Individual Autonomy and Global Democracy

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> … if you wish to uphold basic human justice you must do so for everyone, not just selectively for the people that your side, your culture, your nation designates as okay.
>
> – Edward W. Said (1993: 69)

In this schematic article I adumbrate an approach to normative political theory that is based on the idea that individual autonomy is a fundamental political value (Section I) and draw out some important consequences of the approach for the global political order (Section II).[1]

There are significant overlaps between the concerns of this article and those of Darrel Moellendorf's *Cosmopolitan Justice*, which is a wide-ranging and valuable contribution to the literature on global justice (Moellendorf 2002). The article is not, however, a study of the book, and the main substance of what follows does not presuppose anything in the book. I will, however, draw on the book when this serves my purposes, and will also call attention to some important points of agreement and disagreement between the article and the book. Thus the article will contain an implicit critique of certain aspects of the book. Some preliminary remarks on the main differences between Moellendorf's approach and mine may, therefore, be opposite.

The greatest differences are methodological. Even though he criticizes Rawls's (1993 and 1999) account of the requirements of global justice, Moellendorf is committed to doing 'ideal theory' within a strict Rawlsian framework, in terms of which ideal general conditions of justice are to be established (by ideal theory) before any more specific questions about justice are tackled – including questions about the immediate requirements of justice in the real world (Rawls 1971: 9). Furthermore, these ideal general conditions are to be determined by a once-off application of the veil-of-ignorance test in the form of 'the original position', which is defined not only by the issues that it is supposed to decide, but also by a wide-ranging set of normative assumptions. The degree of Moellendorf's commitment to ideal the-

ory shows up in his assertion, which I find quite startling, that '[i]t is simply beside the point when considering the plausibility [*sic*] of an account of justice to ask how many people are likely to accept it' (Moellendorf 2002: 3).[2]

In contrast to Moellendorf, I am a not committed to any general methodology, and feel free to tinker around with various tools that may seem useful for particular moves without ever binding myself to the manual for any comprehensive toolkit. This goes with my sense that normative political theory has not yet developed to a point at which it can tell in advance how best to make headway on all the issues with which it may be concerned. More particularly, it is not obvious to me that we should attempt to discover ideal general conditions of justice before dealing with more specific and immediate issues, or that we could reasonably hope to succeed in this task, or even that we would get the best answers to specific questions of justice by viewing them in the light of ideal general conditions. Why on earth should it be so? I am inclined to think that we often do better to apply the veil-of-ignorance test repeatedly, flexibly, and *directly* to specific issues that concern us – doing this with a minimum of standing normative commitments, and assuming ignorance in the relevant parties only with respect to information that might prejudice their decisions (e.g., information about who they are in the corresponding real-world bargaining situations).[3]

Although I have identified the methodological differences between Moellendorf and myself with reference to justice, his focus is on justice while I concentrate more on democracy. Apart from my inclination to treat democracy as the more fundamental, this difference is not very significant, and the reflections that follow have plenty of implications about global justice in its own right. With respect to global democracy, it will come as no surprise that, even though I have some thoughts on how to advance towards it, I do not claim much understanding of the conditions of its realisation – either in our actual long-term future, or in ideal circumstances.

I

As I am using the term, an autonomous individual is one who is, in the ordinary sense, in charge of her own life.[4] She has reasonable life choices and is subject to a minimum of unwelcome interference in her life by other people or by private and public institutions, including governments. She has access to the resources needed to avoid abject

suffering, dependence, domination and oppression. She has the ability to appreciate the main threats and opportunities in her environment, to recognize the main consequences of the alternatives available to her, to make reasoned choices, and to follow through on her decisions. This everyday conception of individual autonomy unites a variety of different factors in a phenomenologically plausible way; for we are apt to experience our autonomy as a unified whole when all the relevant factors are present, but to feel the significant absence of any one of them as a lack of autonomy.

