

## Commentary on Idil Boran, “The Problem of Exogeneity in Debates on Global Justice”

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I am very pleased to be able to offer some reflections on Idil Boran’s paper, “The Problem of Exogeneity in Debates on Global Justice.” In staking out a new position for normative inquiry within current philosophical debates concerning global justice, the paper presents an argument which is quite interesting and, if sound, one that could have very important ramifications for these debates—the importance of which, in turn, can scarcely be overstated. I shall first briefly recapitulate the central claim that Idil makes in her paper, and then situate it against some contextual considerations in order to more effectively raise some critical concerns which I hope will elicit some clarifications and expansions of the position developed in the paper.

The central claim of Idil’s paper has a negative and a positive aspect. Negatively, the claim is that leading cosmopolitan approaches to questions of global justice suffer from ‘the problem of exogeneity’. By this she means that the basic conceptions of justice upon which these approaches are based have been derived and imported from contexts other than the actual global reality – in particular, “the operations of competitive markets in the international setting” (5) – that is ostensibly the object of concern. This is problematic, Idil claims, inasmuch as it will lead to a fundamental mismatch between the normative demands of justice and the concrete facts of global injustice—a situation that will all but inevitably have detrimental theoretical and practical consequences with regard to global justice, possibly even to the point of leading to despair over its ever being realized at all.

On the positive side, the alternative – ‘*endogenous*’ – approach to questions of global justice that Idil suggests would, in contrast, develop its conception of justice on the basis of a concrete analysis of the actual relevant reality itself. The idea is that the justness (or lack thereof) of the global economic context can be tracked and assessed in an incomparably better and more insightful way to the extent to which the criteria in terms of which the relevant phenomena of justice and injustice are recognized in the first place are not extraneous considerations brought to bear from without, but are rather derived directly from the very conditions to which they are intended to apply. The proposal thus amounts to an heuristic reversal whereby the process of normative assessment of global competitive markets

does not begin with some pre-given moral ideal, but rather with an unbiased examination of the basic institutional structure of those markets and of the questions of justice to which they give rise, in order to formulate a contextually appropriate conception of justice.

Posed in this general way, Idil's claim may well hold and have some theoretical traction. But it could also come across as somewhat unremarkable. This would, however, be misleading—the brevity of today's paper does not, so to speak, do justice to Idil's argument. So it would be helpful to step back a bit in order to put it into some context that will enable us to better appreciate its meaning and significance.

First, we should be clear that the argument is posed squarely from within the camp of cosmopolitanism, here understood as premised on the equal moral worth of all (human) individuals. It is thus not the case that Idil's endogenous approach would attempt to articulate a conception of global justice on the basis of global markets without bringing any independent normative claims of its own into the picture. It is not, in other words, *radically* endogenous. Although perhaps underemphasized in the paper, it is the case that the “basic normative principle” of cosmopolitanism is meant to constrain the account of global justice that would emerge from the endogenous approach (10).<sup>1</sup> The sense of Idil's position here is that any ostensibly cosmopolitan approach to global justice that does commit the error of exogeneity can and should for that reason be seen as effectively *betraying* the cosmopolitan ideal, since that problem will necessarily thwart any intended contribution to the realization of that ideal. In other words, the implicit claim is that because it represents the only viable way to establish an effective approach to global justice, the endogenous approach is the only viable way to uphold the cosmopolitan ideal itself.

Second, we should also be clear that the argument is concerned with global *justice*, as opposed, for instance, to global *ethics*, where the latter would be concerned with the norms of interaction between the relevant individual moral agents (however construed), while the former, global justice, would, following the well-known Rawlsian idea, be concerned with the background institutional structure of those interactions. That there *is* such a structure – some sort of “basic structure” in the Rawlsian sense at the global level – is, of course, a point of contention, in particular between proponents of a cosmopolitan view of

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<sup>1</sup> Recognition of this point speaks to – and, depending on just how we construe that basic principle, could be taken as parrying – the objection raised at the end of the paper, the gist of which is that any conception of justice that would result from the endogenous approach would necessarily be completely toothless with respect to any sort of *systemic* injustice that may exist within the global economic order.

global justice, and anti-cosmopolitan opponents of the viability or even the desirability of any such view. But to appreciate the sense of Idil's contribution, it is important to recognize that the pertinent debate is not there, (or at least not simply there), but that further questions need to be asked on the cosmopolitan side of things regarding the nature of the institutional structure of the global economic order and the conception of justice that it would be appropriate to bring to bear upon it.

Although her argument does have a more general purchase, it is nonetheless instructive to recognize that the principal target of her critique of exogeneity are those (ostensibly) cosmopolitan views that construe global justice in *distributive* terms. The idea is that such a conception is transposed from the national context – where it may well be entirely appropriate<sup>2</sup> – to the international context where, according to Idil, it is quite inappropriate. And this inappropriateness is due (among other things) to the fact that the institutional structure of the global economic order excludes the sort of coercive apparatus that would be requisite for a viable system of redistribution. So while much of the debate over global justice has developed on the basis of the tacit assumption that the main axis of contention is that between anti-cosmopolitanism and cosmopolitan distributive justice, Idil's aim is to point toward an alternative approach that would, as mentioned, support cosmopolitanism precisely with a conception of global justice that is not (or at least is not taken for granted as primarily being) distributive.<sup>3</sup>

All of this may usefully be seen in terms of Rawls, in particular in terms of how *A Theory of Justice* relates (or doesn't) to cosmopolitan concerns—whether, that is, the earlier ideas can and should (contrary to Rawls' own views on the matter) be extended to the global level, or else whether the account developed in *The Law of Peoples* is indeed as far as those ideas can be taken. What is most instructive with regard to Idil's position is to see that she is developing a 'Rawlsian' account of global justice. It's just that she is not doing so in the standard way, which would be to attempt to extend the principles of justice—for that would commit the error of exogeneity. Rather, what she does is step back and in effect fol-

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<sup>2</sup> Strictly speaking, though, the problem of exogeneity could also be present there.

