

Book Reviews

Gillian Brock, *Global Justice: A Cosmopolitan Account*, Oxford: Oxford University Press, 2009, Pp. 288, ISBN 0199230943.

A cosmopolitan account of global justice should naturally be at the forefront of any theory concerned with the issues and problems of justice in the international arena. But what kind of cosmopolitan account is involved? And how such an account can be defended? In particular, how can it respond to the charge of being utopian? And does it drive states to the periphery and bring individuals to the centre? These are the challenges that Gillian Brock attempts to meet in this book.

Brock argues for a cosmopolitan model of global justice which takes the moral worth of individuals seriously, without ignoring the role that a defensible form of nationalism can play in this regard. In this, she aims to address two kinds of scepticism. One is the argument that cosmopolitanism interferes illegitimately with the defensible scope of nationalism and leads to the weakening of national values, such as authentic democracy, national self-determination and state sovereignty. The second argues that cosmopolitanism is unrealistic, unfeasible, a merely theoretical vision of the world. Brock's aim is to prove these two kinds of scepticism wrong.

Brock's response to skepticism about feasibility is based on formulating certain public policies, in the middle chapters of the book, which range from monitoring the protection of basic liberties and regulating humanitarian intervention to implementing a system of global taxation, immigration policies and global economic arrangements. She declares at the outset that she intends these policies and the theory of global justice on which they are based to meet Nagel's challenge to political theorists – that of formulating “workable ideas” of justice for global and international institutions “in the long run” (Nagel 2005).

Cosmopolitan accounts of global justice are inspired by Rawls's theory of justice, which is essentially meant to apply to the basic structure of a society and function within the bounds of a state. However, some liberal egalitarian philosophers have painstakingly extended Rawls's principles of justice to the global arena. Brock is certainly one of those, however, with some reservations. Some cosmopolitans have imagined a global basic structure arranged according to these principles, and argued that cosmopolitans should endorse a global difference principle and a principle of global equality of opportunity. However, Brock argues against such proposals and formulates an alternative *needs-based minimum floor* principle.

But, why assume that Brock's alternative principle is the optimal one? To argue for it, Brock conjures up a Rawlsian-style normative thought experiment regarding a global conference of delegates selected to choose the principles that regulate the fair terms of cooperation among the world's inhabitants. Brock claims that her thought experiment differs from Rawls's idea of the original position, since hers is not a device of representation. But, if the delegates are instead to be randomly selected, as Brock insists, then one wonders what legitimacy their decisions could have for other people, who have not selected these delegates. Nonetheless, as with Rawls's original position, Brock's thought experiment puts delegates behind a veil of ignorance, which denies them information about the demographics of world population, how powerful people are and the natural wealth and size of territories. Two primary rights are the concern of

the delegates: that everyone should enjoy some equal basic liberties, and that everyone should be protected from risks of serious harms, their basic needs being met. Brock argues for a list of freedoms that delegates would opt for, including freedom of dissent, conscience, speech, and the freedom to exit a society as well as minimum guarantees against assault, torture, imprisonment without trial, or extreme coercion of various kinds. The other claim which Brock makes is that delegates would not choose a world government, contrary to what cosmopolitans might propose. According to Brock, delegates would choose to retain states for two reasons. First, they would find it prudent to be risk-averse given the gravity of the situation, and so they are more cautious about making their decisions. And second, they would be concerned about the possibility of an overwhelming disastrous result if world government turned out to be bad.

Brock thus argues that delegates would not go beyond those social and political arrangements that guarantee our basic needs. She then asks, do we want more? She answers in the negative, and argues that global difference and equal opportunity principles would not be chosen in the thought experiment. First, regarding the difference principle, she appeals to the empirical work done by Norman Frohlich and Joe Oppenheimer, who conducted experiments regarding the choice of principles of distributive justice under conditions of impartiality. They offered four principles to participants: the two key ones being Harsanyi's principle of maximizing the average income and Rawls's difference principle, and the others being the principle of maximizing the average with a floor constraint, or specified minimum income, and the principle of maximizing the average with a range constraint, or specified maximum difference between the poorest and the richest. These experiments were repeated in different countries to ensure generality. The outcome was that the majority in all countries chose the principle with the guaranteed floor constraint. Around "78 per cent chose the floor constraint principle, 12 per cent chose to maximize the average income, 9 per cent chose the range constraint principle, and 1 per cent chose the difference principle." (55) The most revealing point about the experiments was that people under conditions of impartiality would not, as Rawls argued, choose to maximize the situation of the worst off. What they were more concerned about in their negotiation for a fair principle is that the minimum floor should be set so as to reflect both entitlements and incentives. Although Rawls did not intend his difference principle to apply at the global level with which Brock is concerned, these experiments obviously tell against the principle even at the national level.