Individual autonomy is a distinctively human value that is required for human well-being.[5] It is also a good for which human beings have a deeply rooted, natural drive. 'I want to do it *myself*', says the toddler, grasping for nascent autonomy in the face of his parents' inclination to take the easy option and do 'it' for him. Those who are enslaved and oppressed usually resent their lack of autonomy unless they have been completely dehumanized, and are ready to resist when there is a reasonable chance of changing or alleviating their conditions. Those who enjoy some autonomy cling to it and will not give it up unless the price becomes unbearable. Those whose autonomy is impaired by intellectual or emotional retardation are often painfully aware of this as a deficiency. Moreover, we greatly value autonomy in others as well as for ourselves. We want our own children, and children generally, to become autonomous adults. We have a need for friendships and associations with other autonomous agents. We feel sympathy for the oppressed, as well as those whose autonomy is internally impaired, but we also see them as a burden to society if they cannot take care of themselves.

Individual autonomy is, therefore, an important human good. There are several reasons why it should also be regarded as a fundamental political value given the ideals of democracy and human rights, which I will take for granted. In terms of the ideal of democracy, the legitimacy of the state depends upon the rational consent of its citizens, and this in turn presupposes autonomy on their part.[6] At the same time, given that institutionalized government is essential in all but very small scale societies, the claims of democracy are underpinned by the value of autonomy, for democracy is the form of government most compatible with and acceptable to autonomous citizens. Treating individual autonomy as a fundamental political value has at least two further significant theoretical benefits.

The first is that it provides a principled basis for adjudicating between competing claims of liberty and equality. Individual auton-

omy incorporates important aspects of both, for it involves liberty in the form of restrictions on unwelcome interferences, and a significant degree of substantive equality in so far as it requires the resources and capacities needed to provide access to reasonable life choices and to avoid suffering, dependence and domination. Thus, if we treat autonomy as more basic than either liberty or equality, then it follows that trade-offs between the two are possible, and that each should be developed and protected to the extent that they serve autonomy, but restricted to the extent that they conflict with it. Hence, liberty does not have unrestricted priority over equality. However, in favourable circumstances in which individual autonomy is, in effect, universal, there will be a presumption against restrictions on liberty that would promote additional equality.

This realistically allows for quite extensive economic inequalities that may exceed those permitted by Rawls's Difference Principle (1971: 75-83), providing that the worst off have access to the very substantial social minimum required for genuine autonomy. Here I am at one with Sunstein's 'New Progressivism' (2000), even though Sunstein does not make explicit use of the idea of autonomy. New Progressivists 'are not much concerned with large disparities of wealth, not because these are fair, but because the more important goal is to ensure decent outcomes for all', for they hold that 'what is most necessary is to ensure that basic *human capabilities* do not fall below a certain reasonably generous threshold' (Sunstein 2000: 5).[7] In support of this view, I hold that behind the veil of ignorance, rational people would prefer an autonomy-based social minimum to the Difference Principle. I will return to this issue in the course of the following section.

The second theoretical benefit of treating individual autonomy as a fundamental political value is that this yields a useful general criterion of human rights: ask whether the satisfaction of a hypothetical right is required for individual autonomy, and count it as a genuine human right if and only if your answer is affirmative. By the same token, the assumption allows us to make sense of advanced statements of human rights – like the Bill of Rights in the new South African constitution – by construing them as practical attempts to spell out or give legal substance to the main conditions of individual autonomy.

