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## **UNIT 9: JUSTICE IN A GLOBAL CONTEXT (IMPORTANT ISSUE: CLIMATE CHANGE AND ENVIRONMENTAL HAZARDS)\***

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### **9.0 OBJECTIVES**

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In this unit, you will explore the idea of justice in a global context. After studying this unit, you should be able to:

- Explain the meaning of justice in the global context
- What are the reasons behind the demands for justice in international relations?
- What are the main approaches to global justice?
- Limitations to global justice

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## 9.1 INTRODUCTION

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The concept of justice in international relations is relatively new one as ancient, medieval and early modern thinkers focused on justice within the state. Delivering justice was mainly the duty of the state and the international dimension of justice remained neglected. In the contemporary times, however, there is growing interest in international aspects of justice due to the revival of interest in normative political philosophy since the 1960s, intensification of globalisation and a shift in how global politics is understood away from state-centric approach. There is a realisation that in an interconnected and globalised world, the problems and their solutions have to be global. The succeeding paragraphs will deal with the concept of justice in global context, its main approaches and limitations of this concept.

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## 9.2 JUSTICE IN GLOBAL CONTEXT

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In the western tradition, international justice can be found in the tradition of natural law which is a system of rights or justice common to all human beings and derived from nature and not the rules of society. According to W Friedmann, 'the history of natural law is a tale of the search of mankind for absolute justice and its failure'. Greek Stoics had professed that we have a moral relationship with those beyond our state and believed they were citizens of the world. The Indian tradition of Vasudhaiva Kutumbakam, means the world is one family espouses the cause of global justice and cooperation. Indian philosophers have also emphasised the value of spiritual dimension of justice where individuals around the world should be valued. There have always been causes with global approach that have crossed borders, for ex, the cause of transatlantic slave trade or the movement against imperialist oppression. J J Rousseau never gave a theory of global justice, but there were traces of this thought in his ideas. He argued that like individuals, states have an incentive to enter into contract when there are no claims against each other and called it a confederation where states agree not to attack each other. He even focused on rights during the conduct of a war which points towards universal human rights doctrine, an important part of global justice. One important point needs to be emphasised here. The conception of justice in global context has been idealistic while in practical terms, realism has dominated global politics. Classic realism traces its roots from thinkers like Kautilya, Thucydides, Thomas Hobbes and Niccolo Machiavelli. It states that individuals are selfish by nature and believe in self-aggrandisement including power. To ensure national security, states resort to wars in order to ensure higher levels of security. Thucydides had famously said, "The strong do what they will, the weak suffer what they must." Hence, one can say that realism stands for amoral justice in the global context and is insensitive to the interests of the weaker states and the problems which are common to all mankind like climate change. There is no dearth of examples in international relations to show prevalence

of injustice. Treaty of Versailles signed after the First World War and the war crimes trial at Nuremberg and Tokyo after the Second World War are examples of justice by victorious states. The exploitation and injustice done by the industrialised countries on their colonies during the colonial era too can be cited here as an example.

### 9.2.1 International and Global Justice

There is a distinction between international justice and global justice. In case of international justice, the focus is on state as a unit and the idea of justice among states is discussed. Supporters of international justice believe that inequalities between states should not become wide and efforts are required to keep them at permissible levels. Global justice is a component in normative international relations theory that focuses on the moral obligation of the world's rich to the world's poor. Here, the key theme is redistribution of wealth to reduce poverty and inequality. In global justice, the focus is not on the states, but human beings and it seeks to discuss what justice means to the human beings around the world. Apart from states, global justice also includes possible agents and organisations that have a duty towards global justice. The individual is at the centre of global justice theorists because of three reasons cited by Thomas Pogge. One, the individual is the prime unit of moral concern. Second, no one should be allowed to suffer for reasons outside their control and lastly, if individuals suffer for avoidable reasons, citizens of the richer countries have an obligation of justice towards the global poor. For thinkers like J J Rousseau and John Rawls, state will be the focal point of an international social contract. However, for other like Martha Nussbaum, Thomas Pogge, and Charles Beitz, human beings will be the core around which any conception of international social contract would revolve. Such conception is required to meet basic liberal principles of justice. The two-stage model favoured by Rawls is replaced with a single original position, in which individual human beings contract to a series of human rights that are not constrained by the contingencies of any particular conception of the state. Hence, justice in international relations is conceptualised moving away from the state centric (international) form of justice to individual centric (global) form of justice.

