to the area that this section sets out to map, namely: what kind of queries do different views of the human being present us with? A mapping of central areas that a view of human beings relates to is offered below with the purpose of explicating the analytical framework by which I search for ideas about the human being in the models of global ethics.

A concept sometimes used to denote a collection of assumptions about the human being is anthropology. This concept is then meant to suggest a more or less explicitly stated theory about human nature, which in different ways draws insights from different disciplines of science. This study uses the notion 'view of human beings' to denote the set of assumptions – of theoretical, normative and ontological nature - about the 'human being' that figure in different discourses. This means that it searches for explicit and implicit arguments about the conditions and possibilities that are ascribed to humans in different theories. I have chosen to systematize different assumptions about the human person into my mainly three categories. In the analysis of the views on human beings that appear as part of the line of argumentation of the models, these classifications are at times referred to. These categories largely coincide with concepts and notions that make up central areas of contestation in the wider ongoing discussion about the defining features of human nature in philosophy and history of ideas.

When discussing the nature of human beings, a germane question immediately presents itself: is it possible to talk about a unified conception of humanness given the diversity in the cultural and societal settings in which human life transpires? Are there some essential and defining human characteristics extending beyond basic physiological

functions, or is the impact of social setting decisive to the point that 'human nature' stops short with biology? [85]

The aim for this study is not to produce answers to these questions, rather the intention with posing them is to present the first area that I think a view of human beings must relate to: namely whether 'human nature' should be interpreted as given and stable over time, or if it is formed chiefly by social interaction and thus significantly malleable. Different philosophical and theological traditions offer depictions of the human being that seem to present somewhat different answers to this set of questions. In the following paragraph a brief illustrations of an 'Aristotelian' and 'Kantian' view of the human being, and show how these respectively conceives of the basic outlines of human nature is offered. Having done so I show how these two traditions can be interpreted as responding to the question about human freedom contra natural contingency, and I also briefly discuss the influence that different conceptualizations of human nature have had on theories in the field of political philosophy.

An Aristotelian line of thinking has influenced many theoretical and ideological stances in their views on the nature of the human being. Advocates of these various stances make explicit references to Aristotle's thoughts about human nature as well as invoke the traditions main concepts in order to expound the basic features of the human condition. Aristotle is often described as having subscribed to a teleological worldview, where the universe is conceived of as having inherent purposes. Both his ethical reasoning and his thinking about human nature are contingent on this apprehension of the world as purposive.

In his reasoning, Aristotle uses a set of binary tenets in order to explicate the substance of his worldview which comprises both the idea of a common human essence and that the material world has certain ends towards which it strives. Central in this regard are the potentiality/actuality- and matter/form divides. Aristotle assumes that potentiality exists for the sake of actuality and that matter exists in relation to its form. Human nature has a particular form that induces certain abilities in individual human beings. Some of these are not particular to humans

[85] Judith Butler urges us to view the sex/gender divide not as a tension between 'neutral' biology and socially constructed norms; instead she argues that our apprehension of the biological always occurs by way of the conceptual grid that the discursive practices into which 'subjects' are draw places on its perception. The arguments in support of this position are reiterated in many of Butler's texts: I am mainly relying on Butler, Judith: *Bodies That Matter: on the Discursive Limits of "Sex"*. Routledge, New York 1993.

but are shared with other living beings. However, the ability to think rationally is deemed as exclusive to human nature and it follows that reason is what is distinctive for human beings. The purpose of human life is to exercise these human abilities as well and as fully as possible, especially the ability of rational thinking. A good human life is thus lived in accordance with reason. Eudaimonia, happiness or the highest good, is present in life to the extent that it is marked by rational contemplation.[86]

Theories within the Kantian tradition have explained human nature chiefly in terms of the freedom persons allegedly can aspire to and thereby transcend the contingencies that is placed on individual existence by nature and history. Reason is central in this aspiration for an existence that is essentially unconditioned, and free. Through reason, the individual can expedite the faculty to act as a self-legislator that is invested in her by virtue of participation in humanity. The rational person is she who has freely, that is, without contradiction in will, embraced the maxims directing her moral actions. Such a person is thus not bound by any other ends than those that she has postulated through the use of her free will. The notion of practical reason that Kant elaborates is centrally related to his conception of the human person as an ideally free being. It would take me too far astray to here probe deeper into Kant's argument concerning the more precise articulation of practical reason and its relation to the categorical imperative.[87] Suffice to say, his idea about a free and rational exercise of the will is crucial for his normative argument about humanity dignity. Thus can rational beings upon reflection reach the conclusion that persons should be treated as ends, and never merely as means.[88]

A conception of the freedom that it is possible for humans to achieve stands forth as central in different apprehensions of human nature.

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[86] Aristotle: *Ethikon Nikomacheion*. I:IV:1-2; 1095 a 14-23. Op.cit., I:VII:9-16; 1097 b 22-1098 a 18.

[87] Kant's idea of a categorical imperative concerns the form a maxim for actions must assume if it is to be regarded non-contradictory and thus rational. It specifies that the articulation of a principle for right action (moral maxims) must follow a certain, universal, standard. A maxim for action should be articulated so that I when acting upon it can at the same time wish that it would be valid for every other person. In its first form the imperative reads: Act only according to that maxim whereby you can, at the same time, will that it should become a universal law. Kant, Immanuel: *Grundlegung zur Metaphysik der Sitten.* Fünfte Auflage. Herausgegeben von Karl Vorländer. Verlag von Felix Meiner, Leipzig 1920, pp 20 f, 44 f.

[88] Grenholm, Carl-Henric: *Bortom humanismen*, p 44.

Sometimes a distinction is made between negative and positive notions of freedom. The former would denote life-circumstances that comprise no (or as few as possible) hindrances in terms of what an individual is able to choose and do. A positive conception of freedom rather starts in the conviction that certain conditions need to be present in life for a person to actually be able to act in ways that would approximate the ideal of freedom.[89] However references to non-interference or liberty as well as opportunities or circumstances needed for a dignified human life appear in various conceptualizations of freedom: they need not be viewed mutually exclusive. This being said, the ideas of autonomy of will and self-legislation that the Kantian tradition make central notions, makes it arguably more prone to adopt a liberty-conception of freedom and the essential rights of persons. A similar attempt at interpretation can made vis-à-vis the Aristotelian tradition. By focusing the relationship between human potentialities and their transformation into actualities, it seems as if the contingent nature of human life is given greater focus in this tradition. This is a notion freedom part of which claims that certain material measures are necessary for people to lead a life marked by freedom.[90]

These differences in explications of the concept of freedom and how it relates to what the individual is able to do and be, also occasion varying positions regarding a view on the relations that ought to exist between individuals and community. According to *communitarianism* the identity of a person is articulable only within the context of the community of which she is a member. According to this philosophical position personal identity stands in a decisive relationship to the social and moral norms and values that different communities adhere to. It is explicable only in these terms because they constitutes the 'mores' against which different understandings of ways of being human are manifested in any given society. Freedom is primarily conceived of as freedom to contribute to community, to take part in and help establish the common good.

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[89] This account can be compared with the distinction Amartya Sen does between freedom understood primarily in relation to the idea of freedom or liberty of choice, and freedom interpreted in term of the actual opportunities for good and valuable lives that people actually have. See Sen, Amartya: *The Idea of Justice*, pp 228 ff.

[90] This, I argue, is the case with the notion of the human freedom part of Nussbaum's capability approach. A conception of freedom following these lines is also present in the reasoning presented by moral philosopher Charles Taylor in his well-known *Sources of the Self: The Making of the Modern Identity.* Cambridge University Press, Cambridge 1989.

A uniting feature for different communitarian thinkers has been their critique of liberalism, arguing that its emphasis on 'liberties' and banishment of discourse on common goods lead to an 'individualism' that defeats the prospects of actual human freedom.[91]

Here we find another central tension in different understandings of the human being: upon scrutiny of different philosophical and theological discourses we find that they conceptualize the 'individual' rather differently. The concept of an 'individual', when invoked, is explicated in shifting ways. This discrepancy can be portrayed as disagreement among different theories as to whether a 'descriptive' or 'normative' form of individualism best describes the human condition. The difference between these two stances can be further explained: a model in which autonomy is accentuated above all other human characteristics, and where it is argued that this ability can be rendered manifest without references to particularities, such as historic context, social institutions, is indicative of a form of descriptive individualism. Normative individualism need not describe human beings as autonomous or independent in relation to social contexts, nor need it entail an idea of freedom as non-contingency, what this stance does claim is that it is individuals that ought to be assigned the highest regard in our reasoning about moral value and norms.[92]

A central topic for a view of human beings is the discussion of what it is that is valuable about human beings and if there is such a phenomenon as 'human dignity'. Is the idea of special form of dignity of humans a plausible one? A central idea in the Christian traditions is that the human being is created in the image of God (imago Dei) and as such holds a particularly prominent place in creation. To review the many different theological and philosophical interpretations that this notion has been given would lead too far from the purposes of this study. However it is worth noticing that the Aristotelian and Kantian stances on the

[91] Will Kymlicka offers a thorough explication of the major representatives and their ideas of the school of thought designated as 'Communitarianism', in Kymlicka, Will: *Contemporary Political Philosophy: An Introduction*. Oxford University Press, Oxford 2001, pp 208 ff.

[92] The form and substance of this distinction I borrow from Per Sundman, who in his dissertation suggests that we make a distinction between descriptive and normative forms of individualism. Sundman uses this terminology to analyze how the concept of an 'individual' figures in different models of human rights. Sundman, Per: *Human Rights, Justification, and Christian Ethics.* Acta Universitatis Upsaliensis, Uppsala 1996, pp 47 f.

defining features of human nature have given rise to somewhat divergent conceptions of the value that ensues to humanity.

In conclusion then, a view of human beings relates to all of these above-mentioned central topics. By invoking the concept of a view of human beings, I assume that it is plausible to make inter-personal comparisons, and that at least some rudimentary features of the human condition are articulable. The crucial endeavor is then constituted by the task of rendering them clear, inquiring about how they are presented and regarding the normative status assigned to them. A successful attempt of a view of human beings should be able to explain what it is that brings human beings together as well as what makes them different. What has become clear through this review of different portrayals of the human condition, is that it is a task that goes beyond a mere descriptive account: a crucial part of a view of human beings is constituted by evaluative statements concerning this perceived nature. We find different positions in regard to the question if some form of human progress is possible, and also different views on the issue if we can identify some kind of contingency over time in the human personality. The models are analyzed with these sets of question in mind. As we will see, different normative positions are related to different views of human beings. The models also interpret the ideal of human equality somewhat differently, and I argue that this is related to the different shape and substance of their respective views of human beings.

Ethical theory in a pluralist moral world

At several times I have used the term 'normative ethical model' to refer to the models that constitute the object of analysis in the inquiry here undertaken, and this section that focuses on the subject of ethical theory starts with a short explanation of these central terms. I understand normative ethics as a branch of moral philosophy that is aimed at both a critical assessment of, and constructive engagement with, different conceptions regarding what constitutes right moral action or valuable states of affairs. In this broad sense it incorporates both efforts that aim at a general revision of moral principles or values, and those efforts that target more specific instances of morality, for example, what moral principles and values that ought to guide thinking in environmental or

healthcare-related questions. The models I analyze in this study are examples of normative ethical reasoning as they present critical engagement with particular moral concerns and propose normative criteria for action and articulations of that which is valuable.

In the exertion to provide such systematical elaboration of, and constructive response to the questions above articulated, normative ethical reasoning necessarily relates to ethical theory. These two levels of ethical inquiry stand in a dialectical relation, however in the analytical engagement with the models of global ethics I proceed by making a distinction between the arguments put forth by the authors that are basically of a normative nature and those that operate at the level of ethical theory. This is, as I have stated previously, a branch of ethical reflection that deals with three essential problems. Namely, the question of how we can justify moral judgments or 'the epistemological problem'. Secondly, how we are to interpret and understand the function of moral discourse and moral judgments, this is also called 'the linguistic problem'. And thirdly, the issue of whether moral values are best conceived of as part of an objective order or if they should be viewed as socially constructed, 'the value-ontological problem'.[93]

To start with the linguistic problem this is the problem or question of how to interpret the 'nature' of values, and it therefore addresses the 'function' of moral judgments. This query of how to properly conceive of moral language constitutes an area of dispute, and opinions range from philosophers assuming that moral judgments have a primarily informative or descriptive function, to those describing them as equivalent to expressions of attitudes. The former view then holds that moral judgments contain information about the world rendering them into descriptions, in some sense, of reality. Those that claim that moral language at large, and moral judgments in particular, should be viewed as statements concerning the preferences or feelings different actors have

[93] As has been earlier mentioned I prefer the term ethical theory to both 'value theory' or 'meta-ethics', and inspired by Carl-Henric Grenholm I also hold that this term reflects more accurately what this area of inquiry deals with and when it is undertaken: namely it deals with epistemological, linguistic and ontological problems that the reasoning part of different normative ethical models make present. Grenholm argues that the term meta-ethics give the connotation of an activity ensuing normative reasoning rather than being a crucial part of it. He also holds that the term value theory implausibly narrows the scope of as the critical endeavor designated by ethical theory goes beyond just questions that concern the nature of values. See Grenholm, Carl-Henric: *Etisk teori*, pp 21 ff.

to various forms of human actions or experiences fall into the latter category. Proponents of the ethical theoretical stance commonly named emotivism state that moral judgments are not to be conceived of as propositions but rather as expressions of different emotional attitudes.[94]

Another way of depicting the practical function of moral language is found in those theories that propose that moral judgments should be understood as recommendations or prescriptions. The suggestion is that moral language has a primarily prescriptive function, and theorists of this persuasion contest the descriptivist view on moral judgments as propositions. The question of what kind of meaning moral judgments expounds, whether they convey attitudes or feeling, prescriptions, information, is also central for the epistemological problem. Both emotivism and prescriptivism constitute examples of non-cognitivistic ethical theories. Richard Hare argues that moral judgments should be understood as ethical prescriptions and that as such, they have the form of being possible to universalize. A stance advancing universalism in terms of moral justification may also be combined with a descriptive view concerning the nature of moral judgments. The result is then a form of ethical cognitivism part of which argues that moral language is truth-aspiring, that is; that moral judgments are propositions that provide knowledge about reality.[95]

Cognitivist theories deliver somewhat different answers to the question of how we might attain knowledge concerning subjects of morality, and it depends partly on the view they respectively adopt regarding what it is that moral judgments make postulations about. 'Descriptive' theories differ concerning the 'thing' that moral judgments are supposed to provide information about, but commonly suppose that justified moral judgments provide knowledge. Some argue that they are to be understood as statements about value-qualities, which attaches to an object or a state of affairs, and that as such they are distinctive from the qualities found in the physical world, for instance colors. Others instead maintain that moral judgments constitute statements about matters of affairs that can be empirically tested.[96] The view that moral judgments

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[94] The emotivistic position was stated poignantly first by Ayer in Ayer, A.J: *Language, Truth, and Logic*. Dover Publications, New York 1952, but is further developed by Charles Stevenson in Stevenson, Charles L: *Ethics and Language.* Yale University Press, New Haven 1944.

[95] Grenholm, Carl-Henric: *Etisk teori*, pp 141 ff.

[96] Descriptivistic theories make different interpretations of the character of moral judgments as they advance different views on the referent of the proposition, and therefore

have a primarily practical function is often combined with a non-descriptivistic reading of moral concepts and terms.

Descriptivist and non-descriptivist theories also develop differing stances towards the ontological problem. Moral realists and ethical constructivists debate whether moral values exist independently of the human. The moral realist endorses a positive value ontology, that is, proponents of this position argue that moral concepts such as values and norms correspond to a reality that exists autonomously from the social and discursive practices displayed by different human communities. This makes moral realism a non-nihilist form of ethical theory, and as such, it stands in opposition to both anti-realism and forms of moral skepticism, which argues that justification of moral judgments is unwarranted.[97]

The latter stance, constructivism, views values not as qualities or entities that exist before or independently of human intentions, but rather as something formed by human consciousness and maintained in discursive practices. Most constructivist theories thus repudiate the claim that values exist as a part of an objective order of reality. This need not mean, however, that moral judgments are described as being merely subjective statements. Some contend that we ought to conceive of values as part of the socially constructed reality, and as this reality is a form of collective human creation it does not plausibly explain the phenomenon of moral values as constituted and maintained by individuals solitarily. It is in this sense then that morality as a social institution exists independently of the particular individual: moral values make reference to an order that is collectively established and maintained through different social and cultural practices. The search for proper justification of moral concepts and judgments is then warranted even though it is not the case that this form of discourse does provide us with knowledge. Justification as an intellectual activity should not be interpreted as probing for the actual, or 'real', circumstance to which an articulation of value corresponds. Rather this practice should be understood as something that occurs within a circumscribed time and place, and as such is concurrent with the social and cultural mores of different communities. It is therefore directed at expounding these customs or

suggest different ways to reach valid moral conclusion. If the referent is conceived of in terms of a natural quality then we have a form of ethical naturalism that expounds a version of empiricism in terms of justification.

[97] Grenholm, Carl-Henric, op.cit., pp 154 f, 164 f.

crucial features of a tradition and in this undertaking where the moral discourse of community is scrutinized some parts of it will be rendered obsolete, whereas other tropes will be found highly relevant for social life.[98]

In the Introduction I mentioned that issues which concern the role and contribution of religions are present in the discourse surrounding global ethics. These clearly relate to and make manifest the more general question of what contribution theology can make to ethical reflection. This question is grand in scope and relates to the ongoing discussion about the relation between theology and moral philosophy. In the reasoning of Hollenbach and Schweiker we find two examples of contemporary theological engagement with the issues of ethical theory. In this way, my inquiry regarding the form of ethical theory related to a tenable global ethic also address the role of theological contributions to this subject.

What then is the link between these discussions, part of the discipline of ethical theory, and the analysis of different proposals for a global ethic? I contend that the study of ethical theory is relevant in relation to discussions of sustainable forms of ethical reflection in a global context. I propose that global ethics is constituted partly by a critical study of different normative suggestions, but also contend that it comprises scrutiny of ethical theories in accordance with the above-explicated questions. This latter form of inquiry helps uncover the different beliefs that influences the different normative conceptions. Therefore, to the definition of global ethics as theoretical reflection that was previously presented I would add that it also incorporates a designated analysis of the ethical theory stated or presupposed as part of a global ethic. If this is done then we can get a hold of the influence that different philosophical traditions exert on the various articulations of global ethics, and so also apprehend the ways in which these direct the suggestions made for how to organize the social and political spheres of existence. As I think that different conceptions of moral rationality are decisive for the proposals for political-morality that philosophers and theologians put forth, I inquire about ethical justification with the stated aim of relating this dimension to their normative and political visions.

[98] Grenholm, Carl-Henric: *Etisk teori*, pp 253 f, 266 f.

Critique, assessment and evaluative criteria

In this section the set of criteria that is employed for critical scrutiny of the four different models for a global ethic is presented. And, as has been mentioned, the criteria also constitute the framework in which I elaborate my own contribution to this area of ethical reflection. However, before turning to this task I will make some general remarks concerning the subjects of theoretical evaluation and assessment, and also offer some reflections on the kind of 'standards' that could be reasonably invoked for these purposes. To my mind, the procedure whereby one invokes a set of criteria has, if properly conducted, the advantage of presenting to the reader the suppositions from which both normative and theoretical arguments proceed.

In order for this elucidative task to be accomplished, the criteria invoked needs to be given as precise and transparent articulation as possible. This is a theoretically challenging undertaking and the decisive tenor of these criteria becomes apparent as they are implemented. That is, they gain meaning by the critical engagement with the models that are the object of this study. However this section starts the exposition of the criteria and illustrates how they relate to the interpretation of the influence of globalization on ethical reflection that I have been arguing in favor of through the course of this chapter. Therefore they are all founded on the conviction that the different processes of globalization are phenomena that have decisive import on ethics, on descriptive, normative and theoretical levels respectively.

I have chosen to name the first criterion I want to propose as relevant for judging whether a model for global ethics is tenable as 'the criterion of relevance'. This criterion relates in a clear way to what I take to be the area of application and purview of a global ethic. It proceeds from the belief that ethical reasoning should hold prominent place in deliberations on social policy and institutions and thus that moral considerations are crucial for political life and discourse. I therefore argue that a tenable global ethic needs to present normative arguments that amount to relevant social and political guidance, in terms of norms, principles or values, suggested for the global situation.

This criterion, in one sense, emanates from the interpretation of the purpose of a global ethic that has been suggested, namely to address global ethical problems, problems that testify to the fact that the world's different societies are now interconnected in crucial ways. It is also related to the view on morality as a basic social institution which this

study adopts. My argument is that in order to be able to critically evaluate morality, ethical reasoning must incorporate philosophical analysis of social and political conditions and seek dialogue with economic theory alike. I argue that if we want to achieve a plausible form of normative ethical analysis then morality needs to be studied as a phenomenon manifested in and through different societal institutions. The concept of relevance therefore stipulates non-contradictory philosophical argumentation as a necessary but not sufficient condition, and maintains that a model for global ethics that is tenable, also presents us with credible portrayals and critical appraisals of the shape of the global community in its different political, economic and cultural manifestations.

This criterion of relevance relates to the discussion concerning the problems that globalization makes present for societal life in its various dimensions, and a tenable model for global ethics should be able to deliver a vision concerning legitimate forms of institutions for, and structural organization of, the global arena. A central supposition of this study is that it is crucial for a tenable articulation of a global ethic to address the issue of democratic legitimacy and governance in the global domain. Plausible forms of global ethics give critical review of the challenges that democratic governance faces in a world of shared problems and multiple forms of global interconnectedness. This means that global ethics relates to, but is not equivalent to, cosmopolitan forms of ethics. The criterion does not offer explicit support of anyone form of governance in the global arena, and it does not by itself prognosticate about global institutional order. Whether something like a world government would be preferable due to the effects of globalization is a question whose response awaits yet further discussion. By the definition of a criterion of relevance for tenable forms of global ethics, a type of crude realism in terms of what characterizes relations between the different agents of the international society is precluded. The contention is that moral considerations should have a prominent role in global deliberations concerning economy and politics.

The criterion of relevance in relation to global politics and institutions is invoked in two main ways; firstly the criterion specifies the importance of there being an attempt at both institutional analysis and some form of constructive stance regarding the institutional (political, social and material) dimensions of society, and contends that the lack of such a vision is a serious shortcoming of a model for global ethics. Secondly, I invoke the criterion of political relevance as an evaluative

standard that regards the substance of an institutional vision for a globalized world in models of global ethics. Thereby I inquire in the first instance concerning the existence of an institutional vision and secondly assess whether the proposal, if such is present, can be considered feasible. Of central importance in this instance is coherence: that the account of the shape of the globalized world a model gives and the vision or idea of global political-economic intuitions it suggests actually coheres.

Yet another criterion for a version of global ethics that is tenable is that it comprises 'a reasonable view of human beings'. By the concept of a view of human beings, I intend to denote a characterization of what it is that is distinctive about or for human beings, and argue that a reasonable theoretical depiction thereof takes regard and offers plausible explications to all the areas that were identified as central in a view of human beings. It might be asked why issues that concern different apprehensions of human 'nature', or such a thing as 'the human condition', should be awarded significance for the tenability of a global ethic? My answer would be the same as to the question of why it is reasonable, in a general perspective, to examine different views of human beings. Namely that we cannot properly understand the recommendations different social, political, and ethical theories make regarding human well-being and societal institutions, unless we also inquire about the kind of view on crucial features of human life, a view of human beings, that they comprise.

A view of human beings involves suppositions on different levels, and the arguments by which it is sustained then relate to descriptive, normative and sometimes also ontological, dimensions. Such a view therefore, does not constitute an instance of reasoning that is objective or 'neutral' vis-à-vis world-views and interpretations of reality more generally. Every characterization of 'human nature' incorporates normative assumptions in terms of what is considered to be valuable about or desirable for humans. A philosophically intent depiction of the human being clearly surpasses being a mere descriptive account of the human condition: however, it does not imply that a view of human beings can discard the beliefs commonly accepted within the scientific

community concerning human biological, physiological and psychological attributes.[99] Reasonability in relation to this criterion denotes providing 'answers' to the abovementioned tensions that neither contradicts well-recognized facts about human beings, nor are contrary to the common experience of most persons. Furthermore, I contend that a reasonable view of human beings takes issue with social hierarchies and rankings, my idea of morality is that it is a social practice in which the notion of the equal dignity of persons constitutes a central regulative ideal.

A tenable global ethic should also incorporate 'a plausible ethical theory'. I understand ethics as the critical endeavor whereby different instantiations of morality are both explicated and assessed. The argument has so far suggested an understanding of global ethics in which the scrutiny of ethical theory is crucial. Within the discipline of ethical theory the epistemological and ontological assumptions that normative arguments proceed from are explicitly addressed. It performs an analysis of the meaning of moral language and thus reviews how different theories picture the nature of morality. The purview of this study is that the articulation of a proposal for a global ethic encompasses a form of ethical reflection wherein all these problems become accentuated. This incites the further contention that a tenable global ethic should present us with plausible explanations of the epistemological, linguistic and value-ontological problem alike. Thus, when I inquire concerning ethical theory I do so in accordance with the apprehension of the concept explicated above.

The plausibility of the ethical theory related to the models are scrutinized with the following considerations in mind. For one thing I argue that moral justification is possible but that it need not be conceived of as a universalistic endeavor and it is desirable that we offer reasons in support of moral judgments that aim for cross-contextual communication. It is therefore crucial for a model for moral justification that it recognizes the essential affiliation that exists between social and cultural contexts and articulations of morality.

[99] In my view it seems reasonable to assume that an utterly precarious interpretation of either the biology, physiology or psychological conditions that human beings are commonly assumed to share gives incentive for skepticism towards the model that harbors it.

Besides an approach to moral justification that takes heed of the ways that contextual particularities and idiosyncrasies influences articulations of moral judgments in a feasible way, a plausible ethical theoretical stance offers a cogent argument concerning the institution and function of morality. This entails an effort at elucidating in what way we should conceive of the character of moral value. However, for this account to be judged plausible, it ought not to presuppose an un-conventional view on reality, that is, one that goes counter to the experiences that most people confess of. It seems equally difficult to sustain a radical form of value nihilism given the circumstance that most persons and societies aim to motivate their choice of action by reasons founded on the belief in the existence of some form of social and moral values.

A tenable model of global ethics should thus be both theoretically sound and politically relevant. This demands a credible depiction of challenges for ethics in the context of globalization, a plausible reply to them in the form of a coherent normative ethical model, which presupposes both a reasonable view of human beings and a plausible ethical theory. A crucial step in articulating a relevant moral vision for the global community is to acknowledge the risk of neo-imperialism that accompanies all forms of global ethical projects. The risk and lure of cultural arrogation is visible in the human rights project just as it is present in other attempts to articulate 'universal' moral standards. I do think that moral dialogue according to some apprehension of rationality is desirable, however as we in a global scenario have to handle several forms of discourse, political, moral, economic, and which come from different cultural contexts, unreserved assertions of the possibility of universal moral justification seem essentially unfeasible. This admission of threat of discursive aggression and violence that haunts all forms of deliberation about how to organize collective human existence engenders the contention I make that the tenability of a global ethic be judged by whether it is truly 'communicable'.

The criterion is qualified by the argument that trans-contextual moral communication has to be cognizant of the moral and cultural diversity that every modern society attest to. Therefore the reader should observe that I understand communicable as marking an ambition to seek and establish forms for non-coercive dialogue, and that this purview of mine shows basic similarities with central insights and arguments of the discourse ethical tradition. A communicable form of global ethics makes

respect for the distinctiveness of different traditions and societies central. This, I maintain, entails respect for the identity of the other and the claim that every person is treated as an equally important moral and political subject.

By the articulation of these criteria for a tenable version of global ethics, one that is communicable, I have indicated my belief that a global ethic can be supported by arguments with cross-cultural reach, and more generally, that a kind of inter-subjective test of moral norms can be undertaken. The definition of 'tenability' here suggested, is thus founded on an assumption that rational moral communication, notwithstanding all the qualifications that would have to be made in order to render apparent its meaning, is a plausible goal for ethical reflection. In this way the specification of communicability just given has bearing on all my suggested criteria as founded on my central theoretical and philosophical convictions.

Chapter 2

The Capabilities Approach

The following chapter is devoted to an analysis of the global ethic that Martha Nussbaum presents in *Women and Human Development* and *Frontiers of Justice*. Of central importance in her global ethics is what she calls the 'capabilities approach'. In the analysis of Nussbaum's global ethic I include ideas concerning moral reasoning and ethical theory, therefore *Upheavals of Thought: the Intelligence of Emotions* (2001) in which Nussbaum sketches a proposal for the role of emotions in a theory of moral reasoning has also been studied.

The capabilities approach was first proposed by economist Amartya Sen who has made the suggestion that models for social choice ought to focus on the substantial freedoms people actually have. Sen argues that these freedoms are the relevant benchmarks in inter-personal comparisons, and his central idea is that we should invoke the concept of 'capabilities' to assess levels of social development. From this perspective, poverty is understood primarily as the absence of central capabilities. Both Sen and Nussbaum have stated their interest in the special problems that women in different regions of the world encounter. Nussbaum argues that the capabilities approach, as she articulates it, expounds a set of universal values meant to inspire work to provide women throughout the world opportunities for dignified human lives. Her feministic position emphasizes the individual's right to be treated as an end in itself. Nussbaum argues that relations and structures within society, which entails the family or 'private sphere' as well as the public, therefore have to be reconfigured so as to make room for a focus on the individual and its opportunities and freedoms. The individual's possibility for self-fulfillment is therefore a central thesis in Nussbaum's reasoning, and she argues that an accurate understanding of wellbeing starts in the idea of an authentic human life.

In some of the earlier writings where Nussbaum presented the capabilities approach, an Aristotelian inspiration was explicitly articulated and also held a prominent role in its justification. In a similar manner, the texts and argument chosen for this study of Nussbaum's position show a clear continuity with an Aristotelian conceptual framework. However, she makes also makes thoroughgoing references to John Rawls and his conception of a political liberalism and argues that her version of the capabilities approach is to be conceived as analogous to it. Nussbaum argues that her model displays a political conception of justice that is compatible with different conceptions of what constitutes a good life as it, in likeness of Rawls' conception, composes only a partial account of the good. Nussbaum claims that different societal actors and groups could come to endorse her list by reasons founded in their own traditional and cultural heritage and that the list would then be supported by a form of overlapping consensus. Nussbaum claims that her proposal for central human capabilities has been tested and adapted by course of an extensive cross-cultural dialogue and she calls on the interviews she has made with women's groups in India as evidence to this case.

As we shall see Nussbaum uses the notion of a threshold level of capability and argues that her model specifies certain basic requirements of justice, and contends that these are what governments and other relevant actors should endeavor to make present in the life of every human being. Nussbaum argues that her model for global justice implicates respect for pluralism precisely because it comprises the idea of threshold levels. The model allows for difference, she contends, as it holds that above the basic levels different democratic communities may make varying choices regarding the more precise ways to implement the capabilities. The list of capabilities could then be conceived of as 'constitutional guarantees' that different instantiations of national legislation must respect. By restricting the list to 'basics' in this sense, Nussbaum argues that her model for global ethics could be combined with various values, norms and special circumstances of different historical communities.

In this chapter I first present the account of globalization that Nussbaum gives, and part of this is an account of the major global moral problems that she identifies. The inquiry then continues with an explicit focus on the capabilities approach, firstly analyzing its suggested model for social justice, and subsequently its conception of global justice. The social-political vision part of the capabilities approach as a model for

global ethics forms a central subject of my analysis. Therefore I discuss the implications, in terms of institutions and policy, which Nussbaum argues an adoption of the capabilities approach on a global level would yield. In the three following sections of the chapter I turn the analytical focus to the universalistic position, the view of human beings and the ethical theory that are part of Nussbaum's reasoning. The chapter ends with a critical discussion of the capabilities approach as version of global ethics.

The globalization of economy

One of Nussbaum's main concerns in *Frontiers of Justice* is to demonstrate how theories of social justice that 'begin from the nation state as their basic unit' gives inadequate characterization of the global situation. The current condition of the world necessitates new ways for thinking about justice on all levels of community. Globalization impinges on the moral life of different human association and boosts the need that ethical reflection becomes a common endeavor. Since a principal feature of the present world is constituted by the far-reaching economic and political concatenations a nation's prospects for action becomes intelligible first when scrutinized in light of such global interconnections. As an example of a normative model that is, although holding potential in the national context, in poor condition to deal with the moral issues of globalization Nussbaum appoints John Rawls' theory of justice. Her critique of Rawls' conception of justice relates to the terminology and the conceptualizations he employs, as well as to the principles and norms he suggests. During the course of her argument in case of the capabilities approach as a model suitable for a global world, Nussbaum makes several critical interpellations against the so called Rawlsian model. However at this point it is Nussbaum's interpretation of the global order that I focus on, and my intent is to present her stance on globalization and explicate the suggested interpretation she gives of urgent global moral problems.

Nussbaum argues that when Rawls articulates his stance on the question of international justice he does so by extending his theory of domestic justice to the international arena and contends that those principles that would be the result of a contracting process in two stages

which ought to guide interactions between different states. Rawls argues that the principles that should regulate the basic structure of society are those that would be chosen by persons in a hypothetical original position where their knowledge of the position they hold in society is restricted by a 'veil of ignorance'.[100] Principles chosen in this way would constitute impartial moral requirements for proper organization of society's main institutions. Rawls suggests that an analogous thought-experiment could be used to provide arguments for the justification of principles for international justice. However in the second stage contract situation the parties are not individuals but peoples that, behind a veil of ignorance, choses principles meant to regulate international relations. Nussbaum sees many problems with contractarian justifications of basic political principles and a central one has to do with how the contracting parties are usually portrayed in this 'tradition'. She claims that Rawls, just as he does when he designs the national social contract, depicts the parties to the international contract - different peoples - as roughly equal in power and ability and postulates that they are motivated to enter into cooperative relations with each other on the prospects of mutual advantage. By constructing the contracting situation in this way, she argues, Rawls gives concession to a view of the international arena as inhabited by isolated and self-sufficient states intermittently engaging in economic interaction.[101]

In contrast to this Nussbaum holds that the fates of states are deeply enmeshed through the economic and political systems that structure the global arena.[102] Economic globalization draws different states together and transforms political life as new financial actors challenge and reconfigure the boundaries between domestic and global associations. She claims that in the framework of a global capitalistic system where the goal of constantly increased profits acts as guiding star, it follows that states have a rather limited ability to stand against the will of multinational corporations. The prospects of the company's favors get states to lessen their working- and environmental regulations so as to provide a 'favorable' business climate. More so, the ways in which the domestic affairs of states are unavoidably influenced by external actors

[100] Rawls elaborates this concept in Rawls, John: *A Theory of Justice*. Oxford University Press, Oxford 1973, pp 11 ff.
[101] Nussbaum, Martha C: *Frontiers of Justice: Disability, Nationality, Species Membership*. Harvard University Press, Cambridge 2006, pp 248 f.
[102] Nussbaum, Martha C, op.cit., pp 225, 234 f.

and systems shows great discrepancies, making some states more vulnerable to the effects of economic globalization than others. Nussbaum therefore seems to be favoring a view on economic globalization as a set of processes that is paralleled by a basically unequal distribution of economic resources and political power.

Nussbaum thus provides an account of effects of economic globalization on domestic politics that in crucial regards approximates both Beck's and Held's. The central suggestion is that the global economic order has a decisive influence on social and political decisions and initiatives. Therefore it is deeply implausible, Nussbaum contends, to hold that national-states are sovereign in the sense of enjoying uncompromised discretion in state matters. A further problem is constituted by the fact that increased global economic interaction has not advanced the situation of those in the world who suffer from poverty. Rather, their situation has been worsened by economic globalization and this is largely traceable to the current shape of the global division of labor. Therefore, Nussbaum argues, her discernments of the world are fundamentally different from those represented by Rawls and his thesis that there is a correlation between the 'political culture' and economic prosperity of a country.[103] Nussbaum maintains that rather than being contingent on factors such as national thrift or supremacy of political organization, disparities between different states are connected to the way the current international economic system works. Therefore the very unequal abilities different communities have to provide for the basic capabilities of their citizens constitute serious global problems.[104]

Nussbaum argues that in his reasoning regarding principles for the international arena, Rawls seems oblivious to the circumstance of radically different prospects for participation in global economic exchanges. It is thus improper both to portray states as acting in absolute isolation and to delineate social and economic disparities separated from the global structures of production and distribution. The global economic order, directed chiefly by TNCs and IGOs, creates very unequal prospects for persons in different countries and regions of the world to lead decent human lives. Therefore it is important, Nussbaum argues, that it be subsumed to democratic revision and that efforts are made to exert political control of the forces of the global market.

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[103] Nussbaum, Martha C: *Frontiers of Justice*, p 240.
[104] Nussbaum, Martha C, op.cit., p 240.

Nussbaum suggests that a further problem with Rawls' account of the international arena is that it does not take heed of the challenges that the emergence of human rights-systems poses to national sovereignty.[105] As the idea that human life holds a certain form of dignity and inviolability receives increasing global support, Rawls' claim that the peoples of the world lack 'common sympathies' seems essentially unwarranted. It is equally true, Nussbaum contends, that it is not just a task for each national community to see to it that their people have their basic human rights respected. Securement of human rights is gradually interpreted as a mission that the global community holds collectively.[106] Therefore the international landscape is reconfigured as universal moral norms become influential for the basic structure of states, and Rawls' idea about a two-staged international contract does not offer a befitting characterization of, as well as normative principles for, the globalized world.[107]

As has been mentioned Nussbaum is convinced that ethical universalism is cogent as well as desirable. Part of her argument in support of a universal morality of human rights is the suggestion that it will be likely to generate a form of overlapping consensus. Therefore Nussbaum's justification of the normative model of human capability is related to the presupposition that the notion of human rights constitutes an idea that now has global reach, she states this accordingly:

> After all, there is nowhere in today's world where ideas of human rights, human dignity, human equality, and fair terms of cooperation are not widespread.[108]

This is made obvious, Nussbaum claims, by the proliferation of non-governmental organizations and international treatises and agencies that fasten on norms of human rights. Part of the political environment of the world that is marked by globalization is general agreement and adherence to human rights. Furthermore, we can apprehend shifts in the international political arena that are represented by the new stances and theories concerning the social and economic development that circulate on a global basis. As has been previously mentioned Nussbaum reports that the capabilities approach originated out of a collaboration between her and scholar Amartya Sen, and meant that they jointly sought to find

[105] Nussbaum, Martha C: *Frontiers of Justice*, p 304.
[106] Nussbaum, Martha C, op.cit., p 305
[107] Nussbaum, Martha C, op.cit., p 243.
[108] Nussbaum, Martha C, op.cit., p 303.

plausible answers for the question how to make adequate cross-country comparisons for reports about development.[109] Nussbaum states that she and Sen were in agreement that instead of Gross National Product (GNP) or utilitarian standards of wellbeing or satisfied preferences, levels of social development should be measured by a standard that focuses on the capabilities and opportunities for certain forms of functions (functionings), that people actually have.[110]

Nussbaum's basic claim is that if issues of international social and political development are approached from the perspective of people's capabilities and functionings, we will be made aware of the need to raise standards of living for women in developing countries. Their lives are regularly marked by deficiencies of essential human freedoms as well as of scarcity in material resources. Nussbaum argues that besides the hindrances to wellbeing constituted by poverty and economic deprivation, women also usually suffer the impacts of customs and traditions that teaches that they hold an inferior position in relation to men.[111]

Nussbaum contends that these circumstances need to be both accounted for and challenged by norms that promulgate the equal value of every individual, and part of this is to seek to make it so that social choices are made in respect of the rights each person has to a good life with human capabilities. This, she argues, is what the capabilities approach does by its statement that certain key functionings need to be present in every human life, and also, by its proclamation that societal practices and political arrangements have to be evaluated according to the capabilities they provide for everyone citizen, regarded as an equal subject of justice.

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[109] Nussbaum, Martha C: *Women and Human Development: The Capabilities Approach*. Cambridge University Press, Cambridge 2001, p 6.

[110]Nussbaum holds that aggregative calculations such as GNP per capita, total-, and average wellbeing are unable to provide information about the life situation of separate citizens and that because of this they should not be used to evaluate how a country is performing. This needs to be assessed in terms how it performs in meeting the needs of all its citizens and development should be measured by and quality of life comparisons be made by the standard of what social and political opportunities citizens actually enjoy. This conceptual framework grounds the Human Development Index (HDI) that the United Nations Development Program has been using in the annual report it issues ever since the start of release, and behind which Amartya Sen was one of the leading theorists.

[111] Nussbaum contends that arguments claiming a kind of religious sanction, are regularly invoked in support of the unequal treatment of women, and similarly that arguments formed by social and cultural customs are presented for why women should be confined to the sphere of 'family'.

The Capabilities Approach as a model of social justice

So far I have made the suggestion that in her reasoning, Nussbaum provides an account of the globalized world where the global economic system posits countries very differently and thus provides radically different possibilities for persons to live decent lives. Nussbaum argues that a normative ethical model for the global world must be able to address these social and economic disparities and contends that a conception of global justice which responds to these reconfigurations in international structures of power is urgently needed.[112] In order to circle the substance of Nussbaum's global ethic, I start by giving a brief presentation of the capabilities approach and then examine the answers it gives to the above-identified global challenges.

Nussbaum defines the capabilities approach as a theory that offers a model for basic social justice and argues that it constitutes a model which is essentially focused on outcomes, namely: the capabilities each citizen has for certain forms of valuable human functioning. Nussbaum argues that her model is to be preferred to models which make overall utility or satisfied preferences, or any kind of metric that fastens on aggregative calculations, seminal for social choice. It is also superior to models that take a primarily procedural focus on questions of political and social justice since it combines a focus on the political liberties and opportunities citizens enjoy with an inquiry about the social and material conditions needed for these liberties to become lived reality.

Nussbaum argues that there is a rudimentary similarity between the capabilities approach and utilitarian models, and that this resemblance is constituted by the fact that they respectively focus on outcomes. However, Nussbaum contends that a certain decision would mean that many citizens have their preferences satisfied is not perceived as of final importance in the capabilities approach. Persons' experiences of their situation and their desires for certain goods are important, but it is not sufficient for an account of the socially preferable. Nussbaum claims that she shares Rawls' critique of utilitarianism and argues that just social arrangements demand that each citizen have their interests equally respected. Theories that regard social choice primarily by reference to overall utility or aggregations of preferences cannot amount to such respect for individuals, Nussbaum contends, as persons are not treated as

[112] Nussbaum, Martha C: *Frontiers of Justice*, p 225.

ends in themselves but rather as collections of preferences or interests, which can be satisfied or frustrated. A further problem with utilitarianism argued by Nussbaum, is that it fails to distinguish between the different goods that are all necessary for viable human lives and which must therefore be available for each citizen. By operating only with utility or preferences in its conception of social choice, this sort of reasoning leaves out many of the factors relevant for an adequate assessment of the possibilities an individual truly has for leading a good life.[113]

Having presented these qualifications Nussbaum goes on to assert that if the goal is to elaborate an account of social justice then one needs to start by thinking about the goods that persons reasonably need and then ask how these goods could be distributed in a manner that respects the dignity of each individual. These, Nussbaum claims, are guiding assumptions in John Rawls' theory of justice as fairness and therefore it is preferable to utilitarian reasoning about social policy. Nussbaum claims that even though the procedural model of justice Rawls provides is commendable in several aspects, political principles need to be founded by another form of reasoning.

Nussbaum states that asserting the essential political liberties is indispensable in the pursuit to enable citizens a life that is worthy of the dignity of the human being, and in addition, societal design and institutional composition must also show respect for central human needs. Nussbaum argues that Rawls' model does this to a certain extent, as it comprises of a list of primary goods that all citizens should have access to.[114] But Nussbaum proclaims that she views Rawls' list as inadequate, and argues that his idea of primary goods does not make proper cognition of the particularities of individual existence. Both the circumstance that the goods enumerated on the list are few and that they are conceived to be possible to prioritize between make the account of primary goods insufficient, Nussbaum argues. Political institutions in a liberal society should be designed so that they give citizens, regardless of social posi-

[113] Nussbaum, Martha C: *Women and Human Development*, pp 59 ff.

[114] The primary goods that Rawls postulates that all citizens have in interest in obtaining are: basic rights and liberties; freedom of movement, and free choice among a wide range of occupations; the powers of offices and positions of responsibility; income and wealth; and the social bases of self-respect: the recognition by social institutions that gives citizens a sense of self-worth and the confidence to carry out their plans. Rawls, John: *Justice as Fairness: a Restatement*. Belknap, Cambridge Mass. 2001, pp 58 f.

tion, access to the goods that every person needs for a dignified existence. Therefore these goods are the central standard by which to evaluate how a political community performs in terms of social equality.[115]

Nussbaum states that in his reasoning, Rawls recognizes this, and she argues that her critique concerns his idea that distribution of income and wealth, which is given primary role in his conception by the introduction of the difference principle, are proper indicators of social justice.[116] As the model is constructed in this way, Nussbaum argues, it fails to identify those individuals in society who actually suffers the most severe forms of deprivation. Neither does Rawls adequately acknowledge in his reasoning, that the possibilities different persons have to lead good lives varies considerably even as they hold equal amounts of resources.[117]

Nussbaum maintains that this is a line of critique that she shares with Amartya Sen, and makes reference to his argument that persons with physical impairments - notwithstanding comparable possessions of financial resources - cannot be plausibly conceived as having the same ability to move around freely as their non-disabled co-citizens.[118] Sen invokes this example in order to make the argument that as physical ability varies significantly between different people, so do their needs for certain goods, and this variation in human need must be centrally affirmed by a model for societal distribution. By making capability for functioning the focus for measurements of social positions, we make the concession that individual presuppositions and social surroundings

[115] Nussbaum maintains that these are all good articulations of what human beings need as citizens in order to pursue their conceptions of the good, but argues that the list is inconclusive.

