PART I
Normative theory

Introduction

This part provides an introduction to several important abstract normative considerations that are in the background of the discussions of subsequent issues. For instance, the first chapter of this part, Chapter 3, considers the ethical theories used to address all of the topics, which come up repeatedly as contributors either use one ethical approach or another to address the topics of global ethics, or question the adequacy of these approaches for actually doing global ethics and generating solutions to global challenges. Likewise Chapters 4 and 6 consider justice theorizing and cosmopolitan theory and so provide the framework for thinking about the scope of justice, the aims of justice and the actors of justice (states, institutions and individuals). Chapter 8 addresses the breadth of global ethics as it questions claims of universalization, and Chapter 7 on human rights considers the closest currently available universally recognized form of global ethics. The remaining chapter in the section, Chapter 5 on gender justice, raises issues which are pertinent to each and every topic of global ethics and, as discussed in detail below, the reasons for highlighting this in this first section in a separate chapter is to ensure that gender always features as a category in global ethics theorizing.

Having argued in the introduction that global ethics is multidisciplinary, a challenge at this point might be that the framework for global ethics set out in this first part is essentially that of moral and political philosophy and theory broadly conceived. This is undeniably the case and it might be that a word of explanation is required. It is indeed the case that global ethics is, and we have argued must be, multidisciplinary: arguments about climate change which neglect the scientific data or social science research on how to change behaviour will be at best naïve and at worst dangerously wrongheaded, just as claims about what contributes to human well-being and development are flawed if philosophers simply assert things without proper empirical support. However, this does not mean that there is no distinctive ethical voice for the philosopher in the debate. Global ethicists come to these discussions about contemporary global challenges with all the expertise and methodologies of philosophy, and this allows for a distinctive and valuable contribution to the debates. A final word on this is that such an approach does not simply mean that ethicists take the evidence of others and “apply” their fully formed theories. Rather, the ethicist’s voice (and their theories) need to be informed and reformed by other disciplines, as well as, we hope, these informing and reforming the knowledge of others. In
these collective ways we aim to address the challenges set out in this volume, from climate change, to extreme poverty, to the erosion of shared public goods such as effective treatments, clean water and adequate food.

In Chapter 3 Ruth Chadwick and Alan O’Connor consider traditional ethical theory and the extent to which it has changed, or needs to change, to address global concerns. This is no minor issue for global ethics, as many have claimed that ethical theory is Western, in its tradition, its focus on the individual, and its privileging of some concepts over others (such as autonomy). Chadwick and O’Connor begin by considering the nature of a global ethical issue. An issue may be one of global ethics either because it raises the question of the extent to which local principles can be used globally or because of the scope of involvement or risk it presents. If it is the former then the authors suggest it may be possible to expand previous theories to meet global challenges by seeking to expand the scope of moral concern. If they are to do this then a theory must explain who counts morally, and it must also provide a method for “determining the content of moral obligation in particular circumstances.” Chadwick and O’Connor take a prominent proponent of each dominant tradition of ethics to explore how this is done and how successful it is: first, Peter Singer for utilitarianism; second, Onora O’Neill for Kantianism; and third, Amartya Sen and Martha Nussbaum for virtue theory. The authors argue that all of these approaches have accounts of moral standing that are applicable to recognizing all persons globally. However, understanding how obligations are to be discharged – who should do what and when – is more complex; for instance, “while all three theories recognize that the individual has duties towards distant strangers, it is only Singer that places the primary responsibility to give on the individual,” while O’Neill and Nussbaum adopt institutional approaches.

The authors then consider the challenge that theorizing across different cultures poses (a problem which will return in many chapters and most prominently in Chapter 8 on universalism and difference). They conclude, at the end of the chapter, that there are Western tendencies still evident but that these are being challenged and change is visible. The chapter then moves on to whether such theories could ever be global in terms of their acceptability and whether this is required if global challenges are to be addressed. Here the authors focus on the changes to and transformations of theories that have occurred as the need for explicitly global theories has emerged. In particular, the turn from the individual to the collective and the prioritization of social and communal values such as solidarity and the growing prominence of cosmopolitanism (addressed in detail in Chapter 6).

In Chapter 4 Richard J. Arneson considers theories of justice. Arneson argues that there are two broad divisions in global justice theorizing: between extreme cosmopolitanism and others, and between those who accept a strong general principle of justice and others. These divisions concern whether or not justice is global in scope and whether it is justified to favour certain groups over others (this chapter can be read in conjunction with Chapter 6 on cosmopolitanism and Chapter 8 on universalism, topics which are introduced in this chapter). Having very briefly outlined a number of types of cosmopolitan theories, Arneson returns to the question of duties to distant others. Here he introduces Peter Singer’s and Thomas Pogge’s arguments. After outlining these theories he then looks at those who claim that national borders have moral significance and the reasons that can be given in support of the argument that co–nationals are owed more than distant others: first, that states enforce duties within their borders; second, and similarly, that states legislate; third, duties within states are more demanding because of the greater interaction within states; fourth, duties of reciprocity and fairness are stronger within states; fifth, that states institute cooperative schemes which trigger special duties of justice; and, sixth, that special relationships apply in nations understood as communities, as they do within families. Various types of cosmopolitans reject these “bounded” theories of justice for different
reasons (again see Chapter 6 for more details on cosmopolitan theorizing). Arneson focuses on those who argue that duties beyond borders require at least a moral minimum of respect. This threshold requirement Arneson discusses as the “moral minimum,” a concept which is understood in different ways in different theories and with various criticisms.