II

These sorts of considerations could be applied merely within individual states taken in isolation. However, we do not live in isolated states, but in a global economic, social and political order.[8] Like pollution and infectious diseases, markets show scant respect for national boundaries. Goods that we use every day are composed of products of numerous countries. Global brands like Coca Cola, McDonald, L'Oréal, Addidas, Benetton, Toyota, Hyatt, Sony, CNN, Microsoft, Deloitte & Touche, Ove Arup and Britney Spears make inroads on markets everywhere. Capital in pursuit of profit moves from country to country, sometimes undermining cultural identities in local communities (Pollis forthcoming) and often leaving unemployment in its wake. We collaborate through the internet with co-professionals half way round the world more easily than we interact with compatriots from the poorer side of town. Major sporting events, broadcast live on television, entertain hundreds of millions simultaneously on every continent. Hollywood dominates the silver screens of the world, and children and young people everywhere imbibe Americo-global culture from *Sesame Street*, *The Simpsons*, *The Cosby Show* and MTV. News of terror in New York and Indonesia spreads millions of times faster than wildfire and alters human lives across the globe. George W. Bush's foreign policy makes people and markets everywhere nervous, and has a devastating impact on numerous innocent lives. Less dramatically, internationally funded economic developments may sometimes damage the social and economic structures of peasant communities; the livelihood of Scottish fishermen is threatened by European efforts to conserve the stock of cod; and the means of addressing problems of unemployment in South Africa are heavily constrained by international standards of fiscal management.[9]

In this global environment, the extent to which individuals are autonomous depends not only on considerations about themselves, their local circumstances and the countries in which they live, but also on distant events and transnational processes that could have a significant impact on their lives. For their autonomy is compromised if they have no power or right to play a part in regulating those events and processes, just as it would be if the relevant forces were internal to their home countries. Most of us are, in this respect, victims of significant political decisions in powerful foreign states, of actions by international agencies, and of the operations of a largely unregulated

global market. And this holds good even if we benefit from the events and processes concerned.

The poor of the world are also victims of the global market in the further sense that they are actually getting poorer, while the rich get richer, as a result of its operations. This happens in part because market forces place those with very limited resources at a severe competitive disadvantage, and in part because, insofar as the global economic order is regulated at all, it is, as Thomas Pogge points out,

> shaped in negotiations where … representatives [of the wealthiest states] … exploit their vastly superior bargaining power … as well as any weakness, ignorance, or corruptibility they may find in their counterpart negotiators, for … [the] greatest benefit [of their own citizens]. (Pogge 2002: 20)[10]

Thus, while citizens of wealthy states have some power to influence global forces to which they are subject, most of the world's population is at the mercy of those forces.

Mainstream political philosophy has not adequately come to terms with the fact that the world order is global. It focuses heavily, and abstractly, on the individual nation state, which it tacitly treats as the proper unit of undivided sovereignty, with an internal monopoly on coercive power, and it concentrates on proposing and defending conditions under which such sovereignty is legitimate. This problematic leaves little space for a world order other than a statist, inter-*national* order in which the players are nation states rather than human beings. In these terms the normative philosophical challenge with respect to the world order is limited mainly to the specification of conditions of legitimate interactions between states.

Near the end of the 18th century, Kant advocated the goal of a world order consisting of a loose confederation of republican states. As he saw it, the states within the confederation would have rights in relation to one another that are parallel to the rights enjoyed by citizens within a republic, and the confederation, which would have no coercive authority, would be governed by consensus between the states themselves rather than between their citizens (Kant 1795/1970, especially pp.98-105).[11] Two hundred years later, John Rawls, the leading political philosopher of our age, advanced a similar vision in terms of which a just world order consists of just states interacting in ways that conform to principles that could rationally be agreed to by representatives of the states (or, as Rawls puts it, the 'peoples' inhab-

iting the states) behind a veil of ignorance about which states they represent (Rawls 1993 and 1999, especially pp.30-44).[12]

James Tully has challenged the standard problematic of modern political philosophy at the level of the individual state on the ground that the unity and homogeneity associated with the presumed indivisible sovereignty of the state cannot accommodate just demands of cultural recognition, which require diverse forms of self-determination within culturally pluralist states (Tully 1995, especially Chapter 2). This is an inevitable consequence of the extent of cultural diversity, the degree of inter-penetration between cultures, the shifting cultural horizons of individuals as they move through various aspects of their lives, and ongoing cultural change.[13] For, given such facts about culture, an order in which each supposedly discrete culture has its own homogeneously organized state is not only practically but also theoretically impossible.