### 9.2.2 Human Security and Global Justice

Threats to human beings should be addressed to ensure that individuals have better chances to attain their development. In this regard, the concept of human security is important which gives importance to human beings and their complex social and economic interactions. It seeks to protect individuals from traditional (military) as well as non-traditional threats like poverty and diseases. It seeks freedom from want and fear for human beings around the globe. Mahbub ul Haq, an economist from Pakistan drew attention towards human security in 1994 in the United Nations Development Program's (UNDP) Human Development Report. This report highlighted seven threats

to human beings - community, economic, environmental, food, health, personal, and political. Human security has entered the policy discourse of a number of governments like Japan and Canada during the 1990s and early 2000s. Each provided a slightly different definition of the concept and customized its application to best suit its individual interests. At the global level, the agencies of United Nations work to ensure human security along with the state governments. Human security aims to achieve global justice by ensuring individual welfare.

### 9.2.3 Approaches to Global Justice

There are mainly three approaches to global justice – cosmopolitan, communitarian and realist. Cosmopolitan view has a global outlook while communitarian and realist perspectives are state centric.

Cosmopolitan view of global justice is influenced by Immanuel Kant and his ideas that individual rights in some sense should take precedence over states in international politics. The individual is inviolable as an end in itself and the state should not treat him as a means. Cosmopolitans make the moral argument that human beings should be seen as a basic unit who have equal claim to decent life. The issues of culture, nationality, sex and race should not be a hindrance in achievement of this objective. They believe that as a result of globalisation, a basic structure has emerged which impacts lives of people around the world. Cosmopolitans also argue that there is an urgent need to reform global institutions like the World Trade Organisation, World Bank and International Monetary Fund to make them in accordance with the principles of global justice. Cosmopolitans say there is need to have global citizens who are committed to global values instead of national affiliations. Hence, one can say that national borders are irrelevant to cosmopolitans. They stand for global institutions, for ex to monitor commitment of various governments towards human rights.

John Rawls in his work, *The Law of Peoples* (1999) has addressed some of the issues pertaining to global justice. In his eight principles, he seeks respect for human rights and duty to assist other people who are deprived of a good living. However, he is a statist since he distinguishes between domestic and global society on the basis of independence and national self-determination. He also suggests that the West is not obliged to transfer resources to global poor as help from outside cannot develop capacity of people to take of their needs and hence, political and social injustices will continue. In contrast to Rawls, Thomas Pogge argues that there is huge gap between global poor and rich due to ‘global institutional order’. This order is sustained through collaboration between powerful governments in the North, authoritarian rulers in developing world and business elites with global interests. The authoritarian leaders sell their country’s resources to multinational corporations and the benefits do not reach the global poor. Pogge argues for an alternate global economic order that would be beneficial

for the poor as well. Charles Beitz even argued that Rawls's difference principle (social and economic inequalities must benefit the least advantaged sections) also applies to global aspects. Another important advocate of global justice is Peter Singer, who argued that if it is within the power of the citizens of Western countries to prevent something bad from happening without sacrificing something comparable, it would be wrong not to prevent the unfortunate happening. He also said that it should not matter whether the people in need are fellow nationals or foreigners. We have a duty to assist global poor who can be saved from dire consequences with minimum effort on our part. He has used the analogy of a drowning child and argued that most of the people will save him from a pond even if their expensive clothes get dirty. This shows that human beings value human life more than material possessions. Singer stood against the idea that national boundaries are important and one should value fellow citizens over citizens from other countries.

Communitarians like GWF Hegel, give more importance to state in caring for and fostering the individual allowing his or her full development as a citizen. Here, the political community takes precedence over the individual. In contrast to cosmopolitan views that emphasise universal values and idea of global community, communitarians argue entrenchment within deep, meaningful cultural practices and relations. Instead of global outlook, communitarians give importance to territorial sovereignty and integrity. Thomas Nagel opines that there is a direct link between justice and collective practices and institutions which can be established only under a sovereign authority. He argues that global justice will not exist as it is linked to associative institutions which are not available at the global level. According to him, 'Justice is something we owe through our shared institutions only to those we stand in a strong political relation. It is, in the standard terminology, as Associative Obligation'. David Miller says that the idea of justice flows from specific cultural contexts which contradict the notion of global justice. For him, citizenship and nationality matter the most which lead to special entitlements and duties. These concepts are not applicable at the global level and hence, the idea of global justice is a non-starter for him.