[116] This principle holds that unequal social and economic distributions are allowed if they are to the advantage of those individuals that are least well off in society taken as a whole.

[117] Nussbaum argues that Rawls gives apprehension of this fact in his discussions about liberties and opportunities and how they interrelate but that "His emphasis on wealth and income as primary goods central to the task of indexing, however, sells short his own respect for the individual." Nussbaum, Martha C: *Women and Human Development*, p 69.

[118] Nussbaum, Martha C: *Frontiers of Justice*, pp 114, 164. Nussbaum targets Rawls' conception of primary goods as especially problematic for a model for justice that wants to treat citizens with physical and mental disabilities as full subjects of justice, something that she claims is related to his model being built on assumptions basic to the social contract tradition, and this is a very central part of Nussbaum's argument in this book and one to which I return in the section on her view on the human being.

together create the actual space of freedom, that persons have, for pursuing lives that they find valuable.[119]

As an alternative to both the Rawlsian and utilitarian conceptions of equality Sen proposes 'basic capability equality' which is a conception in which it is petitioned that persons ought to have equal opportunities to function in certain essential areas of human existence. In order for such outcomes to be equally attainable for citizens, we must aim at a distribution that takes heed of the different abilities people have due to natural endowment and social stratification. But, Sen clearly asserts, it is the capability for functioning that society should make present in the lives of citizens and it should be possible for individuals to make the choice whether or not to pursue the actual functioning, this is to respect persons' legitimate individual freedom. [120]

Nussbaum puts forth a claim akin to that of Sen and argues that when pondering principles to guide the design of central societal institutions a focus on capability for functioning is preferable because it allows for inquiry concerning what people are really able to 'do and be'. This is an analysis that Rawls' as well as other procedural models of justice have difficulty providing, Nussbaum argues. Neither a focus on utility nor on economic resources can give us adequate information of opportunity for functioning that a certain individual occupies. If we are to judge if the present arrangements of a society are just, we need to explore what kind of lives the citizens of that society are actually able to lead.[121]

Furthermore, Nussbaum argues that in congruity with Sen, she wants to take proper heed of personal choice and freedom, and also suggests a distinction between capability and functioning. Capabilities are defined as the substantial freedoms that human beings have reason to value, irrespective of what they otherwise hold to be important in their lives. Nussbaum proposes a list of ten central human capabilities which

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[119] See for example Sen, Amartya: *Inequality Reexamined*. Clarendon Press, Oxford 1992. In which Sen presents the position he has chosen to call 'basic capability equality' and which he has continued to work on over the years.

[120] See for instance Sen, Amartya: *Development as Freedom*. Oxford University Press, Oxford 2001, pp 291 ff.

[121] Nussbaum contends that 'the resource-based approach' fails to recognize the obstacles to functioning that might be present even as financial distributions are essentially equal. Because of different preconditions in life persons might be unable to avail themselves of opportunities that they in some sense have, such as free public education, or vote, or the right to work. Nussbaum, Martha C: *Women and Human Development*, p 68.

every society should aim to provide for its citizens by incorporating them in their constitutional framework explicated as basic political entitlements. They are; life, as the ability to live a full human life in terms of both length of time and quality of existence; bodily health; the ability of bodily integrity; the ability to use one's sense, imagination and thought; emotions - the prerequisites for a full emotional life; practical reason – persons should have the ability to form and pursue a conception of the good life; affiliation, further specified in two ways – to engage in meaningful relationships with others, and to hold the 'social bases of self-respect and non-humiliation'; being able to relate to other species; play; control over one's environment – both in the sense of having necessary political freedoms and in that of having the material requisites for such control to be an authentic feature of a person's life, and as conditions for the latter, Nussbaum lists property rights and rights to seek employment as examples.[122]

All of these capabilities are held to be essential for a good human life and therefore they constitute goals that a model for justice should incorporate and Nussbaum states that this means that they should be understood as non-interchangeable; if a society has secured all of the capabilities for all of its citizens but one it will still not have met the standard of justice that the capabilities approach articulates.[123] Nussbaum argues further that they are non-instrumental, and she asserts that even though the capabilities are thought to mark out spaces of substantial freedoms in which individuals can choose to pursue the function that is associated with the capability, they should not be viewed primarily as goods that individuals can appropriate in order to pursue their ideas about the good life. Rather they are part of what a good human life is.[124]

The concepts of capability and functioning are complex and the distinction Nussbaum proposes needs to be explicated further. Capabilities denote a 'readiness for functioning' in certain key areas of human existence, and thus the character of a certain capability is contingent on the kind of function that it equips the person for. Nussbaum elaborates this and argues that capabilities can relate to functioning in three distinct ways. First, she states, there are 'basic' capabilities and these can be understood as prerequisites for other more elaborate capabilities. Some

[122] Nussbaum, Martha C: *Frontiers of Justice,* p 77.
[123] Nussbaum, Martha C: *Women and Human Development*, p 81.
[124] Nussbaum, Martha C, op.cit., p 79 for an alternative articulation of this feature of the capabilities, Nussbaum argues that they are a way to give political articulation of the idea of human dignity.

basic capabilities relate rather directly to the basic senses, such as hearing and seeing, and fall within this category as they can be described as abilities that comes as part of the normal physical constitution humans are born with, making the person ready for elementary functioning in these areas. In one sense, the abilities for language and speech constitute forms of basic capabilities as these are readiness to function that are generally present from the start of human life. However, in order to learn to express themselves well through speech, that is to develop the actual function, persons need to be adequately introduced to and take part in practices of language. Therefore they are also examples of 'internal' capabilities. Such forms of readiness to function develop over the course of life, and it is first when having reached a certain state of maturity, that the function is really present in an individual's life. However, and as the example with language and speech is supposed to show, in order for some forms of function-readiness to develop in the person, greater measures of active support from the surrounding society are needed. The list supposedly takes heed of this circumstance and the ten central human capabilities on Nussbaum's list are called 'combined' capabilities as the functioning they specify will demand both adequately developed internal capabilities and a social environment that is conducive for the essential human functionings.[125]

Therefore the capabilities approach understands the social goals as that of securing that such combined capabilities for functioning are present in the lives of every citizen, and Nussbaum argues that it is important that it is made clear that what the model prescribes is not actual functioning but capability for functioning. This, Nussbaum argues, is for similar reasons as those Sen offers in case of the distinction he makes between capability and functioning, namely that persons be respected in their capacity for practical choice. The normative model that Nussbaum defends comprises the idea of minimum levels of social entitlements for citizen, and she argues that it is respect for freedom of choice that has motivated it. Nussbaum emphasizes that the capabilities approach only gives a partial account of social justice. The reasons for this are twofold: first, the wish to grant personal freedom as extensive scope as possible, and second, Nussbaum argues that it is a more urgent to make sure that human beings are provided the means for basic capabilities, than to elaborate a complete account of justice.[126]

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[125] Nussbaum, Martha C: *Women and Human Development*, pp 84 ff.
[126] Nussbaum, Martha C, op.cit., p 86.

Nussbaum continuously makes reference to the term human dignity and argues that part of what motivates her choice of the concept of capabilities and function is a certain notion of human dignity.[127] This notion is also essential for how she understands the political role of her normative model. To justify the model of capabilities, Nussbaum argues that we should start by asking what marks a life lived in accordance with the idea of human dignity. When reflecting on what such a life would entail, Nussbaum argues, we can judge by experience about the forms of functioning that seems essential for it. Having reached such conclusions it is possible to proceed and make yet further judgments about the kind of level of functioning that is peculiar for the human being. Nussbaum's argument is that we can specify the level at which a certain function becomes of such a nature or quality that we would deem it to correspond to the idea of human dignity and thus judge that below this line persons cannot live a life worthy of the dignity of the human being. She argues that it is functioning up to this minimum level in the life of every citizen that is the social goal. As the idea of a life lived with human dignity includes the thought of a threshold level of functioning the list constitutes a partial account of the good life. This would then mean that it leaves room for individuals to use their capacity for practical reasoning to both form and pursue their own ideas about the good life, and makes it eligible for political use.

I conclude this section by focusing on the interpretation of social equality that the capabilities approach suggests. Nussbaum argues that in being explicit about what valuable forms of human functioning in the articulation of the list capabilities are, her model is advantageous to several forms of proceduralism. Because it starts with a substantial description of what valuable forms of functioning are and argues that the social goal is to provide the capabilities needed for a life where such functioning is possible, it allegedly corresponds better to the ideal of equality of opportunity than procedural accounts of justice.[128] But it is threshold level and not equal distribution that Nussbaum proposes and she argues that a distinction between adequacy and equality in terms of distribution can be made that would render clear how she understands the concept of a social minimum. The capabilities that fasten on such areas that correspond to the political and civil rights as enumerated in the UDHR

[127] Nussbaum, Martha C: *Frontiers of Justice,* p 74 f, 159 f.
[128] Nussbaum, Martha C: *Women and Human Development*, p 86.

must be distributed unequivocally equal; citizens are equally entitled to democratic voice and religious liberty.[129]

But when it comes to capabilities that relate to such functionings which, in a direct way have to do with basic human needs distribution of social and economic resources ought to be conducted according to the standard of adequacy.[130] But, Nussbaum claims many of the capabilities cannot be understood along the lines of a distinction between civil-political or social-economic rights as making these substantial freedoms present in people's lives will 'demand' assuring both liberties and material support of basic needs. In some areas that relate to the 'material side', there is ground for a form of distribution that would be more in line with an egalitarian standard, as a very unequal allocation of resources would make certain of the capabilities to a lesser degree present in the lives of some citizens. She illustrates this point by arguing that basic education is essential for the development of several of the capabilities on her list as it appeals to many aspects of the human being.[131] If a society has an educational system where some segments of the population have the opportunity to only partake in rudimentary forms of education whereas because of the economic resources they dispose of others can choose both school and engage in more diversified educational forms then one might question if equal opportunities for political participation are really present. This is as their educational background will make them very differently and unequally, prepared for engagement in public deliberations. So when a society lets access to adequate human education be very unequally allocated, it will not get a citizenry equal in political ability and it will not have treated them in accordance with the dignity that marks the human being.[132] So according to Nussbaum adequacy and equality in terms of capability securement is relative to the function that the targeted capability is supposed to render the person ready for.

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[129] Nussbaum, Martha C: *Frontiers of Justice*, p 291 ff.

[130] The capabilities approach proclaims that all persons should be given access to adequate shelter and decent living conditions.

[131] Nussbaum has written several texts on the topic of Liberal Arts education. See for instance Nussbaum, Martha C: *Not for Profit: Why Democracy Needs the Humanities*. Princeton University Press, Princeton 2010.

[132] Nussbaum, Martha C: *Frontiers of Justice*, p 294.

Capabilities in the global community

At this point it should be plain that the capabilities approach is presented as having universal validity and that the list of capabilities allegedly expresses claims that persons everywhere are entitled to. In support of this stance, Nussbaum invokes the idea of a dignified human life and argues that the forms of functioning it advances hold broad cross-cultural agreement. Therefore, she argues, the list can be viewed as expounding principles and norms that are pertinent for all forms of human association.[133] What Nussbaum thus claims is that the list of capabilities can be used to articulate principles that hold accurate for various political and constitutional traditions.[134] She states that her version of the capabilities approach should be conceived of as a political philosophical endeavor similar to the political liberalism of Rawls.

Nussbaum consequently argues that her articulation of the fundamental entitlements of citizens in liberal societies does not presuppose any particular religious or metaphysical worldview. Therefore, she argues the list is possible to combine with the traditions and customs of different democratic communities. By postulating that the norms can be instantiated in several ways Nussbaum claims to have shown the central role her model prescribes for democratic self-governance, and claims that by highlighting persons' capability for practical reasons, the list amounts to a global normative scheme that affirms as well as challenges the pluralism.

Nussbaum contends that the capabilities approach as a model for global justice diverges from the conception of international justice that Rawls elaborated throughout his different writings; it does so as it envisions the individual as its primary subject. Nussbaum traces the explanation for this to the circumstance that when Rawls frames his idea of a hypothetical two-stage contract he is mindful to respect the pluralistic shape of the international community. Rawls then postulates that different societies abide by different value schemes and comprehensive doctrines. These, he argues, clearly influence their choice of political principles and norms. Nussbaum states that she remains unconvinced by Rawls' conception of a 'people' and reports that relates to the fact that Rawls is utterly vague in his depiction of this kind of association. We are not presented, Nussbaum contends, with a credible description

[133] Nussbaum, Martha C: *Women and Human Development*, p 74.
[134] Nussbaum, Martha C, op.cit., p 77.

of the kind of entity a people constitutes. Nussbaum however states to be un-persuaded by the idea of peoples as the legitimate global contractors as it allegedly does not take account of the fact of bodily separateness nor of human autonomy.[135]

As we saw Nussbaum argues that economic globalization enmeshes the fates of nations in several crucial aspects, and she further claims that it yields economic structures which assign very different prospects for different states. Proceeding from these assumptions, Nussbaum argues that the idea that peoples or states are of roughly equal power and ability is actually counter-factual. What is more, these disparities are further proliferated by the global systems that allow some actors to make substantial profits while others perish.[136] These differences are therefore something to which a conception of justice as fairness must attend, and justice in the global arena for one thing requires that nations receive assistance so that they can meet the basic needs of their citizens.

This indicates that Nussbaum prefers the models for global justice put forth by Thomas Pogge and Charles Beitz to the Rawlsian conception of international justice. By arguing that the initial contracting situation, the original position, should be conceived of as taking place between individuals in the global arena, Pogge and Beitz respectively show both concern for human autonomy and give a more adequate depiction of the way the global economic order influences person's life chances from the start of their lives. Nussbaum states that in these ways they share intuitions with the model for global justice that the capabilities approach articulates. But, argues Nussbaum, instead of focusing on getting the original choice situation right and hope to receive the principles of global justice from such a thought experiment a model for global justice should start from the idea of a dignified human life and the forms of human functioning which are part of it.[137]

Nussbaum presents her model for global justice as an 'entitlement-based approach' and proposes that justice in the global arena demands that each person has the central capabilities secured to them up to a

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[135] Nussbaum argues that no entity that corresponds to Rawls depiction of this constellation can be found in the actual world. Those that we do find in the international arena are nation-states, multinational corporations, international agencies, NGO's and more, all made up of individuals who amongst them hold differing comprehensive doctrines. Nussbaum, Martha C: *Frontiers of Justice*, pp 225, 262.
[136] Nussbaum, Martha C, op.cit., p 240.
[137] Nussbaum, Martha C, op.cit., pp 264 ff.

threshold level. Consequently she suggests a human rights-based approach to global justice. Nussbaum claims that the use of the concept of capability has several advantages to rights-discourse and the arguments for why this is so are the same that she gives as to why the list of capabilities should be understood as a list of combined capabilities; namely, that the concept of capabilities gives substance to the idea that human functioning in central areas of existence will demand both political liberties and material support. By arguing that the substance of the entitlements of citizens should be understood as claims to capability for functioning it is stressed, Nussbaum argues, that what the entitlements in the political sphere express are both a claim to liberty from state interference in matters of individual conscience and the rightful claims of citizens to receive the economic and social support needed for them to function in central areas of existence.[138] But who is responsible for upholding these entitlements of citizens and what would be the right way to implement the universal norms that the list of capabilities expresses? And what institutional arrangements will the list of capabilities demand?

Nussbaum argues that the list of capabilities has global import as a set of basic constitutional principles that could plausibly be implemented in the legal framework of every nation-state. Human autonomy is respected as the list can be instantiated via contextually attuned processes that take cognizance of the special traditions and cultural heritage of different countries. In this way, Nussbaum argues, is it plausible to consider the list as a partial account of the good, which could in time become the object of a global overlapping consensus.[139] Therefore, Nussbaum argues, the capabilities approach also diverges from Rawls' conception. Contrary to the disjunction it envisions between international principles of justice and the basic structure of society, the capabilities approach holds that global norms and principles ought to perform clear influence on the organization of domestic communities. Nussbaum further claims that this position is supported by that fact the norms of human rights are being increasingly accepted as legitimate restrictions on state action. Therefore, in a world where the basic structure of nations is both influenced by, and influences a range of other actors

[138] Nussbaum, Martha C: *Frontiers of Justice*, pp 288 ff.
[139] Nussbaum, Martha C, op.cit., pp 298 ff.

it is utterly necessary, Nussbaum contends, that we seek for global forms for discussion of political and moral issues.[140]

However Nussbaum suggests that we draw a distinct line between these sorts of international deliberations where the right way to pursue change in the constitutional design of a certain nation is by force of argument and pleads for military interventions. Respect for national sovereignty is central and ideally the nation state can act as a form of social organization that shows respect for human autonomy, and as a way in which human beings can find expression for their desire to live under laws that they have given to themselves.[141] Nussbaum states that she therefore renounces the idea of a world state, and instead advocates a form of global order that is thin and basically informal. Global economic interdependencies of both economic and political kind propel the need for common attempts at governance, but these ought to pay respect to individual and social plurality. As a consequence, Nussbaum finds it adequate to separate between moral global vision and international politics.[142] She argues that the duty of seeing to it that human beings are granted the necessary means for the basic capabilities is one that is common to humanity. However both justified claims to national sovereignty and the circumstance that successful capability protection hinges on decent public institutions yield that in any system for global governance, the nation state ought to hold the place as primary actor. Nussbaum consequently suggests that securing capabilities is a task that principally falls on the state.[143]

However, this does not mean that individual countries have sole duties to promote human capabilities; the shape of the global economic order yields that several actors also have such responsibility. Different duties supervene on different actors – rich nations should make substantial transfers to nations less fortunate; multinational corporations should reinvest some of their profits in the regions where they operate, with the goal to promote a good environment and general education. But Nussbaum argues that such pleads for corporate social responsibility would

[140] Nussbaum, Martha C: *Frontiers of Justice*, pp 304 f.
[141] Nussbaum, Martha C, op.cit., p 262.
[142] Nussbaum, Martha C, op.cit., p 315.
[143] Nussbaum presents a list of ten principles that she argues would be the institutional implications of an adaptation of her capabilities approach in the global setting. I have chosen not to present them separately but rather to present them as part of the general argument Nussbaum makes for the capabilities approach as a global ethic. Nussbaum, Martha C, op.cit., pp 315-324.

be pointless without also providing an argument about the ways in which the global economic order needs to be revised. She argues that it needs to be made fairer for countries that are poor and clearly struggle to meet the needs of all of its citizens. In Nussbaum's view this constitutes an endeavor in which transnational agencies and bodies such as IMF and the World Bank and individual consumers must join together. She argues that the former should take heed of ethical concerns and make sustainable choices concerning matters of finance and trade. It is also essential that consumers hold these multinational bodies and corporations accountable for the effects that their agreements and policies have on the global economy.[144]

In the global community, a special focus should be placed on the problems of the disadvantaged groups and, as we know from her arguments that were stated above, the 'relative social positions' of the world's people should be measured by fulfillment of capabilities rather than by comparison based on a sole focus on such indices as wealth and income. Such a comparison will make it clear that in order for all human beings to have the social minimum demanded by the capabilities focus, transfers of resources between nations will be required. Therefore in a global arena distributions should be made so that all persons can reach threshold levels of human functioning, for this to be achieved, 'prosperous' nations need to support 'struggling' nations by economic aid.[145]

Although Nussbaum indicates the entities that she sees as key actors for capability securement, she argues that this description should be understood as open and assignments of global duties as 'provisional and informal'.[146] Together these considerations and standpoints support the promotion of a global public sphere where the different players of the global community can conduct deliberations on issues that matter to the globe as a whole. Even though the shape of this sphere should be thin and decentralized it should be within its scope to make use of some coercive measures, albeit limited, to ensure that international agreements are lived after. This, Nussbaum argues, is fully compatible with national sovereignty.[147]Nussbaum's suggestions for how the capabilities should be implemented in the global setting therefore seems to be

[144] Nussbaum, Martha C: *Frontiers of Justice,* p 320.
[145] Nussbaum, Martha C, op.cit., pp 319 f.
[146] Nussbaum, Martha C, op.cit., p 315.
[147] She mentions as examples of bodies that could be a part of such a system; a world court, standards for how to globally deal with environmental issues to which are also coupled mechanisms of sanctions, and global trade regulations to combat the most

rather much in line with the way the human rights systems currently work. National legislation should be framed in the spirit of the capabilities but with a margin of appreciation for national distinctiveness.

To summarize, Nussbaum argues that the conceptions of justice Rawls articulates both for the domestic and the international arena are preferable to utilitarian approaches on social choice and development issues. The models for justice in the global that proceed from the idea of a contract between all of the world's individuals have further advantages. But since they are 'contractarian', both Rawls' model and the proposals for a conception of global justice made by Pogge and Beitz share the same basic problem; the assumption that the contracting parties are rough equals who are motivated to engage in social cooperation by the thought that it is mutually advantageous for them. Nussbaum advocates that every human being in the world is entitled to threshold levels of all the capabilities on her list as a matter of justice. The thought of human dignity and the form of life where it is present is, as we shall see, central for the strategy of justification that is part of her reasoning.

A theory of practical reason

Nussbaum claims to be in disagreement with Rawls on many aspects and one central point of contention has to do with the question of whether an overlapping consensus on a global ethic is feasible. She holds that it is, and argues that Rawls is misguided in his assumption that an agreement on a meager list of international principles is the only viable alternative for the global arena. Nussbaum contends that differences in world-views or in comprehensive doctrines do not render a joint understanding of global ethical ideals impossible and therefore that an agreement on basic international political principles is viable. Continuously, Nussbaum asserts that her aim is to present a normative model that is universally reasonable and she proposes arguments for why the universalistic stance she advocates is not susceptible to charges of cultural imperialism or paternalism, but is one that takes the value of

alarming effects of economic globalization. Nussbaum, Martha C: *Frontiers of Justice,* p 320.

diversity in ways of life seriously.[148] In this section I present the main arguments Nussbaum gives in support of that universalistic position.

As I remarked earlier Nussbaum contends that in the global world we can witness a growing convergence of the ideas that the Universal Declaration of Human Rights expresses, and she claims that a broad agreement amongst different traditions and cultures on the universal norms that the declaration and the various treatises and conventions expresses formed around it is now part of global social reality. In light of this situation any stance that depicts cultures as exclusively adhering to their own value schemes is implausible. She furthermore argues that this is a form of cultural relativism which is also inaccurate when offered as a description of how traditions have interacted throughout history. Because rather than having evolved in isolation, the ideas and notions part of the moral vocabularies of different societies have origins in many different parts of the world and have moved across the lines of one tradition in order to influence discourse in another. Descriptive relativism as a stance in which it is argued that the world consists of societies that have their own distinct moral languages is thus inadequate, Nussbaum claims. Cultures are internally diverse and it is a mistake to maintain that a definite set of values and norms could be identified for a particular cultural tradition.[149]

This leads Nussbaum to argue that the claim that a notion which is primarily affiliated with one tradition could not become part of the moral vocabulary of another is incorrect. Related to this is the further claim she makes that moral relativism is false. She argues that proponents of 'moral relativism' commonly couple the claim that cultures have their own distinct ways of appropriating and making sense of the world with the normative assessment that it is proper that moral judgments are evaluated with standards internal to the respective traditions. Nussbaum who claims to be skeptical of 'holistic' descriptions of cultures, furthermore argues that moral relativism necessarily incorporates assumptions of a universalistic kind as a culture-transcendent normative

[148] Nussbaum deals with these issues by responding to three imagined critical arguments against universal values, which she labels as the argument from culture, the argument from the good of diversity and the argument from paternalism. I have chosen not to make a separate presentation of the content of each these 'problems' as I find it to be in many respects overlapping. See Nussbaum, Martha C: *Women and Human Development*, pp 41 ff.

[149] Nussbaum, Martha C, op.cit., pp 48 f.

framework is needed to make sense of the claim that cultural diversity be respected invariably.[150]

Nonetheless, respect for different forms of human association is held to be an important feature of the universalistic ethic that the capabilities approach is an example of. Nussbaum repeatedly interpolates the claim that respect for diversity and pluralism comes as a consequence of the stark emphasis on the notion of freedom of choice that the list incorporates. The concern that people be allowed to pursue the functionings associated with the capabilities at their own choice is related to the argument that persons have a capacity for practical reason. Nussbaum contends that practical reason should primarily be understood as an ability to form a plan of life and to ponder what means it would take to bring this plan into realization. Given that persons hold this capacity for deliberate reflection and choice, their apprehension of what constitutes a good life will differ. This kind of plurality is discernible in the outline of modern political communities and they typically show vast diversity in the different conceptions of the good life that citizens adhere to.[151]

However it is important for Nussbaum's argument in support of universal values that the different religious and metaphysical accounts which are examples of over-arching or holistic apprehensions of life, can be distinguished from more rudimentary, therefore shared, ideas about human life. It is this latter category that is the subject proper for an overlapping consensus amongst citizens. It is also her claim that the idea of a life with human dignity that the list of capabilities gives substance to, can be recognized by reasonable citizens in societies where pluralism in views on life is a permanent feature because it constitutes a 'free-standing' moral idea. Nussbaum argues that the idea does not depend on any metaphysical or religious assumptions which would make it inevitably bound to a certain tradition and its conceptual and linguistic resources. Therefore it can be used for a political justification of the list of capabilities because persons who follow different comprehensive doctrines can nevertheless come to recognize it as part of their own understanding of the good life. When they do so, a consensus of the requisite kind, one that is stable and is so for the right reasons, can emerge on its substance.[152]

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[150] Nussbaum, Martha C: *Frontiers of Justice*, p 49.
[151] Nussbaum, Martha C, op.cit., p 296.
[152] Nussbaum, Martha C: *Women and Human Development*, p 76.

In both *Women and Human Development* and *Frontiers of Justice*, Nussbaum endeavors to show that the list of capabilities does hold expansive support across different comprehensive doctrines and traditions, and also that where it currently does not form the object of a consensus, could in time still come to be endorsed by reasonable citizens as a plausible articulation of the idea of a life with human dignity.[153]But how does she validate the former and what are the arguments supporting the latter? With regards to the first claim Nussbaum holds that the list of capabilities and its founding idea of human dignity receives implicit general support by the emergence and consolidation of a 'world culture of human rights'. What the evolution of the human rights systems shows, Nussbaum holds, is that agreement across different political communities on a set of core values and norms stands forth as possible, and that given the close similarities between human rights and the model of capabilities, it is plausible to argue that its substance in this sense is widely endorsed in the modern world.[154] However the claim that is at the bottom of Nussbaum's defense for the plausibility of articulating universal values is the assertion that human beings share an ability for practical reason, one that makes them equipped for cross-cultural moral deliberation. This relates to Nussbaum's claim that it is not incredible that a consensus on the idea of a life with human dignity will emerge on a global basis in time. Persons can, if properly educated and adequately supported, develop a capability that will make them well disposed to engage in reasoned reflection on the issue of the shape and form of a good human life. Therefore Nussbaum argues that our common ability for practical reasoning supports the idea of a universal consensus on the 'free-standing moral idea' concerning a dignified human life.

The analysis of Nussbaum's universalistic stance cannot be carried much further at this point; I need to turn to a direct investigation of her idea of human dignity and the view of human beings she articulates in conjunction with it. The major reason for this is that Nussbaum herself

[153] Nussbaum, Martha C: *Frontiers of Justice*, pp 352 f.

[154] Initially Nussbaum claimed that the list of capabilities that she proposed as a universal ethical standard represented values that were already, at least implicitly, endorsed by all major cultures and civilizations. Nussbaum has toned down the claim about the lists ahistorical character and now argues that it is explicative of ideals that are shared by a vast number of human beings and societies in the modern world. Jaggar, Alison M: "Reasoning About Wellbeing: Nussbaum's Methods of Justifying the Capabilities", in *Journal of Political Philosophy* Vol.14, No. 3, September 2006, pp 301–322.

proclaims that it is not the 'fact' that persons from different traditions report their approval of the list of capabilities that ultimately justifies the claim about its universal nature; it is the condition that its substance corresponds with the idea about a dignified human life, an idea that we saw that Nussbaum depicts as attainable for every reasonable citizen upon critical and sustained reflection. The claim is therefore that the universal validity of the list is established not by the agreement or consent it might yield but rather by its potential to describe cogently what it means to live a truly human life.

A dignified human life

The aim of this section is to present the view of human beings that Nussbaum both explicitly and implicitly endorses. The main issues dealt with are: How does she understands human freedom, how does she portray the relationship between the individual and community, and what does she suggest as defining characteristics of human beings?

It has previously been stated that in her normative reasoning Nussbaum takes special interest in the forms of deprivations suffered by, and damages inflicted to, women. Throughout history women has normally been relegated to an existence inside the sphere of the family, and their wellbeing have been conceived of as essentially linked to the fates and fortunes of the members of their family. Women have continuously been portrayed as inferior to men and claims about their subordinate standing have been invoked to deny them status as bearers of political entitlements. Nussbaum argues that by consequence, women have suffered great harms as they have not been treated according to the dignity that is worthy of the human being. This ought to make us utterly aware of how essential it is to insist that social choices should be made with the stated aim of treating each person as an end and not a means to some other person's happiness or well-being, Nussbaum contends.

Nussbaum claims that her capabilities approach does just this, as it specifies that it is each person's capability that is to be promoted as the social goal. Nussbaum names this the principle of each person's capability, and states that it articulates a norm of respect for the moral autonomy of each and every person. She argues that it therefore shows some similarities with Kant's categorical imperative. We also saw that Nussbaum maintains that it is concern for the value of moral autonomy

of persons that prompts the distinction between capability and actual functioning in the political conception. However the depiction she gives of what is typical for moral autonomy of persons is different from Kant's, and this difference is largely due to influence from Aristotle and his thoughts about the nature of the human being. Nussbaum appropriates Aristotle's statement that the human being is a political animal and interprets this as meaning that humans are beings that are deeply relational to their nature. The person finds fulfillment by living in communion with others and the potential for flourishing that lies in human life is therefore possible to grasp only as something that is part and parcel of the social and political.[155]

Assertions such as these are also part of what motivates Nussbaum in directing stark critique against contractarian models of justice. She argues that common to several of the models in this tradition is the assumption that the contracting parties are persons who are equal in terms of ability and who are motivated to cooperate with each other out of the thought that they will draw advantages from such cooperation. By invoking the notion of a hypothetical state of nature or an original position from which the individual chooses to depart in order to gain the advantages of societal cooperation, these theories postulates the human being as a being driven by an ego-centric logic. Nussbaum argues that this is a major shortcoming of these models, one that her model avoids because it understands the person as a social being in essence, who holds ends that are shared with others.[156] The citizens Nussbaum envisages conceive of the good of other persons as part of their own 'scheme of goals and ends' and as they are postulated as 'by nature' social and political beings, Nussbaum argues that there is no need to portray them as entering society first by the choice to depart from a state of nature. Persons cooperate with others not only or even primarily because they expect to make personal gains or advantages, Nussbaum claims, rather citizens are able to see that what would constitute a good society is one in which the lives of their co-citizens and their good is respected and sought after in political and social decision-making. A political conception of justice should account for such moral motivations on part of the citizens, Nussbaum states. [157]

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[155] Nussbaum, Martha C: *Frontiers of Justice*, p 86.
[156] Nussbaum, Martha C, op.cit, pp 90 f.
[157] Nussbaum conducts a discussion on the idea of the bases of social cooperation that the various contractarian models incorporate, and in her view none of them gives an account of the motivational basis of citizens that is credible as it will exclude all those

Nussbaum in her reasoning reserves a central place for the idea and concept of moral autonomy. As we saw she endorses a principle that is meant to protect the capabilities of the individual person but she also made it clear that she urges us to understand the human being as having an essence that is deeply social. Nussbaum claims to be able to incorporate both these lines of reasoning in her normative model by the notion of freedom that it assumes. This notion of human freedom includes more than an account of liberties and negative rights, and it is responsive to the fact that the human being is a social being and therefore includes her potential for meaningful relations with others as one of its constitutive parts. The combined capabilities are to be understood as 'substantive freedoms' in that they provide the social base needed for certain forms of human functioning. Part of what they explicate is thus that human beings need to have access to a wide range of goods in order to have a real possibility for choice and thus to possess some measure of freedom to act. Nussbaum also states that as her model includes this substantive account of conditions for human freedom, it does articulate a vision of the good life that goes beyond the thin liberal notion of freedom of choice and that takes a firm stand on certain activities as truly human.

A central contention in Nussbaum's argument for the model of capabilities is that it shows respect for people's rightful claims to freedom of choice and that it does not amount to an unacceptable form of paternalism. The vision of the good life that it includes is a 'political conception' which Nussbaum argues is different in kind from Aristotle's 'comprehensive' account of human flourishing. [158] Human flourishing should not be conceived of as a monolithic phenomenon, rather its expressions vary between people's lives. Nussbaum argues that this is reflected in her model as it operates with the concept of a threshold and because of its claim that the capabilities can be realized in multiple ways.[159]A good human life demands at least a basic level of activity or functioning in all the areas that the central capabilities circles, but the choice to further pursue the functionings are left to the individual. Nussbaum's essential idea concerning human freedom seems to be that its

who cannot be seen as rough equals that contributes in relation to what they receive from society from the scope of justice. See Nussbaum, Martha C: *Frontiers of Justice*, pp 156 ff.

[158] Nussbaum, Martha C, op.cit., pp 181 ff.

[159] Nussbaum, Martha C: *Women and Human Development*, p 77.

presence in the life of the individual, is contingent on the kind of continual activity that practical reasoning constitutes. Therefore, it only makes sense to talk of freedom of choice when both knowledge concerning options and adequate material conditions are present.

To have the opportunity for choice is then distinctive for human freedom and that humans have the ability to take a reflective attitude towards existence pondering what kind of life they would like to lead is also constitutive for the freedom that is typical for human life. Nussbaum argues that her view of human beings is in many ways different from what she calls 'the Kantian conception of the person', and as we have seen, she invokes Aristotle's thought of the human as a political being. Part of this conception, she argues, is a view on human dignity as something that inheres in our embodied nature. Nussbaum therefore argues that the human being should be seen as a political being 'whose dignity is the dignity of a temporal being' and where this dignity is part of our ‚'animal nature'.[160] Nussbaum argues that human dignity is not a quality that belongs to the abilities that the capabilities specify, for example, therefore we cannot point to any of the capabilities and say that it is that capacity that grounds human dignity. Instead, argues Nussbaum, the dignity of the human being is something that is dependent on the surrounding natural world. The human being is an active being that strives to make life correspond with an apprehension of the good. In this, bodily need inevitably sets constraints for the kind of pursuits of goods that is possible for the human being. We must resist the view that this is something other than, or something opposed to, human freedom Nussbaum argues. Rather, she suggests, a dignified life is one lived according to the conditions set by our embodied nature. What the idea of a life with human dignity means is a compilation of different activities and functionings that are characteristic for the human being understood as embodied and free to pursue a conception the good, it is one where these conditions are given due attention so that certain forms of functionings can be present.

Nussbaum thus views human nature as something relatively stable and argues we can detect some common features or rudimentary human essence even in the midst of social and cultural plurality. The various discursive practices that we find in different communities surely shape the personality of the person but do so only to a certain extent. The 'human personality' has a basic structure that is really common for all

[160] Nussbaum, Martha C*: Frontiers of Justice*, p 162.

persons, and the malleability of its features is limited. However, Nussbaum argues that the conception of human personality invoked in her capabilities approach does not amount to a form of ethical naturalism as it does not 'read of norms from facts of the human personality', but makes an evaluation of the features of this personality that basic political principles ought to protect and promote. Nussbaum states that:

> Not all actual human abilities exert a moral claim, only the ones that have been evaluated as valuable from an ethical viewpoint.[161]

This statement on Nussbaum's part seems to assert that part of her model is an evaluative stance on human life, and further, that such a stance is what the stipulation of the certain type of dignity that is special for human life is meant to provide. The suggested capabilities correspond to the features in human life that are so identified and evaluated, as they mark out areas essential for human life within the framework of the model, and also take a stance on the form of activity that is peculiar to them by introducing the concept of functioning. [162]

Even though the capabilities all have this connection to human personality, two of them are held to have a more prominent position; the capability for practical reason and for affiliation. This is so, Nussbaum argues, as these capabilities specify what the truly human modes of functioning associated with all the items on the list do consist of. However practical reason, and thus human rationality or what is characteristic for human reason, Nussbaum contends, should be viewed in conjunction with our animal nature and not as something that is different from, or even opposed to it. Other animals could also be interpreted as having an ability to act rationally, and the form of rationality that is characteristic for humans is related to the modes of reasoning that is typical for the other animal species. Nussbaum describes it as a 'garden variety practical reasoning'.[163] Therefore the type of dignity that attaches to human life is not radically different from those forms that marks dignified animal lives. Rather what distinguishes dignified existence could be thought of along the lines of a continuum that incorporates different forms of animal lives.[164] We recognize Nussbaum's

[161] Nussbaum, Martha C: *Women and Human Development*, p 83.
[162] Nussbaum, Martha C, op.cit., p 76.
[163] Nussbaum, Martha C: *Frontiers of Justice*, p 159.
[164] In *Frontiers of Justice* one of Nussbaum's stated aims is to explicate the continuity that she argues exists between human and other forms of animal lives and in this she

claim that affiliation or sociability is central to human life from the sections above, but it could be added that the kind of relationships that humans engage in are not only or primarily symmetrical ones. Rather it is a persuasive feature of human life that we take part in relations in which we will never receive in proportion to what we contributed, and vice versa. The notion of reciprocity where it is understood as exchanges between partners to a symmetrical contract should be expanded by the insight that persons actually engage in relations in which asymmetry is a typical feature.

In a response to the moral challenges of a global world we must seek for a model for global ethics that assumes moral motivations other than economic utility or mutual advantage. We need to adopt more 'moralized' descriptions of the purposes of social cooperation in domestic societies and the international community alike – humanely rich goals for development.[165]

Neo-Aristotelianism and overlapping consensus

Earlier, the contention Nussbaum makes concerning universalism and the circumstance that she seems to be suggesting that we approach the issue of moral justification through the idea of 'phronesis' was encountered. In her account of the human ability for practical rationality, Aristotle's thoughts on what makes humans equipped to reason well concerning the morally required have central import.[166] In this tradition practical reason is seen as a characteristic feature of the human personality, as such it makes us ready to deliberate on what it is that constitutes a good human life and also to take action to bring such a life about. As such it composes an ideal rather than a factual description of how persons reason in moral issues:

> But the notion of choice and practical reason used in the list is a normative notion, emphasizing the critical activity of reason in a way that does not reflect the actual use of reason in many lives.[167]

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discusses ways in which the central human capabilities could be translated into equivalent capabilities for animals. See especially chapter 6 in Nussbaum, Martha C*: Frontiers of Justice*, pp 325 ff.

[165] Nussbaum, Martha C, op.cit., pp 306, ff.

[166] Nussbaum, Martha C: *Women and Human Development*, p 155.

[167] Nussbaum, Martha C, op.cit., p 112.

The notion of practical reason relies on certain assumptions about the human being, of which several were mentioned in the preceding section. A central one is that humans engage with the crucial areas of existence in a certain manner, they do so by actively using their capacity for reflective deliberation on what course of action to pursue. Another supposition is that humans are beings who actively relate to their surrounding and characteristic for this attitude towards existence is that it is *evaluative*.[168] The person who functions in accordance with the capability for practical reason responds to a given instance of existence in a way that appreciates its specifics by choosing a course of action on the basis of this. This, argues Nussbaum, gives a conception of practical reason that holds it as always operating within history and one that acknowledges its contingent and material nature.[169] Further, reason should be viewed, Nussbaum argues, as an ability that nurtures over the course of a lifetime. Humans are born with the capability in a rudimentary sense, but in order to exercise the capability of practical reason well they will have to cultivate it though education and sustained practice.

However Nussbaum argues that this fact of contingency will not yield moral reasoning thoroughly subjectively, because even though the person who uses its ability for practical reasoning does so from a certain position, there is enough resemblance between the different lives of persons. Human life is understood as having a basic form that designates that every person inevitably has to make active choices in certain key areas of existence. This occasions that it is probable to assume that upon reflection, people will reach similar conclusions about what constitutes a valuable human life. If not fully so, then we might at least expect agreement regarding the rudimentary entitlements and goods that persons need to lead a dignified life. Also, in this reflection about what a good human life requires intuitions and emotions are seen to constitute central sources for moral judgments as they provide practical reasoning

[168] Nussbaum uses the concepts desire to denote that humans actively relates to their surrounding world in taking some kind of evaluative stance towards phenomena they encounter; ”On the other hand, if one thinks of desire, as I do, in a more Aristotelian way, as a reaching out for ”the apparent good”, and thus as involving, even at the level of appetite, a high degree of selective intentionality and responsiveness, one will have in that very picture good reasons not to bypass it, for it seems to be a part of our humanity worthy of respect and voice.” Nussbaum, Martha C*: Frontiers of Justice*, p 147.
[169] Nussbaum strongly opposes what she names ”The Kantian split between personhood and animality”, a distinction she claims comes from Kant’s argument that moral freedom must be understood as possible only in the realm of ends, which transcends the trajectory of history. Nussbaum, Martha C, op.cit., pp 131 ff, 356.

with the experience that making wise judgments will demand, if they are properly scrutinized and evaluated.[170]

As we have seen Nussbaum contends that the capabilities approach can be justified by appeal to an idea about what characterizes a life worthy of the dignity of the human being, and further, that it is an intelligible idea to people of different worldviews. So the claim is that when it comes to expounding a philosophical justification for basic political principles, we could reach consensus about what such a life would demand in terms of entitlements for citizens. [171] The 'philosophical method' that Nussbaum argues is appropriate for this purpose is a version of Rawls' method of reflective equilibrium and she describes this method as the process of seeking 'consistency and fit' amongst intuitions and considered judgments.[172] In this process moral intuitions and imagination play central roles. As we have seen, Nussbaum holds that certain capabilities are central to all forms of dignified human life, however the plausibility of this should be judged by reasonable citizens by them comparing their intuitions about human dignity to the list of capabilities. In this endeavor the use of imagination is essential, as citizens need to be able to envision how human dignity is best achieved in the life of a concrete individual. [173]

When subjected to such a process of reflective equilibrium, Nussbaum argues that it can hopefully be shown that, the 'capability-functioning idea' of a dignified human life corresponds to common moral

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[170] Nussbaum elaborates a position in which it is argued that emotions and emotional life ought to be considered as relevant sources for moral reasoning. Nussbaum argues that four basic assumptions make up her view on emotions as judgments of value; they have an object; that object is an intentional object; emotions involves beliefs about the object of the emotion; and that they in these ways are forms for appraisals of value. When put together these claims about the character of emotions is thought to help ground a view of emotions that is cognitive –evaluative; a stance that makes the distinct claim that emotions are neither unintelligent nor should be equated with such primarily non-conscious phenomena as impulses or feelings. It is important for Nussbaum's view on emotions that they are understood as containing beliefs, which is some kind of cognitive assessment of the situation, and the objects therein, to which the emotion is a response. Nussbaum, Martha C: *Upheavals of Thought: The Intelligence of Emotions.* Cambridge University Press, Cambridge 2001.

[171] Nussbaum has on various occasions and in different academic contexts asserted that her effort to defend a list of universal values should be understood as an opposition to a form of postmodernist relativism that she finds both philosophically irresponsible and, more important, politically damaging. In case of the latter her argument is that relativistic stances to value cannot do justice to women living in traditionalistic societies.

[172] Nussbaum, Martha C: *Frontiers of Justice*, p 352.

[173] Nussbaum, Martha C, op.cit., p 78.

intuitions and articulates them in the most convincing way. It would then have been established that the capabilities approach is preferable to other normative models and that it can become the object of an overlapping consensus.