Chapter 5 on gender, care and global values is by Virginia Held. A chapter dedicated to gender is controversial. Many argue that gender should be “mainstreamed,” by which is meant that gender is scrutinized in all discussions. Clearly gender should be overtly recognized in all aspects of global ethics (as was highlighted in Chapter 1 of this collection), and arguably to date gender has not been discussed enough by global justice and ethics theorists, who have been criticized for gender blindness. Too often women are treated as a group with minority interests, despite the fact that women are numerically not a minority, which in itself is testament to just how disadvantaged women continue to be. A separate chapter on gender is not an effort not to mainstream gender. Rather it is based on a concern that too often in mainstreaming attempts gender disappears even further, and is subsumed under other supposedly more pressing concerns, such as global poverty and climate change, as if it were not the case that women are likely to suffer disproportionally from these injustices as they do from others. Gender as a feature of injustice is just as pressing in global ethical issues as it is in other ethical issues and this should be remembered throughout all the global challenges which global ethics seeks to address.

In this chapter Held begins by noting how gradually philosophy and the social sciences have come to recognize the importance of gender and how it matters. This is true from political science to international relations, and transformations have resulted across moral and political philosophy as theories of global justice begin to recognize gender, and as moral theory begins to recognize concepts of caring and empathy. Held focuses on the emergence of the ethics of care, and the way that this ethic is expanding from its original concern for close relationships to a theory which can speak to “our most distant relations in political, social and global society.” Held spends much of the first part of the chapter exploring the ethics of care and detailing its key features and what care can offer our moral and political assessment of current situations and how these can be developed. The second half of the chapter works through a number of examples and shows how adopting an ethics of care encourages new perspectives on global problems and challenges. Held argues that the ethics of care leads to more pervasive arguments for overcoming global poverty, for appropriate development, and also for addressing issues of violence and conflict.

With traditional feminist concerns in mind, Held argues that the realities of power are essential to addressing issues of migration, poverty and the prospects for international law. Considering these issues globally is crucial. For example, with increasing numbers of women entering the workforce in the developed world, migrants are being employed to provide care. So, advances in gender equality in one region may come at various cost in other regions. When it comes to poverty Held suggests that “dealing with world poverty in terms of individual rights has had limited success,” and that again care offers a better approach. The final issue she addresses is that of international law, arguing that care highlights the destructiveness of violence and conflict. International law fits with care principles as it “expresses care for vulnerable populations, and provides for acting on the values of care.” The potential for care, and care-compatible international law, to develop further constitutes the discussion of the final section of the chapter, as Held reflects on possible futures, including the gradual reduction of the need for law enforcement as caring cooperation and trust increase.

Chapter 6, by Gillian Brock, considers cosmopolitan theories of global ethics and justice. In this chapter she outlines different types of cosmopolitan theories, distinguishing between moral and institutional cosmopolitanism and weak and strong versions. She maps the varieties of
starting points from which cosmopolitan theories can be developed – utilitarian, rights-based, Kantian, virtue ethical, contractarian or a combination of two or more – and different characteristics of types of approach, for instance humanist and associativist. Having mapped the terrain, Brock then considers the work of Rawls, because of his importance in revitalizing the global justice debate. Even though Rawls was not a cosmopolitan theorist, many cosmopolitans have taken his work as a starting point from which to develop global justice theories. For instance, Pogge has developed Rawls’s theory and emphasized that global connections falsify Rawls’s assumption that bounded political communities are effectively self-sufficient. Thus, Pogge defends expanding a broadly Rawlsian theory into a global theory.

In the second half of the chapter Brock moves to exploring four key issues of cosmopolitan theorizing. The first is whether cosmopolitans should prioritize sufficiency or equality, in other words, whether the primary aim should be meeting basic needs or achieving equality. In short, does inequality matter or is it just as important that – at least globally – some minimum standards are met? The second is the extent to which non-cosmopolitan commitments and duties can be accommodated. Brock argues that it is a misconception to think that no particularism – for instance commitments to family members or compatriots – is permitted by cosmopolitanism. The stronger the form of egalitarianism the less scope will be allowed – but this does not mean that no such obligations are respected. Third, Brock considers the claim that there can be no global obligations because there is no effective global enforcer. Fourth, she considers policy recommendations and the increasing engagement and concern of global ethicists to create policy impact, and this commitment to practice as a key feature of global ethics. Brock finishes by setting out some questions about the future of cosmopolitanism and the questions still to be addressed.

Chapter 7 is by Rainer Forst, and is devoted to human rights. Human rights are perhaps the most widely recognized and endorsed global values and perhaps the nearest thing to a global ethic that currently exists. However, while at one level there is at least some global consensus that human rights should be endorsed and respected, what this actually means on the ground, and who is required to ensure human rights are respected, is far from clear. Forst begins by recognizing these difficulties, stating that the nature of rights is a “topic of constant disagreement” and that “human rights comprise several dimensions that are difficult to reconcile.” Human rights are moral, political and legal, and emerge from earlier historical conceptions of rights; all of these conceptions of rights have been developed, defended and critiqued in recent decades as the debate on global ethics and justice has emerged and intensified. In this chapter Forst introduces and evaluates the four most dominant approaches, the ethical, the political-legal/functionalist, the political/moral and the discourse-theoretical.