Lastly, the realist conception of international relations is not conducive to the idea of global justice. Realism stands for state sovereignty and security against individual well-being (human security). Realists would argue that states are constantly preparing for war and international system is anarchic. War is more common than peace in international relations, according to realists. Since state security is paramount for realists, issues like poverty will not be given importance.

### Check Your Progress Exercise 1

- Note:** i) Use the space given below for your answer.  
ii) See the end of the unit for tips for your answer.

- 1) What is the difference between international and global justice?

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### 9.3 REASONS FOR GLOBAL JUSTICE

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There are a number of reasons behind demands for global justice and some prominent reasons are elaborated below.

#### 9.3.1 Globalization and Economic Injustice

In the economic realm, globalization reflects the idea that no economy in the world is isolated today and there is a inter-locking global economy which has absorbed various economies around the world. The demise of Soviet Union acted as a catalyst for global economic integration as the last major block of countries were absorbed into the global capitalist system. Economic globalization has reduced capacity of national governments to manage their economies and to resist their restructuring along free market principles. Its features include globally integrated economy, regulations of economies by supranational institutions like the World Trade Organization (WTO), commitment to remove barriers to free trade and higher levels of economic interdependence. There is no unanimous view on the impact of globalization, but it has its benefits and costs. Thomas Pogge believes the process of globalization has harmed the interests of the poor while Mathias Risse says that such a clear cut impact of globalization is not clear. Globalization has resulted in economic leaps in countries like India and China lifting millions out of poverty. However, it has also increased prices of medicines in poor countries by agreements like Trade-Related Aspects of Intellectual Property Rights (TRIPS). People in developing and less developed countries have lost access to life saving drugs as a result. There are countries like Qatar and Liechtenstein whose per capita income is in excess of \$100,000 while there are countries like Central Africa Republic and Burundi where per capita income is less than \$1,000. Globalization leads to entrenched forms of inequality giving rise to winners and losers. In 2014, Oxfam reported that the 85 wealthiest individuals in the world had a combined wealth equal to that of the bottom 50 percent of the world’s population, or about 3.5 billion people. In the game of globalization, industrially advanced countries in

Europe and the US have been the winners while the losers are the developing and least developed countries where wages are low, regulation is weak and production is oriented towards global rather than domestic markets. This leads to north-south divide as the industrial development is concentrated in the northern hemisphere (developed countries) while disadvantage and poverty are mainly found in the southern hemisphere. Given this divide, there are demands that there should be redistribution of wealth at the global level from the developed to less developed countries. Global problems should have global solutions which demands global justice.

### 9.3.2 Rise of Human Rights

Social and economic rights are being used by advocates of global justice to seek radical redistribution of power and resources, both within countries and among them. In this context, human rights have become the aim to achieve global social justice as reflected in moral cosmopolitanism. Thomas Pogge has said that 'every human being has a global stature as the ultimate unit of moral concern'. This means that human beings should be seen as central units in global politics. By virtue of being humans, all persons have certain claims on society. They include mainly three areas - what governments can do to you, cannot do to you and should do for you. Human rights are inalienable - individuals cannot lose these rights, indivisible - individuals cannot be denied a right on the grounds that it is less important and human rights are also interdependent - one right impacts the other and vice-versa. Pogge says that the current international institutional order fails to provide rights and freedoms like health and food to individuals set forth in the Universal Declaration of Human Rights 1948. He has highlighted that the international order aggravates poverty through protectionism and aggressive enforcement of intellectual property rights in seeds and medicines. He also argues that the international order also fosters corrupt and oppressive governments in poorer countries as it recognises the person or group holding effective power, regardless of how they acquired or exercise it. Such governments not only misuse state resources to impose debt service obligations on the ordinary citizens, but also bind present and future generations in an unsustainable model of development. Over the years, feminists have shown a lot of interest in human rights. They have tried to transform the concept and practice of human rights to take a better account of women's lives. They see human rights as an enabling framework that can place women issues in the mainstream agenda of international politics.