Part of the reason that supports the adoption of this process of critical testing and evaluation of moral intuitions and judgments is the fact that people's intuitions about that which is good for them are often and easily distorted. Nussbaum invokes the concept of 'preference deformation' to explicate the insight that social conditions (used here in an encompassing way meant to include such different things as the repertoire of social roles, political and material preconditions) have a persuasive influence on person's perceptions of what is both possible and appropriate for them to seek in life. If persons have become accustomed to regarding themselves as people for whom some functions or states of beings are not available, they may not experience the lack of a certain human good as an instance of injustice. Therefore it is essential that we put desires and preferences, both others and ours, under critical scrutiny, Nussbaum argues. However, Nussbaum maintains that she for the justification of the capabilities approach, does not invoke people's existing and expressed preferences as *reasons* that could validate the normative model. Intuitions or desires can offer certain information, however only if their covariance with social context is frankly acknowledged.[174]

In this endeavor practical reason is key. It is a kind of position from where to make reasonable assessments about wellbeing, whether in personal life or in general societal issues, and the skills that are needed for it are acquired through education and training. In order for the capability of practical reason to be turned into an actual functioning in a person's life, supportive measures and conducive conditions need to be present. Desires and stated preferences ought to be evaluated by standards that are in some sense external to the agent. As such Nussbaum suggests the idea of a dignified human life that tells that some things or states of being are good for human beings regardless of social or cultural environment. This can be viewed as a process in which one

[174] In the chapter "Adaptive Preferences and Women's Options" in *Women and Human Development* Nussbaum engages different conceptions of what the terms 'desire' and 'preference' actually denotes, and throughout this critical engagement she makes a recurring argument about the way persons' reports of their state of being and wishes in relation to it are malleable and thus an easy target for manipulation and distortion. See Nussbaum, Martha C: *Women and Human Development*, pp 111-166.

searches for a reflective equilibrium by assessing preferences or intuitions from the perspective of a truly human life. Nussbaum claims that the judgments which come out of such a process will correspond better to the ideal of informed consent than a stance that takes people's preferences at face value does.[175]

In line with her argument concerning preferences and the limited focus they ought to have in moral reasoning, Nussbaum rejects the thought of consent or reasoned agreement as sufficient justificatory arguments in case of her normative model. The key to its justification is rather the account of certain 'substantive goods' that it offers, and the question of whether this account is plausible.[176] The primary source for the norms and principles that the capabilities approach explicates is then the 'political conception of human dignity' that Nussbaum advocates. She argues that her idea of human dignity is influenced by the way Aristotle, and later Marx, depicted the notion of true human functioning.[177] We have seen that Nussbaum portrays this idea as both free from metaphysical and religious assumptions, and that she argues that it is compatible with different 'comprehensive' perspectives. The suggestion is that her idea of human functioning, which can also be described as an 'evaluative stance' concerning human nature, constitutes the 'substantive good' against which moral judgments should be assessed.

This also connects to the critique she articulates against contractarianism, and subsequently towards ethical theories that use the idea of an agreement between idealized rational agents as the foundation of moral claims and norms. Ethically acceptable norms and principles cannot be generated by a contract thought to exist between rough equals, nor can any formal procedure be used to engender norms that will be substantial enough to protect human dignity. Nussbaum contends that the process that would be needed to yield norms and principles that would protect all human beings, not just those who fall within the scope of the 'rough equals', would have to build in such so many 'moral constraints' in terms of principles of equal respect and the values of benevolence and care that the idea of a 'formal procedure', does limited justificatory work.[178] Nussbaum expresses this by stating that an account of 'the value of people's opportunities to live good lives' and the conception

[175] Nussbaum, Martha C: *Women and Human Development*, pp 151 f.
[176] Nussbaum, Martha C, op.cit., pp 165 f.
[177] Nussbaum, Martha C*: Frontiers of Justice*, pp 70 f.
[178] Nussbaum, Martha C, op.cit., p 149.

of the person, the human being, needs to be postulated prior to engaging in the task of political justification. First, Nussbaum argues, we have to give a depiction of what it is that is good about human life and of the states of being that principles and norms should protect, and then seek to justify this account by a procedure that respects the human capacity for practical reasoning and autonomous choice. In this way reasoned agreement is central in justifying the capabilities on the list, Nussbaum argues, and it is also the reason why the capabilities approach ought to be understood as a version of political liberalism, which endorses the idea of an overlapping consensus.[179]

Nussbaum's critique of the normative models that use the idea of social contract targets the notion of equality that they comprise. The idea of a life worthy of the dignity of the human being articulated in terms of the central capabilities gives the foundation for a different account of the equal value of persons, Nussbaum claims. By arguing that all the capabilities are central to a dignified human life we get a conception of what it is that is dignified with the human being that advocates qualities beside her capacity for rational thinking. We also have to acknowledge that human beings normally engage in relationships that might most accurately be described as asymmetrical and judge both the needs of these beings and the ability to care for others as something valuable. However this means that the contractarian idea of mutual advantage as the sole reason for social cooperation has to be abandoned. Nussbaum holds that human dignity has several components, and she claims that a life worthy of this dignity can be realized in different ways. It is therefore suggested that a major advantage of this perspective is the wider notion of equality that it yields, which is founded on its conception of what constitutes dignified human lives, and its view on valuable forms of human association.[180]

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[179] Nussbaum, Martha C*: Frontiers of Justice*, pp 152 ff.

[180] Nussbaum argues that the notion of human dignity that is part of the capabilities approach, does not exclude those persons who lacks or haves diminished ability for rational thinking and who cannot be thought to contribute to society in a way reciprocal to the support they need to receive from it. This she leads her to suggest a 'species norm' – founded on the idea of a special form of dignity that inheres in the lives of the human beings and which demands that certain entitlements be secured to every person born of human parents. Nussbaum, Martha C, op.cit., pp 346 f.

Is the capabilities approach a tenable version of global ethics?

I started this chapter by tracing Nussbaum's understanding of globalization. She gives a critical account of economic globalization, one in which various features of the global market are targeted. Nussbaum argues that the global integration of economy and trade has had unfortunate effects and that in many ways, it has made the situation for already poor people worse. As we saw, Nussbaum also confesses that states have very different abilities to ensure that a sufficient degree of capability is present in the life of every citizen. In order to achieve this goal, economic redistributions might be necessary so that every country can establish the different political and social institutions that are essential for capability securement. However, Nussbaum's model does not explicitly discuss the consequences that globalization infers on political life. I am referring mainly to the problem that in a globalized world, we face the risk of drastic decreases of democratic legitimacy as economic globalization shifts powers to large-scale organizations and companies. The fact that Nussbaum's capabilities approach does not offer a critical evaluation of the global political situation attenuates the potential of her otherwise highly relevant critique of economic globalization.

Her account of globalization, and its consequences, could well be corroborated so that it included an explicit discussion of how global economic structures supervene on peoples' democratic voices and political participation. The question, as I see it, concerns how we should act so as to avoid the situation where the global market jettisons the abilities of states altogether, to make different and legitimate choices concerning social and economic policy.

Besides the issue of what political consequences globalization has, the model that Nussbaum suggests is also unclear on the topic of legitimate global political actors. As we have seen, Nussbaum suggests that the list of capabilities, which is equivalent to the idea of a set of inalienable human rights, should be globally implemented. Beyond stating that in time, the list could become the object of an overlapping consensus, Nussbaum does not consider how the capabilities should be advocated in the global community. According to my view, it is essential that a model of human rights also specifies the appropriate actors for global implementation of rights. If we seek political legitimacy in the

global arena, we also need to ponder the question of what kind of institutions would be conducive for global democratic efforts. I contend that it is desirable that a global ethic addresses institutional challenges, and that human rights discussions should be conducted with attention paid to institutions.

Nussbaum's model does not incorporate a discussion of the institutional level of global ethics. However, by implication of the argument she makes that the capabilities approach is a form of political liberalism, it seems as if Nussbaum's model of human rights regarding a vision of institutions comes close to the current UN-systems for human rights protection. Although, it should be noted that Nussbaum does argue that economic redistributions, in the form of international aid, are called for to ease some forms of global inequality. However besides these transfers, I cannot see that Nussbaum challenges the current global order in any crucial way, as her model of human rights does not suggest further alterations in the present dispersion of financial and political power.

In relation to this, I am not convinced by Nussbaum's argument that global poverty invalidates an egalitarian vision of global justice. Although I agree with her that global implementation of basic human rights is badly needed, I do not see why this must mean that we abandon or sideline the idea that humans are equally entitled to the world's resources. On the contrary, one can argue that sustainable human rights implementation is dependent on counteracting, and in the final regard, eradicating forms of economic inequality present in the global society. Nussbaum's model would benefit from further elucidation on this point.

It is positive that in her view of human beings, Nussbaum incorporates both a plausible notion of freedom and a credible account of how human sociability conditions individual identity and makes it basically oriented towards association. However, the lack of a clearly stated egalitarian stance also creates problems in this instance of her reasoning. To my mind, Nussbaum does not sufficiently emphasize the ideal of equality, or in terms borrowed from Ronald Dworkin, the capabilities approach does not stress enough that each person ought to be treated with equal respect and concern. Both her idea of threshold levels of entitlements and the claim that initiatives for capability securement should remain focused on meeting a standard of adequacy or social minimum, are challenged by this central moral principle.

The explication that she gives the idea of human dignity offers a viable alternative to interpretations of the human condition which disregard our nature as embodied, and thus contingent creatures. However, Nussbaum's claim that the idea of a life with human dignity can be grasped by way of intuition, seems hard to square with the pluralism that is a persistent feature of the global community. It is not the idea of common human features, per se, that is problematic. Rather, the contention has to do with the argument she presents for how we could become knowledgeable about these features. Nussbaum maintains that her stance on 'human nature' is formed by statements which are necessarily normative in kind. She also claims that this idea of human dignity reverberates in different social and linguistic configurations and that to varying degrees, it is present in the ways most societies and traditions understand the human being. However, in her delineation of human existence, Nussbaum utilizes concepts whose origins and legacy are noticeably Western.

Both the substance and the form of Nussbaum's list have attracted critical interest from different theorists. Earlier I referenced Alison Jaggar and her scrutiny of Nussbaum's theory of justification. Jaggar critiques that even though Nussbaum sternly asserts that her list of capabilities is shaped by the many trans-cultural discussions she has taken part in, over the years she has made very few, if none genuine, modifications of her list. Jaggar takes this circumstance as reason to question the actual 'open-endedness' of the list, and asks whether in effect, Nussbaum makes the justification of her model dependent on acceptance of the 'Aristotelian-Marxist' idea of human flourishing.[181] This is also in line with what my analysis of Nussbaum's model has shown; namely that the list is supported neither by the interviews nor the idea of overlapping consensus: they are ancillary for the justification. I also think that Nussbaum has not, in an equitable way, shown that her articulation of a list of universal capabilities does not amount to the imposition of one tradition's cultural tropes and language on others. In other words, she has not sufficiently shown how it avoids being a kind of cultural imperialism.

As for the ethical theory and the universalistic position which is part of it, I have argued that by her claim, that the content of the list corresponds to moral ideas and norms which are endorsed by the world's

[181] Jaggar, Alison M: "Reasoning About Well-Being: Nussbaum's Methods of Justifying the Capabilities", in *Journal of Political Philosophy*, pp 311 ff.

major cultures and civilizations, Nussbaum endorses a kind of descriptive universalism. However, I have also indicated that I find her idea that her list of capabilities is on the way to become the object of an overlapping consensus implausible when scrutinized from the perspective of the global community, with its pluralistic composition. Nussbaum also endorses a kind of epistemological universalism and claims that we can conceive of a form of practical rationality which is common for people that belong to different social contexts, cultures, and traditions. The presumption on her part is that human beings share certain qualities or dispositions that could be described in a way which is consonant with all cultures. As the discussion in chapter one made clear, all forms of universalism are faced with the dilemma of how to account for variety in ideas of what constitutes valid moral reasons. The assertion that there is a universal mode or form of practical rationality gives us little guidance for how to discriminate between different apprehensions on morality, and how to do so in ways that does not viciously favor one culturally biased mode of reasoning in case of others.

This is a central problem for the ethical theory related to Nussbaum's normative model. The neo-Aristotelian theorizing that she utilizes does not comprise an articulate stance concerning how to justify moral judgments. As she herself argues, the circumstance that persons' intuitions concerning moral value coincide with the idea of human dignity does limited (her word is ancillary) justificatory work for the list of capabilities. The proposed argument that persons of various contexts would offer support to the list if they were to subsume their moral intuitions to critical scrutiny seems essentially questionable. The idea that people could be educated and trained in a kind of practical reasoning which would then make them realize that human life has a certain form of dignity, one which is best corroborated in terms of the capability-functioning model, seems radically circular.

I suggest that Nussbaum's model of global justice as basic capability securement for every person, justified by an alleged universal intuitive idea of human dignity, does not meet the standards set by the criterion of communicability. Part of this is related to the circumstance that Nussbaum's model does not include an argument concerning viable global institutions, and because it neglects the institutional level it cannot offer guidance for how tenable global political communication should be conducted. The moral vision it includes is markedly of a Western origin,

and I think that Nussbaum's claim that the list functions as a free-standing political-philosophical idea remains essentially unsupported. Nussbaum fails to convince that her conceptualization of human dignity does not presuppose the kind of Western political liberalism which she argues that it justifies.

Having concluded this chapter with a critical discussion of the main strengths and weaknesses of Nussbaum's global ethic, I turn to the model for global ethics that is presented by Seyla Benhabib. In contrast to Nussbaum, Benhabib deals extensively with the effects of globalization on the life and constitution of political communities around the world, and presents a theoretical discussion on the political institutions which are prerequisite for democratic participation. In her reasoning, human rights and democratic theory are treated conjointly.

As a theorist influenced by critical theory and discourse ethics, Benhabib focuses on the issue of how moral judgments can be justified. One of Benhabib's central contentions is that we need to conceive of the subject which engages in moral reasoning, the self, as 'situated'. This leads her to articulate a form of universalism which is different than the one we encountered as part of Nussbaum's reasoning. Nussbaum's model was also questioned for not giving the ideal of equality sufficient importance. The question now is whether Benhabib's model of rights does a better job in terms of giving due weight the principle of equal respect and concern, and whether or not it presents a form of universalism which is conducive for a global ethic.

Chapter 3

Discourse Ethics in a Global World

This chapter offers an analysis of Seyla Benhabib's philosophical approach as it is presented in *Situating the Self*, *The Claims of Culture*and *The Rights of Others.* Engaging with issues that are located in the intersection of political theory, ethics and law, Seyla Benhabib's work has received much attention in the current philosophical debate and she is known for her work in both critical and feminist theory. One of her greatest contributions to the philosophical debate is her work on elaborating the discourse ethical model, primarily as it is formulated by Jürgen Habermas. The most extensive formulation of her discourse ethical model is to be found in *Situating the Self.* There Benhabib sets out to reformulate ethical universalism by engaging with the critical objections postmodernist, communitarian and feminist theorists have directed against the thought of universal moral reasoning.

In a globalized world we are confronted with a series of ethical issues pressing for attention. The point of departure in both *The Claims of Culture* and *The Rights of Others* is the global community. In both of these books Benhabib addresses the problems facing ethical reasoning in a global world. The claim is that the current international political landscape has been, and is undergoing far-reaching alteration; a growing human rights regime that demands that the human rights of every person be secured creates a tension between democratic sovereignty and universal human rights. This tension, which at times turns into outright conflict between cosmopolitan norms and national self-interest, is highlighted in political discussions of what to do with the individuals that for different reasons have had to leave their country of origin and seek entry into the territory of another country.

Questions pertaining to membership in political communities and practices surrounding citizenship are crucial aspects of political globalization and should be the focus of attention in global ethical reflection, Benhabib contends. Part of this interpretation of the effects of the current shape of the world is that "the disaggregation of citizenship is an inescapable aspect of contemporary globalization."[182] As a response to these transformations of the international arena, Benhabib suggests that we adopt a 'cosmopolitan federalism', a position for which she argues to have found inspiration in Immanuel Kant's reflections on the conception of cosmopolitan right and his principle of universal hospitality as articulated in his *Zum ewiege Frieden*. Benhabib elaborates on this principle as she proposes that a human right to membership be adopted as part of a theory of global justice.

This chapter is disposed in a similar way to the preceding one. I start with an account of the interpretation of globalization Benhabib makes, and as part of this account present the major global moral problems that she elaborates. A short presentation of her discourse ethical model follows, and then I present how Benhabib utilizes this model for moral justification to articulate a model of deliberative democracy. The chapter then continues with a discussion of the human right to membership and cosmopolitan federalism that Benhabib defends. In the three subsequent sections I analyze, respectively, the universalistic position, the view of human beings, and the ethical theory part of Benhabib's global ethic. The chapter is ended by a critical discussion of the results that the application of the analytical questions has yielded.

Migration and political globalization

When offering her depiction of the central features of a globalized world, Benhabib's focus is on the changes in the political sphere that cross-border movements of people allegedly make apparent. An evitable feature of a global world is that people as well as goods and information change their site of being and do so at an ever-increasing pace. Processes of globalization have the consequence of drawing societies together as they take part in the global economy, sharing both information and risks, and people increasingly tend to form coalitions and networks across the borders of specific countries. Benhabib argues that

[182] Benhabib, Seyla: *The Rights of Others,* p 173.

in such a world of interdependencies 'territoriality' has become 'an anachronistic delimitation of material functions and cultural identities'.[183] This means that the Westphalian model of state sovereignty that is modeled around the idea of clearly demarked territorial unities that hold final administrative power and jurisdiction over the state's territory, fails to give an adequate depiction of the multilayered nature of governance that the current global landscape shows signs of. [184]

Benhabib argues that the idea of national societies as closed entities is clearly challenged by the increased flows of migration in the global world. The growing number of refugees, asylum-seekers and so called 'displaced persons' should make us aware that moral and legal responsibilities have to be reconfigured in ways that do not assert the finality of national borders. But even though she argues that international migration is a clear feature of the globalized world, Benhabib is keen to proclaim that migratory movements ought not to be understood as either a novelty or as an irregularity in history. People have continuously moved to find conditions that would be conducive for a good life and seeking association with others is genuinely a human desire. What is peculiar for the global society is that such movements are being recognized as something that ought to be subject to international discussion and the pleads made that persons' human rights must be secured to them regardless of their current 'legal' status. That people who seek entry into a political community should be viewed as holders of justified claims to have their basic rights as persons respected is something that the growing human rights regime has come to advocate.

Benhabib thus argues that the current international system is full of contradictions as growing adherence to human rights is paralleled by the continuous manifestations of state sovereignty as nations assert their right to control the passing of their borders.[185] States that are signatories to the various conventions and protocols part of the human rights system still retain the right to decide who can enter their territory, and on what conditions. Furthermore, many of them do so invoking reasons that appeal more to a narrowly defined national self-interest than to the humanitarian ideals part of the intention of the various human rights documents. The processes of political globalization – which debate and cooperation around public matters extend as these matters takes on an

[183] Benhabib, Seyla: *The Rights of Others,* p 5.
[184] Benhabib, Seyla, op.cit., p 4.
[185] Benhabib, Seyla, op.cit., p 2.

increasingly global nature- are inadequately reflected in the current system of international law. This becomes evident upon closer scrutiny of the Declaration on Human Rights, Benhabib argues. In this document, the most comprehensive document on international law, the right of persons to emigrate is recognized but a parallel right for persons to immigrate to another country is missing. Even though a right to nationality is included in order to protect persons from being arbitrarily deprived of their citizenship, there is no equivalent obligation for states to grant citizenship to the persons who live on the territory they govern without being members in the political community.[186] Therefore, the Declaration is sensitive to the fact that people seek contact with other communities than that of their birth and has relevance for a global society in which political and social commitments is not restricted to national communities. Nevertheless a problem inheres in the fact that this document contains rights of persons that are 'cross border' in character but it does not render clear what obligations and responsibilities states have to grant non-citizens entry, asylum and political membership. This means that individuals in the current human rights system are assigned a set of rights without specific addresses, and the human rights of migrants, refugees and asylum-seekers point to the great ambiguity that surrounds the legal status of persons who leave one country and enter another.[187]

Benhabib argues that as part of the global political landscape we also find trends of 'disaggregation of citizenship'.[188] This is a key idea in her reasoning, and the concept is meant to denote a development where a unitary model of citizenship increasingly fails to give an adequate sociological description and a normative account of the practices that surround citizenship. In this model of citizenship it is presupposed that possession of civil, political and social rights can only be granted to persons who are members of a community that holds sovereign authority over a certain territory.[189] The practices within the European Union where citizens are granted the right to freely move between member countries and partial voting rights in the membership country of residency are primary examples of how the unitary model is currently being

[186] Benhabib, Seyla: *The Rights of Others,* p 11.
[187] Benhabib, Seyla, op.cit., p 11.
[188] Benhabib, Seyla, op.cit., p 173.
[189] Benhabib, Seyla, op.cit., pp 144 ff.

challenged, Benhabib claims.[190] Furthermore, in several countries social benefits and entitlements are extended to include not just members of the political community but also those who legally reside in the territory over which the community exerts control.

However these new forms of political agency within the EU, whereby the meaning of the privileges of citizenship are extended and re-signified for nationals of EU-member countries, have been accompanied by demarcation between those who are 'within' and 'outside'. As EU citizens face a situation where their political status within the Union is progressively made independent from national origin, the possession of political rights for persons from countries who are not members of the Union, so called third-country nationals, is tied to them first acquiring citizenship in one of the member countries. These persons are without possibilities for formal political participation within the EU since the possession of political rights are contingent on being member in some of the countries in the union.[191]

This reflects the situation of the world's refugees, asylum-seekers and undocumented immigrants. These persons that for various reasons seek entry to the territory of a country in which they are not citizens find themselves in a condition where the securement of their basic rights is dependent on the will of the sovereign state. In an international system built around the primacy of the national state and where citizenship in one of these sovereign communities is the main source for both political, civil and social rights, the securement of human rights of those who move between such entities constitutes a matter urgently in need of address.

An alternative way of articulating this issue is that the condition of these persons makes manifest the tension that exists between the widening acceptance of the binding force of cosmopolitan norms of justice through the spread of human rights and democratic governance in national states. The establishment and gradual expansion of a human rights regime –conventions, protocols, and bodies for control of compliance, challenge the final authority of the state over the life and faith of their citizens. In the global system that is forthcoming, Benhabib

[190] Benhabib, Seyla: *The Rights of Others,* pp 146.
[191] See the chapter 'Transformations of Citizenship' in Benhabib, Seyla, op.cit, pp 147-162 for a discussion concerning the transformations that the establishment of the European Union brought about in conceptions of citizenship.

contends, sovereignty for the actors in the world community is increasingly conditioned by their compliance to human rights. This becomes noticeable when refugees, asylum-seekers and undocumented migrants invoke their universal human rights in applying for entry and stay on the territory of some state. As the international community observes states that violate the rights of these persons through their actions, they are susceptible to stark critique and could, in consequence, be judged to be liable to forms of sanctions.[192]

Even though the international order shows these signs of change, tension and even contradiction, it is unlikely, Benhabib claims, that we will soon witness the installation of a radically different system of governance. The view that international society consists of various territorially bounded states that have uncompromised authority might be challenged but the systems of governance that have emerged in the last decades are still founded on agreements between different sovereign states. That cosmopolitan norms are increasingly invoked to contest state actions and that the practices surrounding citizenship are changing therefore do not imply that the model of democratic governance in national communities will not continuously be primary. However, Benhabib argues that political participation in such communities could be conceived along many different lines. A primary objective for normative theory therefore becomes to articulate proposals for global political structures that can harbor both these cosmopolitan norms at the same time as they make possible for democratic communities to retain forms of self-governance.[193]

At this point it should be stated clearly that Benhabib focuses mainly on the changes in the political landscape when she discusses different processes of globalization and their effects on the national and the international society. However, an implicit account of economic globalization and the processes it spurs emerges as Benhabib engages in a debate with advocates of global redistributive measures. She claims that the emergence of a global capitalistic system cannot be understood separately from the system of colonialism in which Western societies scooped resources and exploited the workforce of the different countries that they seized. In similarity with Nussbaum, Benhabib rejects

[192] Benhabib, Seyla: *The Rights of Others*, pp 151 ff.
[193] Benhabib, Seyla, op.cit., pp 176 ff.

Rawls' idea that the wealth and economic prosperity of a nation is traceable to its political culture.[194] She asserts that the global economic system is one of interdependencies which connect the different actors that take part in it to each other in complex and interlocking ways. The world economy, Benhabib argues, is both a system of economic cooperation as various organizations and agreements for transnational economic collaboration are constitutive parts in it, and a system in which the logic of unintended consequences is significant.[195]

Benhabib claims to be reiterating Charles Beitz when she argues that any attempt at identifying how the benefits or the burdens of the global economy are distributed is fraught with difficulties. Although we can say with a rather high degree of certainty that international economic interdependence is a fact of the global world, it is a whole other matter to set out to articulate any precise account of the consequences that the intertwinement of economic relations has for questions of distribution.[196] Therefore it will be necessary, Benhabib contends, to leave the task of identifying whom the beneficiaries and victims of the global economic order are to the different democratic communities that could also act to reconcile the economic disparities part of the current system.[197] In my judgment, these arguments about the difficulties with establishing economic causalities is not indicative of a view on Benhabib's part where global economic inequalities is either denied or deemed irrelevant for normative ethical theory. Rather it is the case that her account of the chief characteristics of a globalized world follows from her primary theoretical identity as a political philosopher in the tradition of Critical theory. Political globalization that brings with it new forms of political agency and ways in which people claim democratic voice are crucial points of departure for her normative ethical model.

Before I conclude this section I return to Benhabib's reflections on migration and the cross-border passing of people. In a sentence above I mentioned that Benhabib makes the assertion that flows of migration should not be viewed as anomalies in patterns of human interaction. This is a central contention in her work and both the view on the phenomenon of culture Benhabib advocates as well as the critique of Rawls' conception of 'peoples' she articulates is built around the

[194] Benhabib, Seyla: *The Rights of Others*, p 99.
[195] Benhabib, Seyla, op.cit., pp 102 f.
[196] Benhabib, Seyla, op.cit., p 101.
[197] Benhabib, Seyla, op.cit., pp 106 f.

thought that neither social groups nor traditions are entities with clearly definable borders.[198] In a world where people are interconnected and crucially imbricated in each other's lives through economic, political and social networks, and where migration between countries is a natural consequence of human associational abilities, national societies will necessarily be marked by great diversity in ways of life. The liberal democratic state has to find ways, Benhabib argues, to cope with such pluralism, especially when citizens claim recognition of their cultural group's aspirations which might include both claims for political authority and control over resources. Pluralism of cultural and religious ways of life is a persistent feature of modern liberal societies. Benhabib asserts that some of the most pressing issues for normative as well as political theory are those that concern whether liberal democracy can be compatible with such diversity. She claims that the model of deliberative democracy that she proposes can meet the challenges globalization and the world-wide movement of people, pose to political practices. Benhabib argues that political life has undergone vast changes, however "the new political forms of globalization are not yet in sight."[199] That is, to a certain extent people may have come to view themselves as part of a global civil society, but we have not yet seen the emergence of institutions that can harbor new forms of political agency. The global society is primarily to be interpreted as a kind of global civil society and any attempt at institutionalizing it has to be multilayered and flexible, in order to grasp global complexities.

[198] For her defense of a 'non-holistic' view on cultures see Benhabib, Seyla: *The Claims of Culture: Equality and Diversity in the Global Era*. Princeton University Press, Princeton 2002, pp 2-6. For the critique of Rawls' conception of peoples see Benhabib, Seyla: *The Rights of Others*, pp 74 ff.
[199] Benhabib, Seyla, op.cit., p 6.

Discourse ethics and deliberative democracy

The response that Seyla Benhabib suggests to the above-identified global problems is related to the discourse ethical model for the justification of norms she endorses. Benhabib argues that the idea of normative dialogue as a conversation of justification taking place under the constraints of an 'ideal speech situation' gives crucial insight into the question of what could constitute a plausible normative stance towards the issues of migration and cultural pluralism in the global arena.

In line with Jürgen Habermas, Benhabib argues that moral judgments can be justified via practical discourses in which the participants follow certain rules for a rational argumentation.[200] According to Benhabib's account, these rules ought to be viewed as the conditions argumentative speech must adhere to in order for us to judge that an agreement resulting from engagement in a practical discourse corresponds to the idea of a fair debate. Benhabib argues that an articulation of the procedural rules of practical discourses cannot be purely 'formal' because the notion of a fair debate that informs it is a form of 'regulative ideal' that has clear normative implications. In this ideal the equal right of the parties to state their mind and be heard as well as the reciprocal form to which they must subsume their speech acts, are presupposed. The rules of argumentative speech with the associated ideal of fair debate then functions as normative constraints on the practical discourses which are supposed to test the validity of moral judgments. In this way they constitute 'weak transcendental conditions' for procedures of moral justification, Benhabib argues.[201]

The enunciation of the principles of universal respect and egalitarian reciprocity are held to be a way to explicate the normative substance of these conditions. The principle of universal respect states that all those who have the ability for speech and action have the right to be participants in the justificatory conversation. The principle of egalitarian reciprocity states that in the conversation all the participants have an equal right to initiate and propose subjects for deliberation as well as an equal claim to speak their mind and be listened to. Benhabib argues that these norms are counterfactual guides to action, that is, they are presupposed but not always acted upon in the various practices for the exchange of

[200] Habermas elaborates this position for instance in the chapter "Remarks on Discourse Ethics" in Habermas, Jürgen: *Justification and Application*, pp 19-111.
[201] Benhabib, Seyla: *The Claims of Culture*, p 38.

view that exists in society. As such they constitute a form of necessary, but not sufficient, conditions for attaining legitimate agreements.[202]

Benhabib uses these discourse ethical arguments about the normative constraints of discourses to articulate a theory of basic human rights. She argues that the justification of such a theory of rights would not be dependent on any naturalistic assumptions about the human being, such as the structure of consciousness or other psychological or physical attributes. Neither does a discourse-ethical justification of rights postulate the rights bearing subject solely in terms of someone who either holds or does not have a justified claim to some property.[203] Benhabib contends that both these strategies have problems with offering a plausible account of the nature of rights claims and suggests that instead, we interpret the discourse surrounding rights, in their various forms, by the practice of reason-giving that is essential for justificatory discourses.[204]

Benhabib then stipulates that rights claims follow a line of reasoning that can be explained as follows:

> I will assume that rights claims are in general of the following sort: 'I can justify to you with good grounds that you and I should respect each others' reciprocal claims to act in certain ways and not to act in others, and to enjoy certain resources and services.'[205]

Implicit in this line of argument is the assumption that persons are entitled to discursive justification of actions that impinge on their lives. Benhabib contends that this necessarily constitutes a normative claim, but, she states, one that can be defended by arguments that do not presuppose any essentialist postulations about the human being. The "post-metaphysical justification of rights discourse" that Benhabib proposes proceeds from the reflection that inherent in the idea of fair debate and that of a conversation in which we set out to justify our actions to each other, is the claim that humans have a capacity for communicative freedom, that is, to agree or disagree on an issue which is the object of common deliberation and to do so on the basis of reasons which apply equally to all in their role as participants in the conversation. Benhabib

[202] Benhabib, Seyla: *The Claims of Culture*, p 37.
[203] Benhabib, Seyla: *The Rights of Others*, pp 129 f.
[204] Benhabib, Seyla, op.cit., p 167.
[205] Benhabib, Seyla, op.cit., pp 130.

therefore argues that to respect this capacity for communicative freedom of persons is equivalent to respecting their personal autonomy, and human rights or basic rights are norms of action that makes the exercise of such personal autonomy possible. Human rights act as restrictions on persons' freedom but do so by articulating norms of action that are held to be reciprocal and generally justifiable. Benhabib argues that only norms articulated according to this standard respect each person's equal ability for communicative freedom and capacity for personal autonomy and so instantiate the ideal of persons' moral equality presupposed in the idea of a fair debate. [206]

A constitutive part of Benhabib's theory of human rights is the supposition that they are norms that support and enable persons' exercise of personal autonomy. How then, would such support be instantiated in different societal arrangements? Which are the social and political arrangements that would be necessary to appreciate and respect persons' personal autonomy and communicative freedom?

Benhabib follows Habermas in using the discourse ethical theory of moral justification to articulate a deliberative model of democracy.[207] This model of democracy puts primary focus on citizens' participation in the processes of will and opinion formation that precedes the communal decision-making manifested in democratic elections. Central in the model is also the conception of the public sphere.[208] In this conception of the public sphere it is held that the circumstance that an event or an issue is called 'public' manifests that it is understood as something that concerns all and thus is open to discussion among the citizens. In the discussions between citizens that constitutes the public sphere, the processes of will and opinion formation becomes possible which are vital for democratic rule. The ideal of openness and inclusiveness in participation and the statement that the agenda of conversation should be communally decided that are parts of the conception would then mean, Benhabib argues, that the understanding of what issues and concerns that these discussions could and should comprise are likely to change over time. A question at first classified as a matter not suitable for common public discussion out of its alleged 'private' nature can gain status as a public issue if the citizens come to view it as such through discursive treatment. It is the deliberation amongst citizens that

[206] Benhabib, Seyla: *The Rights of Others*, pp 132 f.
[207] Benhabib, Seyla: *The Claims of Culture*, pp 106-108.
[208] Benhabib, Seyla, op.cit., p 115.

will determine which matters that have public importance. The statement Rawls makes that public reason should be restricted to 'constitutional essentials' is then disputed by a deliberative conception of democracy, Benhabib argues.[209]

Instead, the public sphere should be viewed as comprising the official sphere of society in which legality and formal equality governs the relations between citizens and between citizen and state, but also, which is crucial for the deliberative model, the spheres of society sometimes described as 'civil society'. In these domains many forms of association that are crucial in fostering and encouraging an active democratic participation on the part of individual citizens are to be found. A normative model for political life should place stark focus on this dimension of the public as well as on the level of constitutional design, Benhabib states.[210]

Benhabib argues that because of this 'dual focus' on the official and unofficial dimensions of society, deliberative democracy is especially well equipped to deal with the challenges that different forms of cultural claims present modern liberal societies with. In civil society citizens relate to each other in different forms of association and in these associations they need not abstract from the cultural perspectives and comprehensive doctrines in form of different views on life that are vital for their self-definition as persons. Benhabib argues that citizens ought to be encouraged to engage in public conversation in the civil sphere from the position that makes sense from their perspective, whether this perspective is informed by a certain cultural narrative or a certain place in social hierarchy. Even though persons are always necessarily situated in terms of different understandings of the world and society, Benhabib argues that the idea of a rational conversation in the public sphere makes sense in a normative model which argues that people both have an ability and a justified claim to be treated as equally capable of communicative freedom. This means that they can come to change perspectives through engagement in arguments with persons whose understanding of the world differs significantly from their own. Peoples cognitive and affective resources are not confined to the 'culture' or tradition that initially inform their perspectives.[211]

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[209] Benhabib, Seyla: *The Claims of Culture*, pp 110 f.
[210] Benhabib, Seyla, op.cit., p 114.
[211] Benhabib addresses the objection sometimes directed at deliberative democracy consisting of the claim that its focus on publicity and public forums premieres certain forms of discourse at the expense of other modes of expression. The claim is that the focus on

If public dialogue is to act as a venue for democratic will and opinion-formation then it is essential that many different perspectives become recognized and are heard in the public forums, Benhabib contends. The deliberative model of democracy argues that viable democratic governance by citizen's demand not just that they get a say in decisions that affect them, but also that they have to chance to engage in discussion about what kinds of questions it is that they are voting on. It is possible for citizens to attain such shared understanding of public or political issues if they engage in a form of deliberation that aims both at recognition and understanding. If such understanding is to be at all possible, Benhabib argues, then citizens must observe the condition that they are required to present their standpoints and opinions in a way that treats every other citizen as a participant in the public discussion. Arguments used in the public must then be subsumed to the logic that they be in the interest of all.

The way that rational deliberation amongst citizens transpires and therefore what kinds of reasons they might invoke in public conversations are both contingent on historical time and setting and cannot be given any exhaustive description prior to the actual exchanges of views that is significant for the public sphere. Benhabib argues that public discussion has to be conceptualized in ways that take account of the multitude of perspectives that are exchanged between citizens in a liberal and pluralistic society. As we saw, Benhabib argues that it is implausible to make a sharp distinction between the official and civil spheres of society.

Even though 'cultural considerations' should not be invoked as a basis to restrict the scope of basic rights that every citizen is entitled to, citizens may surely engage their cultural perspectives in discussions in civil society. Furthermore, Benhabib argues that as the deliberative model holds will-formatting discussions between citizens in civil society to be necessary for legitimate decision-making in the official sphere, it stipulates a link between these different dimensions of the public sphere in society. Therefore it envisions political life in a liberal society as explicative of citizens' differently informed perspectives at the same

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publicity and the demand for reciprocity will be unfavorable to cultural and religious groups for which other forms of expression are central. Benhabib argues that this interjunction is implausible for several reasons, but crucial ones are the focus in deliberative democracy on multi-dimensional public sphere and persons alleged ability for communicative freedom and moral autonomy. Benhabib, Seyla: *The Claims of Culture*, pp 138 ff.

time that it holds that they ought to present their opinions to each other by using reasons that are accessible to all and that are understood as mutually acceptable.[212]

Benhabib claims that in the framework of such an account of the relation between claims from different groups of citizens that define themselves as belonging to a certain culture and the liberal democratic commitment to treating citizens as equals a form of legal pluralism can be defended. She argues that:

> Since the principle that the voice of all those affected by a norm, a legislation, a policy be included in the democratic discourse leading to its adoption is fundamental to deliberative democracy, this model is open to a variety of institutional arrangements that can assure the inclusion of such voices.[213]

Benhabib argues that multicultural pluralist arrangements in the legal sphere are compatible with the model of liberal democracy as long as they adhere to three conditions that the ideal of equal treatment of citizens provides. Benhabib lists egalitarian reciprocity as the first of these conditions. This means in a liberal democracy cultural, religious, linguistic and other minority groups may delegated the power to govern over certain issues in their communal life as long as such societal arrangements does not mean that individual members of these groups are entitled to a lesser bundle of right than the majority. Persons should not become members of these minority groups automatically upon birth, each individual must be given the chance to either accept or reject membership. Benhabib calls this condition voluntary self-ascription. Finally, individuals in such groups must be granted freedom of exit and association, that is, they should not be denied leaving the group in question, but also the right to marry someone outside of the group without losing either membership or its privileges is supposed in this condition.[214]

In this way, Benhabib argues, the aspirations for self-governance that different minority groups might have can be incorporated into the institutional design of modern societies. Although Benhabib is positive towards a legal solution in which different groups in society have some possibility of administering their internal affairs, she does not favor a distribution of social goods and resources according to a system of

[212] Benhabib, Seyla: *The Claims of Culture*, pp 130 f.
[213] Benhabib, Seyla, op.cit., p 148.
[214] Benhabib, Seyla, op.cit., pp 131 f, 148 f.

group classifications. Economic and social disparities should be meet by measures that are 'universal' rather than specific in that they extend benefits to individuals in all groups in society.[215] This means that Benhabib is hesitant toward models that propose rights and entitlements based on group identities.

Rather than articulating a scheme for distribution of social goods, Benhabib's aim is to investigate and offer an argument for the norms that interaction in the social and political sphere ought to be guided by. A plausible vision of the public sphere should include an argument about how citizens of different social and cultural background could participate on equal terms in the democratic processes that constitute the regulatory scheme of society.[216] Therefore the normative model she offers can best be characterized as procedural in that it sets the terms according to which decisions about the wellbeing of the citizenry ought to be made. However this mainly procedural focus in her account of the basic institutions of society does not prevent Benhabib from articulating a set of ends or values that decision-making in society should adhere to. By making the principle of egalitarian reciprocity central in her model, Benhabib advocates that the equal conditions of every citizen to partake in democratic processes necessitates a distribution of social goods that would make equality of participatory opportunity a real possibility for all members of society.[217]

Benhabib's communicative ethics advocates a vision of the political community in which citizens take active part not just in democratic election but in the processes of will- and opinion-formation that discussions in the public sphere ought to constitute. Her model of norms for social and political interaction incorporates a clearly stated standard for legitimate political action and dialogue as it explicates the ideal of democracy as deliberative and elaborates a vivid conception of the public sphere. Through her depiction of the public sphere that crosscuts both legal-juridical institutions as well as civil society, Benhabib offers a plausible and nuanced picture of conditions for political agency in culturally diverse democratic societies.

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[215] Benhabib, Seyla: *The Claims of Culture*, p 76.
[216] Benhabib, Seyla, op.cit., pp 71 ff.
[217] Benhabib, Seyla, op.cit., pp 162 ff, see also Benhabib, Seyla: *The Rights of Others*, p 111, there she argues that "socioeconomic equality is itself a precondition for the effective exercise of democratic citizenship rights".

Human rights and democratic communities

As was depicted in the section on globalization Benhabib argues that the current international order shows signs of contradiction as a tension allegedly exists between the growing adherence to human rights and the continuation of the nation state-system with its claim for territorial sovereignty. Benhabib argues that this shows well how the democratic paradox inherent in every liberal constitution works. The paradox of democratic legitimacy denotes the somewhat contradictory condition which emerges when a group of persons claim sovereignty over a territory, doing so by appealing to their rights as persons to be the subjects of laws that they have themselves taken part in articulating. When they do so this group of persons becomes a demos: a democratic *we*. The demos binds its will by laws that it has itself issued, but these laws must also express equal respect for the rights of very member of the demos if its governance is to be considered legitimate. The paradox then consists in the circumstance that the constitution of such a form of government is made by appeal to universal human rights as it is persons' ability for autonomy and self-determination that grounds democratic forms of communal governance. The ability of human beings for communicative freedom can be respected and sustained only through such forms of popular authority. [218]

Benhabib claims that the legitimacy of democratic states thus derives from the cosmopolitan norms that human rights are examples of. The logic of democratic constitutions consists in both appealing to and promising to protect the rights of members of the demos as persons of equal value and standing. These rights then becomes instantiated as the political, civil and social rights of citizens in and through different 'schedules of rights'.[219] Benhabib follows Hannah Arendt in viewing the entitlement to rights, 'the right to have rights', as the basic meaning of human rights discourse. In a line of argument similar to that of Arendt, Benhabib holds that this entitlement to have rights, that is, political and civil rights, must be instantiated in different bounded communities. Benhabib argues that a distinction can be made in the discourse surrounding rights between 'a principle of rights' and different schedules of rights, where the former refers to every person's justified claim

[218] Benhabib, Seyla: *The Rights of Others*, p 47.
[219] Benhabib, Seyla, op.cit., pp 93, 140 f.

to be treated as entitled to rights as a way of respecting the human capacity for communicative freedom and personal autonomy, and the latter is the different ways in which the self-governing democratic community instantiate these universal rights, in their constitution and/or other forms of legislation.

It is by these considerations that Benhabib proposes a human right to political membership.[220] Having identified the dependence of political and civil rights upon membership in a bounded or demarcated political community, which ideally is a democratic liberal state, Benhabib argues that the humanity in every person constitutes a justified claim on the part of the individual to hold membership in such a community. Her discourse-ethical justification of rights is central in the account of the human right to membership. Benhabib argues that questions of membership are particularly perplexing for discourse ethics. Because the theory states that all those affected by the general observance of a norm should take part in its articulation, it is faced with a potential problem with regards to the question of how to validate rules of inclusion and exclusion. Many of those clearly affected by these rules, namely persons who are outside the community and apply for membership, have not been given a say concerning the articulation of these norms.[221]

Benhabib argues that based on its understanding of the human being discourse, ethics defends persons' moral freedom and holds that rules of membership, which clearly affects those who are not part of the community have to be justified by reasons that appeal to *all* – members and non-members alike. In principle, Benhabib argues there are no valid reasons that could be invoked to bar someone in a permanent way from membership in a democratic community. The demos cannot legitimately invoke reasons which go counter to the human rights on which it bases its claim for self-determination.[222]

In this way can we justify a human right to membership, Benhabib argues. The right is of a more general nature than is the citizenship legislation which we find in different countries. Person can thus invoke it when applying for citizenship in a specific state and thereby put forth the justified claim to have their application tried by terms and conditions that are transparent and publicly available. Benhabib argues that it should be acknowledged that the will of democratic communities is

[220] Benhabib, Seyla: *The Rights of Others*, p 73.
[221] Benhabib, Seyla, op.cit., pp 13 ff.
[222] Benhabib, Seyla, op.cit., p 133 ff.

circumscribed by the 'the principle of rights' which the human right to membership constitutes. A democratic community is thus bound by human rights considerations and norms in articulating immigration and citizenship legislation. However, it is essential that democratic will is altogether superseded. Benhabib argues that we should rather conceive of this will as directed by and responsible towards, the cosmopolitan norms that human rights constitute. Democratic self-governing societies still retains the right to articulate the terms and conditions that applies for membership in it, and this might then be done in accordance with the particular conditions that the demos takes to be defining for its identity as a historic and territorial community.[223]

In an international community that respected the human right to membership migrants, refugees and asylum-seekers would all be treated as persons with legal standing, and persons in migratory movements would not be assigned status of criminality.[224] Democratic sovereign communities would formulate conditions for both entry and naturalization which respected and were in compliance with human rights. This would be a liberal international model of sovereignty and it would be in line with Immanuel Kant's depiction of a world federation of republics as it is presented in his *Zum ewige Frieden*.[225]The concept of cosmopolitan rights articulated clearly inspires Benhabib when she argues that the respect for human beings as persons demands that they hold membership in a republican, democratic, state, and therefore a world system of democratic communities. Benhabib calls her vision of the global community a cosmopolitan federalism. This order assumes that states hold justified claims to self-determination and sovereignty out of their liberal constitutions. It is different from visions that include global sovereign bodies such as a world government or parliament, Benhabib argues, as it assigns primary political authority to bounded democratic communities.