Tully, who is rightly sensitive to the claims of cultural recognition, therefore, takes issue with the idea that authority within a state should be organized in a regular, well-ordered tree structure in which the national government, the seat of absolute sovereignty, occupies the dominant node and lower authorities at the same level all have the same powers within their own domains. What he advocates instead is a 'diverse federalism' that permits far more complex, overlapping, heterogeneous divisions of authority, which are better modelled by the irregularities of an ancient city than the neat, clean lines of a centrally-planned town.[14] Among other things, this allows for the possibility of a degree of self-determination by an aboriginal people through a tribal authority that partly overlaps one or more provincial authorities, limiting their powers, as well as the powers of the central government, over some people in some areas on some issues. At the same time, further authorities, serving different kinds of interests, could cut across and limit such tribal and provincial authorities in a variety of ways. Of course Tully is not advocating arrangements that do not already exist in some places, but is proposing that normative political theory be modified to recognize their legitimacy – and that we be more ready to make use of them to deal with problems of cultural recognition.

At the global level, the statism of the standard problematic has of late been challenged from a cosmopolitan perspective by a number of authors, among whom I will mention only a small sample. Held (1997) insists that democratic theory cannot accommodate the facts of the new global world order without developing a cosmopolitan

model of democracy. Habermas (1997) and Bohman (1997) argue for the expansion of Kant's rather modest conceptions of universal community and cosmopolitan right (1795/1970: 107-8) into rich and far-reaching ideals of a cosmopolitan public sphere and cosmopolitan law which are inconsistent with statism. Several speakers at the August 2003 World Congress of Philosophy challenged statism from a cosmopolitan point of view, including, most notably, Habermas (forthcoming) and Benhabib (forthcoming). In his early study of Rawls's *A Theory of Justice* (1971), Pogge (1989: Part Three) advocated the cosmopolitan application of Rawls's account of justice before Rawls advanced his own statist account of global justice (in Rawls 1993 and 1999). Kuper (2000) and Moellendorf (2002, especially Chapters 1–3) do the same thing in response to Rawls's statism.

In terms of the adapted Rawlsian approach advanced by Pogge, Kuper, Moellendorf and others, world justice is not to be determined by what representatives of states would rationally agree to behind a veil of ignorance on the basis of the possible interests of states, but by what representative human beings would rationally agree to behind a veil of ignorance on the basis of the possible interests of ordinary human beings. Moellendorf rightly sees this approach as appropriate because it provides space to deal with issues of justice between inhabitants of different states that arise because of their common membership in a single, global order. Thus, among other things, he is able to raise the question of whether the extreme economic inequality between wealthy Westerners and the impoverished masses of Africa and Asia is consistent with justice, and to argue that it is not on the ground that the parties to the cosmopolitan original position would endorse a global version of Rawls's Difference Principle (Moellendorf 2002: 78-86).

I agree that, since it is avoidable, their poverty is unjust. However, it should be clear from Section I that I regard it as unjust because it compromises their individual autonomy, which requires a substantial social minimum, rather than because it infringes the Difference Principle. The difference between the two positions is particularly significant with respect to global justice because the institutional changes and redistributions required for the satisfaction of the Difference Principle at the global level would be immense, while much smaller adjustments would result in substantial improvements in individual autonomy. Pogge has argued that it is possible to eradicate systematic poverty without massive cost to the well-off (Pogge 2002, especially Chapter 8). This would yield giant advances in individual autonomy without making serious inroads on the demands of the Difference

Principle. We may, therefore, worry that the principle sets the standards of justice too high. Moellendorf (2002: 83) addresses the objection that it 'places too many demands on individuals to give', and replies that it does not do this, but only requires institutional change.[15] However, the worry that I am expressing is not that the Difference Principle requires the wealthy to do too much (or to do anything at all), but that, realistically, the institutional changes that it requires might be far too demanding to be acceptable.