The ethical approach of James Griffin “identifies basic interests of persons in pursuing the good and transforms them into rights claims in accordance with their weight or value.” Griffin claims not to attach rights to any particular version of the good life, but only to values such as autonomy. However, those with different views would reject the claim that the ascendancy of autonomy is not in fact a particular understanding of the good life. The political–legal view denies that there is a universal normative foundation for human rights, or that one is needed. The aim here is broadly practical: to derive certain standards by which human beings are to be treated, and which must not be violated. The political/moral approach seeks an overlapping consensus of what is the minimal threshold of rights, a threshold that human beings must not fall below. The final discourse-theoretical approach focuses on the conceptions and/or implications that underlie the assumptions of human rights, namely that human beings are worthy of respect as beings of autonomy, dignity or some other shared justification. In the final section Forst reflects on human rights as global ethics and so on the relationship between human rights
and global justice. Human rights he presents as a part of global justice, as the means for delivering some aspects of global justice, or as a “subset of transnational norms of justice.” In addition, and significantly, human rights are currently primarily connected to states: the state is the main, though not the only, institution for protecting, securing and maintaining human rights; at the very least this would need to be addressed to ensure that there are not, as there currently are, rights-less people.

In Chapter 8, Peter Jones and Graham Long return to an issue introduced by Chadwick and O’Connor at the beginning of this part, that of universalism and cultural difference, a key discussion for those wishing to endorse any global conception of ethics and justice. Jones and Long traverse this difficult and complex territory comprehensively, defining and explaining key definitions and points of contention, by structuring their discussion around four types of universalism.

First they consider the “universalism of application”: that the correct morality—whatever that may be—is universal in its application. The recognition of human rights is one example of such universalism. Moreover, most ethical theories—such as utilitarianism and Kantianism (considered in Chapter 3) can be, and usually are, universal, and always are if a global approach is adopted. But they are not necessarily applied universally, for instance, if the application differentiates between different types or classes of people or is bounded to particular communities. The denial of universalism is relativism, which is often presented as offering a challenge to global ethics. So Jones and Long discuss cultural relativism and how it is derived and presented.

Jones and Long then consider a second form of universalism, “universalism of structure,” which concerns the range of cases over which a morality might apply. At issue is whether or when it is possible to recognize context and case-specificity, moral particularism, and thus difference, without moving to a form of cultural relativism. The third form of universalism the authors consider is “universalism of content”: whether universalism requires the exact same duties and rights to all or recognizes some differences. The fourth type of universalism is “universality of justification”, whether all could accept the morality and find it justified. The extent to which this matters is crucial, for if this is essential to global ethics, then disagreement would threaten any global claims. Jones and Long finish the chapter with a discussion of anti-universalism and difference. They conclude that what is often presented as “universalism versus relativism” is often an argument “about what sort of combination of universal principle and difference sensitivity is right or appropriate.”
3 ETHICAL THEORY AND GLOBAL CHALLENGES

Ruth Chadwick and Alan O’Connor

The branch of ethics that is known as “applied ethics” has a number of challenges to face. One of the most difficult is what exactly is meant by “applied.” While there is a view that for ethics to be applied, there must be a theory to apply, there are opposing arguments supporting an anti-theory position. It is not part of our remit here, however, to examine the rival merits of these two views. If one does take the view that theory has a role to play, there still remain issues about how flexible existing theories are, at a time of rapid change. Here there are several different types of change that pose challenges for ethical theory, including scientific advance, global financial crisis and its effects on values, and threats to security in a post-9/11 world. In this chapter, however, we are concerned specifically with the challenge for ethical theory because of the very fact that issues now tend to arise on a global, rather than a local scale. How might ethical theory need to adapt to meet this challenge?

Applied ethics has been most prominent in the field of biomedicine: medical ethics, nursing ethics, bioethics and public health are all aspects of this. In this field, in particular, some academics have deployed theories such as utilitarianism and Kantianism, but another very influential approach has been that of the “mid-level principles” or “principlism” of Tom Beauchamp and James Childress: autonomy, beneficence, non-maleficence and justice (Beauchamp & Childress 2009). One of the advantages of these mid-level principles is that they can be grounded in different ethical theories. Autonomy, for example, can be supported by a Kantian or by a utilitarian theoretical position, although its role and justification will differ accordingly. The principles have been proposed as a focus around which agreement can be achieved, even across different cultures (J. S. Gordon 2011). On the other hand, it has been argued that bioethics (along with the ethical theories here mentioned) is itself a Western phenomenon (Gbadagesin 2009), and that the principles of biomedical ethics do not travel well, that they reflect a Western, even an American perspective, in relation to the importance typically accorded to autonomy in particular (Holm 1995). This may be perceived as an overemphasis on the individual at the expense of such considerations as relatedness, community and solidarity, among others. Specifically, the requirement of informed consent, which is one practical form that can be taken by respect for autonomy, has been expected, arguably, to do too much ethical work in contexts for which it is ill-suited.

A prominent example of this has been the reconsideration of informed consent in relation to the development of population genomic research and biobanking, first nationally, and now internationally. It has become clear in this debate, at least, that ethics change, in time as well as
in space. The grand theories of Kantianism and utilitarianism, although both still influential today, were both products of an earlier age. Principilism was a twentieth-century development, but technological developments towards the end of the twentieth century required new input into our ethical thinking, as human beings confronted new ways of communicating and scientific developments made some ways of thinking no longer tenable. In the twenty-first century, the interdependence of societies around the globe is increasingly obvious, and is a major factor giving rise to global ethics as a distinct field of study, going beyond applied ethics to include insights from political philosophy.