Regarding the extension of the fair equality of opportunity principle to the global level, Brock argues that it also faces significant problems. Most notably, it is not sensitive to cultural diversity, since certain positions may be valuable to a certain culture, but not to another. She argues that recent attempts to revise this principle have been unable to address the differences of power that will result from equalizing standards of living. Brock's conclusion is that what is most important is not that people have an equal set of opportunities, but that they have a *decent* set of opportunities.

Brock then argues that her needs-based approach is similar to Amartya Sen and Martha Nussbaum's capability approach and that Nussbaum's list of human capabilities depends heavily on needs. Although one can see the point Brock makes about the resemblance between the two approaches, the capability approach is a wider notion that includes needs along with a set of fundamental entitlements held to be necessary for human dignity.

Having thus responded to skepticism about the feasibility of her cosmopolitan-

ism, Brock turns to the second doubt about cosmopolitanism, that raised by liberal nationalists such as Yael Tamir and David Miller, who argue that cultural membership is the precondition for individuals' choice and thus their autonomy, and that cosmopolitanism interferes with this. Brock focuses on two theses shared by liberal nationalists regarding obligation and rights: first, The "associative obligation" thesis that national membership is important to people's well-being as it creates ties, which in turn generates obligations; and second, the right of fellow members to be helped outweighs those of non-members when the gap between their needs is not too great. The right of fellow members to be helped can be outweighed, based on moral responsibility to all humans, only if the needs of non-members are far greater than those of fellow members. For Brock, the problem with the liberal nationalist account of moral responsibility is that it is based on a model of personal identity which is based on a sense of community and belonging which fits with the idea of a moral duty to help those who are in dire need. Liberal nationalists therefore attempt to affirm the moral worth of all individuals and our duty to assist the distant needy, while at the same time restricting this duty subject to national and communal cultural ties, which makes their account of responsibility inconsistent.

Brock's argument against liberal nationalists is based on her normative account of global justice, according to which delegates in the thought experiment would not choose a principle that favours fellow members over non-members, since one can end up in a resource-poor community and in need to be assisted by non-national members. She also argues that nationalist differentiation is unable to deal with global problems, since global organizations are more likely to be effective in dealing with matters of injustice, poverty and suffering.

Following this critique of liberal nationalism, in the penultimate chapter Brock states that all "forms of cosmopolitanism have in common a commitment to our equality" (298). Having rejected a global principle of equality of opportunity for the sake of the idea of a decent set of opportunities, she explains that the kind of "equality" that is most consistent with her cosmopolitan account is Elizabeth Anderson's version of democratic equality, since both are committed to making capabilities, in the sense of a person's freedom to achieve valued functionings, equally available for everyone. Anderson's fundamental thesis of democratic equality is that people should stand in relations of equality with each other, and to "live together in a democratic community," in forms of "collective self-determination by means of open discussion among equals." This means that "one is entitled to participate, that others recognize an obligation to listen respectfully and respond to one's arguments, that no one need bow and scrape before others or represent themselves as inferior to others as a condition of having their claim heard" (Anderson 1999, 313). Although Brock clearly realizes the difficulties of extending the model of democratic equality to her account of global justice, she argues that these can be surmounted.

In setting out her cosmopolitan account of global justice, Brock calls her version of cosmopolitanism "quasi-institutional," which aims not at radically "reconstructing" current global institutional orders, as "institutional cosmopolitans" would have it, but at "renovating" them. At the heart of her cosmopolitan account –and, in fact, of all cosmopolitans– there lies a commitment to the equal moral worth of human beings *as such*, and this is what makes her account lean towards moral cosmopolitanism. In a strong formulation of her needs-based account, she claims that all human rights set

out in the Universal Declaration of Human Rights can be explained in terms of this account (72). Although Brock engages deeply, in the book, with public policy and institutional changes, it is her needs-based approach, which she insists is the same as Nussbaum's capability approach that makes little space for a practice or institutional-based approach to global justice.¹

It goes without saying that Brock's book makes a serious contribution to the theme of global justice as she comes up with many original insights. It is her academic passion for the subject that she puts forward compelling arguments that are hard not to be convinced by.

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1] For a critique of Nussbaum's capability approach to human rights, see Beitz 2009, 62-8.