Moellendorf's argument for the Difference Principle is, first, that the parties in the cosmopolitan original position 'would choose equality of [economic] outcome over the minimum floor'[16] because 'the minimum floor could be below equality', and, second, that 'it would be rational [for them] to chose the difference principle over equality of outcome' because it 'will allow for improvements over equality of outcome' (Moellendorf 2002: 82). However, this reasoning is plausible only if the parties concerned take it for granted that they (or those whom they represent) are among the worst off in the real world, and this is prejudicial. Assuming that they are ignorant of their relative economic positions, it would, I hold, be more rational for them to agree to the social minimum. For this would secure them minimally decent lives if they were among the worst off, while at the same time opening up the prospect of considerably greater wealth if they were among the better off. Given that human beings are acquisitive and competitive animals, I cannot see that either equality of outcome or the Difference Principle provides a more reasonable or attractive alternative. This disagreement with Moellendorf does not, however, cast doubt on his view that global poverty as we know it is unjust, or on his general critique of statist approaches to world justice.

As I see it, then, we have good reason to believe that the current world order involves significant global injustices that could exist even if Kant's and Rawls's standards of world justice were satisfied.[17] These include, in particular, injustices that manifest themselves in widespread limits to individual autonomy. Once we formulate the problem thus, the solution seems obvious, albeit only in the abstract. What we need in principle, it would appear, is more democracy, especially at the global level. For democratization in its own right increases individual autonomy by giving people greater control over forces that may influence their lives. And by doing this it also increases the likelihood that those forces will be regulated in ways that are more favourable to the fundamental human rights of those who are unfairly disadvantaged by the current order.

These general remarks in favour of global democracy should not be understood as an endorsement of the idea of a comprehensive global state, which is widely regarded as unacceptable. As Moellendorf puts it,

> The practical problems of directly governing several billion people seem insurmountable, and the threat to human liberty of a bureaucratic state with global reach would be immense. On the other hand, states have, at times at least, been able to ensure that civil and democratic rights are respected. [Thus] … some role for states in … [a just] world order seems appropriate. (Moellendorf 2002: 172)[18]

But it should also be added that we need far more democracy within the states of the world – and that we need to jettison the idea of the absolute sovereignty of the state in favour of a much broader and more democratic dispersal of political authority.

Pogge once proposed what he called a 'vertical dispersal of sovereignty' across a nested structure of authorities with domains ranging from neighbourhoods through towns, counties, provinces, states and regions to the world as a whole (Pogge 2002, especially 178-82).[19] Similar ideas have been advanced by others. Held, for example, sees a long-term need for 'a global parliament … connected to regions, nations and localities' along with 'entrenchment of cosmopolitan democratic law' and various other measures designed to protect democracy (Held 1997: 248-9). I doubt that structures like these could provide an adequate institutional basis for protecting people against all possible global injustices for the simple reason that the 'force fields' of the events and processes that could give rise to many such injustices will not respect the internal boundaries of *any* possible nested structure of territorial polities. Of course these fields will all be included in the world as a whole, which suggests that they might be regulated centrally. However, given that each of the relevant possible injustices could threaten only a small, territorially dispersed minority of the world's population, it is not clear that central regulation, however democratic, would give adequate protection to potential victims.

What is required for effective global democracy is a much more complex, irregular, overlapping division of authority structurally similar to what Tully advocates for a culturally diverse state. For only messy arrangements which include various different forms of authority that cut across and constrain one another in disparate ways could track the multifarious fields of possible injustices, and give the

most likely victims the power to avoid them. No doubt we need nested territorial polities with broad power spectra. But we also need a variety of much more functionally oriented authorities with narrow power spectra to deal with matters that polities cannot handle successfully, including regional and global issues about conservation and the environment, food and famine, disease control, cultural recognition, the oppression and exploitation of women and children, crime, poverty, infringements of human rights and the regulation of the world economy.[20]

Many of the relevant transnational and global events and processes are already subject to some degree of govern*ance* in the sense that they are influenced, constrained, regulated and sometimes even directed by various human instruments. Let us use the phrase 'world governance' to refer to these instruments collectively. World governance thus understood is limited and unevenly dispersed, and is constituted largely by international agreements, the actions and manoeuvres of powerful states and associations of states, and the activities of international institutions and agencies. Furthermore, it is to a significant degree dominated by the United States of America, it is not subject to the consent of most of the human beings whom it affects, and it is much too weak and biased to serve their rights and interests.