**What counts as global?**

Before proceeding further, however, it is necessary to explore what exactly is meant by “global.” There are at least two ways in which an ethical challenge can be global. One is where an issue that has arisen or continues to arise in one cultural or national context has global dimensions. For example, there is an ongoing issue about how healthcare resources should be distributed in a given society. But as Robin Attfield pointed out in “The Global Distribution of Health Care Resources” (1990), there are also serious questions about how resources should be distributed globally. Are there criteria for just local distribution which can also be applied globally, or does justice between nations require a different approach?

Historically there has long been a strand of discussion about the extent of our moral obligations, for example, first to care about the welfare of people we do not know on the other side of the globe, and second, actually to do something about it – by sending aid, for instance. These ethical issues are of course inextricably linked with political ones, in relation to policies on foreign aid and intervening in other countries. Hence global ethics is connected with global justice. Nevertheless, while some of these matters are in the domain of international relations, there remain issues for the individual citizen and moral agent to consider, as well as those facing institutions and governments. What is the individual’s obligation to contribute to overseas famine relief, for example? There are, then, questions about the extent to which principles that might work within a society can be used in a global context. The issue of global reach of certain approaches is one thing; another, however, arises from the logic of the approaches themselves. In other words, the internal logic of an approach may set limits to its usefulness in some contexts.

There is a second sense in which an ethical challenge can be global in character, however, and this is where the issue is global in character per se; it is not a question of a local issue writ large. That may be because the whole globe is inevitably involved, perhaps at risk, certainly at least potentially affected, by the actions of human beings. Issues which fall into this category most clearly include environmental issues such as climate change; matters that affect the ways in which societies are inextricably connected, such as financial collapse; and also possibly issues related to security, including food security. The Human Genome Project and research into human genetic diversity have also been global issues; even without the rhetoric of the genome as the “common heritage of humanity,” the results of this research have implications for all, and have given rise to questions concerning sharing the benefits of research.

**Ethical theory: what is the problem and what is required?**

Corresponding to the two senses in which global ethics is global, there are different types of response. The first is that traditional ethical theories “expand” to meet the challenges that are global in scope, or at least, that they examine the implications of their own premises for global issues. In other words, they seek ways to provide answers to those issues “writ large” with which
they have dealt at a local level. A difficulty with this approach is that if the theories in question continue to be regarded as originating in one part of the globe, perhaps characterized as typically Western, they may reinforce a conceptual divide between the agents and recipients of moral practice. Nigel Dower’s distinction between an ethic that is global in scope and an ethic that is global in acceptance is relevant here (Dower 2012). It may be that what is needed is a global ethic in the latter sense, which would require more than “expansion.”

Second, it may be that the demands of global challenges require not just applying theories or principles in a new way, but reconfiguration of the conceptual scheme at work. Discussions about developments in ethics have turned to a perceived shift towards an emphasis on principles such as solidarity, leading to consideration of the possibility of solidarity across borders (Prainsack & Buyx 2011). Arguably, such rethinking is what is required for the issues that are global in the second sense outlined above.

We shall begin by examining the possibilities for “expansion” and then look at ongoing attempts to view the issues in different ways.

**Ethical theories expanding**

We will begin by examining how traditional ethical theories have addressed the first type of challenge, seeking to expand the scope of moral concern.

What is the work that we need ethical theory to do in addressing global challenges? Why should the global context pose a problem? First, the theory must explain who comes into the scope of moral concern, or who has moral standing. To some extent this issue forms part of the longstanding debate about the rival claims of partiality and impartiality in defining the moral point of view. These include familiar questions such as “Does charity begin at home?” or “Does suffering require a response wherever and whenever it occurs?”

Second, a theory must provide a means of determining the content of moral obligation in particular circumstances. Here, cultural differences arguably pose one of the greatest challenges in expanding ethical theory beyond national borders (Gbadegesin 2009).

Third, it must explain who has obligations to those who are within the scope of moral concern: individuals, institutions and/or governments. Some have argued that global citizenship or global governance may be required to impose global duties on governments (Falk 1994, Attfield 1999), or that international enforcement of conduct requires a specially created body (Harmon 2006: 233).

In examining attempts of ethical theories to meet global challenges it is necessary to be selective. We shall begin by considering the attempts of thinkers in different traditions – utilitarianism, Kantianism and virtue ethics – to address these challenges, focusing on the arguments presented by Peter Singer, Onora O’Neill, and the capabilities approach (CA) of Amartya Sen and Martha Nussbaum. We have chosen these because they all, in different ways, explicitly take on the issue of global moral obligation and/or justice.

As regards theories explicitly categorized as theories of justice, many writers have noted that the social contract has been the predominant framework in theoretical discussion in the past half-century, particularly post-Rawls (e.g. Venkatapuram & Marmot 2011: 216). As has also been remarked, however, its translation to international justice is not without problems. For example, Rawls’s account of the “difference principle,” whereby differences should only be permitted where they are to the advantage of the worst-off person (Rawls 1971), is not easy to apply in the international context. Onora O’Neill (2000b: 133–36) highlights the difficulties in determining the effect of the principle on a transnational scale. Although some have tried to apply it transnationally, others conclude that justice is a national matter (Nagel 2005, Deaton 2011).
We shall begin with the issue of who has moral standing and proceed to discuss who has global obligations and what they might be.