To ensure justice, war has been used as a tool to promote and protect human rights in the past at the global level. In what is often called humanitarian intervention, powerful states resort to this tactic to alleviate extensive human suffering within borders of a state. In 1990s, there were such interventions in countries like Somalia, Bosnia and Kosovo. A number of external interventions have been justified on the grounds of democracy and human rights promotion. The failure of democracy promotion in Iraq

and Afghanistan has raised doubts whether such external interventions is justified or not. External intervention may ensure procedural democracy, but achieving substantive democracy remains difficult due to lack of real reform. That is why, external interventions mainly lead to what has been called 'imposed democracy' as the internal reform and modernization remains elusive in the target country. It also goes against the very spirit of democracy i.e. the right to self-determination, as it is not the citizens of the country but outsiders who decide the type of government in the target country. The war itself leads to violation of human rights which defeats the purpose and idea of human rights and global justice.

### 9.3.3 Issues of Immigration

Movement of people from one country to another is also part of the debate on global justice. Conflicts around the world and disparities in living standards are two main issues that lead to movement of people from one country to another. According to an estimate of the United Nations, there were 258 million international migrants in the world in 2017. The largest numbers of migrants stay in the US, Saudi Arabia, Germany, Russia and the United Kingdom. Due to many conflicts around the world, a debate has reignited around the rights of refugees, for ex Rohingyas from Myanmar. Some questions are being asked like, should the states have complete control over their borders? Who will take care of the human rights of refugees? Should the developed countries do more and allow refugees to stay in their society? What would be the social, economic, security and cultural impact of such a movement of people on the host countries etc? There is also a debate over multiculturalism in this context as the migrants are seen as a minority in the host country. Equal rights of citizens are seen in contradiction with group-rights and culture of minority groups. Will Kymlicka in his 1995 book, '*Multicultural Citizenship: A Liberal Theory of Minority Rights*' has argued that certain sorts of 'collective rights' for minority cultures are consistent with liberal democratic principles, and that standard liberal objections to recognizing such rights on grounds of individual freedom, social justice, and national unity, can be answered. Some liberals worry that granting concessions to national or ethnic groups hurts democracy: democracy, for them, requires a common citizenship based on treating people identically as individuals. When a particular group seeks some accommodation, this requires us to treat people differently based on their group affiliation, which strikes many as illiberal. Kymlicka argues that the request for accommodation *actually* reflects minorities' desires to integrate. For example, Orthodox Jews in the US seek an exemption from military dress codes so they can wear their yarmulkas. They want the exemption not to be different, but so they can join the army and be like everybody else.

### 9.3.4 Climate Change and Environmental Hazards

Threats to a state can be categorised as traditional and non-traditional. Traditional threats are posed by an enemy's military which can endanger the sovereignty and territorial integrity of any state. However, the agenda

of security has been widened after end of the Cold War and non-traditional threats have also been added. These are non-military threats which can endanger human security in any country. The examples include climate change, terrorism, energy, food and water security etc. These threats are transnational in character i.e. they have impact beyond the borders of one state. In addition, they complement each other and can combine to pose a bigger challenge. For ex, water insecurity also leads to food insecurity experienced by millions all over the world. Hence, to tackle non-traditional security threats, the governments around the world need to cooperate given the global nature of the problem. Climate change is one such threat that poses a serious question to the survival of human beings. The rise in temperatures around the world due to increase in greenhouse gas emissions will lead to a number of problems and environmental hazards – flooding, rise in sea level, environmental degradation, food insecurity, loss of livelihoods and mass migration leading to climate refugees. According to an estimate by the World Health Organisation, climate change impacts will kill more than 250,000 people each year between 2030 and 2050. Apart from human costs involved, there are economic costs as well. Scientists from the Stanford University have calculated that if nothing is done to tackle climate change, the global gross domestic product will fall by 30 percent in 2100 compared to 2010 level. The government of India in a report in 2017 has said that climate change costs India around \$10 billion every year. Hence, there are attempts to cut down greenhouse gas emissions and deal with the problem at the global level.