In order to deal with the problems of global injustice it is necessary to strengthen, extend, and democratize the instruments of world governance. The question of how to do this cannot be answered with an a priori philosophical blueprint, but only by ongoing deliberation, experiment and experience in politics that will always yield tentative and mutable conclusions. Philosophy can, however, address the important issue of what democratization could possibly consist in with respect to narrow spectrum functional authorities that cut across ordinary polities.

The issue seems very puzzling if we think of representative government and majority voting as absolutely crucial to democracy. For although it is logically possible for every functional agency to be run by a representative governing body elected directly by all the people of the world, this possibility is too remote and impractical to qualify as genuine. Furthermore, as previously noted, it is unlikely to provide adequate protection to the most likely victims of the relevant potential injustices. However, once we recognize the underpinnings of democracy in the value of individual autonomy, it makes better sense to think of democracy simply as government by consent – or, in other

words, government by the consensual will of the people – and to do so without making specific commitments about the mechanisms by which this is to be achieved. In these terms, agencies of governance are democratic to the extent that they provide space for those whose lives they might affect to participate in the development of a common will that the decisions and actions of those agencies aim to express.[21]

This is, of course, an extremely abstract specification of a distant ideal. Although I don't know how it is best realized, it is possible to come up with some conditions that may encourage its advancement. These include: a reduction in the power of states, especially wealthy states, over world agencies; the development of means of selecting governing bodies for such agencies that are more representative of and sensitive to the views and interests of those who will be affected by their actions; improved public access to information about issues within their domains, and greater transparency about their operations; and the development of much better mechanisms for ordinary people and groups around the world to make significant inputs into their deliberative processes.

As I see it, the limitations of the above account of how to deal with global injustices betray corresponding limitations in my grasp of the nature and extent of the injustices themselves. As a methodological Rawlsian, Moellendorf holds that it is possible to achieve a relatively clear understanding of actual injustices simply by evaluating the real world according to the standards of ideal theory, without serious consideration of the institutional means by which those standards are to be satisfied. This is subject only to the condition that we be able to imagine the mere possibility of mechanisms that would yield some progress toward the satisfaction of these standards (Moellendorf 2002: 171-2).[22] I see this as far too limited a concession to the important principle that 'ought implies can', which in the case at hand implies that injustices are genuine only to the extent that they are remediable.[23] In these terms our understanding of injustice is significantly constrained by our appreciation of the possible remedies – which is, at this point, extremely schematic.

However that may be, it is clear that the ongoing development of global democracy is essential if we are to advance toward a just and stable world order that is to the benefit of all.

NOTES

1. I am grateful to the International Programme Committee and the Turkish Organising Committee of the XXIst World Congress of Philosophy, Istanbul, 10-17 August 2003 for inviting me to present a paper in the plenary session on *Human Rights, the State and International Order*. Despite my lack of expertise in this field, I had the temerity to accept. It then turned out that, due to circumstances beyond my control, I had to prepare my paper, 'Toward Global Democracy' within two or three weeks, which did not give me the time to consult the existing literature properly. The present article is an expanded version of the paper in which, among other things, I make a few additional gestures toward the literature. The paper will appear in the form in which it was presented in the *Proceedings* of the Congress (Pendlebury forthcoming). I am grateful to Professor Ioanna Kuçaradi, President of the Fédération Internationale des Sociétés de Philosophie (FISP) between August 1998 and August 2003 and Chairperson of the Turkish Organising Committee of the Congress, for permission to publish an expanded version in *Theoria*. I also owe thanks to Mary Tjiattas for useful advice on the literature.
2. It is clear that in this context 'plausibility' should be understood as something more like 'legitimacy' or 'correctness'.
3. Nothing in this paragraph is meant to gainsay the enormous productivity of Rawlsian methodology over the past 30 years. I wish merely to express some skepticism about its ability to cope adequately with every issue that we may want to tackle in normative political theory.
4. Philosophers since the time of Plato have been interested in various notions of autonomy, which became the central concept of ethics in the modern period. During the past 30 years there has been an enormous academic literature on the idea of individual autonomy and its political applications. This literature has had a significant impact on my thinking, but no more than material in the popular media and everyday discussions in various contexts. My conception of individual autonomy follows one trend in the direction of a richer, more descriptive account, and no specific points that I make about autonomy and its political applications are original. I am, however, unable to identify most of the sources that have influenced me. Section I draws significantly on Sections 1 and 2 of Pendlebury 1995.
5. This does not imply that a worthwhile life must have a particular substantive character, involving specific first-order goods. See Pendlebury 2000, especially pp.8-9.
6. I do not mean to imply that individual autonomy is required for rational consent to *anything*. However, as I have previously put it, 'given the deep and pervasive effects of governments on our lives, the rationality or legitimacy of an agent's consent to government, or to particular government policies or actions, is compromised by limitations in personal autonomy' (Pendlebury 2002: 371).
7. The relevant notion of capability, which is implicitly included in my conception of autonomy, is that of Sen (see, for example, 1999, especially Chapters 3 and 4).
8. Moellendorf (2002, especially pp.30-47) emphasizes the significance of globalisation for normative political theory, but focuses much more heavily on economic than on social and political aspects of the phenomenon.