**Moral standing**

From a utilitarian perspective, although there are different versions of utilitarianism, including preference utilitarianism, the central issue is the ability to experience pain and suffering. Although Bentham famously applied this criterion to non-human species, and Peter Singer (2011a) has written eloquently about the “expanding circle” of morality, for present purposes the issue is confined to the geographical distribution of humans.

At first sight utilitarianism might appear to be the ethical theory which is most obviously suited to global application. Clearly, humans may experience pain and suffering wherever they are located; this very point, however, also leads to the fact that a key challenge of applying utilitarianism arises from the maximization principle. As John Mackie pointed out in *Ethics: Inventing Right and Wrong* (1990), if I am thinking of maximizing across the globe, there is a very large number of interested parties to take into account. For this reason he dubbed utilitarianism the “ethics of fantasy”: how could such a calculation be carried out with any degree of confidence? Analogous issues arise with regard to the interests of future generations, and it is common practice to apply a “discount” principle when trying to calculate for the future. Where differences in space rather than time are concerned, however, it is not just the physical distance that may lead to some uncertainty about a calculation, but the degree to which cultural differences affect experience – although swift global communication has to some extent mitigated the problem of distance.

Onora O’Neill has argued that a Kantian-inspired approach can be developed to meet the demands of what she calls transnational justice. In past times, and in Kant’s own day, it would have been possible only in limited circumstances for people in one part of the world to help those in another part of it. Those outside one’s national borders were often not attributed moral standing. In line with the spirit of Kantianism, those with moral standing are those we regard as moral agents or subjects, when considering particular actions: “Wherever activity is based on the assumption of others who can act and react, the standing of those others cannot coherently be denied” (O. O’Neill 1996: 103). It is not, then, a matter of how our actions affect the well-being of people in other parts of the globe, but a question of their own status as moral agents: at the heart of a Kantian approach is the value accorded to rationality.

The CA rejects both well-being and rationality as candidates for the exclusive basis of moral standing (Nussbaum 2003: 51–52). Instead it focuses on what people can do – human abilities give rise to a moral claim that they be developed. For Amartya Sen, well-being and agency are not to be regarded as independent. He argued that:

> to judge the well-being of a person exclusively in the metric of happiness or desire-fulfilment has some obvious limitations … It can be argued that advantage may be better represented by the freedom the person has, and not by … what the person achieves – in well-being or in terms of agency – on the basis of that freedom. This type of consideration will take us in the direction of rights, liberties and opportunities.


Like Sen, Martha Nussbaum used the notion of capabilities, central human functions, as the basis of moral standing (Nussbaum 2002: 129–31).
The content of obligation: what are those with moral standing entitled to?

Each approach, then, has an account of moral standing which is independent of geographical location and ultimately leads to applications that are global in scope. There are also implications for what those who have moral standing are entitled to. In short, for utilitarianism, humans are entitled to be taken into account in the felicific calculus, however that is carried out in practice. For Peter Singer, in “Famine, Affluence, and Morality” (1972), it is clear that there is an obligation to minimize suffering wherever it occurs. There are two versions of the implications of this for action in relation to famine relief: one “hard” and one “soft”. In the hard version, an individual ought to give towards famine relief until they would suffer more harm by their donation than the recipient would gain. In the soft version, an individual ought to give what they can until giving would mean sacrificing something of “comparative moral importance” to the bad which is likely to be avoided by the giving.

Any view such as this which suggests there is an obligation to give aid to people in other parts of the globe might appear to need a mechanism for determining what is needed. There is a weakness in a utilitarian reliance on desires or preferences to establish what people need: the consequence of this is that those who are unaware of what they lack cannot be said to have needs (see e.g. O’Neill 2000b: 124). O’Neill does, however, think that needs are important, arguing that it is possible to start with the bare necessities for survival: it is possible to base a concept of basic rights on these needs (ibid.: 118–19). Although the concept of needs is unclear and contested, it is widely agreed that there are some basic needs, without which one is quite likely to die prematurely: food, shelter and clothing appropriate to climate; clean water, sanitation, and some parental and health care.

When we turn to the CA, the important question is what are the capabilities that require development. There are two types of approach to this: one is to try to determine a list by philosophical argument; the second is to leave it up to democratic decision. While the latter has been defended by Sen, the former has been supported by Nussbaum. The problem with the democratic approach is similar to that identified by O’Neill (and others) in utilitarianism: majority preferences may support oppression of minorities. On the other hand, to try to define a list by argument alone runs the risk of being perceived as a top-down paternalistic approach which overlooks real cultural differences and local priorities. However, both Sen and Nussbaum wanted to use the notion of capabilities to develop a space of comparison in which to compare nations, as a rival to other types of measurement such as per capita GDP, and wanted to go further and use the approach as the philosophical basis for fundamental constitutional principles establishing a social minimum or threshold.

Who has global obligations?

O’Neill has pointed to the “messiness” of trying to develop principles in transnational justice: to whom are they to be addressed? Who are the agents of change? It is impossible to avoid asking the question. Many writers assume that the only relevant agents are individuals; others include states. Philosophical discourse has arguably not kept up with economics in accepting the roles of collectives and corporations.