A model for global justice should, in Benhabib's view focus on forms of political inclusion and participation, and it includes a vision of just membership which constitutes a form of circumscription of democratic sovereignty in that it sets limits for acceptable articulations of citizenship legislation and practices. Benhabib argues that this can be done via so called democratic iterations in the public sphere of different

[223] Benhabib, Seyla: *The Rights of Others*, p 139 f.
[224] Benhabib, Seyla, op.cit., pp 177, 214 f.
[225] Benhabib, Seyla, op.cit., pp 40 f, 94 f.

national societies. By such iterations the people of a liberal state can come to change its understanding of citizenship as the grounds as well as substance of membership in the demos are publicly debated and scrutinized. Such contestation in the public sphere precedes actual changes in legislation and it is therefore a form of 'jurisgenerative' politics regarding membership in a democratic community, and which can broaden both the understanding and legal scope of citizenship.[226]

Benhabib's model for cosmopolitan federalism does not include principles for distribution and she strongly asserts that it would be incompatible with democratic self-determination to articulate an agenda for global redistributive measures.[227] She lists several reasons for why this is the case, for instance she mentions the indeterminable nature of the global economic system, as was mentioned above. Benhabib argues that it is utterly difficult, if not impossible to give a clear and cogent picture of economic contributory links in the global. However, she argues that the lack of a global public sphere constitutes a more serious objection to global redistributions. Without a global sphere where compromises in matters of socio-economic justice could be achieved through common deliberation, measures to redistribute resources in the global arena must be considered illegitimate.[228]

Benhabib argues that we should view the international order primarily in the form of a global civil society, and she holds that in the international arena a multitude of actors and various forms of governance are found. She argues that the discourse ethical arguments about democratic legitimacy ought to be applied to the actions of these various actors whether they are nation states or intergovernmental bodies. Thus economic bodies such as the IMF and the WTO whose actions clearly influence the interests of people all over the world should be revised and made more accountable to democratic forms of governance.[229]

Benhabib's global ethic is primarily constituted by a model that specifies how we could justify the universal human rights that ought to constrain the will of democratic communities. This communities or states should be granted a form of democratic sovereignty over their

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[226] Benhabib, Seyla: *The Rights of Others*, pp 171 ff.
[227] Benhabib, Seyla, op.cit., p 105.
[228] This Benhabib denotes as the 'democratic objection' towards global redistributive justice. In addition to this she also list a hermeneutic and an epistemic objection. Benhabib, Seyla, op.cit., pp 106 ff.
[229] Benhabib, Seyla, op.cit., pp 112 f.

territories but should have porous borders.[230] The legislation these communities pass in immigration and citizenship issues should be compatible with the principle of rights which states that no person ought to be arbitrarily or permanently kept from political communion with others. The right to have rights must be secured for every human being and no person should be rendered illegal in status. Therefore, argues Benhabib, we ought to consider the request made by immigrants to join in a political community, as a justified claim on their part to have the human dignity as persons respected.[231]

The democratic liberal state has the legitimate right to define the terms and conditions that applies to membership in it, nevertheless this right for self-determination on the part of the democratic community when it comes to regulations on membership is nevertheless neither absolute nor undisputable. Premised as it is on the justified claim of every human to be respected as an autonomous and free being, the right to self-determination on the part of the democratic community is circumscribed by a pre-commitment to a set of basic human rights. This means that the decisions it makes and the policies it issues must be in accordance with the human rights on which it bases its claim for self-determination.[232] Benhabib explains the exclusion of a principle for global redistribution in her model by arguing that concern for democratic legitimacy and variances in epistemic perspectives rules out a pre-defined cross-communal standard meant for global application.[233] This is not a statement on Benhabib's part that economic equality in and between different countries is uncalled for. Rather, the model focuses on the discussion on democratic inclusion and participation, and the forms of governance it supports.

Interactive universalism

Discourse ethics largely consist of the attempt to formulate a theory of justification where rationality is understood discursively. It is granted that universal perspective is both possible and required in ethical reflection since through their capacity for speech and action, human beings

[230] Benhabib, Seyla: *The Rights of Others*, p 221.
[231] Benhabib, Seyla, op.cit., pp 140 f.
[232] Benhabib, Seyla, op.cit., p 43.
[233] The aforementioned objections to redistributive global justice are presented in Benhabib, Seyla, op.cit., pp 105 ff.

can hypothetically take part in justificatory conversations with every other person that possess these communicative abilities. Such abilities and the potentially universal extension of the conversation of justification gives that boundaries between different ethical communities need to be constantly scrutinized. Upon such critical reflection of what allegedly constitutes valid reasons for distinguishing one group of moral subjects from another, few reasons can be judged as non-arbitrary from a discourse-ethical perspective.

From the outset, and onwards in *The Claims of Culture*, Benhabib issues sharp critique against 'holistic' accounts of cultures. Such views implausibly depict cultures as clearly definable entireties and posit the identity of different human beings as more or less convergent with that of a cultural group. These assumptions about the relation between individual and community are formed on several mistaken premises, Benhabib argues.[234] Instead she opts for a social constructivist view of cultures where they are understood as collections of the different interpretative and evaluative accounts of their actions that persons offer. This means that cultures as collections of such judgments about actions necessarily provide both for conflict as well as it gathers people via common narratives. Therefore we should be aware that the form, shape and substance of that which is held to be the 'culture' of a group are constantly being debated by its members, Benhabib argues.[235]

Benhabib argues that another problematic assumption about culture can be apprehended in the arguments invoked by theorists against ethical universalism when they argue that cultures as horizons of interpretation form enclosed frameworks for understanding. When the self-enclosed nature of cultures is assumed then the effort of universal communication becomes futile.[236] Benhabib, who asserts the possibility of rational moral communication between different communities, judges that persons' ability for communicative freedom as denied in accounts of culture in which the incommensurability of such entities is asserted. If this were true, Benhabib contends, it would not even be possible to talk in any general way about a phenomenon as a cultural one as common denominators for classification would be missing.[237]

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[234] Benhabib, Seyla: *The Claims of Culture*, pp 2 f.
[235] Benhabib, Seyla, op.cit., pp 5 ff.
[236] Benhabib, Seyla, op.cit., pp 25 f.
[237] Benhabib, Seyla, op.cit., p 30.

Benhabib depicts different ethical communities as adhering to differing conceptions of the good and argues that it is a persistent feature of existence in modern political societies that citizens have to learn to differentiate between the moral, the ethical and the legal spheres of existence. Albeit rightly distinguishable from each other, the lines separating these spheres are objects for deliberation. And neither are the different views that people have final, in the sense that they cannot consequently change by being subsumed to discursive treatment.[238] A substantial part of Benhabib's arguments about deliberative democracy's compatibility with multiculturalism is founded on the idea that different culturally inspired views on life can and should become topics for public discussion in the civil sphere of society. Benhabib points at the rights of women and children as issues on which the common view has changed due to discussions that have emanated in the civil society. The issue of women's and children's human rights also show how a change can occur where a subject first conceived as a cultural or 'ethical' matter through intra- and inter-group discussions can gain the status as appropriate not just for public but also universal moral deliberation. As a growing international human rights regime have contested that either the family or the cultural group that these persons belong to should have to authority to define their interests, so has the public opinion in most countries changed and these issues are now rightly apprehended as belonging to the universal discourse of human rights, Benhabib contends.[239]

In *Situating the Self* Benhabib states that her aim is to critically engage with some of the central premises of ethical universalism in order to offer a reformulated and improved account of what it might mean to defend the embracing of a universalistic perspective in ethical reflection.[240] Benhabib then argues that a 'substantialistic' understanding of rationality has been predominant in moral philosophy. This form of universal moral reasoning is problematic because it proceeds from a unitary understanding of reason, and as a consequence of this, cultural difference and variation is deprived of explanatory value in its explication of what constitutes moral rationality. Reason, she argues, must be viewed as always and necessarily situated, that is, informed and shaped

[238] Benhabib, Seyla: *The Claims of Culture*, pp 40 f.
[239] Benhabib, Seyla, op.cit., p 144.
[240] Benhabib, Seyla: *Situating the Self,* pp 2 f.

by a certain context.[241] This can be achieved only if we understand rationality discursively, Benhabib argues, and thus not only or primarily in terms of a form of reasoning conducted by an individual to achieve coherency and non-contradiction in thinking, but as the inter-subjective testing of moral principles and norms of action that is possible only in the practical discourses in which a multitude of rational agents take part.[242]

If we conceive of rationality in this way then the implication of what it means to assume 'the moral point of view' becomes connected to the reversing of perspectives and positions that participants in conversations of justification must be able to exercise. And when understood in this way then adopting the moral point,[243] of view is activity is not to be equated with the perspective of some individual, group or constituency but constitute truly universal mode of reflection, Benhabib contends. Further, rationality stands forth as something that we achieve in discursive action with others, and that 'reason' is a form of interaction different persons, who are also differently situated.[244]

Rational moral deliberation is possible if we conceive of this in terms of a dialogue taking place between differently situated subjects who possess the ability to change perspectives and engage in a form of enlarged thinking. Benhabib argues that in such a conversation no certain perspective would hold place as 'true' or be taken as definitive. Rather the legitimacy every claim is tested discursively so that the judgment that something is true or warranted is a result of the practical discourse itself. Persons who are differently situated can thus convergence in terms of epistemological perspective and so establish and maintain a forum in which to rationally discuss their different views.[245] Benhabib's argument in favor of universalism then proceeds from the idea of that we can agree on some minimal conditions for what a rational moral

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[241] Benhabib, Seyla: *Situating the Self,* pp 8 f.
[242] Benhabib, Seyla, op.cit., p 24.
[243] The idea of a 'moral point of view' is described by William Frankena in *Ethics* "First, we must take the moral point of view, as Hume indicated: be free, impartial, willing to universalize, conceptually clear, and informed about all possibly relevant facts. Then, we are justified in judging that a certain act or kind of action is right, wrong, or obligatory, and in claiming that our judgment is objectively valid, at least as long as no one who is doing likewise disagrees. Our judgment or principle is really justified if it holds up under sustained scrutiny of this sort from the moral view on the part of everyone." Frankena, William K: *Ethics*. Prentice-Hall, Englewood Cliffs 1963, p 95.
[244] Benhabib, Seyla, op.cit., p 28.
[245] Benhabib, Seyla, op.cit., pp 30 f.

conversation would demand of its participants. The discourse ethical principle together with that which Benhabib interchangeably calls the normative constraints of conversation and the meta-norms of discourses, namely the principles of universal respect and egalitarian reciprocity, are such conditions that could reach a context-transcendent agreement.[246]

Therefore Benhabib's discourse ethical model presupposes that persons have the ability to change perspectives and engage in a form of enlarged thinking, and also that they be willing to exercise these abilities in conversations with others. It further pronounces that the conversations about moral validity harbor universal aspirations, as in the discourse ethical framework the justification of norms is an effort shared by all those affected. Benhabib argues that the scope of such conversations of justification can be extended to potentially all of humanity since the involvement of all those who have the ability for speech and action will be demanded to judge the supposed validity of universal, all-inclusive, norms.[247]

The interplay of different perspectives in rational discourses can be described as a dialectic or tension between the perspective of the generalized and the concrete other, Benhabib argues. The effort of adopting a moral point of view or a universal perspective is actually constituted by the effort of bringing these two into a constructive dialogue.[248] The perspective of the generalized other represents the logic of standardization, and commonality invoked in claims that persons in virtue of being rational agents should be considered as equally entitled to human rights and prospects for leading a good life. The standpoint of the concrete other instead urges us to look at that which differentiates us, and to see what it is that is constitutive for the particularity of the other. However, the life contingencies that individuate us should not be distracted from or be seen as something that a universalistic position needs to overcome. If we are to comprehend the other as a moral subject it is essential that we endorse both these perspectives.[249]

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[246] Benhabib, Seyla: *Situating the Self,* pp 33, 37 f.
[247] Benhabib, Seyla, op.cit., pp 31 f.
[248] Benhabib, Seyla, op.cit., pp 9 f, 158 f.
[249] Benhabib, Seyla, op.cit., pp 162 f.

The idea that human beings be viewed both as concrete and generalized others is central for comprehension of universalism, she argues that:

> I conclude that a definition of the self that is restricted to the standpoint of the generalized other becomes incoherent and cannot individuate among selves. Without assuming the standpoint of the concrete other, no coherent universalizability test can be carried out, for we lack the necessary epistemic information to judge my moral situation to be 'like' or 'unlike' yours. [250]

As we can see this sets Benhabib's understanding of universalism in a somewhat different direction than Nussbaum's universalistic position. Nussbaum's essential idea is that we among different people can identify a set of commonalities by which we could also detect the outlines of an ability for practical reasoning, which is common to all. Benhabib stresses that contextual differences and particularities must be accounted for and that the idea of universalism is of a primarily formal nature, and substance needs to be provided by the practical discourse.

Benhabib argues that the standpoint of the generalized other has dominated deontological moral theories at the expense of the perspective of the other as a situated and concrete being. This becomes apparent, she contends, in the various iterations of the State of Nature metaphor within the social contract tradition. For example Rawls' notion of original position displays a one-sided focus on the perspective of the generalized other. [251]The assumptions concerning rationality that we find in these traditions implausibly restricts moral reasoning to a process of individual deliberation. When the subject for rational and universal moral reflection is conceived of as something in the lines of Kant's noumenal selves, which cannot be individuated, then rationality necessarily follows a kind of ego-logical structure. And Benhabib argues that it is precisely this that the discursive account of rationality can challenge.[252]

This problematic view of the self as disembedded and independent of context needs to discarded and a more situated understanding of the moral subject should instead be adopted. And this understanding is then an essential component of the form of interactive universalism that is required by a viable conception of moral reasoning, Benhabib argues.

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[250] Benhabib, Seyla: *Situating the Self,* p 163.
[251] Benhabib, Seyla, op.cit., p 161.
[252] Benhabib, Seyla, op.cit., pp 152 f.

This is a form of epistemological universalism part of which it is claimed that persons have the ability of a form of communicative freedom, which means that they can partake in cross-cultural moral discussions.

The situated and autonomous self

Benhabib urges that we reconsider what the ideal of universality in morality implies, and it is clear from the discussion above that part of such a reformulation of universalism is a also reconfiguration of the concept of a 'moral self'. But what kind of view of human beings is it that we find as part of Benhabib's reasoning? With Nussbaum, we could see that she claims that a certain idea of a life lived in accordance with human dignity gives indices concerning what it is that is characteristically human. In *Situating the Self* Benhabib states that part of her aim is to challenge the ideas regarding the human subject which are prevalent in liberalism, communitarianism and in postmodern theories. To her mind, none of these traditions offer a convincing account of the human condition. Benhabib, who aims to develop a line of reasoning that takes heed of the problems which are central for the feminist movement, argues that a plausible conception of the self needs to proceed from the idea that we as humans are essentially situated beings.

Benhabib argues that a central part of the liberal tradition is constituted by its problematic view of the self as 'unencumbered'. However, whereas communitarianism and postmodernism have argued that this legacy constitute reason to abandon the search for a general conception of the human self, feminist theory ought not to reject the idea of an autonomous self. Benhabib argues that what is instead needed, is a reconstruction of the 'modern' concepts of agency, autonomy and selfhood. Communitarian thinkers are right to argue that our identities as persons are always embedded in, and thus shaped by, a certain discursive community. But as various feminist scholars have shown, for the purpose of women's liberation the emphasis of social roles is all but unambiguous. For women, who have continuously been defined primarily by their roles in familial life the idea of autonomy and freedom for the person to develop its identity, is essential. In a similar way feministic

theory and the quest for emancipation should be weary, Benhabib argues, to join in the postmodern assertion that every notion of a unitary subject must be discarded.[253]

Benhabib is in similarity with Nussbaum critical towards the Contractarian tradition and the way it interprets the human being. Benhabib's argument is the State of Nature-metaphor posits the person in a basically atomistic manner, and that the theorists utilizing it have thus neglected that we as humans are social beings which are contingent on significant others for our well-being.[254] In response to this critique of the modern conception of the self, Benhabib proposes that we view the human being, and the moral self, as both autonomous and situated.

This criticism aligns with Benhabib's argument that a plausible account of universalizability in ethical reflection demands that the otherness of the other is not merely reduced to a perspective that an agent reasoning in solitude can appropriate. Selves are different and the reversibility of perspectives that impartiality demands can thus only be achieved through engaging in discourse with others who are actually otherwise situated.[255] Benhabib maintains that this is in part accomplished when a shift is made from a substantialistic to a discursive, communicative concept of rationality.[256] An adequate concept of rationality portrays the subjects of reason as both embedded and embodied beings. Benhabib argues that the capacity for rationality can only be credibly depicted as an ability that persons achieve through their gradual socialization into a community, shared with others. Reason, as well as the capacity for autonomous action, should therefore be understood as "the contingent achievement of linguistically socialized, finite and embodied creatures" Benhabib contends.[257]

Related to this argument about a viable conception of rationality is the account of the narrative structure of actions and personal identity that Benhabib argues is crucial for a plausible view on moral autonomy. To view identities as narratively constructed means that the 'self' is understood as composed of different narratives; those told by others, by the individual, and concerning past, present and future events, are integrated into the collection of narratives that constitutes the self. [258] It is

[253] Benhabib, Seyla: *Situating the Self*, pp 69 f.
[254] Benhabib, Seyla, op.cit., p 50.
[255] Benhabib, Seyla, op.cit., p 152.
[256] Benhabib, Seyla, op.cit., pp 163 f.
[257] Benhabib, Seyla, op.cit., p 6.
[258] Benhabib, Seyla: *The Claims of Culture*, pp 15 f.

in this framework of stories that the self perceives reality and on account of it interprets what possible courses of action are available in it. Benhabib argues that this is a conception of the self that is different both from notions of personhood that view it as a 'substance over time' and from conceptions where our nature as embodied beings is devalued to the point of being deemed irrelevant for human identity.[259] It makes the assertion persons as individuals have the capacity to engage in reflective thinking about future or imminent action, in retrospective thinking about what has been done in the past and in a form of 'representative thinking' through which the perspective of the other can be appropriated without the other ceasing to be apprehended as a being distinct from oneself. [260]

The claim that persons have their moral autonomy respected is, in Benhabib's reasoning, founded on their capability for communicative freedom, and she argues that a characteristic feature of personhood is the will to engage with other persons, who are equally equipped with the ability for action and speech, in conversations of justification. Benhabib argues that the basis for this depiction of the central characteristics of persons is derived from the structures of communicative action on which the relations of reciprocity essential for human collective action are founded. The human ability for moral autonomy is obtained gradually as the person matures and gets habituated into forming and sustaining reciprocal relations with other adult persons. The comprehension that one's conversation partners ought to be respected comes as an upshot of being introduced into the pattern of - "symmetry and reciprocity of normative expectations among group members" that the social practice of communicative action entails.[261]

Benhabib argues that if moral autonomy is understood as ability developed in this discursive and reciprocal way, then it should also be clear that intimate and meaningful relationships are not precluded but rather seen as essential for the development of moral personality. The networks of relationships that the person is enmeshed in and the contingencies of personal life need not be abstracted from in order for the person to exhibit autonomy. And this, Benhabib argues, sets her account of moral autonomy and personhood apart from the one endorsed by the

[259] Benhabib, Seyla: *Situating the Self*, p 168.
[260] Benhabib, Seyla, op.cit., pp 163 f, 168 f.
[261] Benhabib, Seyla, op.cit., pp 31 f.

State of Nature-metaphor as well as Rawls' device of the Original Position.[262]

> My goal is to situate reason and the moral self more decisively in contexts of gender and community, while insisting upon the discursive power of individuals to challenge such situatedness in the name of universalistic principles, future identities and as yet undiscovered communities.[263]

That individuals are viewed as possessing the discursive power to challenge their situatedness is fundamental for Benhabib's account of the characteristics of persons, and the stipulation of persons' moral autonomy demands the assertion that they be capable of challenging, and even transcending, their 'native' discursive community. When Benhabib offers her version of a justification of human rights it is this ability for cross-border discursive engagement or communicative freedom that is the crucial component. She explicates it as the ability to accept or reject a view, standpoint or opinion on the basis of reasons offered to one. Human rights, Benhabib argues, and as was mentioned above, should be understood as norms that aim at protecting and sustaining the conditions needed for persons to exercise their communicative freedom. As moral beings, Benhabib claims, persons have a fundamental right to justification, which means that they ought to be restricted only by norms that are articulated in reciprocally and general way and so applies equally to all.[264]

The principles of Universal respect and Egalitarian reciprocity are similarly motivated by every persons' capacity for communicative freedom. Every agent that has the ability for action and speech should be recognized as a legitimate partner to conversations of justification. This amounts to universal respect for personal autonomy. As persons are endowed with these characteristics it should be clear, Benhabib contends, that they ought to be considered as equally entitled to respect and concern. This is what the discourse ethical principle of egalitarian reciprocity denotes. The principle explicates the right of persons to have their views listened to and to be addressed on the same terms as every other participant in the conversations of justification.[265] The focus on equal

[262] Benhabib, Seyla: *Situating the Self*, pp 50 f.
[263] Benhabib, Seyla, op.cit., p 8.
[264] Benhabib, Seyla: *The Rights of Others,* p 133.
[265] Benhabib, Seyla: *Situating the Self,* pp 30 f.

participation gives Benhabib's model an essentially egalitarian nature: institutions that warrant non-arbitrary and non-discriminatory treatment of persons are central for her theory of rights. And it is the ideas of personal autonomy and that persons have communicative freedom that found the claims that persons be considered as equally entitled to certain forms of treatment.

Here we can observe a difference concerning how Nussbaum and Benhabib respectively handle the topic of equality. Whereas Nussbaum in her model of human rights invokes the idea of threshold levels and argues that a certain social minimum is demanded by human dignity Benhabib emphasizes the principle of *equal* human dignity. Benhabib justifies her model of human rights by postulating the existence of certain abilities which make human beings entitled to equal treatment. However Benhabib is not explicit concerning what such non-discriminatory treatment of persons consists in besides showing the required respect for their rights to democratic participation. In this regards Nussbaum gives her idea of human dignity a more manifest articulation in terms of social and economic rights that persons are entitled to.

Another way in which Benhabib's reasoning differs from Nussbaum's is by the account of practical reason she offers. Benhabib argues that the notions of practical reasoning and moral judgment should be modified in accordance with the situated understanding of the self she suggests. By the view on the self 'situated' we also have the foundation for a revised view of how universally valid moral judgments can be contextualized. By thinking of the moral self as situated we could also imagine the kind of moral competency that would be necessary in order to perceive a situation, a dilemma, or a problem, according to its specific nature. Benhabib argues that this is central for implementing moral norms. It denotes an ability on part of the moral agent to judge what the relevant particulars involved in a certain situation are, and it is therefore essential when moral norm or judgment are applied to a specific context.[266]

In conclusion then, Benhabib argues that we need a conception of the moral self as situated, in different contexts of gender and community, whilst at the same time maintaining that persons have a discursive capacity that gives them potential to transcend and challenges these contexts. The individual is defined by its commitments to, and engagement in, different contexts but it is not bound to them in an exclusive

[266] Benhabib, Seyla: *Situating the Self*, pp 50 ff, 158 ff.

way. The notion of moral autonomy is vital since it gives acknowledgement of the idea of a potential universality in morality and encourages the person to adopt a reflective position vis-à-vis one's own, as well as others', moral traditions.[267]

Communicative ethics

Benhabib elaborates her theory of communicative ethics in dialogue primarily with Jürgen Habermas' version of discourse ethics. Within forms of discourse ethics it is generally claimed that the justification of a norm or some normative content should be conceived of as a process of deliberation wherein all those who would be affected by the norm(s) application have an equal say. This has been articulated as the discourse ethical principle (D) which stipulates that only those norms can claim to be valid that meet (or could meet) with the approval of all affected in their capacity as participants in a practical discourse.[268] Habermas formulates the principle of universalization (U), as a further criterion that every justified norm has to fulfill:

> All affected can accept the consequences and the side effects that [the norm's] general observance can be anticipated to have for the satisfaction of everyone's interests, and the consequences are preferred to those of known alternative possibilities for regulation.[269]

These are the criteria to be used to judge the inter-subjective validity of moral principles or norms of action, and therefore, universalized moral judgments are those that meet these conditions.

Benhabib directs critique towards Habermas' formulation of the universalizability procedure. She argues that 'D' together with the normative constraints of conversation, the principles of Universal respect and Egalitarian reciprocity, are the necessary components of a plausible account of the discursive justification of moral judgments.[270] Benhabib holds that 'U' is problematic as a condition of moral validity because it wrongly places focus on the outcome of the discourse. She argues that

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[267] Benhabib, Seyla: *The Rights of Others,* p 8.
[268] Habermas, Jürgen: *Moral Consciousness and Communicative Action*. MIT Press, Cambridge 1990, p 66, confer Benhabib, Seyla, *Situating the Self*, p 37.
[269] Habermas, Jürgen: *Moral Consciousness and Communicative Action,* p 65.
[270] Benhabib, Seyla: *Situating the Self*, p 37.

placing focus on the agreement a practical discourse might be able to yield distracts from that which is the crucial issue for discourse ethics. Namely the question of what conditions the conversation of justification must adhere to in order for us to be able to judge the norms and judgments it yields valid? It is the design and the rationality of the procedure of justification that is crucial in the test of whether a moral judgment is valid or not. The validity of moral judgments must be conceived of as dependent if they have come to be adopted as a result of a procedure in which all those affected by it were engaged as participants in a practical discourse. Benhabib expresses her critique against the principle of universalization 'U' as follows:

> The core intuition behind modern universalizability procedures is not that everybody could or would agree to the same set of principles, but that these principles have been adopted as a result of a procedure, whether of moral reasoning or of public debate, which we are ready to deem 'reasonable and fair'. It is not the *result* of the process of moral judgment alone that counts but the *process* for the attainment of such judgment which plays a role in its validity, and I would say, moral worth.[271]

In this ideal process, one that we would 'deem fair and reasonable', for testing the intersubjective validity of moral judgments the 'normative constraints of argument', i.e. the principles of universal respect and egalitarian reciprocity, are essential. They are the conditions that the 'processual generation of reasonable agreement about moral principles' must instantiate.[272] Benhabib's model for the justification of moral judgments thus incorporates conditions that have a clear normative character. She herself identifies and discusses objections that might reasonably be directed against a theory of justification such as hers. One such objection maintains that it is an example of a form of fundamental reasoning as it seemingly operates with a set of grounding norms which hold a form of validity that cannot, or need not, be established discursively. Another claim is that arguments typically used to justify such foundational norms are circular: the theory actually presupposes that which it is supposed show. In relation to this invocation Benhabib remarks that procedures can be designed to yield a number of different

[271] Benhabib, Seyla: *Situating the Self*, p 37.
[272] Benhabib, Seyla, op.cit., p 37.

outcomes. She claims to be aware of the fact that a discursive justification of norms could therefore be viewed as an example of this. That is, a theorist might accomplish designing a procedure that stands forth as a coherent but that comprises principles which hold such general or minimal nature that the model could actually be invoked in defense of conflicting of moral norms.[273]

Benhabib's response to these objections is that the principles of Universal respect and Egalitarian reciprocity be understood as counter-factual ideals that are implicit in structures of communicative action.[274] They are an explication of the normative content of the rules that govern argument, and she further argues that the interpretation of their 'content' can only be done from within the 'normative hermeneutic horizon of modernity'.[275] The way to conduct this explication and to show that it does offer a plausible interpretation of what intersubjective validity means is by a process of reflective equilibrium, Benhabib contends. In this process our moral intuitions are rendered apparent and subsequently judged against different philosophical principles. However, both our moral intuitions and philosophical principles are inevitably shaped by the horizon of understanding that the culture of modernity makes up.[276] Benhabib therefore argues that the justification of discourse ethics depends on the development of a post-conventional mode of moral reasoning. Indicative for such moral reasoning is at least three things: it presupposes a differentiation between fact and value, a reflexive questioning of ways of life and norms and the assertion that the moral community has the potential to extend as far as discursive engagement between persons goes.[277]

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[273] Benhabib, Seyla: *Situating the Self*, pp 28 f.
[274] Benhabib, Seyla, op.cit., p 50.
[275] Benhabib, Seyla, op.cit., p 30.
[276] With modernity, argues Benhabib, comes the rendering of the spheres of legality, morality and ethical life as separated from each other. Discourse ethics first and foremost applies to the sphere of morality, formulating conditions for moral co-existence in pluralistic value-differentiated societies. Benhabib, Seyla, op.cit., pp 46 f.
[277] Another difference is closely related to how the moral community is imagined and pertains to the kinds of arguments that one may give in defending a certain normative conception. In a postconventional moral system it is not sufficient to make moral claims with the argument that they adhere to a shared way of life, a way of life that is argued to be better than other alternative life forms with the simple reference that it is one's own. Moral claims must follow the lines of discursive justification where one with grounds acceptable to all attempts to show why a certain conception should yield acceptance by all. Benhabib, Seyla, op.cit., pp 40 f.

By invoking the idea of a reflective equilibrium Benhabib argues that she is able to relate to the idea of a fair debate implicit in the notion of a 'reasonable agreement'. However, she also reports that essential for her model is the insight, which comes from social action theory, that we as human beings are socialized into structures of communicative action by being met with respect and the expectation that we reciprocate vis-à-vis the community around us. It in is this way, by invoking several different arguments that all support each other that the principles of Universal respect and Egalitarian reciprocity can be defended according to Benhabib. The resulting 'equilibrium' should be conceived of as a "thick description of the moral presuppositions of modernity."[278] She contends that her account of moral justification cannot be considered 'philosophical neutral'. As philosophical theory it is informed by different epistemological, psychological and historical assumptions concerning the characteristics of ethical life, assumptions that are all part of the horizon of modernity. Benhabib asserts that as a theory of moral validity it does favor "a secular, universalist, reflexive culture in which debate, articulation and contention about value questions […] have become a way of life…"[279]

Even though it cannot be described as neutral, Benhabib argues that her version of discourse ethics is not viciously circular or fundamentalist since it is radically reflexive, meaning that even the normative constraints of discourses – the principles of universal respect and egalitarian reciprocity – can be challenged within the moral conversation. However, to perform such discursive testing of their validity, Benhabib points out, one needs momentarily accept these conditions as binding. If one wishes to criticize the normative principles that governs the practical conversation the legitimate way to do so is by engaging in discourse with others and seek to convince the conversation partners that these norms are impermissible. And Benhabib also points out, in the effort to convince reasons of a certain kind are key: the must address those intended to be persuaded and also be found sound by the very same group.[280]

[278] Benhabib, Seyla: *Situating the Self*, p 30.
[279] Benhabib, Seyla, op.cit., p 42.
[280] Benhabib, Seyla, op.cit., pp 32 f, 42 f.

In terms of ethical theory Benhabib maintains that her version of discourse ethics is a form of ethical cognitivism and states this in the following way:

> By 'ethical cognitivism' I understand the view that ethical judgments and principles have a cognitively articulable kernel and that they are neither mere statements of preference nor mere statements of taste.[281]

Benhabib argues that ethical cognitivism is a position that stands in opposition to that which she calls ethical decisionism and ethical emotivism. Moral judgments are not reducible to personal attitudes or emotional dispositions. Rather they ought to be conceived of as validity claims that the person or group that utter them also are ready to supply with justificatory arguments. We might recall that Benhabib endorses a form of epistemological universalism that asserts the possibility of universal rational moral discourse.

However, Benhabib reports to also be critical towards the stance she calls 'ethical rationalism'. This denotes a view on morality as essentially equivalent with rational considerations about justice and other topics they are central for the public sphere of society. By viewing the self as essentially situated Benhabib claims that she challenges the conception of rationality as something formal and thus autonomous vis-à-vis context. A problem with this form of reasoning is that it has maintained a narrow view on the topics that we can and should form moral judgments about. Focus for normative ethical models in the tradition of ethical rationalism has been issues of the public life, i.e. justice of different arrangements and relations in the official spheres of society.[282]
As I have defined the term 'ethical cognitivism' it denotes an ethical theoretical position in which it is asserted that moral judgments are matters that pertains to questions of truth and knowledge. Therefore proponents of cognitivism hold that moral judgments are either true or false. Whether Benhabib's model of communicative ethics is really expressive of a form of ethical cognitivism can be discussed. Benhabib does

[281] Benhabib, Seyla: *Situating the Self*, p 49.
[282] Benhabib argues that this has contributed to a situation where the deontological theories that historically have been expressive of forms of ethical rationalism, have neglected the topics of moral character and the feelings. And in addition they have been distracted from the intimate and personal relations that are characteristic for familial life and activities of caring and nurturing in the so called private sphere. Benhabib, Seyla, op.cit., pp 50 f, 72 f.

not perform an explicit discussion regarding the nature of norms, principles or values. The closest to a statement concerning the nature of the meta-norms of discourse and the discourse ethical principle 'D' that I have found in her reasoning are that they should be viewed as placing 'substantive limitation on our intellectual intuition'.[283] And it is in this way that they could be understood as necessary but insufficient criteria of universal validity of moral judgments. She does not mention explicitly that they should also be understood as criterion for truth. But given the line of argumentation Benhabib offers in defense of epistemological universalism it seems reasonable to assume that her model relates to a form of ethical cognitivism that asserts that moral judgments have truth-value.

Cosmopolitan federalism - pro et contra

Benhabib makes a reading of the international political landscape which shows awareness of the problems that persons as well as states face in a globalized world. Her analysis of the political-juridical framework of human rights is poignant and has the merit of clearly addressing the question of how structures of legitimacy are influenced by the various processes of globalization. However, her model for a global ethic does not directly target the economic circumstances which globalization makes present. It is unfortunate that in her reasoning, Benhabib chooses to abstain from discussions of global distributions of resources. It is my opinion that the argument that migration is a persistent feature of a globalized world and that it needs to be handled in the framework of an international human rights-system would only benefit from the inclusion of an analysis of the different economic conditions that prevails in the global community.

Although her argument regarding democratic norms and principles and legitimate forms of governance is both well-formulated and astute, her model of cosmopolitan federalism does not comprise an explicit idea of global institutions. Benhabib presents us with a persuasive notion of political legitimacy, and the forms of participation it requires. But the model of deliberative democracy is weak concerning social and economic institutions and does not really discuss the ways in which they either hinder or encourage citizens' democratic commitments.

[283] Benhabib, Seyla: *Situating the Self*, p 36.

However, it may be regarded as an advantage that her model of cosmopolitanism does not specify how the various political communities should model their institutions, and this view is actuated by the worry that the search for common solutions would end up preempting the kind of decision-making that needs to be performed by the democratic community. In such a scenario, the cosmopolitan ambition ends up impelling a form of overdetermination towards the democratic societies. This being said, I still think that we need to consider and also try to be somewhat concrete regarding platforms or forums for legitimate political communication in the global arena.

Together, this means that Benhabib's model stands forth as relevant on account of the plausible depiction it presents of political globalization and the moral challenges which we face in a world marked by global migration and constant movements of people. The criterion of relevance also argues that a tenable global ethic should make some suggestions for viable global institutions and indicate the kind of political initiatives that the various global processes make necessary. Global hierarchies of power and dominative relations in the international arena necessitates efforts to change the current (mis)distribution of financial resources. As it is, Benhabib's model lacks a vision about how states are to structurally coordinate their dealings and institutionally relate to one another in the global community. Benhabib's 'democratic iterations' are interesting as a theoretical explication of how the democratic community interprets and appropriates the universal human rights, but offer less guidance when it comes to the question of how to organize global political communication and initiatives.

A problem with her model of human rights is the restricted focus that it gives to rights other than basic political and civil liberties. The ideal of human equity constitutes the hub of Benhabib's reasoning, however her model is unclear concerning the kind of social arrangements which the assertion that we should treat persons as moral ends, requires. Another way of putting this is that the focus on persons as participants in discursive practices, is not accompanied by an idea of necessary social and material distribution. However the suggestion Benhabib makes for a human right to political membership is convincing and the idea that persons' equal human dignity makes demands for democratic inclusion is a central moral insight.

In contrast to Nussbaum whose view of human beings tended towards affirming a basic human essence, Benhabib's exposition of the

characteristics of human existence proceeds from an explicit recognition of diversity and plurality. Benhabib offers a persuasive view on how the self is situated in different contexts and argues that persons' identities are socially constituted. The ideas of personal autonomy and freedom are central in Benhabib's view of human beings. Both her view of human beings and the model of rights she presents are explicative of the idea that it is individuals which are the principal subjects of, as well as objects for, normative reasoning. However, the human capacity for communicative freedom that she suggest is based on a notion of freedom that stems from an essentially Western worldview.

In contrast with Nussbaum's capabilities approach, Benhabib's model for a global ethic includes an articulate ethical theoretical discussion about the validity or moral norms and principles. By her account of moral reasoning as necessarily marked by both human difference and situatedness, Benhabib offers a plausible alternative to the rationalism associated with Enlightenment. She illustrates practical reason as clearly related to the context where the moral subject is located, and so argues that rational deliberation inevitably transpires in a certain historical and cultural setting. She also offers a plausible argument of the way that the perspective of the concrete and the generalized other should both be present in an explanation of what it means to assume 'the moral point of view'.

Benhabib calls upon the 'meta-norms' of universal respect and egalitarian reciprocity to justify her model of communicative ethics. These were presented as principles that postulate that all participants in practical discourses should be treated with respect and have equal rights to shape the form and substance of the conversation. Thus, they are clearly normative in kind. However cogent these principles might be, it is problematic that their justification is basically circular. I maintain that an ethical theory should not be so articulated that its account of justification presupposes the kind of normative principles that it is meant to elucidate and evaluate. Benhabib discards Habermas' idea of rational consensus as a necessary condition for justified moral judgments, and I also remarked that Benhabib does not provide any alternative criteria for moral justification. This means that her version of epistemological universalism does not expound conditions that moral judgments would have to fulfill in order to be considered justified.

Benhabib makes a convincing argument contending that in political discussions we ought to keep the agenda of discussion radically open.

She also presents a plausible viewpoint arguing that we acknowledge the radically contentious nature of moral issues, and that persons' conflict in their views on just what it is that constitutes subjects suitable for moral discussion.

These are essential insights for a global ethic that seeks to be communicable, as it makes the contention that in political discussions around contentious issues, we endeavor to make clear to each other the different premises on which our interpretations of these issues centrally rest. It is important that we patently acknowledge that our interpretations of what kind of issue we have at hand very often conflict. Respect and reciprocity stand forth as essential values and competencies for the moral conversation. However to me it seems as if these are norms whose centrality we will constantly have to defend, whatever universality they might hold will thus have to be constantly tested and re-appropriated in new practical discourses. I find it doubtful that reasons which would amount to their 'universal' justification could be articulated, and therefore question the plausibility of the assertion Benhabib makes that these norms could only be defended in the framework of a version of epistemological universalism.

Having analyzed the version of a global ethic that Benhabib advocates, I turn to the model of global common goods and rooted cosmopolitanism that moral theologian David Hollenbach elaborates. I have indicated several problems with the ethical theory that is related to Benhabib's model. Hollenbach elaborates a position which he calls 'dialogical universalism'; this is a modified version of the natural-law tradition and it suggests that practical reason is a product of a certain historic and cultural context. To a greater degree than the universalistic positions encountered this far, it asserts that traditions engage in practical reasoning in different ways. As a theologian, Hollenbach is inspired by the philosophical tradition of personalism. Both his view of human beings and his model of rights are formed by insights from communitarianism. His ideas of common goods and justice as social solidarity clearly attest to this influence, Hollenbach offers an interesting model for human rights, one in which they are interpreted as the conditions which enable social participation.

So far this study has analyzed models for global ethics suggested by two political philosophers. In the next two chapters it is models put forth by theologians which are reviewed. A central question of this study regards the contributions that theology makes to the discussion on global

ethics. Are there special resources within the theological traditions which can aid global ethical reflection?

Chapter 4

The Common Good in a Global Community

In this chapter I present David Hollenbach's model for global ethics. The analysis focuses primarily on his position as it is articulated in the monographs *The Common Good and Christian Ethics* and *The Global Face of Public* Faith. I have also studied Hollenbach's contributions to the anthologies *Refugee Rights: Ethics Advocacy, and Africa* (2008) and *Driven from Home: Protecting the Rights of Forced Migrants* (2010). These texts offer valuable insights regarding how Hollenbach applies his normative position to the issue of migration and refugee rights.

Hollenbach is a theological thinker within the Catholic tradition and the influence from this intellectual tradition is also clearly discernable in his political philosophical thinking and the model of social ethics that he advocates. Over the years he has been actively engaged in political discussions arguing that a more just economic order is needed in the US as well as in the global arena. In 1986 Hollenbach was one of the authors to the pastoral letter issued by the Catholic bishops in the United States named *Economic Justice for All*.[284] Furthermore, he contributed substantially to the anthology *Catholicism and Liberalism* (1994).[285]Although interesting as examples of his engagement with the issues of social justice and rights, these texts are not focused in my anal-

[284] *Economic Justice for All: Catholic Social Teaching and the U.S. Economy.* United States Conference of Catholic Bishops, Washington, D.C 1986.
[285] "A Communitarian Reconstruction of Human Rights" and "Afterword: A Community of Freedom." in Douglass, R. Bruce & Hollenbach, David (eds.): *Catholicism and Liberalism: Contributions to American Public Philosophy*. Cambridge University Press, Cambridge 1994.

ysis of Hollenbach's global ethic. Hollenbach have continuously defended a view of human rights which he argues can counterweight its liberalistic heritage. In his later writings Hollenbach clearly engages in the discussion of how to deal with the rights of refugees and migrants, and the forms of predicament they suffer. As we shall see Hollenbach also challenges the idea of states as absolutely sovereign entities.

Central in Hollenbach's reasoning the idea that globalization decreases the importance of spatial distance as it makes people all over the world dependent on each other. The changes that we see occurring in economics, politics, and culture provide impetus for a global ethic. In order to respond to the new global situation ethical reasoning should place primary focus on the question of how we can achieve the common good, Hollenbach argues. The global ethics he proposes centers on the idea of the possibility of articulating a "clear vision of the common good for the whole human race".[286] Hollenbach approaches the moral challenges of globalization by a version of natural law-reasoning and argues for the need of a cosmopolitan moral position.

The social ethical model that Hollenbach elaborates, incorporates a conception of justice that primarily focuses on the issue of how participation in the intrinsically valuable activities of society can be made a real opportunity for all its members. A good society is one in which citizens relate to each other in a spirit of solidarity. To attain such solidarity we need both a re-conceptualization of society and a new kind of "public philosophy", one that acknowledges the intrinsic value of relationships and that incorporates a notion of the goods that can only be accomplished within community. This idea of justice as social solidarity also informs his model for global ethics. Hollenbach argues that global justice demands universal safeguarding of human rights, and human rights, he asserts, should be understood as the justified claim on the part of every human being to be assured the basic means for participation in society. These are moral claims which are directed to humanity at large and they are thus not confined by national boundaries. It is essential for Hollenbach that the model he suggests is be able to communicate with theological ethics and political philosophy alike.

In this chapter I start by presenting Hollenbach's view on globalization, I identify that problems he argues come as consequences of the new forms of global dependencies. Thereafter I continue by analyzing

[286] Hollenbach, David: *The Global Face of Public Faith: Politics, Human Rights, and Christian Ethics*. Georgetown University Press, Washington, D.C 2003.

the conception of global justice and the theory of human rights he suggests. As in the previous chapter I devote one section each to the universalistic position, the view of human beings and the ethical theory that are related to his normative position.

Global interdependencies

Hollenbach argues that we can witness 'de facto' interdependencies evolving amongst different communities with the effect of creating and consolidating a complex network of relations in the global arena. Such interdependencies are manifested in the form of increased transnational interaction in economics and politics, but also in discussions and cooperation around issues that relate to the physical environment such as climate change and global health. What we face is thus a new reality of global interconnectedness, Hollenbach contends, and these changes in the make-up of the world shifts focus from a national to a global level or dimension.[287] Globalization should be understood as a "multi-dimensional reality" which urges different societies to respond and even adapt their actions in all the aforementioned spheres of activity. These are the central features of a global reality; a global economy, an awareness of the fact of the way in which the physical environment is globally shared, with some associated efforts to jointly respond to the issues this situation gives rise to, and thus also an international political landscape that undergoes great revisions.[288]

The alterations in relations and activities in all these spheres pose challenges to ethical reflection in that they create possibilities for transnational cooperation so that shared goods can be attained. But also, Hollenbach argues, because they make apparent that people all over the world are connected to each other by sharing a common future or fate.[289] These relations ought therefore to be conceived of, Hollenbach claims,

[287] Hollenbach acknowledges that he is much influenced by David Held and the way he interprets globalization as a process operative in economics, politics and culture. Hollenbach, David: *The Common Good and Christian Ethics*. Cambridge University Press, Cambridge 2002, p 213.
[288] Hollenbach, David, op.cit., pp 214 ff.
[289] Hollenbach makes reference to Held's concept of 'overlapping communities of fate' and points to the way the global nature of environmental issues relativizes the role of geographic distance and 'place' has become a fluent concept in relation to these concerns. Hollenbach, David, op.cit., p 216.

as establishing global 'networks of dependence'. These harbor great opportunities for developing and sustaining the 'common good', but they also make peoples and countries vulnerable to the risk of suffering 'common bads'.[290] However, both apprehension and attitudes towards these forms of de facto interdependencies is commonly enough obscured by a felt tension between a perceived national interest and forces of globalization. Hollenbach argues that this becomes apparent when one scrutinizes the appeals made by both national labor unions and international workers associations for protection of national job markets. What is missing in their description of the situation is an account of the ways in which global patterns of trade and finance impact on the acting space of the large employers in the domestic scene, Hollenbach contends. Thus they fail to recognize that there is no real option of protection, or retreat, available to any one nation state in a globalized world. This leads Hollenbach to assert that the notion of 'national interest' becomes increasingly incoherent in a context of global processes.[291]

In Hollenbach's characterization of globalization the alterations in patters of global economic activity are central, and he also holds that many of the phenomena that we can witness in the global arena are related in crucial ways to the workings of the global economy.[292] Economic globalization is portrayed as the collection of processes whereby finance, trade and capital increasingly defies national borders, so that the conditions of national economies come to depend on the global financial market. It is important to note, Hollenbach contends, that these changes in the economic order whereby trade and financial interaction have become increasingly global have been accompanied by a trend of "increased poverty and increased inequality in developing countries, especially in Africa".[293] It is also obvious, he argues that in the integrated global economy countries have very different positions, both in terms of possibilities for participation, and in the distribution of power and resources.