9. See Part I of Barber 1996 for an entertaining overview of globalisation that remains informative and useful despite significant developments since its publication.
10. Pogge argues cogently and in detail for the view that the global economic order harms the poor, and that it is unjust for that reason. See Pogge 2002, especially the 'General Introduction' and Chapter 4. Moellendorf also emphasizes the impact of globalisation on the worst off (2002, e.g., pp.36-8, 69) and argues systematically that the extreme economic inequalities of the contemporary world are unjust (2002: Chapter 4).
11. In this essay Kant refers to 'a federation of free states' rather than a confederation, but he makes it absolutely clear that it is a loose confederation that he has in mind.
12. Rawls acknowledges his indebtedness to Kant (1999: 10). My presentation of Rawls's view (like my sketches of other positions in this article) is a caricature that leaves out many details, but I do not believe that it is misleading about the main lines of Rawls's position. In particular, my treatment of Rawls's representatives of 'peoples' as representatives of states is harmless, as Rawls distinguishes between peoples and states only to accommodate seriously unjust circumstances in which the interests of the state and the interests of the people in it could be at odds (1999: 23-30). This would not apply in a world order that is just in his terms.
13. For a very useful overview of these and other relevant features of culture in the contemporary world, see Tully 1995: 9-15.
14. See Tully 1995, especially Chapter 5. For the image of an ancient city (for which Tully gives credit to Descartes and Wittgenstein), see Tully 1995: 101-3.
15. This reply is, incidentally, at odds with the spirit of Moellendorf's view that 'it is individuals who primarily bear the duties of international distributive justice' (2002: 90) even though it is consistent with the letter of this claim.
16. For present purposes we may treat 'the minimum floor' as equivalent to the substantial social minimum required for individual autonomy even though some theorists might want to set the minimum floor at a much lower level.
17. Kuper 2000 presents a persuasive case for the claim that there are global injustices between persons that cannot be accounted for in terms of the construction of Rawls 1993 and 1999.
18. In the final sentence of this passage I have substituted 'a just world order' for 'an egalitarian world order' in the original. Moellendorf would no doubt accept the claim resulting from this change.
19. In a note at the beginning of Chapter 7, which includes these pages, Pogge says that he has 'made no effort to change the tone of the chapter, which reflects the spirit of 1990, the year of its original composition' (2002: 168).
20. Kuper (2000: 657-8) advances similar ideas from a more Rawlsian perspective.
21. I have been influenced here by Barber 1984, especially pp.198-209, despite being at odds with Barber's inclination to think that democracy requires actual participation by all.
22. Moellendorf accordingly devotes only a scant three pages (2002: 172-4) to institutional changes that might advance global justice according to his vision, and he is silent about the institutional requirements of its realisation.
23. It would be necessary to formulate this principle far more carefully in order to rule out irrelevant counterexamples, and even with further refinements its appli-

cation would be subject to debate. I would, however, want to insist that we are not entitled to count a hypothetical injustice as genuine just because it might be remediable somewhere beyond the horizons of our imagination. With this in mind, the principle clearly helps to buttress my earlier suggestion that the global Difference Principle may be too demanding a requirement for justice.