While all three theories recognize that the individual has duties towards distant strangers, it is only Singer who places the primary responsibility to give on the individual. O’Neill and Nussbaum try to find an institutional framework to improve the lot of those suffering in other parts of the world. For Singer, global obligations apply to everyone. While he acknowledges the importance of governmental donations, he rejects the notion that an individual’s duties
could be discharged merely by paying taxes (P. Singer 2011b: 209–10). He also argues that individuals should take political action to encourage state-level aid. Relatively high levels of private foreign aid could encourage governments to give from the public purse as well.

O’Neill argues for an institutional approach, pointing out that the needs are too great to be met by individuals. The establishment of these institutions is also more effective than the establishment of “rights”, which could, in the absence of an effective corresponding duty, be illusory. Specifically, on the right to food, she says that “if the claimants of supposed ‘rights’ to food or development cannot find anywhere to lodge their claims, these are empty ‘manifesto’ rights” (O. O’Neill 2000b: 126). She rejects the profit motive as the sole motivation for companies and points to the potential for transnational companies to fight injustice globally (O. O’Neill 2001).

Like O’Neill, Nussbaum’s is an institutional approach. While at one level it might be true to say that we all have duties, it cannot be the case that individuals in wealthier countries are under an obligation to spend all their efforts in the relief of suffering: they too should be able to flourish.

Cultural issues

The fact that theory with global pretensions has to grapple with cultural difference has already been alluded to. This may seem to be less of a problem for a utilitarian approach, which can take account of different preferences, but it is certainly relevant with reference to the idea of “sacrificing anything of comparable moral importance”. What is regarded as of comparable moral importance is susceptible to different interpretations – can it, for example, be deployed to justify linking foreign aid to implementation of Western ideas, such as gay rights?

O’Neill (2000b: 122–24) describes as a “massive defect” of utilitarianism that it is inherently subjective: two utilitarians can analyse a given situation and come to completely different answers, often depending on their worldview, and this also makes it difficult to objectively choose between options. On the other hand, she does recognize a strength in that it takes account of the real world.

It is a challenge for O’Neill to address real world issues (and thus cultural difference) without sacrificing the universalizing spirit of a Kantian-inspired approach. O’Neill suggests two “moves” to ensure that a theory of transnational justice works in multiple cultures (O. O’Neill 1990, 1996, 2000b). The first is abstraction without idealization. While we need a system of abstract reasoning, this does not need to be based on the notion of idealized autonomous agents, but humans with “limited capacities and varied vulnerabilities” who interact. The second move is the taking into account of local context without building cultural ideals into the principles of justice, taking into account the real conditions of oppression in which people find themselves. She argues for a picture of transnational justice that does not depend on the agreement of ideal abstract agents as in the Rawlsian original position, nor upon what people actually would consent to in the real world, which ignores power relations, but on what people could consent to.

Both of O’Neill’s moves seek to empower women (O. O’Neill 1990). Ideals have traditionally been based on men (and therefore biased in favour of men). In seeking to recognize only arrangements which could be rejected or renegotiated by the actor concerned, O’Neill’s second move rejects structures which constrain women, or deny them justice by excluding justice from the realm of the home.

Martha Nussbaum’s CA has also been particularly focused on the position of women and the recognition that a person’s subjective assessment of their position will be affected by cultural
norms. Nussbaum gives the example of a hypothetical woman who does not think herself to be lacking in economic power because women in her society do not have any significant economic power (Nussbaum 2002: 127). Using an objective framework provides a better chance of achieving meaningful gender equality as opposed to notional equality which might be pursued through preference-based approaches. Hence, as mentioned above, she supports a philosophically rather than democratically derived list of human capabilities which are of central importance to being human, fit for all purposes, and enabling these capabilities to be achieved. Such enablement has a number of elements, political, material, institutional, psychological, in order to facilitate opportunities. According to Nussbaum, specifying capabilities with a high degree of generality is not inimical to the recognition of cultural concerns: her example is that of the different free speech rights available in the US and Germany, the latter prohibiting certain forms of anti-Semitic expression (Nussbaum 2002).

In the next section we will briefly examine an example to show the differences, in practice, between the considerations prominent in the three approaches.

**An example: food security**

Singer took an important step in making actions to help those in need a moral requirement rather than an act of charity. It is also significant that he focused on the issue of famine. Food security is one of the most prominent challenges in global ethics. The concept changes but requires at least freedom from hunger and fear of starvation (see e.g. Food and Agriculture Organization 2006: 1). Food security is considered by the United Nations Development Programme to be a global public good, defined as a good that is enjoyable by all without detriment to others; it is non-rivalrous and non-exclusive. Food security is a wider concept than the individual right to food, as it is good for society as a whole. There has been considerable discussion over a number of years about the merits of agri-biotech as a (not necessarily the only) means to achieving security, but the discussion between proponents and opponents is not one that can be settled as a matter of empirical fact: there are deeper disagreements about values, which reflect the framing assumptions being used, as was recognized in the report of the UK Food Ethics Council (2003), *Engineering Nutrition*. That report was in disagreement with the Nuffield report, which made the following claim:

> Poverty has many causes … Poor efficiency of agriculture is one of them. It is also clear that the efficiency of agriculture has considerable impact on the standard of living of people involved in work on small-scale farms in developing countries. This is most notable in Africa, where the majority of the population lives and works in small farms in rural areas … Moreover, it is particularly true with respect to improving the situation of women, who make up the majority of the world’s resource-poor farmers … In many instances, the improvements that can be achieved through GM crops may reduce much of the effort required in subsistence agriculture.