What we have in the present then is, an international economic order where, short of democratic institutions on the global level, the major intergovernmental institutions and companies now set the terms of the global economy. Presently it is the case that very few of those whose

[290] Hollenbach, David: *The Common Good and Christian Ethics,* pp 56, 213.
[291] Hollenbach, David, op,cit., pp 51 ff.
[292] See the chapter "Christian Social Ethics after the Cold War" in Hollenbach, David: *The Global Face of Public Faith,* pp 195-214.
[293] Hollenbach, David: *The Common Good and Christian Ethics,* p 214.

interests are affected by the global market have representation in the bodies that through their decisions and actions are responsible both for creating and sustaining such a system. And this, Hollenbach contends, amounts to a situation where global capital and resources are effectively being controlled by a very small portion of the world's inhabitants.[294]

This also gives that interdependence is not properly reflected in actual decision-making in the global arena, and Hollenbach argues that lack of reciprocity in the global networks constitutes examples of common 'bads'. Such lack of reciprocity is notable in the world economy, and vast hindrances exist for the integration of all in the global trade and financial exchanges. Hollenbach argues that the structural adjustment programs issued by IMF and the World Bank as part of the necessary conditions for receiving international loans have had dire consequences for the populations of many developing countries. The policies of these programs have not put enough focus on the social and economic rights of people in developing countries. Rather, they are founded on an overly optimistic view about the positive effects liberalizing different national markets would have for the wellbeing of citizens. Hollenbach argues that the implementation of the economic policies that the programs prescribed has contributed to a situation in which people are effectively being excluded from participation on fair terms in economic activity and cooperation in the global arena.[295]

Thus, in the present economic marginalization of many persons and countries is a fact and the growth of a global market means amplified inequality in the global community. These circumstances make Hollenbach suggest that revision of current policies and structures for support of social development is needed, establishing democratic institutions and ensuring that people are assured civil-political rights are essential but will not be enough to enhance their wellbeing. They must be accompanied by efforts to secure that persons have their material and social needs met.[296] Hollenbach's view on the shortcomings of the current international economic system can further be apprehended by turning to the critical discussion he conducts about the different economic systems and their respective advantages and limitations. By reiterating the critical exclamations against the global economic system that Pope John Paul II made in his 1991 encyclical *Centesimus Annus*, Hollenbach

[294] Hollenbach, David: *The Common Good and Christian Ethics*, pp 214 f.
[295] Hollenbach, David, op.cit., pp 214 f, 223.
[296] Hollenbach, David: *The Global Face of Public Faith*, p 225-227.

seems to be giving concession to a view of the market economic system as incapable in itself of guaranteeing that the basic requirements of human dignity are met.[297]

This shortcoming of the free market system is apparent on both a national and a global level, just as unrestricted market forces in the national setting will lead to the marginalization of some, a global economy based on an unrestrained market is not adequate to secure that opportunities for wellbeing are fairly distributed.[298] It seems as if Hollenbach maintains that the major problems of the global economic system stem from the premiered position that neoliberal market ideology holds in global economic-political deliberations. [299]Any economy, whether national, regional or global, built on the premises of an unrestricted market is inadequate, Hollenbach contends, but a further dimension to the problem exists in the global arena as the political institutions needed to counter morally impermissible mechanisms of the market are missing, or are underdeveloped. Economic globalization as a phenomenon makes apparent the fact of global political interrelatedness. When countries become progressively connected in a common global economic order it becomes apparent that the idea that a nation holds power over all activities, including economic activity, on its territory corresponds poorly to the reality of global interdependencies that has emerged over the last couple of decades.

Another form of interrelatedness, that Hollenbach argues is significant for globalization, is apparent in the problems of environmental degradation and spread of infectious diseases throughout the world. These problems make it clear that we inhabit a global society in which we face common threats to wellbeing, as the effects of our actions proliferate throughout the world and make human beings in all nations face a shared future of uncertainty and risk. This is yet another way, Hollenbach argues, that both the descriptive and the normative value of the

[297] Hollenbach deals extensively with the way this encyclical posits the challenges of the world political and economic order after the fall of the Soviet Union, and especially on page 209 where the 'social-market economy' is presented as the economic system preferred by the Pope in *Centesimus Annus*. Hollenbach, David: *The Global Face of Public Faith*, pp 195-214.
[298] Hollenbach, David: *The Common Good and Christian Ethics*, pp 54, 213.
[299] Expressions of this view can be found at various times in Hollenbach's writing, one example is found in his discussion on social-economic rights in relation to market economy in Hollenbach, David: *The Global Face of Public Faith*, pp 218-229.

term 'national interest' is diminished, as it becomes increasingly inadequate in accounting for all the variables relevant in the good life of citizens in any state today.[300]

Hollenbach therefore claims that when faced with this new reality, it stands forth as utterly implausible to defend a worldview where nations are seen as territorially separated entities conducting their affairs irrespective of the undertakings of others. That the world is becoming politically interrelated has its primary expression in the establishment of an international human rights regime and challenges the idea of sovereign nation states as the only relevant political actors in the global arena. Even if these changes in the international discourse and relations are genuinely novel in that they are the product of the political landscape that emerged post-World War Two, they also make apparent that which has always been the case, namely that it is reasonable to view the world as one moral community Hollenbach contends. The discourse and rhetoric about human rights make manifest the idea that human beings ought first and foremost be members in the community that humanity at large make up, and that this membership holds greater significance than their citizenship in any one nation.[301]

Human rights then, act as normative standards in the discourse and action of transnational networks, consisting of both governments and NGO's, as the activities of nation states are increasingly being submitted to them. As we will see Hollenbach argues that his theory of global justice as human rights supports the principle expounding a "responsibility to protect", that when applied, might mean that the sovereignty of a state is circumscribed for humanitarian reasons. This means that human rights discourse is invoked to legitimize circumscriptions of states' absolute political authority, and Hollenbach names this a 'legal-political' challenge to state sovereignty.[302] Hollenbach argues that the fates of so-called displaced persons also show the limitations of the present legal-political order. These are persons, who for different reasons, have been forced to leave their homes, but as migration has been confined to movement within the borders of their country, they have not crossed an international border and fail to qualify to be considered as either refugee or asylum-seeker according to the standard enunciated in the UN con-

[300] Hollenbach, David: *The Common Good and Christian Ethics*, p 216.
[301] Hollenbach, David, op.cit., p 219.
[302] Hollenbach, David, op.cit., p 218.

vention and protocol relating to the status of refugees. Hollenbach appoints the situation of these persons as particularly exposed, as the source of their destitution is commonly enough traceable to the activities of the government supposed to guarantee the securement of their human rights. Responding to their need is an urgent task for a global ethic Hollenbach asserts.[303]

Although Hollenbach sees many advantages with the human rights paradigm making inroads in international politics he is also explicitly critical towards that which he argues is an expression of Western bias in the discourse and practice surrounding them. This has meant a one-sided focus on the political and civil rights enumerated in the Universal Declaration at times. This, argues Hollenbach, has had the effect that socio-economic rights has not received due attention in international political deliberations on development and aid.[304]

A mind-set where freedom is understood as non-interference and respect for privacy has been shaping the 'public philosophy' of American culture and life over the last coupe decades and has also influenced the rights discourse. Hollenbach argues that the common response to the cultural and religious pluralism of present times has been an attitude which he calls an 'ethos of live and let live'. In both these stances we find the view, either implicit or explicit, that persons are solely responsible for their personal wellbeing.[305] Pluralism is a feature of modern societies and should be respected, Hollenbach contends, however it should not be taken as pretext for an uncritical acceptance of social stratification. In a pluralistic global world people are inevitably tied together, and as relations stretch across religious, cultural, ethnic and national boundaries, moral responsibility has to be reconceived accordingly. Hollenbach argues that the human rights project "stretches cultural understandings of the scope of moral responsibility."[306]

In conclusion then he argues that the depictions of the world order prevalent in versions of political and international realism are challenged by 'de facto' changes. In distinction to Nussbaum, Hollenbach's

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[303] Hollenbach, David (ed.): *Refugee Rights: Ethics, Advocacy, and Africa.* Georgetown University Press, Washington, D.C 2008, pp 185 f.
[304] Hollenbach, David: *The Global Face of Public Faith*, p 251.
[305] As an example of a thinker who endorses such a stance, Hollenbach lists Richard Rorty and the way in which he forfeits a "mood of irony as the mark of a liberal culture that has learned not to take itself and its hopes to seriously." Hollenbach, David, op.cit., p 43.
[306] Hollenbach, David: *The Common Good and Christian Ethics*, p 216.

account of globalization focuses not just on economy but also on the political consequences that global integration has. In contrast to Benhabib, Hollenbach pairs his analysis of political implications with a review of the economic import of globalization. He envisions the international arena as indicative of an intricate network of interdependences and argues that it should be viewed as a global *community* in the making. The conception of justice which he argues is appropriate for such a global society, and the theory of human rights he advocates, proceed from these assumptions about the global world.

The common good and social justice

Having traced the way Hollenbach understands globalization and the main moral implications this phenomenon present us with in the above, I turn in this section to the way he articulates a normative answer to these issues in the form of a theory of global justice as human rights. Hollenbach argues that the appropriateness of holding the interactions taking place in the global arena to norms of justice centers on several assumptions, and a central one is his conception of justice as social solidarity.

If a more just society is to be achieved, Hollenbach argues, "commitment to an inclusive understanding of the common good" will be necessary. This means that if a society is to uphold the ideal of social justice it will have to be committed to granting its members as extensive freedom as possible while simultaneously seeing to it that every citizen has possibilities for participating in the common good.[307] Hollenbach proposes what he calls a participatory understanding of social justice and states that he envisions personal freedom and social solidarity as fundamentally compatible notions. The conception of justice that he elaborates diverges from both Rawls' political conception of justice and such theories of justice which focus primarily on the ideal of formal equality between citizens. Rather it shows central similarities with the reasoning of thinkers within the communitarian tradition.[308]

Justice is held to be part of the common good that society is capable of. Solidarity, Hollenbach argues, is an appropriate value by which to

[307] Hollenbach, David: *The Common Good and Christian Ethics*, p 96.
[308] Hollenbach claims that his and Michael Walzer's conceptions show central similarities.

judge the morality of the different relations and arrangements existing in societies.[309] Social solidarity can be achieved to greater or lesser extent within different levels of society, and permits multiple interpretations depending on the nature of the institution to which it is applied. Personal freedom is in turn contingent on institutional arrangements based on the ideal of social solidarity as participation in community is a precondition of subjectivity and personality. This claim about the social nature of human subjectivity is telling of the personalistic understanding of human beings which he endorses, and it forms one of the central presuppositions in his argument about the kind of social arrangements that are needed if a community is to embody the ideal of justice.

When Hollenbach invokes the concept of social solidarity, he does so in order to argue that viable communal life is dependent on society's members coming to view each other as contributors to the achievement of a set of valuable states of affairs, which by their nature are such that they cannot be achieved by individuals acting in solitude. The variety of goods that can be achieved in society should therefore be viewed as common goods, meaning that they are both held in common and that the distinction often made in 'liberalistic' theories between individual and public goods does not adequately account for the condition that the good of individuals are, in central regards, interrelated with the good of community. Hollenbach argues that true self-determination on the part of individuals is possible first in communion with others, thus freedom and autonomy for the person is attainable only within a community which searches for a kind of shared freedom.[310]

Part of his conception of justice is also the claim that a certain measure of material and social goods will have to be granted to each member of society in order to meet the demands of the ideals of shared freedom and communal self-determination. It expounds the intuition that if large differences in the distribution of such goods are allowed within a society, people will have very unequal chances for participation in different forms of social cooperation. It will therefore amount to a situation in which people are not being treated as actual or real participants in society, as their lack of resources make them less capable of contributing to

[309] Hollenbach, David: *The Common Good and Christian Ethics*, p 191.
[310] Hollenbach, David, op.cit., p 83.

the common good of a society. They become marginalized, as opportunities for participation in societal life are not really available to them.[311] In view of this, Hollenbach contends, we need to embrace a participatory conception of justice, which is one that holds that both schemes of distribution and contribution are essential for the realization of just social arrangements.[312] Such a conception proceeds from the assumption that in order to be able to contribute to the common good, citizens need to have basic social and material conditions ensured, otherwise the person cannot participate in society's life, economy and politics in ways that honor their human dignity. If all society's members are to be granted the opportunity to participate in and so contribute to the productive activities of society, then capital, both economic and social, needed for such participation will have to be distributed more evenly than is the case in most capitalistic societies today. Hollenbach does not argue in favor of an egalitarian distribution of goods, instead he argues for the adoption of a 'standard of proportional equality'.[313] He puts the argument for this standard in the following way:

> Those who contribute more to the common good can justly expect to benefit from it to a greater degree. But social justice requires more than quid pro quo. It also calls for all members of society to be treated in accord with their dignity as members of a human community. This means recognizing that the ability to contribute is significantly shaped by the structures of community interdependence.[314]

This makes strong claims on the societal institutions needed to secure the basic human dignity Hollenbach argues, and they should be arranged in such a way that participation in society becomes a real possibility. And they ought to be designed in ways that corresponds to the fact that personal freedom and self-determination are attainable only in the context of a wider freedom, one that is shared with other. Hollen-

[311] Hollenbach discusses the causes of inner-city poverty in urban areas in the United States. He argues that the deprivations individuals suffer must be seen in relation to the economic system and larger institutions of society, divisions along lines the lines of different social classes contribute to a situation of effective isolation of those who exist at the bottom of the social hierarchy. Hollenbach, David: *The Common Good and Christian Ethics*, pp 174 ff.
[312] Hollenbach, David, op.cit., pp 196 f.
[313] Hollenbach, David, op.cit., p 202.
[314] Hollenbach, David, op.cit., p 202.

bach argues that the design of society's basic institutions should respond to this basic fact about genuine human freedom, this then means that it is the degree to which they enable participation in the common good that is determinative for whether they ought to be judged just. Central in a conception of social justice is then the shape of institutions or the 'social framework' and they play a decisive role for the embodiment of the ideal of social solidarity.[315]

Taken together, this gives that Hollenbach is seeking to defend an idea of justice which primarily centers on the ideal of social participation, and where participation denotes the active engagement by citizens in a wide range of society's spheres. It is obvious that Hollenbach envisions a clear link between citizen's effective exercise of their political and democratic freedoms and the social and economic conditions that prevail in different segments of society.[316] Active participation by citizens in the public life is both an essential part of and crucial to the pursuit of common goods, Hollenbach argues, and democratic self-determination as a form of governance demands certain levels of 'social capital', enacted as relations of trust and mutuality between citizens.[317] The pursuit of common goods is needed to confront that which Hollenbach names the public philosophy backed by an 'ethos of live and let live', and that premieres toleration but arguably neglects the importance of social participation and relations of solidarity between citizens. Therefore, Hollenbach claims, society and the meaning of social cooperation therein should be re-conceptualized according to the idea of common goods. Viable social visions for a modern and pluralistic society should be articulated in ways that respects personal and democratic freedom while urging for greater measures of solidarity and mutuality in the life of community.[318]

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[315] Hollenbach states this as follows "For social justice to become a reality, however, the social framework that enables individuals to contribute to and benefit from these community attainments must themselves be just. The "subject" of social justice, therefore, is the major institutions that enhance or impede people's participation in creating and benefitting from the common good." Hollenbach, David: *The Common Good and Christian Ethics*, p 201.

[316] Hollenbach discusses the important role that churches can have in fostering so called civic virtues, in the line of argument that precedes this assertion Hollenbach argues that the development of skills necessary for active political participation are clearly dependent on factors such as social class, level of education, income etc. Hollenbach, David, op.cit., pp 103 f.

[317] Hollenbach, David, op.cit., pp 100 f.

[318] Hollenbach claims that 'solidarity' constitutes a normative standard and argues that it will have to be adopted to challenge the 'self-protective wariness' of "an ethic that

In the joint political effort to articulate such an alternative vision religions, especially the Christian traditions of the common good, have special contributions to make. The challenge from theology comes in several forms, Hollenbach argues. For one thing, it disputes a stance in which it is argued that religion and religious discourse must be kept away from political deliberations in a liberal democracy. But the theological tradition that expounds the notion of common goods also challenges proclamations about the community of the faithful needing to distance itself from its surrounding society. A vision of society as the venue for the joint search and attainment of common goods thus challenges theological and religious notions of both otherworldliness and sectarianism.[319] The contribution religions can make is primarily that of offering alternative visions or perspectives. For example, for social solidarity to stand forth as a plausible alternative for political decisions, change in cultural perspectives have to occur so that mutuality and reciprocity becomes guiding values in public deliberations. Hollenbach claims that religious communities possess motivational resources essential for such public change of attitude.

The alternative depiction of society Hollenbach argues is needed in order to achieve greater justice, should challenge the individualistic view where the relationships linking citizens to together are described in terms of either 'mutual benefit' or 'tolerance'.[320] Hollenbach argues that respect is an important value that ought to guide citizens in their dealings with each other, and in a democratic society different understandings of the good life must be able to co-exist. However, Hollenbach claims, the assertions he makes about respect for pluralism should be conceived of as denoting something different from 'mere tolerance of difference'. A modern common good-approach should be able to show how it's theologically informed suppositions about the good life can be mitigated with a democratic commitment to pluralism. Hollenbach argues that resources of the tradition can be invoked to make a distinction between the common good of 'de facto' existing societies

seeks the good life primarily in the domain of privacy or in lifestyle enclaves." Hollenbach, David: *The Common Good and Christian Ethics*, p 85.

[319] When Hollenbach argues that Christian ethics fully supports liberal democracy he inevitably takes a stance towards theologians such as Stanley Hauerwas and others, who argue in case of a radical incompatibility between Christianity and the vision of the community which is specified by political liberalism. Hollenbach, David, op.cit., pp 113-139.

[320] Hollenbach, David, op.cit., p 83.

and the full Christian vision of the common good. Hollenbach argues that the former inspires the account of shared goods that can be achieved in history but the vision of the full human good is such that it can only be attained in relationships based on mutual freedom. Believers must therefore resist coercive implementations of the full vision in existing societies.[321] He also states that in a just society, one which efforts to make the participation in common life possible for all of its members, believers and non-believers alike will have to foster an attitude of intellectual solidarity, in which dialogue and deliberation are seen as crucial social activities.[322]

Hollenbach prefers the term social solidarity to describe the ideal according to which the existing social relations should be measured against, and strive towards, this relates to the larger critique that he directs against mainstream liberalism and its individualistic conception of both justice and rights.[323] Problematic with this individualism prevalent in liberalism is that it does not put enough focus on the decisive role the social community has in forming individual existence. His conception of justice therefore seems to be more in line with communitarian ideas of the interplay between society and individual. Hollenbach discusses similarities between his understanding of justice and the one defended by Michael Walzer. He concludes that they are in agreement on several important aspects, such as the feasibility of deploying different standards for distribution of different social goods. However, their views part, Hollenbach states, as in opposition to Walzer, he awards these standards trans-communal validity.[324] Hollenbach then argues that the understanding of justice that he campaigns has global reach, in the form of a theory of human rights articulated within the framework of social solidarity.

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[321] He claims to have found inspiration for this distinction in Thomas Aquinas' notion of an analogical scale of good according to which the condition of now existing societies can be assessed/deemed by the way they approximate the common good – this notion assumes that an analogical relation between the theological good and the good that can be achieved in the secular realm exists. Hollenbach, David: *The Common Good and Christian Ethics*, p 129.

[322] Hollenbach, David, op.cit., pp 164, 169.

[323] The problem with Rawls' theory, for example, is that it expands on a deeply flawed philosophical anthropology, one where the human being is conceived of as an atomistic rights bearer that seek her (individual) good apart from society. Hollenbach, David, op.cit., p 69.

[324] Hollenbach, David, op.cit., p 197.

Global justice as respect for human rights

As we have seen Hollenbach argues that globalization brings about changes in the basic structure of the international arena, changes which successively contribute to the establishment of a global society.[325] Hollenbach argues that the participatory understanding of justice he articulates corresponds well with a notion of human rights that sees them as the prerequisites that persons need to take part in social cooperation. And as, through the processes of globalization, we are living in a world which is interconnected to the extent that the life of every human being is dependent on the global order for its sustenance, then human rights understood as the requirements of real participation in this order are called for out of justice. This will mean that when assessing the implications of the globalization of economy, environmental issues and politics in the global arena, we must judge in what way these phenomena make cooperative endeavors in the global community possible for all humans, irrespectively of their nationality, social belonging or any other categories of identity.[326]

Even though in his account he gives expression of the view that the emergence and growth of human rights discourse is desirable, Hollenbach nevertheless discusses both that which he perceives to be the possibilities and the limitations that attaches to it.[327] Arguing that human rights are the justified moral claims of persons to be treated in certain ways and be protected from certain types of actions gives that these are held to be universal entitlements that people have regardless of citizenship. In Hollenbach's opinion it is clear that present circumstances do not correspond to the ideal of solidarity, as the possibilities of participation are not fairly distributed amongst the world's societies. This also means that person's human rights are not being universally respected and that the many violations of basic rights that can be witnessed in several parts of the world are offenses to which the international community must respond. The discourse of universal human rights is advantageous in that it provides rhetoric means for circling the responsibility for human wellbeing which extends across national borders, as a

[325] Hollenbach, David: *The Common Good and Christian Ethics*, p 220.
[326] Hollenbach, David, op.cit., p 212.
[327] Human rights discourse runs the perpetual risk of turning into more or less apparent forms "moral and cultural imperialism". Hollenbach, David: *The Global Face of Public Faith*, pp 236 ff.

moral imperative which applies to all in virtue of their shared humanity.[328]

However, Hollenbach argues that a problematic feature of the present human rights discourse is the individualistic bias that it demonstrates, and he suggests that we take measures in order to change it. As we will see, the idea of human 'personhood' is central for his general argument, as well as for his theory of human rights. In Hollenbach's rendering, the human being is a social being whose personality is constituted in communion with others, and her ability for sociality and will for deliberative interaction should be accounted for in a conception of rights.[329]In line with this, Hollenbach argues that human rights should be understood as the conditions which enable persons to participate in the different spheres of social activity, economic interaction and political association included. His model of human rights, along with its justification, is therefore offered as an alternative to the 'atomism' of liberalism.[330]

A great problem with 'liberalism' is the conception of freedom that is part of it, a conception that leads to a one-sided focus on political and civil rights at times. To argue that it is respect for human dignity that forms the ground of human rights as moral claims, is not equivalent to maintaining that they are rights of non-interference and to interpret them primarily in terms of negative freedoms, Hollenbach contends. The dignity of the human being can only be achieved in association with others, however the form of communal co-existence in which human dignity is respected is one that is marked by reciprocal freedom. This means ensuring that the rights of the person are respected in the actions of individuals as well as in the design and management of the major institutions of society.[331]

Hollenbach claims that the 'liberalistic' understanding of freedom has implications for the possibility of attaining a common ground which could form the base of a cross-cultural validation of human rights. However the theoretical and practical problems associated with giving an account of the justification of rights that will appear plausible in the view of different traditions and cultures also bear on how the discourse

[328] Hollenbach, David: *The Common Good and Christian Ethics*, p 244.
[329] Hollenbach, David, op.cit., p 222.
[330] Hollenbach, David, op.cit., p 222.
[331] Hollenbach, David, op.cit., p 159.

is understood in the first place, that is, what kind of discourse it is interpreted as. Hollenbach suggests that we understand it as a conversation where the participants use their capacity for practical reason and together effort to articulate global ethical standards. The idea that it is our common ability for practical reasoning which justifies human rights is superior to other attempts at providing grounds for this form of discourse, Hollenbach argues. As examples of such groundings that are less successful, he lists the pragmatic justification of Michael Ignatieff, and John Rawls' notion of an overlapping consensus.[332] The main problem with 'pragmatism' is that it portrays the rights discourse as a domain of discussion where participants should stay clear of moral arguments and instead invoke strictly practical arguments as to why agreement on a list of basic universal human rights is something to be sought after. Hollenbach argues that this amounts to a form of strategic thinking that appeals to the self-interest of nations and cultures, and that as such it is unable to produce arguments in favor of human rights that will be both stable and support common ethical standards for global relations.[333]

The Rawlsian line of thought, where the argument about the possibility of an overlapping consensus is the ground for the list of basic human rights, faces similar problems Hollenbach contends. Such a consensus, where different peoples come to hold a proposal for a conception of human rights plausible out of their own understanding of reasonableness, is an unstable ground for a common morality that supports human rights because it will not be possible, Hollenbach argues, to distinguish it from a 'mere convergence of interests'. Both of these models are accused of conflating moral normativity and consent, and Hollenbach holds that they both fail to draw the appropriate link between universal moral obligation and political responsibilities.[334] The critique Hollenbach directs towards both Ignatieff's understanding of human rights and Rawls' overlapping consensus therefore centers on the insufficient acknowledgment that these theories give of the fact that actions in the global arena ought to be scrutinized by universal ethical arguments, and that ethical discourse should be viewed as an inevitable part of international political deliberations. This means that he is negative towards them mainly on the grounds that they do not articulate a clear

[332] Hollenbach, David: *The Global Face of Public Faith*, p 240.
[333] Hollenbach, David, op.cit., pp 241 f.
[334] Hollenbach, David, op.cit., pp 242 f.

enough conception of that which should constitute a common global morality. For Hollenbach who himself endorses a form of ethical universalism grounded in the natural law tradition, it is obvious that such an ethical stance with political implications is both feasible and desirable.[335]

In other words one would have to support the claim that a form of cosmopolitanism is an appropriate standard by which to assess the consequences of globalization, and this is precisely what Hollenbach does. In his view, a shared use of practical reason could form the base for an articulation of human rights which would then be justified by appeal to the human capacities of rational deliberation and sociability, and would constitute an account of truly universal moral claims. This line of reasoning incorporates claims about both the nature of the human being and the normative function these have. Hollenbach claims that human rights are the explication of what treating human beings in accordance with their dignity demands. However, human dignity is a notion that can be interpreted in several ways and that can be defended by both secular and theological arguments Hollenbach contends. The notion of human dignity, can for one thing, be supported with reference to the capacity for practical reason that humans beings have. Humans are self-conscious beings that possess the ability to transcend their own consciousness and so become aware of the reality of the other person. As they have this capability they can also reach the insight that it would be rational to support the conditions that would make such interaction between self and other possible. This means that they would come to support human rights by a form of practical reasoning.[336]

That community and society holds a crucial role in Hollenbach's thoughts about human dignity is clear, and the explication of the capacity for practical reasoning he offers is meant to reflect the deeply social nature of the human being. Hollenbach argues that if humans are to be treated in accordance with their dignity and as persons, they must be treated as members in the human community as a life of human dignity is possible only in communion with other persons. Hollenbach argues that emphasizing the crucial role of community for a life with human dignity will lead to an enumeration of rights that focuses both on the freedoms persons ought to enjoy, protected by political and civil rights,

[335] Hollenbach, David: *The Global Face of Public Faith*, p 242.
[336] Hollenbach, David, op.cit., pp 246 f.

and the material and social provisions that must be provided if free interaction with others is to be possible in society, that is, economic and social rights.[337] Although Hollenbach does not present any explicit list of rights as part of his model, it seems reasonable to assume that it would support the rights enlisted in the Universal Declaration as it comprises of both the political and civil as well as the social and economic rights which he argues are essential for human wellbeing.[338]

However Hollenbach does list the right to religious and cultural freedom as an essential part of any plausible account of rights, although, he holds, this right should be interpreted not as denoting a prohibition for religious discourse in the public sphere, but as articulating the justified claim of human beings to have their cultural and religious identities respected. Persons have the capacity to transcend the margins of self-consciousness and through interaction with others come to experience reality in new ways, meaning that learning through deliberation and communication with others is a real possibility. These features of human personality should be properly accounted for in conceptions of human rights and being mindful of them ought to lead to the admonition that cultural and religious discourse is not to be banished from discussions in public forums. Human dignity demands respect for cultural and religious diversity amongst believers and non-believers alike Hollenbach argues, which means that the religious citizen ought only to engage theological convictions in political discussions if this is done in ways which respect the equal dignity of every person. Therefore he asserts that all forms of theological coercion are precluded in an account that views human rights as basic conditions for social participation.[339] This understanding of religious freedom, and the more comprehensive conception of freedom it proceeds from, will also, argues Hollenbach, challenge the liberalistic view of freedom as primarily individual liberty. It will on account of this seem more appealing to cultures and social groupings which assert the central value of community.[340]

Such a respect for cultural and religious diversity as part of a model of human rights can be accomplished within the framework of a form of 'rooted cosmopolitanism', Hollenbach contends. He borrows this

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[337] Hollenbach, David: *The Common Good and Christian Ethics*, pp 160 f.
[338] Hollenbach asserts the possible compatibility between different culturally and religious informed discourses and a human rights discourse with universalistic pretensions. See especially Hollenbach, David: *The Global Face of Public Faith*, chapter 10.
[339] Hollenbach, David: *The Common Good and Christian Ethics*, pp 160 ff.
[340] Hollenbach, David: *The Global Face of Public Faith*, p 252.

term from Anthony Kwame Appiah and argues that it denotes a stance which affirms that different societies will make somewhat different interpretations and applications of the universal human rights. An inevitable part of this stance is the contention that a discourse of universal moral claims makes sense.[341] Respect for the particulars of different human communities is contained within the margins of what "we can reasonably conclude are the most fundamental prerequisites of human dignity" Hollenbach argues.[342]

Such cosmopolitanism affirms that there is continuity between the standard of justice that is relevant to communities on a national level, and the one that ought to be applied to the global community.[343] Here we can observe both differences and similarities between the cosmopolitan stance promoted by Hollenbach and the versions of cosmopolitanism which we encountered in Nussbaum's and Benhabib's respective models. In comparison with Nussbaum's cosmopolitan vision, Hollenbach's model stands forth as more sensitive towards context and mindful of cultural differences. In relation to Benhabib's, notion that also emphasizes the importance of localization, Hollenbach's cosmopolitanism appears more decisive to its nature as it actually enters the discussion of political norms by making suggestions for standards of justice. Hollenbach argues that a theory of global justice as human rights has the potential of acting as a common normative standard for interactions and activities in and between different national, cultural, and religious communities. The cosmopolitanism part of such a theory therefore:

> […] accepts cultural, religious, and gender differences among people as well as their economic and political situation as relevant in the development of moral standards for a globalizing world. At the same time it is cosmopolitan in affirming the importance of these communal and social particularities not only for oneself or one's people but for all others as well.[344]

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[341] Hollenbach, David: *The Common Good and Christian Ethics*, p 221.
[342] Hollenbach, David: *The Global Face of Public Faith*, p 252.
[343] As was mentioned earlier, Hollenbach directs critique against communitarian conceptions of justice, such as Michael Walzer's, as they do not articulate a ground for trans-communal normative standards. Hollenbach, David: *The Common Good and Christian Ethics*, p 197.
[344] Hollenbach, David, op.cit., p 221.

A just global society would be one that respected the normative standard that the Universal Declaration of human rights constitutes, but in the international community different modes of societal organization should still be respected, Hollenbach argues and a just institutional order of a global world will incorporate different forms of governance.[345] Hollenbach rejects the idea of a world government because to his mind such a form of governance would be practically unfeasible and it would also violate the principle of subsidiarity that he affirms as part of his theory of the global common good. [346] The principle of subsidiarity is crucial for the conception of global justice and it provides criteria by which to appoint actor-responsibility for global justice. Hollenbach argues that when it is combined with social solidarity, the central Catholic principle of subsidiarity proclaims that the norm of justice can be differently instantiated in the various facets of society. Therefore, argues Hollenbach, it offers support to several forms of social arrangements, and it makes recognition of the fact that communities and traditions differ in kind central for its standards of justice.[347]

Hollenbach argues that this conception of global justice as respect for human rights supports the ideal of democratic self-governance and holds that it is desirable that peoples act as self-governing bodies.[348] But the cosmopolitan theory of human rights has import on the social and political arrangements that a country may legitimately pursue, Hollenbach argues. If a country through its actions, or failure thereof, violates the human rights of its citizens, then national sovereignty might be rightfully circumscribed by the international community. Hollenbach holds that his model of human rights supports the principle of a 'Responsibility to Protect'. First proposed by an UNHCR report on the rights of refugees and migrants, this principle, and the rhetoric surrounding it, explicates a universal duty to protect human rights.

Hollenbach argues that even though it is in final instance a responsibility that ought to be sustained by the international community in common, the principle can be read as proposing responsibility in terms of an extending circle of duty. Accordingly it is the state in which the individual holds citizenship that has primary responsibility for securing

[345] Hollenbach mentions a similarity between his argument about such a 'common standard' in the form of a list of basic human rights and Martha Nussbaum's cosmopolitan position. Hollenbach, David: *The Common Good and Christian Ethics*, p 222.
[346] Hollenbach, David, op.cit., p 231.
[347] Hollenbach, David, op.cit., p 242.
[348] Hollenbach, David: *Refugee Rights*, pp 84, 228.

human rights, but if it fails in some regard then responsibility turns on other actors and does so according to the parameters of: proximity, awareness of need, and the economic capability an actor possess which Hollenbach argues is central.[349] Hollenbach states that it is the countries in the international community who hold the greatest amounts of resources who also bear greater responsibility for securing human rights globally.[350] Humanitarian interventions can however be enacted differently, and Hollenbach argues that the form he would strongly urge for in the first instance is "positive economic intervention".[351]

An implication of the responsibility to protect, and which constitutes a source of political and theoretical contention, is the circumscription of national sovereignty through military intervention that Hollenbach argues is a warranted measure to take when countries have demonstrably committed severe human rights offenses against their populations.[352] The form of political deliberation that should precede such interventionist measures, that is the form of decision-making bodies relevant in establishing when sanctions as these should be executed, Hollenbach leaves largely uncommented. He argues that "efforts to strengthen the regional and global institutions" that could address these issues are needed, and further suggests that the responsibility to protect constitutes a joint undertaking by several actors such as trans-governmental bodies and NGO's.

Hollenbach's argument is inconclusive regarding whether the universal securement of human rights demands redistributive measures in the global arena. However, the explicit stress on social-economics rights in his argument about what treating persons in accordance with their human dignity demands, seems to be basically compatible with measures to even out economic resources between members in the global community.[353] Hollenbach, as we saw, understands globalization

[349] Hollenbach, David: *Refugee Rights*, p 188.
[350] Hollenbach, David, op.cit., p 189.
[351] Hollenbach, David, op.cit., p 190.
[352] This is an argument that reoccurs in Hollenbach's various writings. For example it occurs in *Refugee Rights* when Hollenbach discusses the situation of so called internally displaced persons, and also in the closing chapter of *The Common Good and Christian Ethics* when he discusses the institutional implications of his normative argument concerning human rights and global justice.
[353] For example see the argument Hollenbach makes about the need for the interventions for development in the formerly colonized countries to take the implementation of civil-political rights and social-economic rights as of equal importance, in the chapter on

as creating far-reaching economic interdependencies and holds that one of the great challenges that we face in the global arena is that people do not have the opportunities to partake in global economic cooperation on fair terms. He further argues that the conception of justice as social solidarity which he advocates, suggests measures for limiting the effects of market mechanisms. This is as human dignity demands a minimum level of social participation for every individual. As the global market constitutes an economic systems with pervasive effects on human well-being Hollenbach sees it as necessary that those institutions that currently sets the conditions for global economic cooperation are made more transparent and democratic.[354] Therefore it is necessary that organizations such as IMF and WTO have their composition made more reflective of all the countries whose abilities to partake in the global economy they, through their decision-making, affect.[355] Economic globalization should be primarily countered by the successive democratization of the systems on which present global economic cooperation depends. However Hollenbach argues that it falls under the principle of the responsibility to protect to ensure that persons have basic economic and social entitlements respected, this means that in a situation in which the economic rights of some are being violated, there is a responsibility for the international community to seek to alleviate these.

Dialogical universalism and natural law

Hollenbach initiates his conception of global justice by pointing towards the alleged moral consequences globalization yields, but it is equally contingent on the natural law approach and epistemological universalism he endorses. In line with this tradition, he affirms a belief in the capacity of human reason to detect a universal morality but modifies it somewhat by arguing that every attempt to interpret the substance of the natural law should take account of historical development, and so be able to account for traditional and cultural diversity. He contends

Human rights in the African context in Hollenbach, David: *The Global Face of Public Faith*.

[354] Hollenbach, David: *The Common Good and Christian Ethics*, p 224.

[355] Hollenbach, David, op.cit., p 234.

that respect for diversity can be upheld within the framework of a universalistic morality and that moral relativism is implausible given the common ethical challenges a globalized world faces. [356]

In natural law reasoning it is usually argued that Christian faith does not propel a distinct form of normative ethics, and this follows from the alleged fact that humans can become aware of central moral norms by the use of reason, which has been given to them through creation.[357] Hollenbach affirms this view but argues that it ought to be improved by an account of how reason and faith arguably interplays in all efforts of moral reasoning.[358] He explicates faith as the influence of context, understood as different cultural, religious, traditional perspectives, on moral reasoning. Hollenbach contends that by asserting that different world views inevitably influence the shape of moral discourse a form of ethical universalism which is distinguishable from the rationalism of Western enlightenment stand forth as a viable alternative. He argues that accounts of moral reasoning as purely logical endeavors ought to be avoided, and that rationalism actually represents a form of reductionism as it fails to account for the role of history and community in shaping the quest for moral knowledge. Human experience, which always transpires in a certain spatial and temporal context, should be acknowledged and allowed import in accounts of what constitutes rationality.

Hollenbach also argues that this forms an especially essential insight for his human rights ethic. It claims universality but it does not propel uniformity in perspective. In the global community we ought not to allow one or a few traditions to dominate the moral conversation. He articulates the problems that the kind of abstract universality which ethical rationalism yields, in the following way:

> All rational inquiry is shaped by the traditions that have informed the inquirer's presuppositions and within which the inquirer has been educated. Neither the questions addressed nor the modes of thought available to address these questions are the products of a timeless pure reason. […] Responses to these questions are in part dependent on the re-

[356] Hollenbach, David: *The Common Good and Christian Ethics*, p 157.
[357] Grenholm, Carl-Henric: *Bortom Humanismen*, pp 67 f.
[358] Faith is used as a wide notion in his writing, denoting not just religious beliefs it is used to describe one of the poles, in what he argues should be, the dialectic relation between Creation and Revelation in Christian moral reasoning.

> sources provided by received traditions. This dependence of rational inquiry upon tradition is evident not only in ethics but in other domains of knowledge as well.[359]

Tradition and historical environment structure human experience and thus the context in which rational deliberation transpires will shape its content. Thus reason should be understood as always necessarily situated in a certain context of meaning and interpretation. Rational moral deliberation is best conceived of as a form of "critical reflection on human experience". Hollenbach continues, if practical reasoning is understood as an activity that is crucially dependent on the context in which it is undertaken, one must also acknowledge that the conclusions it yields will vary in accordance with the different apprehensions of the human condition that various historical communities have.[360]

This, argues Hollenbach, gives that his reasoning supports a form of universalism which is fundamentally 'dialogical' as it impels a sincere recognition of differences in cultural and religious perspectives, and makes it a condition for truly universal moral dialogue. The prospect that such a common morality is possible to articulate is in Hollenbach's reasoning connected to the postulation of a common practical reason that can be invoked for critical reflection on human experience. He argues that the form of reasoning that this dialogical universalism designates need not assume that traditions and cultures reasons in ways that are alike in in every respect. By his dialogical universalism, Hollenbach proposes that when persons from different contexts enter the moral conversation they can learn from each other through exchanging views based on different cultural and religious narratives. This can occasion traditions to change their views on some aspects of morality, but can similarly show that there are in fact convergences in their moral views and apprehensions.[361] We can see that this is a universalistic position which in central regards diverges from Nussbaum's understanding of universality. However, whereas Benhabib argues that self is always and necessarily situated, Hollenbach emphasizes that moral reasoning is an activity that is essentially formed by the purview of different traditions.

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[359] Hollenbach, David: *The Common Good and Christian* Ethics, p 155.
[360] Hollenbach, David: *The Global Face of Public Faith*, especially chapter 12 in which he discusses the understanding of practical reason that he thinks a plausible for a common morality in a situation marked by religious and cultural diversity.
[361] Hollenbach, David: *The Common Good and Christian Ethics*, pp 152 ff, especially p 158.

It is not just the individual that is situated, morality is fundamentally shaped by different traditions and their outlooks on the world.

Hollenbach's stance does not therefore amount to a form of descriptive universalism, instead he asserts that the content of moral norms relates to the particular experiences different communities have and will continuously make. Although inevitably exercised in a certain time and place and thus shaped in crucial ways by the surrounding context, the human capacity for self-transcendence which enables genuine moral communication reason is conceived as a universal feature of human personality. He therefore supports a form of epistemological universalism. Hollenbach's argument for the universality of morality then precedes accordingly; humans share a capacity for reasoned reflection on existence, therefore it is plausible to suppose that when they use this common ability for reflection, persons can reach similar conclusions about existence, thus it is sound to assume moral knowledge as an actual possibility.[362]

The circumstance that Hollenbach is hesitant to pronounce a definite list of human rights is traceable to his reckoning of the world as marked by cultural, social, and religious variation and pluralism. Even though a common human rights ethic is both possible and desirable, global pluralism must be acknowledged and accorded influence in the discussions that concern it:

> But a defense of the idea of universal human rights must take account of the ways the justification of human rights norms and the interpretation of their concrete implications vary in notable ways from one philosophical, ideological, or religious tradition to another.[363]

In such an account of justification the possibility of using a shared practical reason for establishing a common stance concerning human rights is posited, but it does not yield, Hollenbach contends, that this stance is understood as constituting consensus on all the aspects that are involved in human wellbeing. Rather it is general or 'minimal' in the sense that it denotes a common standard for the practical issue of securing that

[362] The stance of epistemological universalism is made especially evident by his idea of a 'virtue of intellectual solidarity' and also when he suggests that we adopt a form of 'epistemological humility'. This is a virtue held to be appropriate for theorists in the social sciences and denotes "a cognitive stance that expects growth in knowledge to occur when one pays attention to, and forms the appropriate kinds of relationships with, others." Hollenbach, David: *The Global Face of Public Faith*, p 46.
[363] Hollenbach, David: *The Common Good and Christian Ethics*, p 163.

persons are provided the basic conditions that the enactment of their human dignity demands. A 'full' or comprehensive justification of human rights might be given within and by the resources of different religious or cultural communities. However, Hollenbach argues, that effort can be distinguished from the shared use of practical reason in global conversations.[364]

Thus, Hollenbach invokes the thought of a common human ability for reasoned reflection and the idea of certain shared experiences that the condition of being human allegedly gives rise to, in order to make the argument that there are both moral responsibilities which extend across the boundaries of different communities. As mentioned earlier, Hollenbach argues in favor of a responsibility to protect as the legal-political instantiation of the humanity that every person shares in. Global pluralism spawns a number of challenges which pertain to cultural and intellectual issues, and Hollenbach argues that these need to be met by a stance of 'intellectual solidarity'. This is an attitude or orientation of mind that makes people prone to view that which differs from one's own worldview with both openness and curiosity. It makes persons seek dialogue and thus inclines them to reason-giving rather than coercion in their efforts to impact the views of other. Hollenbach states that then, people can actually learn from each other as they reason together on common issues. In a global world it seems deeply implausible to maintain that divergent conceptions of the good can be kept strictly separated. The common good of a global community demands dialogue to which participants bring their different views on what constitutes a good human life so that global solutions can be identified, in which differences are not just tolerated but accounted for and allowed to influence deliberations in constructive ways.[365]

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[364] Hollenbach, David: *The Global Face of Public Faith*, p 248.

[365] These arguments targets Rawls' as well as other models that suggest that citizens abstain from making references to their different conceptions of the good when engaging in public interactions with others. Hollenbach contends that it is both counterfactual and unviable to maintain that public discourse could be kept 'free' for such references in a time when different societies interacts daily through the net of global interdependencies. Hollenbach, David, op.cit., pp 138 ff.

Communitarian personalism

Hollenbach holds that his model of the common good is an alternative to a public philosophy that is marked by the 'individualistic' bias of liberalism. He also argues that the social ethics that he advocates and that is part of the Christian tradition of the common good offers a notion of the moral agent that would resist a polarization between individual and community. The human person should not be portrayed as an isolated and self-interested agent, whose primary motivation for social interaction is the prospect of personal benefit.

The concept of the person and the dignity that supervenes on it should be explicated in ways that adhere to the deeply social nature of human existence. Therefore to respect the inherent worth humans possess means to treat them in ways which correspond to their nature as social beings, that is, as participants in the human community. However, when Hollenbach makes the argument that persons have an inviolable dignity he does so by positing that humans possess three different 'traits' or dimensions of human personality that he sees as giving rise to this special value. These are: the human capacity for reason and intelligent discourse; that human beings are created in the likeness of God; and that all persons are part of the mystery of Gods redemptive work in Christ.[366] Hollenbach claims that this notion of dignity, even though built in part on these theological assumptions about human nature, can be affirmed by non-theological discourse and reasons as well. He argues that the theological assertions about dignity are compatible with an account of the capacity of reason that is common to all humans, and the latter two dignity-conferring traits are to be understood as the 'theological explications' of the first. The argument of our capacity for self-transcendence is, as we saw, his explication of practical reason. Through dialogue and exchange with others the person can transcend the limits of self-consciousness, and take the perspective of the other, and thus engage in a form of reflexive thinking that is a distinctive ability of the human person. [367]

Hollenbach advocates a personalistic view of the human being and does so in the tradition of French philosopher and theologian Jacques

[366] Hollenbach, David: *The Common Good and Christian Ethics*, pp 151 f.
[367] Hollenbach, David: *The Global Face of Public Faith*, pp 246 f.