REFERENCES

Barber, B.R. 1984. *Strong Democracy: Participatory Politics for a New Age*. Berkeley and Los Angeles: University of California Press.

_____. 1996. *Jihad vs. McWorld.* New York: Ballantine Books.

Benhabib, S. 'Democracy and its Future: Citizenship and Civil Society', in FISP, forthcoming.

Bohman, J. 1997. 'The Public Spheres of the World Citizen', in Bohman and Lutz-Bachman, 1997, pp.179-200.

Bohman, J. and M. Lutz-Bachman (eds). 1997. *Perpetual Peace: Essays on Kant's Cosmopolitan Ideal*. Cambridge, Massachusetts: M.I.T. Press.

FISP. Forthcoming. *Proceedings of the FISP XXIst World Congress in Philosophy, Istanbul, 10-17 August 2003*, Fédération Internationale des Sociétés de Philosophie (publication details not yet available).

Habermas, J. 1997. 'Kant's Idea of Perpetual Peace, with the Benefit of Two Hundred Year's Hindsight', in Bohman and Lutz-Bachman, 1997, pp.113–153.

_____. 'Transition to a Postnational Constellation: Dispute on the Future of International Law', in FISP, forthcoming.

Held, D. 1997. 'Cosmopolitan Democracy and Global Order: A New Agenda', in Bohman and Lutz-Bachman, 1997, pp.235–251.

Kant, I. 1795/1970. 'Perpetual Peace: A Philosophical Sketch' (transl. by H.B. Nisbett), in Reiss 1970, pp.93-130.

Kuper, A. 2000. 'Rawlsian Global Justice: Beyond *The Law of Peoples* to a Cosmopolitan Law of Persons', *Political Theory*, 28, pp.640-675.

Moellendorf, D. 2002. *Cosmopolitan Justice*. Boulder, Colorado: Westview Press.

Pendlebury, M. 1995. 'Personal Autonomy, Democracy and the New Constitution', *South African Journal on Human Rights*, pp.485-495.

_____. 2000. 'Against the Careerist Conception of Well-Being', *The Philosophical Forum*, 31, pp.1–10.

_____. 2002. 'In Defense of Moderate Neutralism', *Journal of Social Philosophy*, 33, pp.360–376.

_____. 'Toward Global Democracy', in FISP, forthcoming.
Pogge, T. 1989. *Realising Rawls*. Ithaca, New York: Cornell University Press.
_____. 2002. *World Poverty and Human Rights*. Oxford: Polity Press.
Pollis, A. 'Globalisation and Cultural Identity', in FISP, forthcoming.
Rawls, J. 1971. *A Theory of Justice*. Cambridge, Massachusetts: Harvard University Press.
_____. 1993. 'The Law of Peoples', *Critical Inquiry*, 20, pp.36–68.
_____. 1999. *The Law of Peoples*. Cambridge, Massachusetts: Harvard University Press.
Reiss, H. (ed.) 1970. *Kant's Political Writings*. Cambridge: Cambridge University Press.
Said, E.W. 1993. *Representations of the Intellectual: The 1993 Reith Lectures*. London: Vintage Press.
Sen, A. 1999. *Development as Freedom*. New York: Alfred A. Knopf.
Sunstein, C.R. 2000. 'A New Progressivism', revised typescript of a paper presented at the University of the Witwatersrand Centre for Applied Legal Studies Conference on 'Law and Transformation', Midrand, South Africa, 7-8 August 2000.
Tully, J. 1995. *Strange Multiplicity: Constitutionalism in an Age of Diversity*. Cambridge: Cambridge University Press.