The term climate justice has been coined to reflect global warming as a political and ethical issue not merely limited to environmental aspects. Concerns of human rights and social justice are part of climate justice as indigenous people and residents of developing and least developed countries will be the biggest sufferers due to climate change. Small countries like Tuvalu and Maldives are facing the threat of sea level rise. A World Bank report says that if climate change is not tackled properly, Maldives could submerge by the year 2100. Issues of distributive justice are involved as climate change negotiations focus on cutting down the emissions and the critical questions are – which countries are responsible for climate change and which countries will cut down emissions and by how much? The general belief is that the industrialised countries have contributed more to climate change compared to the developing or least developed countries. Here, there are three principles that are generally discussed about how to allocate responsibility to cut down emissions.

1) **Polluter Pays Principle** – This principle advocates that the countries which have polluted more should pay to address climate change. India supports ‘Common but Differentiated Responsibility (CBDR)’ principle which is based on polluter pays principle. It says that the developed countries have more responsibility to tackle climate change compared to developing

countries and the emission cuts will be different for both the sides. The environment is a common heritage of mankind, but the responsibility to protect it will be differential for various countries.

2) **Beneficiary Pays Principle** – Also called user pays principle, it argues that the beneficiary of goods and services should pay for the costs that are imposed on the environment by such usage. For example, some countries impose green tax to be charged by consumers over use of goods that are not environment friendly.

3) **Ability to Pay Principle** – In contrast to the beneficiary pays principle; the ability to pay principle argues that the ability of the consumer to pay should be the determining criteria to decide who pays. This puts the burden to pay on wealthy classes.

### **9.3.5 Issues of Health and Gender Inequality**

There is widespread disparity in health sector at the global level. Life expectancy varies across the globe and generally, the developing and least developed countries have lower life expectancy compared to the developed countries. Countries like Sierra Leone, Angola and Central African Republic have life expectancy close to 50 years while Japan, Switzerland and Singapore have life expectancy of 83 years. Poverty and gender are two critical factors that decide impact on health of an individual. In the developing world, around ten million people die of health problems that can otherwise be managed and prevented including diarrhoea, tuberculosis and malaria. Children in the developing countries are ten times more likely to die before the age of ten compared to their counterparts in the developed world. Child mortality rate is high in the countries which also have high maternal mortality rate, mainly in the developing countries. Women are more prone to anaemia than men and it affects not only their health, but also the health of their children. Apart from these issues, there are also concerns over the intellectual property rights regime under the World Trade Organisation as it raises the costs of medicines for diseases like cancer and AIDS and puts them outside the reach of the global poor. Women are generally treated as inferior to men across most of the cultures. Practices like honour killing, infanticide and genital mutilation still persist which are against their human rights. The international awareness is growing around the issues of health and gender and they are part of the Sustainable Development Goals envisaged by the United Nations to be achieved by 2030. Global justice seeks to bridge these disparities of gender and health at the global level to reflect the interests of the poor and marginalised people.

### **Check Your Progress Exercise 2**

- Note:** i) Use the space given below for your answer.  
ii) See the end of the unit for tips for your answer.

1) What do you understand by climate justice?

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**9.4 LIMITATIONS**

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There are certain limitations to the idea of global justice. It is incompatible with the present nation-state system as states are the central unit of international system. Human security issues like health, climate change and human rights mainly come under the supervision of states and various governments may or may not give importance to such concerns. Secondly, there is a lack of global institutions which can enforce justice at global level. Thirdly, the debates on global justice are mainly confined to western intellectuals. Since global justice is concerned with duties of the richer west towards the global poor, scholars from developing world are excluded from the debate.

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**9.5 LET US SUM UP**

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The idea of global justice is relatively new one as ancient, medieval and early modern thinkers focused on justice within the state. There are mainly three approaches to global justice – cosmopolitan, communitarian and realist. Cosmopolitan view has a global outlook while communitarian and realist perspectives are state centric. The demand for global justice is due to a number of factors – economic injustice, human rights, issues of immigration, climate change and environmental hazards and issues of health and gender inequality. However, demands for global justice have not materialised as the present international system is based on states and not individuals as units. There is also an absence of any global institution which can enforce justice at the global level.

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### 9.7 ANSWERS TO CHECK YOUR PROGRESS EXERCISES

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#### Exercise 1

- 1) Highlight that in international justice, the focus is on state as a unit while in global justice, the focus is on individuals

#### Exercise 2

- 1) Highlight following two points
  - Climate justice reflects global warming as a political and ethical issue
  - Concerns of human rights and social justice are part of climate justice