Maritain.[368] Maritain's position has been described as a form of 'communitarian personalism'. This primarily because of his insistence that human nature is personalistic, in the sense that human beings are predisposed for communal existence. Personalism can be described as a philosophical and theological framework for interpreting the human being, incorporating our relation to reality, and subjectivity. This view, or stance, draws together a number of ethical positions, which are related to different philosophical traditions. Amidst the diversity that this infers, some uniting features can be found. A central one is constituted by the more or less clearly stated opposition toward what is believed to be 'depersonalizing' trends within the philosophical legacy following Enlightenment. According to the critics, these trends all have in common that they discard the idea of the human being as a *person*; either they portray the human being as an self-enclosed entity, as an self-sufficient individual; or the idea of a human personality withers, when the concept of the 'human being' is submerged to different kinds of comprehensive readings of the world, whether through the lens of history, or biology or the idea of the state. Instead the advocators of personalism argue that the person should be the central locus of philosophical reflection, and that the distinguishing qualities of persons are their essentially relational nature.[369]

Hollenbach also affirms this person-focus and offers several arguments for why this should be so. It depends partly on him following Maritain in his phenomenological account of self-consciousness, and partly on the inspiration he has found in philosopher Charles Taylor and the understanding of freedom and subjectivity which he advocates. The communitarian inspired view of human beings Hollenbach holds, influences his conception of social ethics, and of global justice and human rights. It also means that his position has an outline that is quite different from the view of human beings which we find related to Nussbaum's and Benhabib's models. From Hollenbach's purview, the human being is a being which is meant for communion with others, social bonds are not just portrayed as important for individual identity, rather they are conceive to be constitutive for personhood.[370]

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[368] Hollenbach, David: *The Common Good and Christian Ethics*, pp 129 f.

[369] Williams, Thomas D. and Bengtsson, Jan Olof: "Personalism" in Zalta, Edward N (ed.): *The Stanford Encyclopedia of Philosophy* (Spring 2014 Edition), http://plato.stanford.edu/archives/spr2014/entries/personalism/ Accessed 2015-03-25.

[370] We might recall that Nussbaum even though she asserts that the human being is a social being states that her mission is to orient our normative thinking clearly towards

Earlier Hollenbach's observation that several trends in the current rights discourse testifies to a liberalistic view on the human being and also a mistaken idea about what it is that constitutes human freedom, was noted. Hollenbach suggests that we view rights as forms of necessary protection for certain essential human freedoms. However, we must do so without advocating freedom as primarily the right to non-interference. Taylor's notion of freedom as a joint effort is essential for such a view on rights, Hollenbach argues. Hollenbach contrasts this conception of freedom with the one heralded by the tradition of the social contract, the central difference being that the former does not view 'community' as something which deprives the human being of certain aspects of her nature-given freedom. Rather the community or society is understood as the venue, and necessary conditions, for a kind of positive, shared freedom.[371] This is a basic supposition behind the claim Hollenbach makes that justice is best explicated as solidarity and that human rights should be conceived of in terms of basic requirements for social participation.

He thus endorses a notion of freedom that interprets self-determination and self-governance as values vital for guiding societal existence, rather than as the base for claims of non-interference. Here again, the influence of the personalistic tradition resurfaces in Hollenbach's thought as the capacity of the individual person to engage in the communicative action, and in that respect for acting freely, is traced through a phenomenological analysis of human relationships. In his analysis they are a form of interaction in which the individual person becomes aware of the limits of self-consciousness through encountering the reality of the other person.[372] Subjectivity is then in part constituted by this encounter wherein transcendence of bounded individual existence becomes possible through assuming the perspective of the other. Through such encounters we can gain moral knowledge, as the persons involved are present to each other as *real*; that is as something separate from self-consciousness, and thus constitute a kind of 'objective' moral claim. [373]

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to the idea and concept of the 'individual'. Benhabib in a similar way emphasize that our identities are formed in the framework of social interaction, but for her the idea of an autonomous, albeit relational, self is essential.

[371] Hollenbach, David: *The Common Good and Christian Ethics*, pp 71 ff.

[372] Hollenbach, David, op.cit., p 72.

[373] Hollenbach, David, op.cit., p 246.

Articulating his view on human beings in this way, where human beings are seen as social creatures whose subjectivity is constituted in reciprocity with others, is paired with a statement about the consequences our nature as physical creatures with basic bodily and social needs should have for an account of practical reason.[374] The formal account of practical reason as the Kantian tradition presents it, should be mitigated by the 'Aristotelian' insistence that the good can only be grasped through the lens that experience of human materiality gives rise to. This fact should be accounted for in a reasonable conception of human dignity.[375]

It is worth noting the consequences this communitarian and personalistic understanding of the human being has for his view on society and subsequently for the reasoning he presents concerning explicit political philosophical questions. The political philosophical stance he advocates depends on the personalistic presuppositions, and his view of society, discussed earlier on in this chapter, also proceeds from the essential normative account he presents of persons as free creatures endowed with a special worth or dignity. He claims that if these features are affirmed as central in the notion of personhood, then a conception of society wherein a difference is made between political and social goods becomes necessary. This is so because if human beings are viewed as persons who are capable of communicative freedom then the influence of governmental mandate to exhort power over the life of citizens must be restricted to the political sphere in which essential political goods can be pursued, whereas civil society is the venue where persons seek interaction and cooperate in the search for social goods. Civil society should be understood broadly to incorporate many of the activities and relationships that are constitutive for the human good, such as family, business, and voluntary association.[376]

In conclusion then, the personalistic view of the human being Hollenbach advocates has consequences apparent in the argument he puts forth that his notion of human rights is an alternative to the individualism prevalent in liberalistic conceptions of human rights. The personalistic stance in Hollenbach's reasoning where social interconnection between persons is seen as utterly formative for individual subjectivity is

[374] Hollenbach emphasizes that humans are fundamentally disposed forms of communicative interaction but his conception of dignity is more Aristotelian than Kantian in that he grounds it by an account of human needs. This makes it similar to Nussbaum's, a fact to which Hollenbach gives admission.
[375] Hollenbach, David: *The Global Face of Public Faith*, pp 246 f.
[376] Hollenbach, David: *The Common Good and Christian Ethics*, pp 133 f.

a presupposition behind the conception of rights he advocates. Further, his insistence that community-specific substantiations of rights are warranted within the framework of universal human rights, is also very much connected to his view of human beings as persons.

Moral truth and pluralism

The common good approach that Hollenbach suggests, gives both explicit and implicit answers to the questions of whether moral values have an objective status, and if moral judgments should be viewed as incorporating truth-claims and thus what function they have. The argument for the model of dialogical universalism that he advocates and that was presented above resurfaces here, and its nature as a modified form of natural law reasoning is scrutinized with focus on how it deals with the tension between pluralism and assertions of the existence of moral truths.

His theory is a cognitivist one where moral judgments are viewed as incorporating truth claims. Hollenbach affirms that there exists universal moral values of which we can have knowledge, and that these moral facts can form the base of reasons in universally binding moral judgments. In the exercise of a shared practical reason we can attain knowledge about our common nature as human beings and what this nature specifies in terms of moral actions. This seems to imply that this activity has a truth-seeking function and that moral claims for tests of their validity ought to be compared with the experiences that being human gives rise to. Although, as has been previously pointed out, Hollenbach does endeavor to present an account of human reason as deeply situated in cultural and traditional context. However, this gives that it is the process for forming and assessing moral judgments that has to be reconceived in line with the account of a ‘situated reason’. Universal moral deliberation is called for by the nature we share as humans, and Hollenbach argues that it obliges us to enter such joint conversations with an attitude of respect for differences.

The affirmation he gives of both the possibility and desirability of a universalistic morality means that he disputes claims about a radical incommensurability between different cultures and traditions, and between their moralities. Even if tradition shapes the form of rational inquiry in essential ways, a common rational moral inquiry is a possible

endeavor and this is so because there are moral values or instances of worth which can be apprehended by a trans-cultural human reason.[377] Therefore it seems as if Hollenbach argues that the normativity which attaches to moral claims stems from the nature we share as human beings, and that the ground for a universal morality is the shared experience this common nature makes possible. Hollenbach expresses this interrelation between human nature and morality as follows:

> It is the reality of human persons – the kind of beings that they in fact are- that is at the origin of the moral claims human beings make upon one another. Human beings are not things; they possess both self-consciousness and the capacity for self-transcendence. The self-transcendence of a person gives rise to a moral claim that he or she be treated in ways that sustain or at least do not destroy that capacity for self-transcendence. […] He or she is not confined within the limits of self-consciousness but can genuinely encounter the other as a fellow person. Thus, one human being *is* a kind of *ought* in the face of other.[378]

Hollenbach argues that human beings as persons have two primary characteristics. One is self-consciousness which enables them to engage in rational thinking. The other is sociability, that is, they have the ability for self-transcendence. By grasping the significance of these two characteristics we also understand that it is both plausible and desirable that we articulate a universal morality, Hollenbach argues. Morality and personhood are related to each other in the ways that the quote above suggests, that is, Hollenbach maintains the idea that we can gain insight about universally binding moral norms by reflection on the experience that being a person gives rise to. The features of personhood then constitute moral obligations that demand universal respect, and as they are grounded in the nature of persons, these norms are not confined by social borders. They act as restrictions on the actions of moral agents, and constitute the ground for the common responsibility to sustain the human nature in all persons.[379] His argument therefore presupposes that we can articulate the meaning of basic human needs in ways that would be consistent with different worldviews. However, Hollenbach also claims that such experiences of the world differ, and cannot therefore

[377] Hollenbach, David: *The Common Good and Christian Ethics*, p 157.
[378] Hollenbach, David: *The Global Face of Public Faith*, pp 246 f.
[379] Hollenbach, David, op.cit., pp 246 f.

be posited as something unequivocal or static; the historical communities in which we as persons subsist, shape our perspectives on reality in decisive ways.

Hollenbach's notion of an essential, and shared, human nature also comprises the idea that our lives as humans have a certain form of dignity. In his theistic worldview, reality, and part of it morality, is seen as God's creation. Through the reason God has given them in creation, human beings can discern the outlines of morality by contemplating their nature as persons.

God has in creation given human beings a certain dignity and it is from this central feature of our human nature that the moral duty to respond to the needs of others emanates. This basic moral law, with the idea of human dignity at its center, is further explicated in the redemptive work of Christ.[380] However, even though his justification of a common morality is essentially theological, Hollenbach argues that ethical reflection need not be explicitly Christian; the human ability for practical reason can be grasped by philosophical arguments as well. Thus Hollenbach contends that even though it is formulated by certain theologically informed suppositions, his global ethic can avoid charges of both dogmatism and that it discriminates against non-Christians, what is central is the insistence on the role of practical reason which it makes.[381] Faith is fully compatible with reason, and ethical cosmopolitanism is necessitated by the Christian insistence on human dignity, and Hollenbach affirms that there is an overlap between the knowledge that is common to all through reasoned reflection and the knowledge that the revelation in Christ makes possible.[382]

The tradition of common good insists that the human life holds a special worth, a worth that in the final instance transcends earthly existence so that the true good of human beings is fully realized only in communion with God. This special worth of human beings is tied to their ability, - to in relations with each other, imitate and thus reflect

[380] Hollenbach discusses the both idea of Christian distinctiveness and the role of so called 'moral absolutes', his argument seems to be that the essential contribution that Christian faith makes is its decisive insistence on the dignity of the human person. Hollenbach argues that moral truth is related to the idea that humans have both self-awareness and the capacity for self-transcendence. Hollenbach, David: *The Global Face of Public Faith*, pp 6 f, 21 f.

[381] Hollenbach, David: *The Common Good and Christian Ethics*, pp 159 f.

[382] For his argument about the interplay of reasoned reflection and the convictions which Christian faith yields, see Hollenbach, David: *The Global Face of Public Faith*, p 247.

some of the good of the supreme form of relationality, which is the communion of the three divine persons in the unity of the trinity. This is what Thomas Aquinas means when through his concept of an analogical scale of goods, he argues that the form of good that human beings can achieve in earthly communities exists somewhere on a scale between the full vision of the good in the form of communion of the trinity, and the forms of coordinated systems of actions that we find in the physical, biological world, Hollenbach contends. [383] He argues that this Thomistic line of reasoning can be of use for elaborating a conception of the goods that are appropriate subjects for cooperative endeavors in social and political existence, and the ones that individuals ought to have the freedom to strive after in their personal lives. The arguments for why such a line of demarcation should be drawn are connected to the stance about the nature of the value or worth of both human and non-human existence that Hollenbach takes; they have their source in the reality of God. The argument about respect for human diversity is founded on the claim that in and through creation, God enables human beings to enter into many and different forms of relationships, where political association is a crucial manifestation of both the ability for sociability and for practical reason that they have been endowed with.

This argument grounds Hollenbach's pluralistic-analogical understanding of the meaning of the common good, and he argues that part of it is a clear position in favor of political freedom, when this is understood as a form of freedom shared and upheld with others.[384] A similar line of argument resurfaces when Hollenbach discusses the assertion made by various advocates of the Natural Law tradition that absolute knowledge in moral questions is possible. He contends that such a stance towards the issue of Christian ethics in a pluralistic world is not the proper way for Catholic faith to meet with forms of moral relativism and skepticism. The danger of 'Nihilism' need to be countered not with claims about the existence of moral absolutes, Hollenbach contends, but rather the existence of moral value should be defended by a line of argument which takes serious recognition of historical development and thus the contingency of the human mind in interpreting moral existence/the conditions of human existence. This was what his dialogical universalism and the view of practical reason meant to achieve. However, that moral discourse incorporates truth claims and that efforts at

[383] Hollenbach, David: *The Common Good and Christian Ethics*, pp 131 f.
[384] Hollenbach, David, op.cit., p 136.

explicating an account of the good for human lives should be viewed as aiming at some kind of objective or transcendent standard of value is also asserted by Hollenbach. He argues that:

> One of the dimensions of Christian faith is a trust that God is involved in history in a way that makes the process of inquiry-guided development itself worth trusting, at least to the extent of being willing to undertake such inquiry. […] Christian ethics, both as a form of life and as an intellectual discipline is rooted in a trust that the God who transcends all history is also present in and with these quests of the human spirit. Indeed it is the Wisdom and Spirit of God that makes human discovery possible.[385]

Human beings are creatures who, formed by tradition and stories of different communities and religions, try to discern how to live, and therefore, attempts at formulating norms for action and conduct are contingent on the shape of the historical community in which this effort is undertaken. However, there is a truth about the good of human lives that these efforts relate to, one that cannot be fully grasped with temporal existence but only in a transcendent communion of the person with God which is the source to all form of value and worth, that of earthly existence as well as those implicated in the full vision of human life.[386]

Global justice in terms of human rights – a critical review

Hollenbach presents an initiated discussion of the problems an increasingly global community faces, and the depiction he makes of globalization stands forth as credible in several regards. It is commendable that Hollenbach addresses the fact that the rapid expansions and intensifications of global economic relations have been paralleled by increased inequality amongst the world's nations. By his account of globalization, Hollenbach also targets the development whereby new sites of economic and political power have emerged on the global scene, which in effect means that the scope of action of democratically elected govern-

[385] Hollenbach, David: *The Global Face of Public Faith*, p 34.
[386] Hollenbach, David, op.cit., pp 31 ff.

ments has been progressively restricted. Hollenbach makes the assertion that different worldviews and cultural and religious narratives influence conceptions of human freedom and wellbeing. In his analysis of the human rights project, he also recognizes the pluralism that we find in the global arena central. Therefore Hollenbach presents a relevant account of globalization, one that takes issue with transformations in the international economic and political systems, and also puts light on the increasing interrelations between different traditions, whether religious or 'cultural', and discusses the ways in which these processes impinge on the life and conditions of different societies.

Hollenbach offers a model of human rights which focuses on both economic and social entitlements, and political and civil liberties. Hollenbach contends that implementing economic and social rights is essential for global justice, however, as has been mentioned, he does not attend to the discussion concerning whether economic globalization also yields the need for global redistributive schemes. From his analysis of economic globalization and by his conception of justice as social solidarity, it seems likely that he would argue for more equal distributions in the global community. However, in the articulation of his model of rights, Hollenbach utilizes the idea of a standard of proportional equality. He explicates this criterion as the justified claim on the part of an agent to receive in proportion to what one has contributed. But as Hollenbach also recognizes, such a measure of social entitlement is troublesome as people clearly have very different starting points; that is, social position impinges heavily on capability to 'contribute' to the common good.

Hollenbach suggests that the shape of social institutions is a major object for discussions about social justice and marginalization, but abstains from discussions of equal social distribution above the minimum level that the idea of human dignity requires. There are similarities between how Hollenbach and Nussbaum talk about minimum levels of social entitlements, and how these are supported by the idea of human dignity. However Hollenbach strenuously stresses that justice is a matter of solidarity and that its objective is to get persons involved in community, to get them to participate and contribute to the common good. It therefore seems to convey an idea of social entitlement that is more egalitarian than the one we find in Nussbaum's model. Hollenbach's model, like Benhabib's, seems committed to the idea of every person's *equal* dignity.

As we have seen, Hollenbach supports the idea that the international community has a responsibility to protect people from human rights violations. This principle states that the international community might circumscribe national sovereignty and undertake both economic and political sanctions and engage in military interventions in an effort to stop violations from occurring. There are several theorists who have pointed out the problems of this principle and the ideas that support it.[387] The argument has been made that the form of liberalistic rhetoric which is invoked by its proponents is comparable with the discourses of mission and civilizing which were utilized in the colonial system, to justify the siege and exploitation of the 'savage' peoples.[388] We need to listen to these arguments and take into consideration the critique which maintains that prevalent forms of global inequality, examples of which are present both in the current composition and voting practices of UN's Security Council and in the very unequal possession of financial resources amongst the different member countries, should make us wary of the risk that this practice instantiates yet a new form of cultural imperialism.

The risk that power politics is being masked as humanitarian concern is not directly addressed by Hollenbach, and he has not clearly demonstrated how decision-making regarding the responsibility to protect should be handled by the international community. This definitely lessens the potential of Hollenbach's rooted cosmopolitanism, as both the value of democratic self-governance and the idea of a principle of subsidiarity are curtailed by his argument in the case of military interventions. I do not consider this instance of his model of human rights plausible. I would agree that there is a clear moral imperative to ensure that people have their human dignity respected, however the idea of military

[387] See for instance Yasuaki Onuma's chapter "International Law and Power in the Multipolar and Multi-civilizational World of the Twenty-first Century" in Falk, Richard A., Juergensmeyer, Mark and Popovski, Vesselin (eds.): *Legality and Legitimacy in Global Affairs*. Oxford University Press, Oxford 2012, pp 150-192.

[388] For a well-articulated and critical engagement with the lasting legacy of colonialism in the current international relations see Rajagopal, Balakrishnan: *International Law from Below: Development, Social Movements and Third World Resistance*. Cambridge University Press, Cambridge 2003. A scrutiny of the ways in which the colonial powers invoked the language of human rights in order to establish dominance over the African continent is presented in Ibhawoh, Bonny: *Imperialism and Human Rights: Colonial Discourses of Rights and Liberties in African History*. State University of New York Press, Albany 2007.

interventions is not the logical consequence of postulating such a responsibility. It is both possible and desirable that we shoulder responsibility for human rights protection, but that we do so without renouncing the regulative ideal which maintains that states are in an essential sense autonomous.

Hollenbach interprets the human being through the lens of a communitarian conception of personhood. Nussbaum and Benhabib both offer a view of the human being which is in central aspects a 'liberalistic' conception. The personalistic conception posits human nature as fundamentally relational in kind, and views human dignity as having its fulfillment in relationships between persons. Freedom is a shared undertaking and human rights are conditions which make people ready for social participation. These assertions regarding how, as humans, we are dependent on a conducive social and political environment are very much welcome as a contrast to the mantra of individual liberty often rehearsed in the discourse on human rights. An adequate conception of personal autonomy also demands a clear focus on the embodied and social dimensions of existence. Sustainable forms of human rights advocacy engage the discussion on social and economic distribution and maintain that is a necessary part in a feasible strategy for global justice.

However, a problem found in relation to his personalistic position is its essentially anthropocentric viewpoint, which comes as a consequence of Hollenbach's focus on self-consciousness, one that only human persons are capable of. From this ethical perspective, non-human life and nature are entities which have no inherent value, even though they might demand that we take their interest into consideration. Such a view seems to have limited ability to deal with the issues of environmental ruin and destruction, and thus as an inadequate perspective from where to conduct a reflection on eventual responsibilities towards nature and non-human life forms.

By his argumentation for a form of dialogical universalism, Hollenbach makes several crucial modifications of the classical natural law doctrine that human beings share in the universal ability of practical reason. In Hollenbach's account of the activity of practical reasoning, human diversity such as cultural and religious pluralism is granted a central role. The notion he suggest traces a crucial connection between conceptions of rationality and the discursive practices of different traditions, which includes moral reasoning. This is then a universalistic

position which seems mindful of context and its influence on human reasoning.

How to interpret and account for the objective nature of moral values is not explicitly discussed by Hollenbach, but his argument would seem to presuppose the existence of an objective moral order. Even though Hollenbach postulates practical reason as both interactive and permeated by historical context, he maintains that we can use it in order to gain moral knowledge. What this knowledge refers to, whether it is a kind of truth that exists independently of, and thus is autonomous vis-à-vis human discourse and reasoning, or something else, is likewise left basically unanswered.

Is the model of global justice as human rights that Hollenbach proposes tenable? As mentioned, he gives a viable account of globalization and moral problems in relation to it, and the personalist model of human rights has several strengths. However, the natural law tradition seems to have a difficulty accounting for pluralism as it supposes a form of human essence. Furthermore, when the assumption of human kinship is taken as pretext to advance a cosmopolitan position which endorses the idea of justified military action and circumscription of states' sovereignty, we find that this tradition offers limited resources for articulation of viable forms of global communication in ethical and political issues.

The contention is that democratic autonomy and equality between states are both asserted as central features of a tenable vision for global institutions. On the other hand, Hollenbach offers a very plausible critique towards the idea that the concept of human rights carries unequivocal meaning for the practical life of different communities which is worth retrieving. His reasoning on the necessary interplay between the notions of personhood and community might also open up thinking about human rights as not just applying to individuals but as a discourse that can circle systematic injustices perpetrated against groups of people as human rights violations.

In this critical review of Hollenbach's model a set of problems have been identified. One of those is constituted by the anthropocentrism which his model supports. Another one is the ethical theory Hollenbach elaborates; the absence of a theory of justification and ambiguity concerning the character and quality of moral value. In the next chapter William Schweiker's model for global ethics is analyzed. Schweiker suggests that we consider environmental issues as highly relevant for

moral reasoning to attend to. In Schweiker's normative model, not just human beings but also non-human life are viewed as having intrinsic value. Furthermore Schweiker's model constitutes an example of theological engagement with the central issues of ethical theory. The hermeneutical realism he elaborates argues that it offers a different version of natural law reasoning than the one Hollenbach put forth, and its idea concerning how moral values can be said to exist constitutes an interesting contribution to the ethical theoretical discussions.

Chapter 5

Responsibility and Theological Humanism

In the previous chapter we saw that David Hollenbach's theory of human rights that is founded on a form of communitarian personalism has problems explaining why we ought to pay respect to non-human life and nature. William Schweiker's ethical position gives direct focus to the issue of how to understand the value and worth of non-human life. Schweiker elaborates his alleged non-anthropocentric ethics of responsibility in close connection to the work of Hans Jonas, however Schweiker contends that his version of a responsibility ethics diverges from Jonas' as it adds an explicitly theological dimension to the imperative of responsibility proposed as its substance matter.

Schweiker gives explicit attention to the ethical theoretical questions of the existence and nature of moral values, and he advocates a hermeneutical realism as the appropriate response to the perplexity which he argues is observable in modern western societies about what it is that constitutes a ground for morality. By engaging in a phenomenological analysis of morality it can be shown, Schweiker claims, that it is 'realistic' as the experience of value(s) is in some sense an experience of encountering something that is objective vis-à-vis the subject of experience.

In the in the tradition of H. Richard Niebuhr, Schweiker contends that theological and Christian claims can contribute substantially to philosophical reflection on morality. Schweiker continuously refers to issues central to theological discourse and reflection as well as to the main subjects of practical philosophy as he sets out to formulate his model of responsibility. He describes the result as a form of Christian moral philosophy and holds that he owes influence to Niebuhr for this. It is a question of a form of dialectic where theological discourse is un-

derstood to provide crucial resource for addressing central moral problems at the same time as the merit of philosophical reflection on the issues of Christian faith is acknowledged. The work of theological ethicist James M. Gustafson has been a clear source of inspiration for the form of theocentrism that Schweiker advances as a central part of his ethics of responsibility.

Schweiker presents his model of responsibility ethics most clearly in *Responsibility and Christian Ethics* and the arguments developed there resurface in *Power, Value and Conviction* and *Theological Ethics and Global Dynamics* as well.

The theoretical stance or position that Schweiker elaborates and names Theological Humanism is also a continuation of his responsibility ethics. Responsibility is argued to have the merit of having bearing within strands of moral philosophy and as well as in different versions of theological ethics, and as was argued above, Schweiker asserts that his line of reasoning should be viewed as having connections to both these fields of inquiry.

Another prominent feature of Schweiker's theorizing is that he is deeply skeptical about what he perceives to be common features of postmodern thought. He characterizes these as mainly consisting of the questioning of the existence of a 'self', a view of reality as value-neutral, and thus an overall skepticism about the possibilities of moral philosophy and any endeavor to formulate a normative ethical model. Features such as these are noticeable in both theological and secular discourse, and the 'theological humanism' is proposed as a reply to the problems associated with postmodernity as it has influenced both the fields of theology and moral philosophy.

Schweiker argues that so called postmodern discourse is associated with a number of risks but the most serious is that the notion of human dignity is rendered meaningless as moral selfhood is either questioned, or asserted as utterly dependent on the linguistic and discursive practices of a certain tradition. In both these stances the vision of a universal moral community of humanity is clearly refuted, and this, Schweiker contends, also poses a threat to the idea that persons deserves universal respect and concern. In this chapter I analyze Schweiker's claim that defending the worth and value of human life without demeaning non-human forms of existence can only be established in a form of theocentric ethics that ascertains that we are to respect and enhance all of finite life. I undertake this enquiry by first giving an account of Schweiker's

view on the features of globalization, the problems it presents to normative reasoning and the concerns it voices in relation to ethical theory. A reading of the ethics of responsibility and the theological humanism Schweiker proposes in response to these problems of a global world then follows. This is further elaborated as I in three different sections put the suppositions of his model in terms of the ethical theoretical perspective and stance, the view of human beings and ethical theory to critical scrutiny. The chapter ends with a critical discussion of Schweiker's model of global ethics.

Globalization – cultural dimensions

Schweiker holds that it is inaccurate to depict globalization as a unified phenomenon, rather, he argues, the changes that the world is undergoing are best described in terms of a series of global dynamics which within and amongst them, show signs of great complexity. Rather than presenting the features of the globalized world by an account of the alterations in the dimensions or spheres of finance and economy, or in political structures and international relations, Schweiker focuses on the cultural dynamics of a globalizing world. He holds that we ought to view global relations and interdependencies as decisively reflexive and therefore asserts that those who argue that globalization will lead to an inevitable homogenization or standardization of the world are mistaken. The effects of the compression of the world through technological, economic and political forces and processes are felt and apprehended differently depending on where in the spatial world the subject of experiences is positioned. Although, argues Schweiker, this focus on the cultural dynamics of globalization should not be interpreted as a denial on his part of the pervasive forces on the lives of individuals of the global market or the structures of global governance that are gradually consolidating. What motivates this focus is the conviction, he states, that the processes of globalization in economy and politics cannot be apprehended properly unless the cultural dynamics part of them are rendered clear and successively put under scrutiny.[389]

What are then the 'dynamics of globalization', and what are their crucial features judged from an ethical perspective? To start with,

[389] Schweiker, William: *Theological Ethics and Global Dynamics: in the Time of Many Worlds*. Blackwell, Malden 2004, pp 7 ff.

Schweiker argues that 'culture' is best viewed as a collection of the activities people undertake to render their lives meaningful. Culture as phenomenon primarily concerns the patters of symbolic representation through which persons and societies interprets and evaluate their existence as human beings. That the cultural labor of interpreting existence has such an evaluative component is something that one should be mindful of, Schweiker contends, as one seeks to explicate the features of a globalized world. A central aspect of the global condition that the world now finds itself in is that people increasingly come to view their lives, interpret and evaluate them, from the points of global interconnections. This is suggestive of the socio-cultural density which now marks human existence; through the processes of globalization the world is compressed both temporally and spatially as new forms of technology and media make instant communication possible. A central feature of the globalized world then, is that different cultures and traditions are becoming contemporaries as they occupy a common temporal space, which means that people with different cultural, religious and moral commitments are living together in modern societies.

Awareness of such differences is part of what motivates the normative stance of moral pluralism which Schweiker argues is a pervasive feature of the postmodern spirit, and it is to be understood as a stance that goes beyond mere recognition of diversity of moral traditions. To offer a plausible line of argumentation that will be able to refute normative relativism is one of Schweiker's central aims with developing the position he names theological humanism.

Schweiker argues that when people who relate to different cultures, which can plausibly be described as 'spaces of reason for human conduct', come to inhabit a shared spatial and temporal order this amounts to the condition of 'proximity'. The situation of global, social and cultural interconnectedness engenders proximity and gives rise to a reflexive mode of awareness where one interprets one's life, cultural and religious commitments included, in relation to that of other cultures and traditions. The responses to these social conditions varies. One is that of adaptation; other traditions are seen as comprising valuable traits, which are in turn incorporated into one's own scheme of meaning. Another one is the stance where the response to that which is different is to proclaim the superiority of one's own tradition. In a world which is compressed and yet enlarged through the reflexive relations between different 'spaces of reasons', possibilities for meaningful exchanges

and collaboration as well as the risks of conflict are present.[390] The condition of 'globality' is mode of consciousness where the world is perceived as a globe due to compression of the spatial and temporal world, and Schweiker argues that ought to be comprehended in its nature as a "representational space" and thus that it is represents a form of "emergent cultural and imaginary reality."[391]

Schweiker contends that this implies, that the dynamics of proximity, expansion of consciousness and reflexivity have essential moral implications:

> Insofar as the dynamics of globalization are intrinsically bound to representational, evaluative, and so motivational forces working on and in these agents, then globality is moral space, a space of perception, motives, and choice.[392]

Schweiker's argument about how a key interpretation to that which is constitutive of global reality is to view it as a space of representation which shows some similarity with Ulrich Beck's use of the term 'globality' denoting a kind of shared perception or awareness of the world as globe, as an entirety. But one should also note that for Schweiker the assertion that globality is a mode of apprehension differs from Beck's stance as Schweiker draws an explicit link between the issue of apprehension of and evaluative and normative judgments about the world. He argues that the forces of the aforementioned global dynamics are constantly operative as people try to interpret and evaluate the current state of the world, and that responding properly to them constitutes a moral task as one searches what it means to view the world as a whole, as a globe.

Proximity denotes a situation where people in societies marked by the processes of globalization will have to share reasons for actions and decisions with others whose views are possibly radically different, Schweiker argues. The challenge then exists in coming to view the world in a certain way, as a shared space of reasons for conduct, and thus to acknowledge that the situation brought about by the workings of the global economy and currents of migration, and the compression of the world, has implications for morality and ethical reflection. This leads him to argue that what is needed in the face of global dynamics

[390] Schweiker, William: *Theological Ethics and Global Dynamics*, p 9.
[391] Schweiker, William, op.cit., p 9.
[392] Schweiker, William, op.cit., p 11.

(of proximity, expansion of consciousness and reflexivity) is a new depiction of moral reality, or as he calls it, a new moral ontology.[393]

Schweiker furthermore argues that development towards a condition of 'overhumanization" is characteristic for the state of being of the current world. Through innovations and far-reaching developments in the spheres of technology, power has successively been extended to areas of life that used to be impervious to human power. As humans have gained abilities off manipulation and control of existence, the future of life on earth is made increasingly vulnerable to these new manifestations of power. Increases in human power via technological developments have been paralleled with the demise and dismissal of realism in moral theory, and Schweiker argues that when the insistence that the world is without an objective moral order coincides with the unleashing of human power, then the scene is set for a stance in which moral value is seen as derived from the human power to act. The condition of overhumanization together with the diversity in moral traditions observable in modern societies gives rise to a 'crisis of value'. Part of the condition of globality is a loss of connection between worldview and morality.[394]

Overhumanization is an ideology that helps to justify human domination of nature and it is crucially related to the postmodern age.[395] But as apprehensions about the state of being of the earth's ecological systems and the larger environment should make us aware, the future of all of life, human included, is now at risk because of the workings of mankind. A proper response to the global situation will thus, argues Schweiker, demand addressing these problems that come part and parcel with the overhumanization of existence. But, Schweiker adds, the power to influence and direct life is not evenly distributed amongst the world's population. Power is related to the possession and administration of capital, merits vastly unequal distribution in and between different societies. Global conflict, which Schweiker designates as constituting 'fires of hatred', relates to the inequality that has marked both past and present international relations. In the world, 'legacies of suffering' pose a potential source of conflict. This means that a further threat to life and existence is present in the fact of human conflict, and that the

[393] Schweiker, William: *Theological Ethics and Global Dynamics*, pp 27 f.
[394] Schweiker, William, op.cit., pp 12, 16.
[395] Schweiker, William: *Power, Value, and Conviction: Theological Ethics in the Postmodern Age*. Pilgrim Press, Cleveland 1998, pp 63 f.

memories of past injustices threaten global stability as they are possible triggers of outbursts of violence and revenge that denigrates life.[396]

Even though Schweiker makes the admission of 'legacies of suffering' in different societal relations and so, at least indirectly, addresses international relations, he does not provide a systematic analysis of the international order and thus it is unclear whether he ascribes any kind of systematic injustices or schemes of exploitation to it. Whereas the three already-analyzed authors all provide some kind of critical account of the global economic order, Schweiker instead offers an analysis of the concept of greed how this relates to the social-imaginary that he argues is operative in contemporary capitalistic societies. The problem these societies face is not traceable to the capitalistic system per se but rather consist of an improper constriction of morality from the economic sphere of society. This has had the effect that the traditional language of vices and virtues, such as greed and compassion, is judged obsolete in relation to public life. Schweiker holds this to be a great loss for modern societies and suggests that it might be called for to seek to retrieve some of parts of it for the task of moral scrutiny of economic activity and life.[397]

Thus, Schweiker contends, in the globalized world a number of processes contribute to a situation where the future existence of life on earth is under threat. Included in his account of global problems are the risks that non-human life is exposed to, and as we have seen Schweiker connects these perils facing all of finite life to the exercise of human power. Human power is so accentuated that it is understood to be the sole source and meaning of moral value. Schweiker claims that the crisis of value spurred by this line of thinking will have to be met by appeal to a non-anthropocentric normative standard and a depiction of reality that sees value not just in the human spheres of existence.[398]

[396] Schweiker, William: *Theological Ethics and Global Dynamics*, p 116.
[397] Schweiker, William, op.cit., pp 43 ff.
[398] Schweiker, William, op.cit., p 36 f.

Ethics and responsibility

Pluralism and ethical relativism constitutes the major global problems that Schweiker discerns and the ethics of responsibility that he elaborates. The stance of a theological humanism as well as the hermeneutical realism he proposes in line of ethical theory are all needed, he claims, in order to challenge overhumanization. A global ethic is best articulated in terms of an integrated theory of responsibility which asserts the value of the integrity of all of finite life and Schweiker claims that the challenge of moral pluralism is best responded to by the stance he names Theological Humanism. This stance expands on the theory of responsibility and Schweiker holds that sustainable moral reasoning in a global world must necessarily have a theological dimension. Schweiker also claims that the version of responsibility ethics that he proposes makes sense of basic moral experiences at the same time as it gives coherent expression to central Christian convictions.[399]

Schweiker outlines his normative ethics as an integrated model of responsibility ethics and argues that it draws insights from several different theories about what constitutes distinctive features of human existence, and thus are essential for moral reasoning to relate to. In addition to the work of Hans Jonas, Schweiker also relates to the reasoning of philosopher Charles Taylor and asserts that the arguments Taylor has presented concerning human subjectivity have influenced the particular interpretation of responsibility that his model advances. This interpretation of the qualities of the concept of responsibility is the ground on which Schweiker elaborates his normative ethical model which encompasses both an account of the moral subject, a theory of value and norms for action.[400]

Schweiker further argues that the circumstance that various explications of the notion of responsibility are found in both secular and Christian moral discourse indicates that the idea that we are in some sense responsible, seems to correspond with common apprehensions of the basics of our existence as human beings. By posing this argument, Schweiker's line of reasoning in this regard comes close to a form of moral intuitionism, a position in which it is argued that as humans, we have basic intuitions about the demands of morality, and further, as these are in some sense common to humans, they support claims about

[399] Schweiker, William: *Theological Ethics and Global Dynamics*, pp 210 ff.
[400] Schweiker, William: *Responsibility and Christian Ethics*, pp 3, 28 f, 47 f, 140 f.

the universal nature of morality. Schweiker argues that this interpretative function and importance of the concept of responsibility have in relation to moral experience is reflected in the landscape of moral philosophy, and he claims that most normative ethical models can be considered by how they relate to the idea of the responsible moral agent.[401]

In *Responsibility and Christian Ethics*, Schweiker makes an exposition of different ways in which the idea of responsibility is invoked in various normative ethical models, and suggests a typology that designates three different kinds of theories of responsibility; namely agential, social, and dialogical. Agential theories ground responsibility in the acting agent and a primary example of this is found in Kant's reasoning about the free will to which moral acts have to be subsumed. The social theories instead focus on responsibility as grounded in socially constructed roles to which are seen as inevitable features of our lives as human beings. Thirdly, Schweiker denotes those theories as dialogical which understand responsibility as emanating from the encounter between I and Thou, in which the presence of the Other issues a claim to which the individual must respond by in actions and decisions.[402]

Schweiker claims to be drawing insights from all of these when he articulates the imperative of responsibility, which constitutes the core substance of his version of an ethic of responsibility. This imperative reads: in all our actions and relations we are to respect and enhance the integrity of life before God.[403] Schweiker argues that to propose a normative theory founded around the idea and imperative of responsibility means that one has to assume that humans have an ability for action that is intentional, and thus that they can exert some form of control over the world. In this way responsibility ethics also recognize the capacity for power through action that the ideology of overhumanization makes primary for moral value. Schweiker claims that it is therefore necessary that his model of responsibility can offer a plausible account of this human capacity for release of power through actions. Central in this effort is to show how the notions of moral freedom and voluntary action are both implied and invoked in different understandings of what makes assignments of responsibility to agents appropriate. However, that the human freedom to act and interpret reality is essential does not mean,

[401] Schweiker makes this argument about the elucidatory potential of the concept of responsibility in relation to moral experience recurrently throughout his work but see especially chapter 1 and 3 in Schweiker, William: *Responsibility and Christian Ethics*.
[402] Schweiker, William, op.cit., pp 40, 78 ff.
[403] Schweiker, William, op.cit., pp 32 f, 103-105.

Schweiker states, that it is what constitutes morality, nor does it cover it in entirety.[404]

Schweiker argues that the imperative of responsibility acknowledges this stance on the character and foundation of morality and that the integrated model which it is part of asserts that there is a moral reality which exists independently of the efforts and strivings of human beings. The imperative explicates a universal norm of action and maintains that there are some goods that every person ought to pursue in life. Schweiker argues that the imperative is articulated in a way that heeds the concerns of both deontological and teleological ethical models; it explicates a standard for moral action that postulates some basic rules of conduct that should never be violated, as well as makes a proposal for values or goods that persons ought to strive to realize. The imperative also provides an order for norms of actions, Schweiker argues, as it holds that we are first required to respect and then enhance the integrity of life.[405]

Schweiker argues that the question of how reality is perceived and construed is central to ethics as it is in response to a conception of reality, which is necessarily evaluative in kind, that we as moral agents makes decision about how to act and which values and relations to pursue. The imperative of responsibility attests to this stance by its stipulation that the integrity of life be respected and enhanced before God. The latter part of the imperative expresses the claim that morality has a theological, transcendent dimension, and that moral norms and values ought to be understood as rooted in a divine reality, argues Schweiker.[406]

In order to present the meaning of that which actions are intended to respect and seek to enhance, namely the integrity of life, Schweiker advances a multidimensional theory of value. This theory holds that several different forms and levels of goods are found within moral life; there are pre-moral goods of bodily existence, social goods, and reflexive goods. These are basic goods of every human life and should be respected and enhanced for everyone. But, Schweiker argues, when these are rightly integrated another form of good is present in life,

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[404] Schweiker, William: *Responsibility and Christian Ethics*, pp 74 ff.

[405] Schweiker argues that the norms backed by the imperative of responsibility assert that we ought to pursue certain valuable ends, but he also claims that the duty to show respect for the integrity of life comes prior to the exhortation to enhance the integrity of life. Schweiker, William, op.cit., pp 113, 123 ff.

[406] Schweiker, William, op.cit., pp 128, 208 ff.

namely the ethical good of moral integrity.[407] The idea that life can exhibit integrity means that its different dimension are related to each other in ways that are conducive for the *whole* of being. Therefore, Schweiker argues, the imperative implies that an agent might be compelled to act against a basic, or lower-level, good at times, if this means preserving the integrity of the life of oneself or another. This, he argues, also sets his understanding of the natural goods existence apart from some forms of natural law reasoning.[408]

The imperative of responsibility for the integrity of life is principal because it asserts the value of the goods of existence which makes moral action and agency possible in the first instance. Schweiker states this as follows:

> Thus an imperative which concerns the integrity of life must be categorical since its object is a necessary condition for other imperatives and choices of whatever sort. In this sense the imperative is binding on the exercise of human power.[409]

Schweiker argues that the imperative of responsibility can become guiding in personal existence through an act of radical interpretation. This relates to what might be described as a yet further stage in his constructive account. Schweiker argues that responsible existence for people means both addressing and resolving the conflicts that might exist between personal goals or ends, and the imperative to respect and care for the interests of others. Schweiker argues that the only way to do this is through a process of self-reflective inquiry where we scrutinize our motives for actions by subsuming them to the critical standard that the imperative's exhortation of respect for the integrity of life, both in our own existence and that of others, constitutes. Radical interpretation is central in the integrated model of responsibility because it gives expression on the process by which the imperative of responsibility is em-

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[407] Schweiker, William: *Responsibility and Christian Ethics*, pp 117-120.
[408] Schweiker claims that this way of articulating the meaning of the concept of the integrity of life as contingent on a variety of natural and social goods stands in opposition to the understanding of basic human goods that are part of some versions of new natural theory, which poses the claim that none of the basic goods of life may be acted against even if in effect, this refusal causes severe harm or even the demise of the agent. He focuses mainly on the versions presented by Germain Grisez and John Finnis. Schweiker, William, op.cit., pp 120 ff.
[409] Schweiker, William, op.cit., p 125.

braced by the person as a maxim of action. The imperative is an objective or external principle that, through the act of radical interpretation, is incorporated into the motivational scheme of the individual. This model for moral insight, i.e. radical interpretation, responds to the imperative's call for integrity in life, as it holds both that moral agents need to develop a sense of moral depth and inwardness but also that individual existence is rightfully circumscribed and ought to be transformed by the fundamental demands of respect for persons.[410] This act aims at bringing together and overlapping the things that we, as individuals, care about with the respect that the life and interests of others rightly demands of us. Persons are therefore required to try to bring integrity into their own lives as well as to the existence of other(s) and this include all forms of life. Schweiker holds that this makes his model of responsibility a truly global ethic as it incorporates all forms of life and comprises the relations that exist between these.[411]

As we have seen Schweiker invokes the concept of overhumanization and argues that the human capacity for power through action is now commonly understood to be the center of value. This is the condition of a globalized world, Schweiker argues, and it stems partly from the rapid scientific and technological innovations that the last decades have brought forth. Equally important in the bringing about of this condition are currents of thought in moral philosophy and theology. Secular ethics and several models of Christian ethics have lacked resources to properly address this situation where power has become the central matter.