*(Nuffield Council on Bioethics 2003: 49)*

This quotation appears to represent a consequentialist approach, if not a utilitarian one. It is looking at the effect on well-being, especially of women. *Engineering Nutrition* was concerned about the primacy of utilitarian considerations in the debate and the fact that consumer “choice” comes in too late in the research and development process. Moreover, the “choice” has been largely construed as that of the consumer to buy the product, which is not only a very limited but a very Westernized interpretation. The relevant choices are about styles of life and not just choices of products.
For O’Neill, as outlined above, a picture of justice has to take account not of idealized autonomous agents, but of real social and power relations. This is abstraction without idealization. In thinking about how this would work in practice, we might “ask to what extent the variable aspects of any arrangements that structure vulnerable lives can be refused or renegotiated by those whom they actually constrain” (O. O’Neill 2000b: 163). She argued that, in fact, the poor cannot refuse or renegotiate their role in economic structures: debtors who need further loans for survival cannot make much fuss about the terms creditors offer for purchasing their crops; the most dependent women are acutely vulnerable both to market factors and to more powerful kin.

This account of transnational justice appears to be at odds, then, with arguments about justice in the agri-biotech debate that emphasize the moral urgency of trying to help poor farmers through agri-biotech. Such arguments, which focus on well-being or even use the rhetoric of choice, frequently fail to take account of the real conditions of choice and in particular leave the entry of “choice” – in other words, areas over which people have a choice – to a late stage.

What about the CA in this debate? Improvements in well-being are not sufficient. Quality of life, which is distinguishable from “standard of living”, cannot be reduced to discussions of wealth and poverty. In the context of GM crops much more than this is at stake. The relevant question is how technology will impact upon human capabilities, and the extent to which interventions will facilitate the pursuit of the human telos, the life of opportunity. Some of them, even if apparently “chosen”, may in fact reinforce dependency and reduce opportunities, and thus not be facilitative of developing capabilities.

Thinking globally

We have examined ways in which theoretical approaches from utilitarian, Kantian and virtue ethics traditions can be deployed to address global challenges. The outcome of this is that all of them can have global application, in different ways. It might be thought that this is what should be expected – surely ethics is by its very nature universal.

However, this is not the end of the story. There are at least two issues to confront. First, it is still necessary to deal with the potential problem that what we have seen so far is the global application of Western theories, with the identity and nature of the agent being conceived in Western terms. This may be perhaps understandable when the topic of application is something like foreign aid, but Dower’s distinction between ethics that is global in scope and ethics that is global in acceptance is important, whether or not foreign aid is at stake.

Is an ethic that is global in acceptance a realistic possibility? In our increasingly interdependent world there are also calls for harmonization in ethics, as well as in regulation. The question arises, however, as to what extent harmonization is possible in ethics. Although the four principles of biomedical ethics, as mentioned at the beginning, have been proposed as a candidate for global agreement, from another point of view they are a Western export. What other possibilities are there?

Harmonization

The drivers of calls for harmonization emanate from the practical demands of specific contexts such as international biobanking and healthcare tourism. A key example is the perceived need for data to flow across borders, which has led to thinking not only about regulation in the area of data protection, but also about ethics. The purpose behind the European Data Protection Directive, for example, was to remove obstacles to such free flow: the achievement of this goal required
thinking about rights, and approximately fifteen years after the 1995 Directive (Directive 95/46/EC) it was recognized that technological and social developments required a rethink.³

Where transfer of data becomes an issue, global recognition of ethical considerations is important, because problems may occur where the data and thus the interests of the data subject are treated differently in different jurisdictions. One option is for partners to enter into contractual agreements with each other (Goebel et al. 2009), but harmonization between the approaches of different parties would be preferable if it could be achieved, as less cumbersome than contracts if on a global scale.

Chadwick and Strange (2009) examined different possible approaches to harmonization, following Samuel Fleischacker’s distinction between the (universal) human rights approach, the necessary conditions approach (what ethics is required as a condition for transnational cooperation?) and the cultural dialogue approach (the search for agreement through dialogue – where this is not conceived as an inter-state political activity). While all these have advantages as well as drawbacks, they are all “end-point” approaches, where the achievement of acceptance is the end point. Using a musical analogy, Chadwick and Strange argued that harmonization requires, not unison, but voices singing different vocal lines. From this perspective a prerequisite for a global ethics is not a finalized set of principles which gain acceptance as an end point, and the prospect of which may be distant, but a process of ongoing dialogue. The existence of the “score”, however, is important. The process of setting international guidelines is a familiar one, as also is the variance in interpretation that exists in different parts of the world. The question then arises: what are the limits to variation?

The discussions about the possibility of global acceptance are ongoing, but there is another issue to address, corresponding to the second sense of “global” identified at the beginning of this chapter.

**Ethics global in scope and acceptance**

What about the arena of the common threat such as climate change or the global pandemic? Of course, it is frequently argued that foreign aid, discussed earlier, does raise issues of common threats, such as the fostering of terrorism in its absence, but what we are thinking of here is something more. It is here that the explicit search for new ways of looking at issues has to be addressed.