Theological humanism

In *Theological Ethics and Global Dynamics*, Schweiker presents his aim as that of articulating a normative stance which whilst centrally focused on human existence, can also assert the value of non-human life. If done properly, he contends, the stance that ensues would prompt a form of theological humanism. Through a critical discussion with different humanistic models he tries to show that the different versions of secular humanism all offer inadequate resources to address and refute the critique which the different theorists (who he denotes as 'anti-humanist') have brought against the form of humanism associated with

[410] Schweiker, William: *Responsibility and Christian Ethics*, p 176.
[411] Schweiker, William, op.cit., p 209.

the Enlightenment. Schweiker argues that both the individualism and anthropocentrism which humanistic models in this tradition have been accused of exhibiting ought to be countered, but, he argues, not by endorsing a form of anti-humanism that disperses with the idea of human dignity and transcendence.[412]

A basic assumption in all humanist theories is that they conceive of the human being as free in some measure, Schweiker contends, and this is also the assumption at the bottom of his theological humanism. Theological humanism consists partly of an assertion of the view of the human being that has to be adopted in order to counter overhumanization. Schweiker argues that the Humanism presupposed in his model should be read as a stance which denotes the centrality of human matters to normative reflection, including theological ethics. Therefore it is a way to postulate that within ethics, it is necessary to focus on questions which pertain to agents or humans in their lives, situated within the world of natural and social processes. The other 'part' of Theological humanism consists of the claim that 'reality' must be understood in relation to God. According to Schweiker, this is a consequence of theological assertions of God as the creator of existence. A form of moral realism is thus necessitated by theism and the claim about the realistic nature of morality is common to the Abrahamic religions. [413]

Schweiker argues that his theological ethics should be understood as a contribution to the discipline of Christian moral philosophy. This he depicts as the dual activity of directing critique and proposing a constructive reading of Christian convictions to thereby contribute to moral philosophy from a distinctive Christian, theological, perspective.[414]This is essential to Schweiker's argument about the purpose of theological ethics: that it should be understood as contributing to Christian moral philosophy, explicated as the attempt to render theological convictions morally intelligible. It means that, that which is asserted about God, theological and religious convictions, must be assessed in relation to human existence, and theological convictions should be put under moral evaluation.[415] It also means, Schweiker argues, that the mission of the theological ethicist should be understood as that of expounding

[412] Schweiker, William: *Theological Ethics and Global Dynamics*, p 203 f.
[413] Schweiker, William, op.cit., pp 28, 160 f.
[414] Schweiker, William: *Responsibility and Christian ethics*, p 5.
[415] Schweiker, William: *Power, Value, and Conviction*, p 8.

the resources of a certain religious tradition in order to address questions which pertain to humanity at large. Therefore it is mistaken, he argues, to suggest a disjunction between theological ethics and moral philosophy.[416]

Through an excursion on the moral meaning of Creation, Schweiker tries to show that theological symbols and narratives when subsumed to ethical reflection can provide insights to and resources for moral reasoning beyond the limits of different religious traditions. Schweiker argues that theological humanism holds that the Christian symbol of Creation can be interpreted in ways that appeal to the experience many people have of the moral order as something we encounter rather than invent. In the creation narrative in Genesis 1, God proclaims the created world as good, and this can be read as giving rise to a dynamic relationship between creator, created order and the human power to act, Schweiker argues. If moral reality is interpreted through the biblical symbol of creation we get the basis for an ontological position which asserts the value of human freedom to use power to act as co-creator, namely to respect and enhance the integrity of all finite life.[417] This reading of the creation narrative is an important part of a plausible version of Christian ethics. Just as the human power to act ought to be directed by the imperative of responsibility, so should the relationship between the Creator and the created be understood as constituted in terms of the commitment of the former to respect and enhance the conditions for finite life. This, Schweiker contends that this is needed in order to overcome the kind of reasoning that supports overhumanization and amounts to an equation of power with value.[418]

Schweiker argues that the 'moral worldview' part of a normative position is one of it essential features. This he calls a 'moral ontology' arguing that part of every plausible normative ethical model should be an explicit recognition of its basic assumptions and included in these are those about the nature and basic features of moral existence. Schweiker argues a central contribution which his model of an integrated model of responsibility makes is its moral ontology. This ontology has the resources which are needed to counter the challenges of overhumanization and moral diversity.[419]

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[416] Schweiker, William: *Power, Value, and Conviction*, p 205.
[417] Schweiker, William: *Theological Ethics and Global Dynamics*, pp 32 f.
[418] Schweiker, William: *Responsibility and Christian Ethics*, p 46.
[419] Schweiker, William, op.cit., pp 21 ff.

In *Theological Ethics and Global Dynamics* Schweiker engages in a discussion about the shape instantiations of justice must take if societies riven by the legacies of suffering mentioned in the section above are to be conquered. He then indicates that any real effort to accomplish reconciliation in relations where one of the parties has exploited or in some other way dominated, needs to be conceived of in terms of restorative justice. This effort of establishing justice must include both admission of guilt and action to restore that which was unduly taken from or done to the other. This stance on justice, which holds that the acknowledgment of wrongdoings and guilt ought to be supplied by actions aiming at restoration is apparent, Schweiker claims, in theologian Dietrich Bonhoeffer discussions about 'cheap grace'. This is a form of stance in the believer where one professes guilt but does not convert the insight about implication in the sins of the world into action. Schweiker argues:

> […] that the question of reparations can and must be raised insofar as genuine restorative justice must be just that: restorative and just. Only in this way is the political equivalent of 'cheap grace' avoided, namely, the willingness of people to 'confess' past wrongs while continuing to live within a political, economic, and social structure that perpetuates injustice.[420]

However, Schweiker states that he does not want to address the issue of what kinds of action or institutions will be necessary for meeting the demands of restorative justice.[421] Instead of presenting an explicit argument about how his ethics of responsibility will respond to the challenges of globalization in terms of societal policy or arrangements, Schweiker claims that it can contribute with new moral visions for the world. His suggestion is, as we have seen, that moral reality should be interpreted theologically and the position named hermeneutical realism is elaborated around the proposition that ethics must necessarily relate to questions of the ontological character of existence.

However Schweiker also contends that this should not be confused with a presumption about the superiority of Christianity or Christian beliefs. The different assertions about human existence and experience made within the traditions of Christianity will have to be brought into dialogue with other views on life, and thus they will be put under scrutiny and their substance meaning should be evaluated by the ability they

[420] Schweiker, William: *Theological Ethics and Global Dynamics*, p 118.
[421] Schweiker, William, op.cit., pp 120 f.

have to adequately address the issues of human existence. Only in this way, Schweiker claims, a genuine form of pluralism can be accomplished; 'genuine pluralism' is the proper response to moral diversity, and urges respect for the integrity of life of both persons and communities, so that all forms of social and political tyranny can be avoided.[422]

Pluralism and moral understanding

As we have seen, Schweiker argues that a pressing issue for ethics is the challenge of pluralism and moral diversity, but it is also the case that Schweiker uses the phrase pluralism to designate issues that to some extent are different. For example, he uses the term pluralism to denote the circumstance that several forms of lifestyles and views on life co-exist in modern societies. The fact that people live their lives in different cultural and historical settings also shapes their apprehensions of the world. Descriptively, the concept of pluralism as a diversity of moral views is true, Schweiker claims:

> The first and most obvious aspect of pluralism is cognitive and axiological *diversity*. People think about and value life in different ways. Some seek wealth and others want martyrdom; some believe in human rights while others insist on ecological holism. Moral diversity is a central fact of the time of many worlds.[423]

The risks and problems associated with pluralism become apparent, he contends, when the circumstance of moral diversity leads people to start doubting that the various and divergent apprehensions of the world relates to something real, i.e. a reality independent of people's worldviews. Thus, Schweiker argues, the term 'pluralism' can also be used to designate a situation where awareness about the condition that people interpret and perceive reality differently leads to a differentiation between claims about reality and ethics. It is this kind of pluralism that gives raise to moral skepticism which constitutes a problem Schweiker argues.[424]

In Schweiker's reasoning, the extension of human power through technology is held to have a parallel in current ethical reasoning in the

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[422] Schweiker, William: *Theological Ethics and Global Dynamics*, p 29.
[423] Schweiker, William, op.cit., p 29.
[424] Schweiker, William: *Power, Value, and Conviction*, p 25.

abandonment of the belief that morality is objective. This, he argues, leads to relativism as the human power to shape and influence reality is seen as the inner meaning of value. Traditional forms of realism in ethical reasoning lack the resources to counter these developments as the role of human subjectivity is not properly elucidated within their accounts of morality. The understanding of the self which is part of their formulation fails to give an adequate picture of the contextual and embodied nature of human beings. While these accounts of the nature of morality are deficient, so too are the postmodern, anti-realist conceptions of ethics. Schweiker argues that a new understanding of the activity of moral understanding is needed, one that adequately accounts for both the subjective and objective features of moral identity and can offer a plausible account of the characteristics of human freedom.[425]

A central claim proposed by the hermeneutical position is that human beings are self-interpreting beings and this is also crucial for Schweiker's discussion of subjectivity and moral knowledge. That which is characteristic of human consciousness and therefore of subjectivity, Schweiker contends, is its interpretative form, which comes into being through the dialectic process of interpretation. The aim of bringing moral existence into the right mode of integration is analogous to the manner in which the human consciousness strives for integrity as it brings different phenomena and events into a coherent interpretation of reality. Moral integrity is the goal of an authentic moral identity, and depends, Schweiker asserts, on acting on internalized principles, principles freely embraced, that while they are a part of the cognitive and emotional scheme of the individual, still have a reference point beyond the consciousness of the individual.[426]

As was argued above the choice Schweiker makes to describe his stance as a form of theological humanism is indicative of the universalistic ambitions of his normative position. The claim about a universal morality stands forth as plausible given the common nature we share as human beings, Schweiker contends. Therefore he also argues that his reasoning can be viewed as standing in relation to the natural law tradition. However, his reasoning about the interplay between nature and moral knowledge is fairly different from the kind of reasoning that David Hollenbach advances. Even though Schweiker claims that there is a moral reality of which we can become aware, he does not argue that this

[425] Schweiker, William: *Power, Value, and Conviction*, p 118.
[426] Schweiker, William: *Responsibility and Christian Ethics*, p 50.

is done by the use of a practical reason that is common for human beings. In his account of moral reasoning a certain view on human subjectivity is presented. He deals extensively with the problem of how the self can be cogently described as situated in history and society while also maintaining the possibility that these do not confine the moral community. By invoking hermeneutical insights about interpretation and understanding, Schweiker proposes to give an account of how community and individual consciousness interacts in moral personhood. Even though the discursive resources of a particular historical community always form individual subjectivity, the human ability to interpret and thus apprehend reality is not confined in its totality by social and historical context in which it transpires.[427]

In this way, Schweiker argues that his account of moral understanding takes heed of our existence as embodied, situated beings, and he claims that it is an epistemological position which rejects the form of ethical rationalism which postulates that human contingency can be abstracted from by the use of a transcendent practical reason. Standards for what counts as rationality in moral reflection must adhere to the fact that as finite and social beings, we suffer the risks of fallibility.[428]

The argument recapitulated above forms the theoretical background of his argument about how moral understanding can occur, and how this understanding is connected to the moral meaning of existence, which constitutes an objective order. Knowledge of the moral order of existence cannot be gained in a direct sense, we can only experience it indirectly, and further this experience is mediated by language, and our society's discursive resources thus constitute the framework within which the meaning of moral existence is apprehended. In this way, moral knowledge is "bound to the forms of discourse, the symbols and narratives that are found in a society."[429] This is the crucial insight of hermeneutical realism, Schweiker contends.

Schweiker also makes a theological argument for why a form of realism is called for, and why this is best understood as a form of hermeneutical realism. From the creation narrative Schweiker deduces an argument in support of a certain view of human beings; from the outset

[427] His account of interpretation is inspired by Hans-George Gadamer's reasoning about human understanding as interpretation. Schweiker, William: *Power, Value, and Conviction*, pp 77 f, 122 ff.
[428] Schweiker, William, op.cit., pp 118 ff.
[429] Schweiker, William, op.cit., p 39.

of creation, humans are blessed with the ability to take part in "the ongoing event of world-making".[430] They are given the gift of language, through which they can interpret and therefore take part in shaping the world around them. Schweiker claims that his theologically motivated hermeneutical realism is therefore able to postulate human freedom as something good. It does so by asserting that it is the human being's ability for active discernment of reality that lends to the role as a form of co-creator with God, and that she therefore holds a special responsibility to use this ability for power in the service of the integrity of the created reality. A theologically motivated hermeneutical realism therefore accounts for how value can be argued to have a realistic quality while at the same time affirming the human capacity for meaning-making.[431]

This will lead to a variety of ways of interpreting and understanding what it means to live responsibly in the world and pluralism is therefore a condition of the created order of reality. The idea of creation, Schweiker argues, incorporates but is not reducible to the social and natural reality of human life. These constitute 'realities' which have their own respective logics and complex forces shaping human life therein, and thus they act as inevitable boundaries on moral imagination. Value is defined as a relation between reality and human subjectivity. Expressed in theological discourse this means that the divine reality that is the ultimate power and ground of value relates to finite existence in terms of a 'transvaluation' of power.[432]

As we will see further on in this chapter, Schweiker contends that this theological claim about the correspondence between ultimate power and value has consequences for ethical reflection in terms of the kinds of arguments that can be given in support of a normative position. This is so, as the interpretation of what it is that marks the relationship between Creator and creation necessitates a certain depiction on the conditions for human existence and moral life.

A reformed depiction of reality is the purpose of engaging the symbol of Creation, which according to Schweiker, confesses to the integrity of life as its central value. As moral realism is necessitated by theological claims about the divine reality, these claims must come under

[430] Schweiker, William: *Theological Ethics and Global Dynamics*, p 33.
[431] Schweiker, William, op.cit., p 66.
[432] Schweiker, William, op.cit., p 33.

critical scrutiny as well, evaluating if they support the idea of the integrity of life as that, and not power, which is central to a Christian moral vision.[433]

An agentic-relational view of human beings

As we have seen Schweiker prefers the concept of moral understanding and argues that the moral meaning of existence is apprehended through an act of radical interpretation. We could further notice his contention that 'understanding' designates a relation between the subjective or person-centered act of interpretation, and in some sense, an objective order of meaning. Schweiker portrays persons as self-interpreting to their nature and holds that they have the capacity to self-consciously orient themselves in relation to existence. Therefore, he portrays human personality as constituted through the act whereby the subject actively relates to reality in a reflexive mode of critique and evaluation. This denotes a capacity for self-reflection but does not mean, Schweiker contends, that personal life is self-referential to its essence. The human ability for reflection upon being and existence also involves the crucial focus on what is *other* and thus beyond the limits of individual consciousness. In reflecting upon existence the self begins to perceive of reality as distinguishable from its very own existence, and it comes to view itself as another actor in the world, amounting to a form of awareness in case of individual life. Schweiker argues that it does so only to realize that this life has a crucially social and contingent nature.[434]

Schweiker states his aim as that of developing a 'realistic stance' in ethics. He presents this as one that centers on the claim that a moral reality apart from the human subject and consciousness actually exists. He argues that it is possible to defend this idea concerning an objective moral order whilst also maintaining that the notion of freedom of action and moral integrity in personal life is a plausible one. The way to do so, Schweiker claims, is by offering a convincing account of how the individual mind relates to moral reality and also to explicate how

[433] Schweiker, William: *Power, Value, and Conviction*, p 9.
[434] Schweiker, William, op.cit., p 80.

knowledge about the demands of this order is possible. He then proposes 'radical interpretation' as the way to shape personal life in accordance with the imperative of responsibility.[435]

What does this mean for this understanding of the human being, and what kinds of arguments does it allow him to put forth regarding the constitution of the self? Schweiker's responsibility ethics assumes some basic features of human existence and the epistemological universalism he advocates presupposes the possibility of some form of common apprehension and understanding of reality. Yet, he also wants to take note of the various criticisms that have been directed at theories that presume some form of common human nature. To avoid both essentialism and a thin 'volitional' account of human agency and freedom, and in order to safeguard the idea that humans have a non-instrumental worth, or dignity, he argues that we ought to endorse an agentic-relational view of human beings and a modified positive evaluative view on freedom.[436]

Basic to Schweiker's view of human beings is his claim about the distinctive conditions that surrounds moral action. He argues in favor of a normative theory of responsibility means that one must also support the claim that humans have the capability to direct their actions and thus to exert some form of control over the world. Schweiker postulates that in this way, responsibility discourse presupposes the idea of freedom in the moral sphere of existence. As mentioned, he advocates a 'modified positive evaluative' conception of moral freedom, which he develops in close connection to Charles Taylor's idea of evaluative freedom.[437] This conception views the person as free in the sense of being able to put its standards of action under evaluation, and by so doing it can revise its moral maxims as well as change its comprehension of its identity.[438]

Thus Schweiker postulates that self is free in the meaning of having the ability to choose a standard of action; it can make thought-through decisions about courses of action. However, the person always performs this evaluative task with reference to that which is other than itself, and in this way it transcends a basically subjective purview. Moral freedom should therefore be understood as the capacity held by the individual to realize a higher form of existence, a form of existence which emerges

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[435] Schweiker, William: *Responsibility and Christian Ethics*, pp 36 ff, 50 f.
[436] For a critique of Sartre's and the understanding of freedom as volitional, allegedly endorsed by varieties of existentialism, see Schweiker, William, op.cit., pp 159 ff, especially p 170.
[437] Schweiker, William, op.cit., pp 140, 142 f.
[438] Schweiker, William, op.cit., pp 145 f.

when the person freely embraces responsibility for others, the world, and itself. The act of radical interpretation basically evolves around such voluntary ascriptions of responsibility and so helps to constitute moral identity. Schweiker further explicates that this is a form of activity in which the self pays attention to 'conscience', and proper moral insight is first achieved when life is re-interpreted according to the imperative of responsibility. The person then apprehends the value of existence in the midst of individual consciousness. [439]

This can propel feelings of tension between self- and other regarding values, ends and virtues. However, Schweiker argues, this is an experience that is really basic for every moral agent. The feeling of conflict between what we as individuals care about, our goals, desires and wants, and the other's existence, is a central characteristic of moral life.

We cannot repudiate the claims for recognition and respect that both existence in others and ourselves engender. Only by radically reinterpreting our lives and then giving admission to this tension between self- and other regarding components of existence do we achieve moral integrity. Central for these reflections on the nature of moral identity on Schweiker's part is, as mentioned, Taylor and his thoughts about self-criticism and evaluation. Schweiker portrays Taylor as claiming that through reflexive acts, which incorporates critical scrutiny as well as assessment, the person re-interprets and can thus recast the value-scheme that has so far operated as basic premises in life. By these efforts, the self forms what can be described as "second-order desires and volitions", which then act to orient the self in moral existence.[440] Schweiker argues that he wants to distinguish his idea of a radical interpretation from Taylor's account of self-criticism as he thinks that it amounts to a form of 'internalism' which is implausible where moral identity is concerned.[441]

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[439] Schweiker, William: *Responsibility and Christian Ethics*, pp 175 ff.

[440] Schweiker gives an in depth description of Taylor's argument, and the arguments of Harry Frankfurt about first- and second-order desires and volitions. Schweiker, William: *Power, Value, and Conviction*, pp 97 f.

[441] Schweiker argues that when Taylor describes this activity of identity formation he describes the standard for evaluation as a form of inarticulate sense of that which is of outmost importance for the self. The upshot is that the critique meant to ground moral action is reduced to a form of "debate within the evaluator's personal life about personal desires and volitions". Schweiker, William, op.cit., p 99.

Rather than relating to an internal standard, Schweiker contends, criticism of the values that orients one's life should be made by reference to that which properly deserves respect, that which is other than the self and thus external to the individual's consciousness. This, Schweiker argues, is a hermeneutical account of conscience, and further asserts that his description of the practice of radical interpretation overlaps largely with the Christian idea of conscience as guide to the moral law promulgated by God. Although, if the idea of conscience as providing insight into the requirements of morality is to stand forth as plausible, Schweiker argues, we have to understand it in terms of a certain practice rather than as a special 'faculty of the mind'.[442] Conscience is the theological explication of the radical evaluation of life, through which the individual comes to grasp that which ought to be respected and enhanced, and commits life accordingly.

The agentic-relational view of human beings is also presented as part of the response to the question impelled by 'overhumanization'; how to affirm the human capacity for interpretative action, to respond to and influence reality – which is a form of power – as something good without accepting that moral value is basically reducible to human power. Such a conceptualization of morality discards the idea of inviolable human worth in the final instance, since its celebration of the ability for power and control reduces the worth of individuals to their ability for causal action. When Schweiker goes on to assert that respect for the other, in its own right, constitutes a basic moral experience and also holds that it aids the constitution of personal identity, he clearly intends to let this argument concerning the phenomenology of morality challenge normative models that postulates human power as basic value. But he also states that he wants to dispute an account of the moral motivation of persons that gives improper recognition to the circumstance that stimulus for moral action comes not just from that which we *care* about but also from the fact that we commonly experience persons and events as deserving of our respect.[443] This leads Schweiker to judge that accounts of moral existence and the form of freedom achievable therein,

[442] Schweiker, William: *Responsibility and Christian Ethics*, p 185.

[443] Also in this, Taylor's argument about self-criticism and moral motivation is the basic steppingstone for Schweiker. Although he claims that his apprehension of moral existence does not include the view that we conduct our lives basically or even centrally in accordance with that which we care about, we also orient our moral lives by respect for the other, or that which is other, and it so constitutes moral identity. Schweiker, William, op.cit., p 99.

equate it with individuals' attempts to control existence in accordance with autonomously defined goals of action, are utterly mistaken.[444]

However, the issue of freedom and to what degree persons can be said to possess it are central questions with which theological humanism grapples, and Schweiker argues that we ought to interpret the notion of human freedom from a theological perspective. The human capacity for deliberate action, which presupposes about self-consciousness and ability for reflective thinking, is a gift from God and part of the condition of being human in a world created by the divine. Human freedom is thus qualified by divine intention and agency, and this is also crucial for the argument in case of hermeneutical realism. An account of the freedom which is particular to the moral agent must be able, Schweiker argues, to offer a plausible description of the relation that exists between the realistic and thus in some sense object nature of value and the human subject apprehending them. The event that various forms of realism, both theological and philosophical versions, are now under trial is traceable in part to the lack of such an account Schweiker contends, and the problems center around their inability to offer convincing accounts of the role which subjectivity has in moral reasoning. The solution to this dilemma, Schweiker suggests, is to go via the establishment of plausible interpretation of how the self relates to a transcendent reality. The theory of Hermeneutical realism posits the self as eligible for knowledge about the moral reality, which then extends beyond human consciousness.[445]

This realistic dimension is present in moral existence as that which properly lays a claim on us for respect, that which has non-instrumental or intrinsic value. It is by radically interpreting the commitments by which we orient our lives that we can come to care for that which deserves our recognition and respect, Schweiker argues. This also means that perception of worth and basic moral commitments stand in a complex relation; in order to properly perceive moral worth we need the aid of principles and norms in both personal and interpersonal existence. It is therefore also the case, Schweiker argues, that moral existence needs to be conceived of as demanding more than just personal integrity – marking a coherent way of life and the exhibition of various personal virtues. Basic to our experience of moral life is also encountering the Other, a person or an entity and its demands for respect in the midst of

[444] Schweiker, William: *Power, Value, and Conviction*, p 151.
[445] Schweiker, William, op.cit., p 84.

our lives. Normatively this means that moral integrity can be judged present if a person has made that which is of utmost concern and care in its life, and that which demands respect in terms of its otherness, overlapping goals for action.[446] It is these claim regarding common moral experiences that is at the bottom of his realist theory of value, and it is by appealing to these that he makes his argument that we can grasp that moral value is not reducible to our own individual projects and concerns.[447]

Lastly, Schweiker also explains the condition of pluralism and moral diversity by making the argument that there are some central and common features to human existence which condition our nature as moral beings and so constitute the essential circumstances that every plausible articulation of morality must adhere to. He holds that humans are beings that constantly interpret existence, and contends that our search to satisfy bodily, emotional, and other central human needs draw us into communion with other. It is from within the communities thus formed that we apprehend existence in its many dimension. The various historical communities in which human life transpires intimately acts to condition our interpretations of life, and with it, morality. Thus the discursive resources of specific communities influence moral consciousness in decisive ways. This means that Schweiker, notwithstanding the fact that he advocates a realistic stance regarding the ontological status of values, asserts that we must regard the human subjective and the ability for critical evaluation as central for an explication of the moral life. Schweiker thus asserts that both the social constitution of the person and the practice of radical interpretation of moral existence will yield a plurality of moral apprehensions.[448]

In summary, the analysis of Schweiker's view of human beings shows that is has fundamentally positive connotations. His depiction of the individual's ability to reflect on and make evaluative statements about its existence shows his deep belief in the possibility of moral growth and betterment. Freedom in the moral sphere of life is a real opportunity as the agent can radically interpret its life and grasp the meaning of existence in realizing that it is responsible for its own existence as well as that of others. By these phenomenological arguments Schweiker postulates that in central ways, the moral life circles around

[446] Schweiker, William: *Power, Value, and Conviction*, p 100.
[447] Schweiker, William: *Responsibility and Christian Ethics*, p 175.
[448] Schweiker, William, op.cit., pp 177 f.

the concept of responsibility, and that it marks feelings basic to human moral existence. This implies thorough interrelations between individual and communal existence, and both personal identity and views on the defining characteristics of moral integrity can therefore first receive plausible substantiation in the particular historical setting that different human communities constitutes examples of.

Hermeneutical realism

Schweiker does, as we have seen, view moral pluralism as a phenomenon that ethical reasoning must explicitly address, and he argues that it relates to the currently widespread skepticism regarding morality having character as objective or 'realistic' in any direct sense. Pluralism becomes problematic when it amounts to, and is thus synonymous with, normative relativism. In order to solve this Schweiker proposes a value theory that he presents as realistic and is also compatible with diverse of ways for conducting life: he calls this a 'multidimensional theory of value'.[449] In this last section of the chapter the analysis focus on the ethical theory that Schweiker suggests, namely, the arguments he puts forth in in favor of his hermeneutical realism.

Schweiker contends that an adequate ethical theory should respond to our experience of being moral agents. The lesson from moral phenomenology was as we saw above, that persons seemingly have both experiences of worth and feel the obliging force of norms in their lives. These experiences give indices that morality is not just an invention of the human mind but rather that moral concepts and language provides symbols for phenomena that are real, that is, which really do exist.[450]

As we saw Schweiker suggests that 'meaning-making' constitutes a basic activity in which humans engage, and also maintains that we ought to comprehend the human mode of being as primarily an evaluative engagement with reality. These petitions are part of a complicated argument that Schweiker makes about an alleged link between moral value and 'being'. In support of his positive value ontology he invokes the arguments that Hans Jonas has made that by its very form, human life affirms the value of being over non-being. In line with this,

[449] Schweiker, William: *Responsibility and Christian Ethics*, pp 2, 24.
[450] Schweiker, William: *Power, Value, and Conviction*, pp 62, 82, 159.

Schweiker argues that characteristically, humans do not question existence per se, that is, ask whether there is any 'being' at all. Rather they concern what 'kind of being' is good or right. He contends that this indicates something vital regarding how humans actually function in the world: they act as if there are values antecedent to their existence. This idea, that the most basic human experience is constituted by an encounter with value that is other than self, is Schweiker's point of departure in his discussion on moral realism.

Schweiker argues that what the term 'realism' designates is that moral perception is actually directed towards something that is real, i.e. moral reality, but then puts forth the adjunct claim that when offering explications of this moral vision we should also be able to account for the circumstance that our discernments of reality simultaneously constitutes evaluations concerning its very nature. But Schweiker's phenomenological analysis of morality has clear normative connotations because even though ontology and questions targeting it are central to human life, proper perception of the moral reality depends on us as moral agents accepting responsibility for the integrity of all of life. Reaching insight concerning the meaning of our existence as moral agents utterly demands that we engage in a reinterpretation of reality including ourselves in relation to it, and apprehend that in its many forms, life calls for our endeavors to respect and enhance it. When we become aware about the fact that all forms of life are basically related to each other we should also apprehend that there are obligations which supervene on us as moral agents, and that these responsibilities are discernible as part of 'Being'. This means, Schweiker argues, that we subscribe to a certain moral ontology: that we interpret moral reality in terms of responsibility for the integrity of all of life.[451]

That we have these kinds of experiences are indicative of the realistic quality of value, Schweiker contends, and they show us that the task of moral inquiry is to expound these by formulating basic concepts and precepts that corresponds with them: centrally the concept of responsibility.[452] Values cannot be explained in terms of certain functions of the natural and social world, even though values are surely experienced in the interaction with others and the world. The basic idea behind Schweiker's hermeneutical realism is the conviction on his part that knowledge of the value of existence is possible but is to a large degree

[451] Schweiker, William: *Power, Value, and Conviction*, pp 68 f.
[452] Schweiker, William: *Responsibility and Christian Ethic*s, p 107.

dependent on moral agents actively interpreting it.[453] Right perception of reality is concomitant with acceptance of the basic value of the integrity of life, and it is through commitment to this moral value that a different perception of the world is possible.

At the end of *Responsibility and Christian Ethics*, Schweiker makes the argument that the validity of varieties of ethical reasoning should be intersubjectively tested, and argues that "(d)ialetical reasoning is the form respect for others takes in the domain of moral inquiry".[454] Schweiker gives his normative model of responsibility ethics decisive import for the criteria to which he claims valid moral reasoning should adhere. He does this as he postulates that in order to treat persons according with the model's imperative of respect, different modes of ethical reflection must exhibit; "openness to the position of other; truthfulness in the presentation of all views; appeal to generally accessible evidence in making arguments; and willingness to acknowledge the force of the better argument."[455] Schweiker underlines that this is not to be read as an argument in favor of moral rationalism, but the realistic quality of morality yields that moral understanding has both cognitive components and is related to our experiences.[456]

Thus, Schweiker contends, we should endorse a 'naturalistic and yet non-reductionist' view on values. According to this stance a plausible form of ethical reasoning is one that succeeds in presenting a reasonable account of basic human needs and goods and demonstrates their import for valid moral theory. The 'naturalistic' quality of values is asserted in the theory of hermeneutical realism Schweiker argues, but at the same time it holds that they are not simply retrievable from the structures and institutions of natural life.[457] Value needs to be understood as crucially dynamic:

> In other words, a responsibility ethics can grant some of the insights of realism and antirealism without agreeing fully with either moral outlook. It does so by insisting that there are certain features of life that place constraints on human action and what is choiceworthy, and that

[453] Schweiker states that he have been inspired by so called phenomenological forms of realism, in this matter. Schweiker, William: *Responsibility and Christian Ethic*s, pp 107, 112 f.
[454] Schweiker, William, op.cit., p 218.
[455] Schweiker, William, op.cit., p 218.
[456] Schweiker, William, op.cit., p 114.
[457] Schweiker, William: *Power, Value, and Conviction*, p 31.

> human communities responds creatively to those constraints by fashioning diverse forms of life. Those limits are rooted in basic human needs and the goods they entail; human creativity is seen in the ways life is fashioned to respect and enhance the integrity of life.[458]

The way these 'features of life' are apprehended and interpreted varies across cultural lines but nonetheless they constitute a common point of reference in that they "place limits" on the kinds of choices that can be made if the integrity of life is not to be violated, or in the positive, sought to be realized. As Schweiker portrays moral judgments as having an informative function and contends that moral norms aspire for truth and since a basic contention in his reasoning is that the meaning of moral life and the imperative of responsibility are of realistic quality, i.e. objective to human consciousness, his position is a form of cognitivism.

The basic argument of hermeneutical realism is that value be understood both relationally and dynamically, and that humans therefore be acknowledged a role in 'creating' values. Schweiker maintains that his position has been greatly influenced by Paul Ricoeur and his pronouncement that "we invent in order to discover the truth of our moral condition."[459]

Value is not reducible to the goods of natural life, but rather inheres in the right relations of the different goods associated with human life. The supreme value of moral integrity is manifest in the life of an individual who has made the commitment to respect and enhance the various goods of existence in every action, which can be pre-moral, social or reflexive in kind. Schweiker suggests that his theory of value should be simultaneously understood as promoting an ordering or ranking of different levels of good and as advancing a non-hierarchical view on values. He claims this is achieved by his theory as it postulates integrity of life as the final criterion for moral action, and it does not make appeal to a standard or goal or good beyond human existence, either a personal God or some form of spiritual reality, but fastens on the goods that are necessarily implied by finite existence. This, claims Schweiker, issues in a multidimensional stance concerning the nature of value, and he argues that it provides a cogent way for dealing with the problem of pluralism. Schweiker contends that value conceived of as primarily related

[458] Schweiker, William: *Power, Value, and Conviction*, p 30.
[459] Schweiker, William: *Responsibility and Christian Ethics*, p 114.

to different dimensions of existence and the goods they respectively comprise, yields that integrity, or coherence and balance, is what moral life aims at. This is allegedly an account of the central features of moral existence, values and goods, which does not mute but rather acknowledges diversity as it suggests that these features can be apprehended and interpreted in a multitude of ways depending on the cultural setting in which they are offered. Schweiker contends that relativism is avoided as moral concepts, such as the integrity of life, are presented both as in need of interpretation according to the particularities of their historical and social origins and as referring to the overarching standard that common finite life and its goods make up for value judgments.[460]

By the same line of argumentation that was offered in defense hermeneutical realism, which is the essential ethical theory he present us with, Schweiker also rejects versions of theological ethics which portray the divine reality merely in terms of absolute power. Amongst these we find Christian forms of moral realism that expound the symbol of God in terms of an outer sovereignty which relates to and organizes finite existence by issuing demands for it to comply with. Schweiker suggests that instead, God should be portrayed as a symbol for the 'radical transformation' of power. God as ultimate reality binds 'his' power to respect and enhance finite life. The 'finite' spheres of existence derive their value from the circumstance that God has freely limited 'his' power in relation to Creation, which is then appreciated as both *other* and worthy of esteem. Therefore, the nature of God should be interpreted not chiefly in terms of power; rather the divine reality is best conceived of as loving and benevolent.[461] The common problem for rival versions of realism, Schweiker contends, is that the moral link between ultimate reality and finite existence is either unarticulated or overruled.[462] Schweiker confronts divine command ethics and argues that a cogent version of theological ethics must connect the will of God with moral goodness in order for it to be able to assert the moral status of that which is other than God:

> Divine command ethics cannot encompass the whole of theological ethical reflection, because we can also conceive of a good beyond the conflict of power and goodness, the good of power that not only affirms its

[460] Schweiker, William: *Responsibility and Christian Ethics*, p 117.
[461] Schweiker, William: *Power, Value, and Conviction*, p 169.
[462] Two examples of realism that are discussed by Schweiker are the Divine Command Ethics of Karl Barth and the Platonism of Iris Murdoch.

> own causality but also respect and enhances that which is other than itself – that is, the integrity of life in the variety of its expressions.[463]

We have seen that Schweiker argues that the basic form that moral duty takes is the imperative to rightly seek to integrate life of all of finite being, and he argues that this is also what compels him to challenge the Christological realism articulated by Dietrich Bonhoeffer. Schweiker claims that as the identity of the divine reality in Bonhoeffer's theology is primarily expounded through God's self-manifestation in Christ, and as revelation is perceived to be the demonstration and sign of God's will to establish a relation through sharing the human condition, this amounts to an unfortunate form of anthropocentrism. Furthermore, Schweiker argues that against this perceived shortcoming of Bonhoeffer's, he presents a form of realistic theological ethics, but one that also asserts the value of non-human life by maintaining that the imperative of respect is directed towards the integrity of all of finite life.[464]

We have seen that in Schweiker's reasoning, he holds that the existence of moral reality can be grasped by persons in a way that approximates the method intuitionistic theories prescribe for moral apprehension. The argument is that the existence of moral reality or being is or can be sensed and apprehended as a part of life itself. Schweiker maintains that in all action agents give implicit recognition of 'being', and thus attests to the circumstance that value is not reducible to human power since 'being' is directed towards an end, and such purposiveness is indicative of the realistic quality of moral value.[465]

According to Schweiker the idea that all of life, human and non-human alike, can demonstrate integrity of some sort must be affirmed by forms of ethical reasoning that try to take the value of future life on earth seriously. Therefore a theological version of responsibility ethics and moral realism are recommendable for such moral deliberation and action, the idea of the integrity of life yields that both present and future forms of finite life ought to be respected and enhanced. Only this form of ethics of responsibility is truly global in the end, Schweiker contends,

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[463] Schweiker, William: *Power, Value, and Conviction*, p 169.
[464] Schweiker also contends that a further consequence of his non-anthropocentric form of theological ethics is that the human problem of sin is not interpreted as the center of moral reality, rather sin is understood to constitute a part of human moral existence within this very reality. Schweiker, William, op.cit., p 153.
[465] This, Schweiker argues, can be read as a form of moral-ontological proof of God. Schweiker, William: *Responsibility and Christian Ethics*, p 208.

as it avoids overhumanization and maintains a genuine form of pluralism.

Theological ethics and moral pluralism – a critical discussion

Schweiker offers an account of globalization which in comparison to those previously analyzed, has the strength that it addresses the ways in which worldviews and other evaluative perspectives influence people's apprehensions of the global condition. The explicit focus on cultural dimensions is thus a positive aspect of Schweiker's account of globalization. A further merit of his portrayal of the situation to which ethics must respond, is its emphasis on the problems constituted by degradation of the environment and non-human life forms. Schweiker's articulation of an ethic of responsibility thus offers an account of global moral challenges which is resourceful on account of its identification of the problem of new and possibly unlimited forms of human power. However, sole focus on cultural transformations is not enough, as an adequate account of globalization also takes economic and political problems and processes into consideration.

Through his reasoning concerning ethics and responsibility, Schweiker offers an interesting form for critical engagement with the tradition of Western moral philosophy. However, his ethics of responsibility does not expound a distinct model of social ethics and nor does it elaborate a position on institutions. Schweiker offers a normative model that assigns central importance to the activity in which the moral subject undertakes a form of radical interpretation of existence. Even though this activity maps a central connection between individual life and different facets of social life, it is unclear what kind of conditions, in terms of social and political provisions, have to be ensured for people in order that they might develop their moral identity in an adequate way. Clearly Schweiker does not argue that we ought to conceive of responsible moral action as an endeavor which is primarily individualistic, or as an activity which transpires in a kind of 'individual vacuum', but what then constitutes conducive societal conditions for moral responsibility? How do different economic and social structures bear on individual moral responsibility, and are there certain forms of institutional

design, for social life, that either encourage or discourage a responsible way of living?

Without such qualifications, Schweiker's proposal for a global ethic has limited potential when it comes to the task of offering guidance concerning global institutions. From the purview of this study, relevant ethical responses in a context of globalization comprise both a broadly-scoped analysis of global moral problems and a vision regarding viable institutions, networks, or forums, and where to deal with these.

The view on human beings which Schweiker elaborates comprises several crucial insights. One is constituted by his interpretation of the characteristics of human subjectivity and his account of how it is related to personal identity. Human beings are social beings and our perception of the world is essentially constituted by matrixes of inter- and intrapersonal relations. Another is the explication of the idea of personal responsibility and the freedom for agency it implies. However, when Schweiker discusses freedom he associates it primarily with personal autonomy. His reasoning thus deviates from Hollenbach's more communitarian focus and his idea of freedom as essentially a form of self-determination in community. Schweiker's focus on human beings as responsible agents could be very well be combined with an idea of 'autonomy' as essentially relational. The conception of personal autonomy as relationally constituted acknowledges that the range of choices and scope of action which are available for a certain person largely depends on how other actors, in both the closest and more remote context, behave.

The hermeneutical realism Schweiker puts forth is a modified version of natural law reasoning. He elaborates a universalistic position which recognizes a thorough influence from context on our apprehensions of reality. The radical interpretation he suggests is crucially linked to the cognitive aspects of consciousness as it compels a new perception of the world. Schweiker postulates that human beings have the ability to distinguish themselves from the particularities of personal life and so view moral existence by a new and more universal mode of apprehension. However, even though Schweiker assumes in his account of practical reasoning that our perspectives on the world are informed by historic and social conditions, and in this way are contingent, he does not assign to them a seminal influence in the process whereby we reach moral 'insight'.

His argument about the interaction in the activity of moral understanding between the mental schemes of individuals and an objective moral order is in several regards commendable to that of other theorists advocating forms of moral realism. One might judge this by comparing it to the natural law reasoning of David Hollenbach. However, other ethical theoretical positions offer interpretations of the institution of morality in a pluralistic and socially fragmented world which seem more plausible. Schweiker has not offered conclusive arguments about why moral pluralism and skepticism are best responded to by postulating the objective existence of moral values.

According to Schweiker's hermeneutic realism we should view the truth of moral norms as founded on a source of value beyond human discourse and institutions. He also claims that a theistic world-view necessitates a form of ethical cognitivism and descriptivism concerning the nature of moral language. However, one could just as well argue that a Christian worldview supports a version of ethical constructivism. The contention is that a view of moral values and norms as generated and upheld by different human communities and human beings as co-creators of value joins well with Christian faith. Schweiker's argument goes some way in this direction by postulating that humans have an essential role in the elucidation and interpretation of moral value. A more serious problem still, is constituted by the circumstance that in his ethical theory, Schweiker presupposes a certain worldview, namely a theistic, Christian, one. An ethical theory is supposed to articulate criteria or conditions which we can use to scrutinize different normative positions; if the theory then assumes a certain evaluative perspective the potential vanquishes to act as such an instance of unbiased, critical review.

The main argument in case of hermeneutical realism is the claim that we all have a basic sense of worth, and that we can apprehend that this worth is something that has an independent existence. We can therefore conceive of value as objective vis-à-vis human consciousness. This argument resembles the contention made by advocates of ethical intuitionism that we have a form of intuitive awareness of value, or of evaluative facts, which form the basis of moral knowledge. The same kind of criticism would seem to apply to Schweiker's argument as to versions of such intuitionistic reasoning; namely, how could we, amongst different accounts of experience, be able to judge that one account is

more correct, or credible, than others? In relation to Schweiker's position the question is how can we judge whether a person has adequately undergone the process of radical interpretation, and if we were to judge so, would this mean that the moral reports which this person offers are to be considered as instance of moral knowledge?

A global ethic, in accordance with the criterion of communicability, ought to be able to accommodate, and make possible, communication between moral subjects and actors that subscribe to fundamentally different interpretations of the world. From this perspective, the idea that diverse human experiences can be given common explication through the idea of the integrity of life seems problematic. In that case, the idea or principle, by which to corroborate these manifold experiences, would have to be largely generic in kind. Schweiker's idea of a certain form of integrity of life is arguably such a general norm, which can be applied or contextualized in a number of ways. Two main challenges can be directed at this line of argumentation. One could argue that conditions for application would then also have to be specified, backed by the contention that in order to contextualize a universal norm we need some form of criteria regarding how to proceed. Secondly, one might also question the plausibility of making such a distinction in the first place. The argument is then that the articulation and application of a norm are inevitably tied together. According to this pattern of reasoning, the upshot of the ideal of moral equality is that it must be possible for us to challenge the articulation of even the most general norms and principles in the discourses where we try to establish the validity of our normative claims. The idea is that as moral conversation partners, we should be ready not just to scrutinize different suggestions for action but also be able to partake in a critical review of the norms and assumptions which act as conditions of our moral discourses.

The review of Schweiker's position has demonstrated that his proposal for a global ethic shows potential yet has some crucial weaknesses. Schweiker and his reasoning is an example of a theologian who engages in a philosophical conversation across the 'borders' of Christian theology. However Schweiker has not extended his reasoning so that it attends to political philosophical issues. Hollenbach's model provides an illustration of that this is both possible and desirable. We can see that Schweiker maintains that the idea of the integrity of life is linked to the belief that God has created all of life, and continuously sustains the created world. The idea that our normative reasoning

should focus on human well-being as well as on other forms of life and the environment constitutes a major contribution of Schweiker's theological ethics of responsibility. The assertion that all of life, not just human, is worthy of respect and care is then an essential part of a tenable global ethic

Chapter 6

Global Ethics through Tenable Communication

The main aim of this chapter is to present the outline for a model for global ethics that meets the criteria for tenability. The course for doing this is by presenting that which I argue constitutes plausible solutions to the research problems. The position or model that these rejoinders support will then be given comprehensive articulation and can so be subjected to critical discussion and evaluation. The overarching questions of this study, and which I here intend to offer reasonable answers to, were explicated into analytical questions and then subsequently clarified in relation to the theoretical approach of the study. In the introduction I articulated them in the following way: First, which are the main moral problems associated with the different dimensions of the phenomenon of globalization? Secondly, what should be the response to these problems, in the form of a normative ethical model? Thirdly, what is the relation between global ethics and universalism? Is a global ethic most reasonably understood as a form of ethical universalism or should a global ethic instead be related to a form of ethical contextualism? The fourth question is: are there some global institutional arrangements that seem more plausible than others? What kind of political and institutional vision for the international arena does a tenable global ethic promote? As query number five: given the fact of vast plurality with regards to traditions, cultures and, more generally, ways of life, what would a reasonable view on the human being included in a global ethic be? Sixthly: what kind of ethical theory, as a stance on moral justification, the nature of moral values, and the meaning of moral language, is sustainable for global ethical reflection? The argument in this chapter reiterates several of the comments and observations that were made in the theory chapter, however the aim is also to rearticulate the meaning

of the evaluative criteria by invoking them in the discussion of the research questions.

What is globalization?

By posing this question to the models I was able to analyze the implicit and explicit views on globalization that the authors respectively embrace, as well as their thoughts regarding what kind of moral problems globalization makes present. By re-joining the discussion on globalization that was conducted in chapter one, with the results drawn from the critical engagement with the models, some conclusions have been reached regarding the outline of a plausible interpretation of globalization and its morally relevant aspects.

The discussion so far has made manifest that 'globalization' is a concept that conveys neither straightforward nor unambiguous information concerning the present shape of the world. The contention throughout the study has been that a plausible interpretation of globalization is one that links economic processes to political activity and agency, and which also accounts for the impacts of global processes on social and cultural life. In chapter one, this view was underpinned by referring to the work of Beck and Held. They respectively offer what might be called a 'meta-narrative' of globalization, part of which claims that a plausible analysis of the structures that shape the global arena takes heed of economic, political, as well as cultural, processes and phenomena. This could also be understood as an assertion of the necessity of a form of analysis that targets the different power-hierarchies operative in the global arena. Furthermore, a plausible conceptualization of globalization also acknowledges that these systems have had, and continue to have, radically different effects on human beings in the different regions of the world.