The shift that has occurred in bioethical thinking, at least since the mid-1990s, away from the primacy of individualism and towards emphasis on more communitarian approaches (for reasons which are beyond the scope of this chapter to address in detail), brings with it its own challenges for global ethics, but is also arguably, at least in part, a response to global challenges. What has to be considered here is that the logic of the problems themselves makes some approaches inapplicable and demands others: the possibility of an ethics that has the potential to be global in both scope and acceptance, precisely because it is needed to address the issues in question.

Debates that are relevant here include those dealing with the concepts of communitarianism, cosmopolitanism and solidarity, and we shall now briefly address the relevance of these to the question of ethics meeting global challenges.

**Communitarianism and cosmopolitanism**

Whether or not it is appropriate to talk of a communitarian turn (Chadwick 2011), there has been considerable discussion, as already indicated, about the limits of an individual-centred approach in ethics. Communitarian thinking reflects an important space between individual-level
autonomy and state-level interests. However, on the face of it communitarianism might seem to be at odds with a global ethic in so far as it links ethical thinking with the flourishing of particular communities. The implications for moral standing of people on the other side of the globe look distinctly unpromising: people from different communities limited in standing against one another. Perhaps what is needed, then, is not a communitarian but a cosmopolitan outlook (see e.g. van Hooft 2012). Cosmopolitanism reconceptualizes the agent as a citizen of the world rather than as a member of a particular community.

Communitarianism and cosmopolitanism do appear to be very different ways of looking at the world. Even though they agree that ethical principles should apply to all those in a certain domain, they disagree about where to set the boundaries. Cosmopolitanism is not necessarily indifferent to geography: it may recognize the importance of identification with a particular region or country, but such identification does not justify giving its members priority from an ethical point of view.

The question arises, however, as to whether cosmopolitanism is itself a product of a certain part of the globe. It is said to go back as far as Diogenes the Cynic (Hadas 1943). That fact does appear to suggest that cosmopolitanism is, at heart, rooted in a Western ethical tradition. However, Qiu Ren-Zong has suggested that an appeal to the Confucian principle that “the sage sees the world as one family, one country as one person, this is not his illusion” (Qiu 2011: 11) may be helpful in this context.

Solidarity

Solidarity is increasingly appealed to as an ethical principle not only in bioethics but in ethics more generally (Prainsack & Buyx 2011). An appeal to solidarity suggests a communitarian approach, because solidarity is associated with group interests. An obvious example is the solidarity associated with protecting the interests of the members of a trade union. However, there are different kinds of communities. While members of a society or a union have interests in common, beyond that they have common interests in virtue of being human beings with shared vulnerabilities. Hence the statement of the HUGO Ethics Committee (2007: 45) that “because of shared vulnerabilities people have common interests and moral responsibilities to each other”.

With such an expanded notion of community, solidarity can apply beyond the group of geographical borders and there is then reduced tension, in principle, between communitarianism and cosmopolitanism. Qiu Ren-Zong has taken up the suggestion that solidarity can be appealed to on an international level, but others take the view that global ethics needs to be based, not on a sense of international community, but on enforceable rights. Rights have been associated with both notable successes and failures at international level, and it has to be asked whether it is feasible to base a global ethics on rights in the absence of a sense of international community, if what is aspired to is an approach that is global both in scope and acceptance.

Conclusions

Our examination of ethical theories, selective as it has to be, suggests that while Western ethical theories have expanded somewhat, they are still essentially Western in several respects. First, they evolved in a Western context. Second, their starting point is that of the Western agent. The discussion about the obligation to give foreign aid is perhaps the clearest example of this. Third, they still set minimum standards that appear to be very much Western. Although some theorists have tried to make the theories more adaptable to non-Western cultural norms (as in O’Neill’s second “move” of applying abstract theory to local context; Sen’s argument for the democratic
selection of capabilities), they still reject any ideas that are fundamentally opposed to Western ideals (for example, regarding the oppression of women).

A concerted effort to shift outlook so that we see ourselves as citizens of the world, with common vulnerabilities, addressing the same global challenges, may be required, along with consideration over whether principles such as solidarity, rather than the autonomy which has been dominant in Western approaches, can provide a meeting point. If not, the default position may be some agreement through international instruments, from a pragmatic point of view, without any convergence on underlying values. Nevertheless, the process of harmonization in relation to such texts needs to go on.

In his book *On What Matters* Derek Parfit suggested that the various branches of Western ethical theory are “climbing the same mountain on different sides” (Parfit 2011: 419). Perhaps different branches of world philosophy might also be construed as climbing the mountain, working towards convergence on the same answers to the difficult questions thrown up by our increasingly globalized world? This is an alternative metaphor but makes a point analogous to that of the interplay of voices in harmony with different but interdependent vocal lines, with variations on a theme. The extent to which harmonization is possible, and the summit of the mountain attainable, will be an ongoing but crucial question in the coming decades.

**Notes**

1 O’Neill refers to “transnational” justice and duties, rather than “international” or “global”. This is to reflect the fact that the duties do not exist purely between nations or nation states, but between individual actors, irrespective of international borders (O. O’Neill 2000b: 115). “Global justice” is said to beg the question, assuming that a single regime of justice may prevail the world over.

2 The United Nations Development Programme’s Human Development Index (HDI), based on the CA, has had minor success in filling the role of a non-economic metric for development.

3 At the time of writing, proposals have been made for the replacement of the 1995 Directive to take account of such developments.