The analytical review showed that different dimensions were premiered in the accounts of globalization that the authors offer, and it also showed that these dimensions, or forms, of globalization are differently portrayed in the models. Nussbaum focuses mainly on economic globalization. She identifies a global division of labor and argues that interventions to revise it are acutely needed. Hollenbach also targets globalization in its economic dimensions, and does this in a way that resem-

blances Nussbaum's as he also argues that the effects of global economic cooperation have been widely unequally dispersed among the world's inhabitants.

I also argue that a plausible interpretation of globalization should account for economic processes. Benhabib acknowledges that the global economic systems fall far short of the ideal of social cooperation on fair terms. Her argument that the global schemes of economic 'co-operation' are difficult to account for in ways that are both precise and correct, relating to the fact that they are so dense and large-scale, seems reasonable. However in chapter one I have already stated my contention that we need to acknowledge the radical inequality that shapes the global community. Global ethical inquiry should address this situation of injustice and a central task for it is to suggest ways in which we can work to counteract forms of global inequality.

I have pointed at the fact that discussions regarding how to properly assess global statistic data have been heated, and there has been much argumentation as to whether it is possible to assess the precise effects of economic globalization.[466] Nonetheless global inequality persists, and recent reports show that global resources are continuously and increasingly concentrated to a small percentage of the world's population. One also finds a range of academics who suggest that the endurance of extreme poverty is linked to global inequality.[467] The 2014 Annual Report of the World Bank concludes that "more than 1 billion people worldwide remain living in extreme poverty – on less than $1, 25 a day."[468] Even though the need for an adequate account of the developments leading up to the present global economic situation stands, global inequality needs to be challenged. Forms of economic global cooperation should be assessed from the perspective of their impact on the well-being of all individuals, and it is not sustainable to present national or regional interests as something that could be viewed in separation from the global context.

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[466] As has been earlier mentioned, this issue is exhaustively discussed by Peter Singer in *One World*.

[467] Professor Joseph Stieglitz advances this view in his endorsement of the report issued by Oxfam in 2014 under the name *Even it Up: Time to End Extreme Inequality.* See also the conclusions drawn by *The Global Wealth Report* issued in 2014 by the research institute affiliated to the Credit Suisse.

[468] World Bank: *The World Bank Annual Report 2014.* World Bank*,* Washington DC 2014, p 4.

Several of those involved in the globalization debate also claim that the global community is marked by vast unevenness in terms of the political power that different actors hold. My analysis of the models has shown that to varying degrees, they place emphasis on the political aspects of globalization. Benhabib explores how the emergence of an international system of human rights protection based on so-called cosmopolitan norms challenges state sovereignty. She concludes that even though we live in a global era which is marked by migration, the significance of democratic sovereignty and the need for bounded political associations remains. Therefore, systems and practices should be modeled so that persons are able to attain citizenship in the state on whose territory they reside, for an enduring period of time.

Hollenbach's analysis correspondingly incorporates a credible account of the political aspects of globalization. He argues that it is imprudent to assume that human rights is a project which can be uniformly implemented throughout the world. He insists that we view different cultural and religious traditions as competent interpreters of the norms expressed in the Universal Declaration of Human Rights. Such a caveat against simplistic readings of the international political landscape seems warranted since the discourse of human rights cannot plausibly be described as carrying an unequivocal meaning.

The human rights project constitutes a major example of developments in the international landscape that have taken place in the recent faces of modernity and it is commonly portrayed as a basic instance of political globalization. However, it presents us with essentially complex processes of change and development and the implications it has had on the global arena remains a subject of much dispute. The discourse of universal human rights has a deeply ambiguous history. Researchers have for instance shown that references to universal human rights figured in the colonial rhetoric and were then invoked as a means to civilize allegedly savage and backward peoples and societies. Human rights was nonetheless utilized in struggles for liberation from colonial oppression. The peoples who were the objects of the missions of civilization appropriated the language of rights in order to question and eventually overthrow the colonial rulers.[469] Several theorists have put forth convincing arguments claiming that the idea of universal human rights

[469] See the argument Bonny Ibhawoh makes concerning this ambiguous nature and history of human rights, especially in relation to the colonialization of Africa. Ibhawoh, Bonny: *Imperialism and Human Rights*, pp 3 ff.

appears less appealing to people for whom the memory of the economic exploitation and cultural imperialism of the colonial era lingers. We should thus not market it as development with unequivocal meaning. The idea of universal human rights is a basically complex moral and political phenomenon which it is particularly relevant that we continuously subsume to philosophical scrutiny.

In chapter one, I indicated that a crucial aspect of globalization is a reconfiguration of the way that different actors conceive of their social and political choices. Forms of cultural globalization enfold as global economic interactions link various communities and traditions together. Transnational migrations are a feature of the globalized world and it means that persons with different apprehensions of what constitutes basic values and social norms live in territorial proximity. However, these remarks should not be mistaken for a view which holds that globalization means homogenization and its political and cultural processes will finally eradicate differences and create global uniformity. This makes me doubt accounts which tend towards such undifferentiated accounts of global processes; an example is, the claim that the development of international systems for human rights protection is indicative of the world becoming culturally homogenized and convergent in spirit. The fact that the majority of the world's states have signed the universal declaration and have ratified major UN-conventions does not offer support for the claim that a universal morality is now underway. It is problematic to argue, as Nussbaum does, that in human rights, we have a candidate for a global overlapping consensus.

In conclusion, the analysis has indicated certain problems with the accounts of globalization which are part of the different models. A tenable articulation of a global ethic should be founded on an analysis of globalization that targets its different economic, political and cultural manifestations. A credible analysis of the global arena also focuses on dispersions of power and fundamentally different possessions of economic resources, and it further incorporates scrutiny of the ways in which these inequalities supervene on different actors. It is also essential that we acknowledge the risks that non-human forms of life face, and that we also reflect on how to pursue sustainable forms of development where the future of all lifeforms are taken under consideration.
Together these reflections inspire my understanding of what would constitute tenable global relations. The argument will be subsequently made that a crucial task for a global ethic consists in devising or at least

discussing how global economic and political institutions could be designed or revised so as to better comply with the ideal of equal human dignity. My argument, which is elaborated below, is that to eradicate global inequality we need both redistributions of resources and global institutions and practices which are radically inclusive.

What kind of global ethic?

In chapter one I argued that models for a global ethic have usually been articulated in four major directions. One was the theory of natural law and models which defends the idea of a human ability for practical reason as morality's central feature. Theories of global justice and models of human rights are two other major directions in the global ethics-discussion. In addition to these, the idea of sustainability and responsibilities towards future generations was also mentioned as a central contender for a global ethic. I argue that a theory of global justice should be articulated as encompassing more than human rights. It is also essential that the understanding of the notion of human rights challenges the reductionist individualism which dominates much rights rhetoric, and affirms human equality as a central moral and political principle. In addition to this, a global ethic also emphasizes that other non-human lifeforms are worthy of consideration and respect.

The analysis showed that ideas of human rights holds a central place in several of the models, however, as has been indicated, their views differ regarding the meaning of these rights. Hollenbach and Nussbaum both make it clear that they refute the neo-liberal dogma that human rights primarily incite liberty for individuals to escape political and economic constrains. As a starting point, the idea of universal human rights is a fundamentally complex notion, one that has both moral, political and legal connotations. The model of global ethic advocated here understands human rights as norms that postulate freedom from unwarranted forms of intrusion in personal existence, which could be perpetrated both by governmental agencies and private actors. Equally though, it asserts the centrality of the claim that persons should be able to live under satisfactory social conditions and hold sufficient economic power. It thus suggests that material conditions are decisive for the persons' effective participation in public life as well as in the acquisition of political voice. As central moral and political norms, human rights

shape the design of central societal institutions and safeguards basic civil-political freedoms. However, they are also centrally interrelated with social and economic practices, and their institutional manifestations, that are part of community.

Hollenbach's central contention that persons ought to be provided opportunities for both social participation and contribution is sympathetic. Less persuasive is his idea of a standard of proportionality for distribution of economic resources and social goods in general. Similarly, Nussbaum's idea of threshold levels of basic goods does not correspond to a sustainable interpretation of what the ideal of human equality requires in form of social organization and distribution.

Human rights as moral notions relate to the twin ideals of human dignity and equality. In this way they are founded by a vision that persons are worthy of equal respect and concern, and the further assertion that persons are so in virtue of belonging to the human community. It is in this way that a tenable global ethic can appropriate the ideal of universality. The idea of persons' universal human rights acts as a kind of regulative ideal; this signifies that when they are applied in a particular time and place, some of their universality is necessarily forfeited. According to this pattern of reasoning, the awareness of the complex relationship between human rights norms and the different legal frameworks through which they are instantiated, should lead us to appreciate their role as mediators of social morality. Every application of a norm is liable to demonstrate inconsistencies as well as being utilized in order to assert the interests of those in power. As previously stated, the project of human rights enfolds in a global community which is marked by fundamental cultural and political pluralism, as well as legacies of imperialism and colonial exploitation. To then present them as norms that have, or can be given, final substantial meaning seems utterly misguided.

However, human rights conceived of as a set of moral principles can have crucial import on politics. The belief that all persons have some inalienable rights provides resources to challenge discriminatory practices and actions, be they legal, political or social. A further strength of this moral notion and the kind of norms it propels is that they demonstrate the need for self-restriction of power. Dominant political actors must be ready to diminish their scope of 'free' action in order that other,

marginalized people, be treated in accordance with their human dignity.[470]

When viewed in this way human rights provide norms that are indefeasible for a tenable global ethic, but, I contend, the focus on rights needs to be supplemented by a conception of global justice that takes issue with the radical inequality in the world. If we consider equal human dignity to be a serious contender for a foundational principle in a global ethic then we should also make genuine attempts to change the present global dispersion of resources and power. In addition to the staggering material and economic inequalities, which stand in direct opposition to the ideal of persons' equal human dignity, the predominant role of Western liberalism constitutes a serious hindrance for global justice. From a global point of perspective it is essential that we do not restrict human liberation to the kind of freedom which human rights norms seek to achieve. Liberation from oppression and dominance can both take different expression and focus on different instances of the social and political order. Iris Marion Young argues that a theory of global justice should focus on the political structures and the forms of governance that are effected in the global arena. A focus on structure is an important part of a tenable global justice and offers a necessary complement to human rights, and the implications of it are elaborated further as the argument progresses.

A structural focus in a theory of global justice should also take heed of that which Benhabib denotes as 'the democratic paradox'. Her contention is that cosmopolitan norms such as human rights have a paradoxical influence on the sovereignty of democratic states.[471] Benhabib discusses Hanna Arendt's notion of 'the right to have rights' and reaches the conclusion that a human right to political membership should be included in the human rights corpus. This would be a way to maintain that persons can freely seek association with others while sim-

[470] Elena Namli makes a persuasive argument claiming that human rights have "a unique capacity to inspire political action." She also contends that basic for the logic of human rights is that they tell about the need that collectives and strong political actors perform a form of self-restriction of power. Namli, Elena: *Human Rights as Morality, Politics and Law,* pp 22 ff.

[471] The reader might remember that by utilizing the notion of democratic paradox, Benhabib argues that she is able to address the circumstance that democratic rule requires a circumscribed territory but that the borders of the demos are basically fluid, as the legitimacy of its rule is established by reference to universal human rights.

ultaneously being able to recognize the sovereignty of democratic communities. Both the analysis behind and the articulation of this right is highly persuasive. A theory of global justice which takes structural focus is then faced with the question of how to handle democratic legitimacy and the idea of democratic sovereignty. A tenable global ethic should incorporate a model for democracy and so demonstrate how the ideal of political equality is heralded in a global context.

However, Benhabib argues that we should not include the issue of distribution of economic and social goods in discussions of what global justice requires. In somewhat opposition to Benhabib's model this study argues that an idea of how to achieve distributional justice should be part of a global ethic. Both distribution of economic resources and conditions for fair economic cooperation are subjects which are necessary for a global ethic to engage. It is problematic to postulate that we abstain from discussions of global distributive justice since it is reasonable to assume that an actor's political ability is radically hampered by social and economic inequality. From this perspective it can be argued that global economic inequality should be eradicated since it clearly obscures the possibility of democratic deliberations. Further, it does not seem plausible to maintain that discussions about just global distributions should await the establishment of global democratic governance, rather it seems necessary that we take action trying to change the prevalent forms of economic exploitation and domination. Still, when reviewing the field we find that broad international agreement on just global policies and actions do not appear to be part of the near future. It is also crucial that democratic governance and initiatives in the national arena are not stifled by the pursuit for more just global systems. Nevertheless, these considerations do not constitute decisive objections against the idea of global justice.

Jürgen Habermas describes the dialectic between political voice and material and social standing accordingly:

> Experiences of exclusion, suffering, and discrimination teach us that classical civil rights acquire ''equal value'' (Rawls) for all citizens only when they are *supplemented* by social and cultural rights. The claims to an appropriate share in the prosperity and culture of society as a whole place narrow limits on the scope for shifting systemic costs and risks onto the shoulders of *individuals*. These claims are directed against yawning social inequalities and against the exclusion of whole groups from the life of society and culture. Thus policies such as those that have predominated in recent decades not only in the United States and

> Great Britain but also in Continental Europe, and indeed throughout the world—that is, those that pretend to be able to secure an autonomous life for citizens *primarily* through guarantees of economic liberties—tend to destroy the balance between the different categories of basic rights. Human dignity, which is one and the same everywhere and for everyone, grounds the *indivisibility* of all categories of human rights.[472]

A tenable model of global ethics needs to acknowledge this interrelation and foreground it in its proposal for norms and principles. Besides the recognition that an idea of human dignity is constitutive for the democratic society and its different social and political institutions, we should also acknowledge the need for principles that offer guidance for how to adjudicate between different categories of rights. In systems for human rights protection, as in other forms of global political deliberation, there should be transparency in terms of the principles or goals that guide different choices.[473] When such transparency is absent, the risk that those who hold economic and political power simply impose their wills and wishes on weaker subjects is impending. In order to avoid a situation where global politics is dominated by one tradition we should articulate criteria for adjudication between competing interpretations to settle global issues. However the endeavor to articulate viable criteria require legitimate political forums.

In her discussion concerning global justice, Iris Marion Young points to the fact that the radical uneven dispersion of affluence and deprivation among the world's people traces its origins to the era of colonialism:

> […] the history of dependence and exploitation between the now poor and now rich regions of the world, and the continuance of institutional structures that perpetuate and even help enlarge global privilege and deprivation.[474]

Young thus concludes that greater global justice demands institutional change and that it will not be enough to enact "one-time or periodic

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[472] Habermas, Jürgen "The Concept of Human Dignity and the Realistic Utopia of Human Rights" in Corradetti, Claudio (ed.): *Philosophical Dimensions of Human Rights: Some Contemporary Views*. Springer, Dordrecht 2012, p 67.

[473] Namli suggests Ronald Dworkin principle of equal respect and concern as criteria by which to decide who it is, that in a situation of conflicting rights claims has an entitled claim to have their rights respected. Namli, Elena: *Human Rights as Ethic, Politics, and Law*, pp 25 ff.

[474] Young, Iris Marion: *Global Challenges*, p 29.

transfers of wealth from richer to poorer people."[475] My argument regarding norms and concepts part of a tenable global ethic makes this a guiding insight and argues that the quest for distributional equality takes the form of sustained action to change prevalent economic and political patterns of interaction.

A tenable global ethic therefore incorporates a broad focus on both human rights and global justice. In case of its conception of human rights it closely links so called socio-economic rights with the classical political and civil liberties. It also avoids conflating various instantiations of rights with the moral ideals that could possibly act to justify them. It is problematic that amongst the models analyzed, Schweiker's responsibility ethics is the only one that addresses the fate of the environment at length. The idea that we have a set of responsibilities towards future generations has been growing in adherence over the last couple of decades. A reason why the condition of the climate and ecosystems is not treated in an extensive manner in the other models is found in the circumstance that they all proceed from a basically anthropological perspective. However this study challenges this view and argues that a global ethic for today's world should not be anthropocentric. The idea of equal human dignity is central in a tenable global ethic, nevertheless it should also assert the value of non-human lifeforms. The environment and nature has value that is independent of the utility they might have for human beings. The imperative of respect and concern for non-human life and nature, which Schweiker circles with his idea of 'the integrity of life', is a central part of a tenable form of global ethics. In conclusion, it has been shown a global ethic relates to several of the topics commonly addressed by theorists in social ethics. One might even go as far as to claim that a model for a global ethic should be considered a variety of this kind of ethical reasoning. Withstanding how one chooses to categorize this theoretical endeavor, a tenable global ethic should present us with reasoning concerning global institutions or structuring of the global arena. That is, some kind of moral-political vision for the global society.

[475] Young, Iris Marion: *Global Challenges*, p 29.

Visions concerning a just global order

As we have seen, concerns for global justice have led several theorists to argue that there are no warranted reasons for limiting the scope of justice to the relations between persons that we find in nation-states. Having defined social institutions as constituted by steady relationships where there is a pattern of cause and effect, Young argues that:

> Moral evaluation of social relations in terms of justice and injustice apply wherever social institutions connect people in a causal web.[476]

The density and impact of economic, political and social relations makes it warranted, Young suggests, to assert that a global society is functionally in place. So with the rise of this global society and its intricate web of rights and obligations in and between different states, the idea of absolute state sovereignty is challenged. However, this is a challenge that comes from different directions. One is presented by post-colonialism and efforts to bring about a post-sovereign global governance system.[477] Young's suggestion is a form of global federated democracy. The contention this model makes is that the present shape of the world calls for a system for global governance which comprises more far-reaching global regulation than is currently in place, although it also asserts the need for regional and cultural autonomy in a global community that is essentially pluralist.[478] From the purview of this study, a systematically targeted analysis of the kind that Young performs seems necessary. Furthermore, the contention that discussions of justice should be conducted with focus clearly directed at social structures and their decisive import on the opportunities of different individuals amounts to an insight which is indispensable for a theory of global justice.

In order to face current forms of global discrimination and marginalization in addition to efforts that seek to change the dispersion and distribution of the world's collected resources, we also need to design institutional frameworks that could challenge the uneven political power and influence that different communities and individuals dispose of. In this section I articulate some vision of the directions in which the global institutional order should move, albeit highly tentative; ones that

[476] Young, Iris Marion: *Global Challenges*, p 27.
[477] Young, Iris Marion, op.cit., p 26.
[478] Young, Iris Marion, op.cit., p 26.

would be conducive for actions and incentives aimed at achieving global justice. However, it is important that reflections on personal responsibility are not disqualified by the contention that a global ethic has its primary theoretical attention turned to social systems and structures.

Central for the discussion on global institutions is the question of regulative norms and values for global interactions. My suggestion is that both self-determination and non-domination constitute values that are vital for the global order. A viable conceptualization of institutions for the global community should therefore incorporate considerations of how forms of domination, marginalization and discrimination are to be avoided. The reasoning and arguments put forth by various theorists working with postcolonial analysis and critique give crucial impetus for this endeavor. I have earlier indicated some of the limitations with Western liberalistic notions of human rights. Radical global inequality in terms of political and economic power yield that participation on equal terms for different people will require that we try to change present distributions of resources. Practices of affirmative action are conceivable ways in which actual participation by those presently marginalized in the global community can be made possible.

Benhabib's model of cosmopolitan federalism together with the proposed human right to political membership constitutes an attempt to give articulation to how democratic self-determination could be respected in a global order that professes to universal human rights. Benhabib's argument that democratic rule requires definition, and thus circumscription, of its constituency, its 'demos', is persuasive and it is necessary that global institutions be designed so that they do not compromise the idea of democratic self-determination. In contrast to Benhabib, I claim that the forms of economic interactions that we find in the global arena warrant global coordinated action to end exploitation and domination. On an institutional level a global ethic needs to convey both a model of democratic participation and a vision of economic equality.

In the discussion of Hollenbach's model the principle of a responsibility to protect was designated as an utterly problematic instance of global political discourse. Now the full argument for why this is the case can be presented. In order for global political communication to be tenable, the forums and institutions where it transpires should herald to the idea of non-domination. Forthright efforts for averting discursive violence should be made. The idea of democratic legitimacy is central

for this: the design of global institutions should maintain respect for the basic democratic idea that those who issue laws are also their subjects. In order to avoid hegemonic global regimens, we also need to make it a central insight that traditions utilize different notions and concepts in the organization of their political life. It is implausible to present any of these historically contingent and contextual dependent moral-political percepts as 'universal'. These considerations apply as much to the discourse of human rights as to other moral-political notions.

A proposal for global institutions for tenable forms of global political dialogue does not necessarily mean that the system of nation-states is overruled. The present shape of the international arena, where authority is uneven and the risk of domination impending, necessitates that the claims democratic states make for self-determination ought to be generally respected. It is essential that international political communication does not preclude national democratic governance. By this line of reasoning the idea that we ought to establish a world state or world government seems problematic; it is difficult to see how such an extensive system of governance could in any feasible way instantiate the value of democratic participation. However, in order to establish and maintain tenable forms of dialogue between sovereign communities we need to create institutions which include mechanisms against concentration of power, and which give different traditions an equal opportunity to represent their views. Therefore the institutions or institutional system that I would support are designed according to the idea of an inclusive dialogue, and tries to make a multitude of perspectives present. For example, Young argues that one sustainable way to do so is to grant groups other than states the right of participation in global forums.[479]

Young also makes the very plausible case that tenable global human rights protection demands effective participation of different groups of people in the various international bodies that is meant to oversee it:

> Carried to the level of global politics, this argument implies that human rights can be consistently and permanently defended only if there is an inclusive global system of deliberation and decision-making that decides when they are in danger and how they should be protected. The

[479] Young's suggestion is that global systems of economic and political cooperation be designed by such measures that they enable the participation of several kinds of political actors, and that they be both heard and assigned responsibility. See especially the chapter named "Hybrid Democracy: Iriquois Federalism and the Postcolonial Project." in Young, Iris Marion: *Global Challenges*, pp 15-38.

> increased density of interaction and interdependence has made the opportunity and need for more global-level regulation of security, human rights, trade regulation, development policy, and other issues. Global governance can have moral legitimacy only if such regulatory processes are formed through the interaction of multiple perspective drawing on the experience and interests of all the world's people.[480]

The upshot of this argument is that the moral idea of universal human rights can only be credibly implemented within such an inclusive global system. The discourse of global ethics also challenges readings of the international order as merely a venue for strategic bargaining between states. A tenable global ethic also takes a clear stance against global politics of power, it maintains that we ought to undertake concerted action to counter developments towards the situation where it is the interests of global capital that effectively dictates the political agenda. It is by these suggestions for viable norms and principles for global institutions I claim that my proposal for a global ethic complies with the criterion on relevance.

A contextual reason in moral discussions

As has been previously stated, I propose that we view globalization as a phenomenon that has distinctive consequences on different forms of human association. For one thing these dynamics entail that cultural narratives and the various aesthetic and evaluative schemes they yield, are taking on roles as increasingly global artifacts. This contributes to the situation where the communities that have significance for people's identities, cultural, ethnic and religious, now extend across the globe. Pluralism in terms of cultural, religious and political diversity is a feature of the globalized world and it is a central theme that philosophical and political reflection must engage with.

To varying degrees the models see the context or social position that different persons belong to as formative for the moral convictions they maintain. This means that plurality concerning the moral ideas and notions which different persons and communities entertain is generally acknowledged as a noteworthy feature of the global moral landscape. Claims concerning the universality of morality do not therefore primarily convey descriptive statements about the shape of social reality.

[480] Young, Iris Marion: *Global Challenges*, p 148.

Nussbaum's model nevertheless deviates from this general stance by its assumption that it is possible to detect extensive inter-traditional overlaps concerning moral ideas and notions. Schweiker makes clear recognition of the circumstance of global pluralism; as we saw he elaborates his position of hermeneutical realism partly as a response to it.

Even though there is great moral variety, the position of normative universalism seems acceptable, that is, it is reasonable to assume that a moral judgment cannot be right in one context while simultaneously wrong in another. However, as has been indicated, all of the models assert that the effort of justifying moral judgments should be conceived of as a project with potentially universal scope. Moral justification is portrayed as an activity that involves offering reasons and arguments possible for all humans to grasp and they assume that it is feasible to articulate and defend some form of universal standard for ethical rationality. They thus embrace varieties of the position which I have denoted as epistemological universalism. The purview of this study is however that it is implausible to maintain that we could articulate reasons for moral judgments that human beings everywhere could find persuasive. However it is desirable that we try to find ways for moral and political communication between different traditions. This stance is conjoined with the claim that moral communication should proceed in ways we would be ready to judge non-dominative. On the level of ethical theory this means that I question the plausibility of the idea that we could justify moral judgments by universally valid criteria.

In chapter one, Jeffrey Stout's contextualistic position was briefly presented. It was then mentioned that basic for Stout's position is the idea that moral dialogue between different traditions is possible. First of all, a contextualistic strategy for moral justification presupposes that moral pluralism is an enduring feature of the world. Therefore it is misguided to assume that we could support our different moral judgments with reasons which have universal scope. That which is counted as a convincing moral argument in one context might not figure as a part of the moral vocabulary of another tradition. However the version of ethical contextualism that this study advocates argues that even though moral reasoning is an essentially 'contextual affair', it is neither irrational nor sealed off from 'outside' influence.[481] Rather, part of its raison d'être resides in its ability to facilitate the kind of critical practice whereby a community scrutinizes the different evaluative schemes that

[481] Stout, Jeffrey: *Democracy and Tradition*, p 234.

it has come to endorse. Stout names this an 'immanent critique' and presents it as a practice in which participants engage the various normative commitments they endorse in a form of critical reflection. This form of activity and the range of subjects it both engages and addresses is therefore of limited scope.[482] Moral justification is therefore best conceived of as the activity whereby different communities seek to account for, as well as critically extrapolate, their various normative and evaluative commitments. Plausible accounts of moral justification tell about the influence that different cultural and social narratives import on traditions' various conceptions of what it means to exhibit practical rationality. These different conceptions then constitute factors which are determinative for what are considered as reasons that can support valid moral judgments.

That one endorses a contextualistic position does not infer that forms for rational moral communication are ruled out. The kind of critical engagement with evaluative schemes and normative conceptions that moral reasoning signifies can come to involve actors which belong to different traditions. When Stout corroborates his vision concerning how such cross-communal moral communication could be actualized he stresses the importance of a general willingness for self-scrutiny.[483] Benhabib also emphasizes the importance of a posture of self-reflectivity in moral conversations. The interactive universalism that is related to her model describes moral rationality as essentially related to being able to perceive ones conversation partners as both generalized and concrete others.[484] That we are ready to question the ideas and notions cherished in the tradition that we belong to is thus a precondition for the kind of cross-cultural moral communication that this study envisions. I am suggesting a view on the justification of moral judgments which shares several insights with discourse ethics; the idea about a conversation justification which can be extended over time is one primary example.

However, a central lesson that ethical contextualism teaches is that what counts as rational is contingent on history as well as permeated by the different evaluative schemes that different societies endorse. Ethical rationalism and the suggestion that we could identity a certain mode of reasoning as both rational and universally valid are thus questioned by

[482] Stout, Jeffrey: *Democracy and Tradition*, pp 69 f, 73.
[483] Stout, Jeffrey, op.cit., p 90.
[484] Benhabib, Seyla: *Situating the Self*, p 164.

this position. By its clear recognition of the fact that every attempt at moral justification transpires in a certain time and place, a contextualistic strategy for moral justification avoids the idea of a universal moral reason. Although this recognition of the role and importance of context in moral reasoning need not implicate that we exempt ourselves from the requirement of expressing our moral judgments, and reasons for them, in ways that comply with an ideal of inter-subjectivity. In her version of discourse ethics, Benhabib argues that the articulation of a plausible conception of moral rationality starts in the rejection of the strict formalistic conceptions of ethical rationalism. Instead she suggests a dialogical conception of rationality and argues that in dissimilarity with the Habermasian account of moral justification, her model does not make consensus a condition for justified moral judgments.[485]

The idea that we could identify universal criteria by which to judge the plausibility of reasons offered in case of moral judgments seems difficult to sustain given the situation of persistent moral pluralism. It should instead be acknowledged that conditions for cross-cultural moral communication hold a necessarily provisional nature, in the sense that meaning is gained when they are applied in actual, ongoing moral conversations. Examples of such conditions are the ideal of non-domination and inclusive participation. Criticism here carries the connotation of reflection on and scrutiny of our various moral and evaluative stances. Another way of articulating the import of this condition it that is encourages transparency as well as demands self-restriction of power for participants in the moral conversation.

Even though it comes in different varieties, the epistemological universalism does not offer a convincing position concerning how moral justification can be achieved. In this section, I have stated my reasons for questioning the assertion made in the natural law tradition; that of a common human ability for practical reasoning. The situation of global pluralism is best responded to by the admission that the different conceptions of rationality which traditions adhere to are formed by historic and social contingencies. This means that in this argument regarding moral justification, I make it a basic assumption that the forms of deliberation that we would be ready to judge rational, vary between times and places. It needs to be forthright acknowledged that such standards

[485] It was previously stated that Benhabib's model of justification offers no criteria by which to determine whether a moral judgment is justified.

are given different substantial and conceptual interpretation by the various traditions, cultures, and other historical communities that we encounter in the global community.

A non-essentialistic view of human beings

In the theory chapter, an analytical schema by which to scrutinize the different views of human beings which are related to the models was elaborated. As part of this schema, a set of categories were suggested as important features of a view of human beings. The comparison between Aristotelian and Kantian conceptions of the human being showed that central features such as rationality and materiality, human freedom and autonomy, sociability and readiness for relations, are given different interpretation in various views of human beings.

The analysis of the models has shown that they also understand these features in different ways and that in their respective view of human beings, they emphasize different instances of the human condition. In the subsequent discussion, focus is primarily placed on the different explications of freedom and human dignity which we find in the models. The aim is to make some suggestions concerning kinds of interpretations of these features that seem more sustainable from a global perspective.

However we start by a recollection of the different views of human beings that we have encountered among the models. Nussbaum puts forth the idea of human flourishing and argues that it is possible to identify certain capabilities for functioning which are common for human beings everywhere. She also argues that a plausible notion of practical rationality is one that is interpreted along the lines of the Aristotelian concept of 'phronesis'. Essential in this understanding is the idea that humans are embodied creatures, and that when they utilize their rationality abilities, they do so as beings formed by historical and material contingencies. Nussbaum also stresses that most of the human capabilities develop over the course of an individual's life and that they are thus dependent on outside support. We can see some similarity with the central contention Benhabib makes that the human self must be viewed as always and necessarily situated in a certain context of time and space. However, Benhabib is primarily located in the Kantian tradition, some-

thing which her suggestion of human ability for communicative freedom confesses. The idea is that, even if human life has the form of necessary situatedness, persons are not utterly confined by their social surrounding but may engage in a rational conversation with human beings in other contexts.

Hollenbach also makes the abilities for practical reasoning and self-transcendence central. However, both the personalistic and theological influences give that in central regards, his account diverges from both Nussbaum's and Benhabib's. Hollenbach argues that human personality is best conceived of as deeply formed by our participation in various communities. This is a view of human beings which shares central insights with the traditions of communitarianism; however the idea of common goods and persons' participation in them are also centrally related to the Catholic tradition of which he is part. For Schweiker, the idea of human beings as persons is also central and he suggests an 'agentic relational view' of persons. In this view both the human ability for freedom and the central ways in which persons are formed by relationships are stressed. Also Schweiker assumes that is possible to identify certain needs that humans have in common.

In these characterizations of human beings we find different interpretations of freedom. Ideas of autonomy and sociability figure in all of them, however these are given somewhat different emphasis and explication. Nussbaum and Benhabib presented apprehensions of the human being that comply with classical liberal notions of freedom and autonomy. Even though stress is placed on the role of context and the ways in which social positions form life, the individual's ability to transcend the bounds of culture and tradition is centrally emphasized in their views of human beings. They both argue that this is an assurance that a feminist model must necessarily incorporate. The idea of human transcendence is not unimportant for either Hollenbach's and Schweiker's views of human beings, however in comparison, they seem more essentially oriented towards sociability and community. That is, in their accounts, human beings are seen as fundamentally formed by community and social relations and stress is clearly placed on tradition and how it influences perception.

My contention is that a tenable global ethic avoids the kind of individualism often presupposed by modern versions of natural law reasoning. These positions tend to promote as universal norm what is really

one tradition's apprehension of human freedom.[486] The human being is then portrayed in an 'atomistic' way, and the ideal is an individual who, freed from the constraints the society and communal existence, pursues her personal interests. The idea of freedom is equated with liberty from external involvement and intrusion. In contrast this study argues that a plausible view of human beings needs a conception of human freedom which asserts autonomy and capability as well as vulnerability and dependency. This is even more actuated by the situation of radical global interdependencies. Such a view could also challenges the simplistic or reductionist interpretation of what respect for human dignity demands.

It is also essential that we realize that respect for the human being and her dignity can be instantiated in several ways. Human rights is one of them. In three of the models the focal point is the idea of universal human rights. However upon scrutiny it has been shown that the models comprise different understandings of human rights. These different notions of rights are related to different views of human beings. Benhabib focuses on the political and civil rights which are often advocated by liberal theorists. Nussbaum also focuses on these rights but also argues that material and social conditions are essential for human flourishing. In Hollenbach's communitarian conception of rights, the idea of social participation is central: human beings should be able to take part in and contribute to the common good. By this view, human rights is above all the conditions which enables humans for forms of community and relations with others. It should be mentioned that the idea of participation is central also for Benhabib, as her model stresses the central importance of a form of democratic governance where persons practice their abilities for communication together. However, the centrality of sociality and the view of persons as contributors and partakers which is asserted in Hollenbach's reasoning is qualitatively different and is also the perspective on persons that this study advocates. The communitarian personalism part of Hollenbach's model of human rights constitutes a valuable contribution to a reasonable view of human beings and clearly challenges a view of human rights as only or primarily a form of individual liberation.

We saw that in most of the models, human dignity was conceived of as associated with certain alleged features of persons. The idea that some form of common nature or human essence could be identified, or that we could use concepts that would not presume the linguistic and

[486] Namli, Elena: *Human Rights as Ethics, Politics and Law*, pp 194 f.

cultural legacy of a certain tradition in explications of this nature that we allegedly have in common, seems highly doubtful. The risk that accounts of the characteristically human finally reflect the apprehension reality of those in power, should make us wary of arguing that something such as a 'human nature' could be identified. Therefore I suggest that a viable view on human beings, and especially one that is part of a global ethic, should abstain from describing human personality as fixed or given. Having issued some caveats regarding the problems with essentialism and postulations of human sameness, I still argue that the idea of a certain form of dignity of human beings is an important part of morality. However, I argue that it is the idea of persons' *equal* dignity that is central. This coupling of human dignity and an egalitarian stance makes me question Nussbaum's idea regarding threshold levels for social entitlement, and it also makes me criticize Hollenbach's standard of proportionality as an adequate interpretation of what the idea of human dignity requires. However even though Benhabib stresses persons' right to be treated with equal concern and respect, she does not clearly show how this assertion is transformed into a vision of social entitlement.

The idea of human dignity as essentially related to a vision of human equality is then a central part of a reasonable view of human beings. This view of equal human dignity needs to be centrally acknowledged in conceptions of human rights and be politically manifested in terms of proposals for more even distributions of resources than is now the case in the global community.

Before this section reaches its conclusion I also want to mention and briefly discuss the proposal Schweiker makes that it is the integrity of all finite life which ought to be respected and enhanced. By this statement, he intends to oppose the reductive anthropocentrism assumed in several philosophical and theological ethical models. It has previously been stated that this study takes recognition of this objection and joins in its critique of anthropocentrism. I also contend that a focus on the person as responsible is desirable, especially given the global situation where individual's actions increasingly intersect and create new and radical relationships of dependence. Schweiker's theological reasoning on responsibility thus adds something crucial to the discussion of what characterizes the human condition.

Morality as a social institution

My analysis of the different models has indicated central problems with the different versions of ethical theory which they comprise. However, it has also been illustrated that some ethical theoretical positions are more conducive for a tenable global ethic than others. Part of Nussbaum's capability approach is the idea that in an intuitive way, we sense the value of certain forms of human functioning. Nussbaum is clearly inspired by Aristotle and his ideas of human potentiality, however she does not clearly designate what kind of existence the intuitive idea which a life of human dignity has. It is assumed to be a general possession of humankind, but what kind of reality it corresponds to Nussbaum does not tell. We could see that both Schweiker and Hollenbach advocate versions of moral realism. Schweiker explicitly states that a realist position concerning moral value is necessitated by a Christian worldview. Schweiker's theory of hermeneutical realism suggests that the human consciousness is actively involved in the apprehension of value. However it is a question of perceiving value and the basic contention of this stance is that values exist independently of the human mind.

Benhabib explicitly states that her version of discourse ethics endorses a version of ethical cognitivism. In the analysis of her ethical model I indicated that it is unclear what she means by this statement. In the framework of this study the term 'ethical cognitivism' is understood as denoting an ethical theoretical position in which it is asserted that moral judgments are matters which pertain to questions of truth and knowledge. From the purview of cognitivism moral judgments are either true or false. Benhabib does not mention explicitly whether her discourse-ethical principle (D) should also be understood as a criterion of truth. What she mention is that this principle and the norms of universal respect and egalitarian reciprocity which it supports should be viewed as placing a 'substantive limitation on our intellectual intuition'.

A descriptivist theory argues that moral judgments convey information about state of affairs, and the idea is then that moral language has an informative function. My contention is that we are mistaken to assign 'truth-function' to moral judgments and therefore I also doubt the plausibility of the descriptivist answer to the question of what function moral judgments have.

The cognitivistic stance views moral issues as related to questions of truth, and thus argues that we could have knowledge of the morally

right, good and valuable. An essential task for the proponents of cognitivism is then to propose criteria concerning how we could settle questions of moral truth. These criteria should be such that they do not presuppose a view of reality that either challenges established scientific knowledge or the experiences of most persons. An additional reservation can be issued for the use of the idea moral truth in relation to the discussion of global ethics; it needs to be shown, in a transparent way that the candidates for moral truth are universal and do not just reflect the discourse and social imaginary of a certain tradition's apprehension of the world. The caveat is that moral discourse which utilizes truth-talk runs the risk of being imperialistic in the sense that it imposes one culturally informed perspective on other moral traditions.

Jeffrey Stout argues that ethical contextualism should be paired with a descriptive theory concerning the function of moral judgments. His argument is that the idea of moral disagreement does not makes sense outside of a realist conception of truth.[487] My contention is that instead of claiming that moral judgments have truth-function, we ought to conceive of them as signposts that we invoke when we try to justify our choices for one moral or political norm among many different contenders. This seems to be the most plausible ethical-theoretical answer to the situation of global pluralism.[488]

Common for varieties of moral realism is the claim that values exist as part of a moral order which, in some respect, are independent from human consciousness. I argue that whatever referent one suggests, the problem with moral realism proceeds form a problematic interpretation of the character of morality. This study subscribes to a version of ethical constructivism which views values as socially constructed categories that exist as part of the various institutions of society. This is a materialist view on morality, and it implies that moral norms and values are to be understood as crucially related to the social and material conditions that permeate the life of different communities. Thus they cannot avoid to reflect the different social and cultural discourses that which form the setting of which they are a part. But as collective articulations which are concerned with how to organize life, these socially constructed and communally upheld interpretative and evaluative categories are open to discursive negotiation and so liable to change. This gives that their inevitably posited nature does not preclude that moral

[487] Stout, Jeffrey: *Democracy and Tradition*, p 238 f.
[488] Grenholm, Carl-Henric: *Etisk teori*, pp 266 f.

values and norms can be invoked in order to change social and political circumstances.[489]

This form of ethical constructivism is fully compatible with theological reasoning. A theist worldview can be maintained without the additional assumption that God has created an objective moral order. To my mind, a plausible theological interpretation of values as social creations holds that the ways in which humans engage with moral value is primarily as co-creator.[490] Schweiker's hermeneutical realism granted this view some accuracy but finally discarded the idea that values exists as part of the collective social reality. This view concerning moral value also complies well what that which I argue is the function of ethics. I defend the critical function and potential of ethical reflection in relation to moral norms and social conventions, and relate this to the kind of ethical constructivism which, I argue, constitutes a reasonable answer to the value-ontological question. The ethicist reviews the various assumptions which condition different conceptions of morality. Thus she acts as a critical interlocutor vis-à-vis social convention, asking on what grounds or by which reasons one holds certain moral convictions. This then forms a constitutive part of my apprehension of the function of ethics. Namely, I argue that ethical inquiry is essentially constituted by a scrutiny of the many different normative convictions and commitments in accordance with which we organize collective and individual life.

Communicability and global ethics

At the end of chapter one I articulated a set of criteria for a global ethic that is tenable. First I presented the criterion of relevance, which I relate to a model's ability to identify and address central global problems. I also understand this criterion as connected to the kind of political vision that a global ethic should deliver. My second criterion argues that a tenable global ethic incorporates a reasonable view of human beings. As a third criterion I propose that a global ethic should relate to a plausible stance on the different issues of ethical theory. Together, these help corroborate the meaning of my forth criterion, namely that a tenable global ethic should be communicable. Having dealt with the first three criteria

[489] Grenholm, Carl-Henric: *Etisk teori*, pp 253 f.
[490] Grenholm, Carl-Henric, op.cit., pp 253 ff.

in answering the research questions above, I present here my stance concerning what constitutes communicability in relation to global ethics.

At the outset of this study I made the proposition that symptomatic for global ethical reflection, is the connections it draws between different dimensions of ethical inquiry. My contention is that the 'tenability' of a certain model of global ethics should be judged in relation to stances adopted in ethical theoretical issues as well as by the normative and political-institutional suggestions it makes. The criterion of communicability is formed by the assumption that there is a formative link between ethical theoretical stance and political-moral visions. The criterion of communicability surveys this relation and scrutinizes whether there is compatibility between the suggestions made at the different levels of inquiry in the model. This criterion has normative connotations; the recognition it makes of descriptive pluralism is coupled with the claim that ethical reflection should adhere to the fact of human diversity.

A tenable global ethic, i.e. one that is communicable, should offer a plausible account of how it goes about justifying the principles, norms and values that it advocates. A consistent contention of the argument throughout this study has been that it is implausible to maintain the idea of a shared epistemological vantage point from were to evaluate the substance of different moralities. It has been shown that the idea of a common practical reason, proposed in different ways in varieties of natural law reasoning, is ill-equipped to deal with the circumstance of global pluralism.

I have previously stated that I affirm normative universalism, and here I argue that we should conceive of universality as a regulative ideal rather than as a feature of the various norms which different societies use to orient their lives. The form of universality I envision and which is part of a tenable global ethic, is above all a vehicle for analysis, of self and other, and which constitutes an instrument for critique of every form of power possession. That which I argue is the political upshot of this form of universality, and which constitutes a reasonable normative interpretation of the ideal of universality, approximates Michael Walzer's notion of a 'reiterative universalism'.[491] Focusing on liberation from oppression, Walzer argues that this form of political action cannot

[491] Walzer, Michael: "Nation and Universe. The Tanner Lecture on Human Rights". Oxford University, Oxford 1989.

follow a singular, and in that sense, universal pattern. Rather, liberation is understood as a particular experience since its trajectory as well as substantial features are determined by historical contingency.

My conviction is that models which incorporate a substantial number of norms are less conducive for forms of ethical reflection that efforts to be globally inclusive. Nussbaum's capabilities approach constitutes a clear example of the problems which I argue are associated with 'substantialistic' models as versions of a global ethic. A normative model that comprises several substantial assumptions regarding the nature of human beings and about the kind of life which it is valuable for them to lead does not stand forth as adequately flexible to accommodate human diversity. The idea that we could reach final agreement on a set of universal norms is challenged by the fact of far-reaching variation among human traditions. In contrast with this, my suggestion for a global ethic proposes that norms and principles gain normative substance as they are applied and invoked in global political-moral deliberation. This is the only sustainable way in which we can try to instantiate the ideal of equal human dignity in the political life of different communities.

In this thesis, two political philosophers who have respectively given the idea of a model for a global ethic much thought, have been analyzed. However as I am an ethicist working in the discipline of theology, I also extended my inquiry concerning a tenable model for global ethics to two theologians who have brought forth theological perspective on topics of political philosophy in general, and the idea of a global ethic in particular. I have shown that some forms of reasoning associated with the tradition of natural law are essentially problematic in relation to global ethics. My argument is that the position of moral realism commonly invoked by theologians is implausible and that a tenable model for a global ethic searches for alternatives. All of the authors whose models I have analyzed, argue in case of, or presuppose that we adopt, a common epistemological perspective to be used in reasoning concerning valid moral judgments. I have found no satisfactory arguments as to why epistemological universalism should be accepted. I argue that above all, a tenable global ethic needs to be communicable.

In relation to this, I argue that the practice of global ethics is primarily constituted by the critical investigation of the norms, principles and values that are suggested as globally relevant. This activity enfolds whenever we inquire about the philosophical, theological, and ideological assumptions, which act to condition the global moral conversation.

Such scrutiny might result in the articulation of a global ethic, a normative model. A tenable global ethic should fulfill the criteria of relevance, plausible argumentation in case of a view of human beings, and a reasonable ethical theory, as well as meeting the meta-criterion of communicability.

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