<sup>3</sup> It is worth noting here that although ideas about global distributive *justice* are typically intended as differing qualitatively from ideas about global *assistance* in terms of the nature of the moral obligation involved, they are not so far apart inasmuch as both may be seen as kinds of compensation for certain outcomes that occur against the background of the institutional structure of the global economic order, rather than efforts to change that structure, i.e., make it more just, which is what Idil's proposal intends.

low Rawls' own "*general* approach" (5, my italics) in arriving at those principles—which is to say, she steps back to consider what Rawls called the 'circumstances of justice' (cf. TJ §22), that is, the "concrete empirical circumstances" (6) which give rise to questions of justice. It's just that, unlike Rawls, she does it at the global level, where there has not yet been, as she put it, "a genuine consideration of this idea" (6).

This is the key to the sense of Idil's argument—that it is not the business of philosophy to invent the issues of justice, nor to pretend that there is a single ideal of justice applicable to all contexts. Prioritizing this sort of intellectual openness would, Idil claims, enable us to discover hitherto overlooked possibilities for justicial normativity *within* the existing institutional structure of global markets, and on that basis arrive at a considerably more nuanced and sophisticated – and practically realizable – account of global justice.<sup>4</sup>

There are, however, some general concerns that I should like to raise. First, as I take it, the sense of the proposed view is one of a pronounced openness concerning that in which the 'basic structure' of contemporary global markets consists. It is thus not clear why it is regularly referred to in 'institutional' terms, i.e., as an *institutional* structure. Of course, this has to do with the Rawlsian idea of justice as a virtue of institutions. But is that stipulation something that ought to be retained in the new approach to global justice, or is it rather a feature of the Rawlsian theory of justice developed for application in the domestic setting, and which would be exogenous to the concrete specificities of the global context? In other words, could it be that the institutionally restricted view of justice stems from the specific 'circumstances of justice' with which Rawls was concerned when dealing with the context of a nation-state, but that it may have no relation to the 'circumstances of *global* justice'? At any rate, it would seem that we could not simply take for granted the idea of justice as a virtue of institutions while at the same time emphatically maintaining the basic rationale of beginning with the 'circumstances of global justice', which lies precisely in the opposition to any sort of *a priori* assumptions about the nature of the justice in question.

This concern can be motivated by the idea that to a significant extent the suffering of the 'global poor' is connected with exclusion from, rather than unjust treatment within, the

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<sup>4</sup> Note that Idil's account is not inconsistent with distributive justice (nor even, for that matter, with supererogatory assistance). What she is opposed to are *a priori* assumptions about the nature of global justice, as opposed to understanding its content in terms of the actual nature of the context in question. It may well turn out that global justice will include distributive features, for example, albeit in an endogenous way.

institutional structure of global markets.<sup>5</sup> For if it is indeed the case that some of the most egregious cases of global injustice – or at least what may well appear to be cases of global injustice – are connected with *exclusion* from the existing institutional structure of global markets, then a restricted focus on that structure threatens to leave out of account altogether what should by rights receive very close – if not the closest – attention in the examination of the circumstances of global justice. Failure to do so would leave the endogenous position genuinely vulnerable to a close variant of the final objection that Idil raised in her paper, wherein endogeneity would be seen as implying an uncritical and unwarranted narrowness of justicial scope.

This concern can, however, be put otherwise: we can readily maintain the Rawlsian institutional focus for justice, but on condition that we rigorously open up the question as to what exactly is meant by ‘institution’. Is it to be understood, for example, in the more or less formal or explicit terms of ‘publicly recognized systems of rules’?<sup>6</sup> Or is ‘institution’ rather to be understood in terms of patterns of practices that have ‘profound and pervasive’ (TJ 96) effects on the lives of relevant persons? Is it a matter of participation in schemes of social cooperation, or more expansively of being significantly impacted by the consequences of such schemes (independently of direct participation therein)?

Obviously this is a huge question. But it is relevant to the concern about how issues of justice will arise in the endogenous consideration of the circumstances of global justice, whether all relevant voices or perspectives will be properly attended to and taken into account. In particular, can issues of global justice arise from outside the existing institutional structure, formally construed? Do references to various ideas of ‘collective benefit’ – e.g., “collectively beneficial competitive strategies” (7) – include those who do not participate directly in the global market system? Can the notion of “market failure” be legitimately raised from that non-participant standpoint? In general, what does the basic cosmopolitan principle about the equal moral worth of all individuals, be they global market insiders or outsiders, have to say about *whose* justicial claims are recognized in the course of fleshing out a conception of global justice? This principle is, after all, normatively paramount, and so

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<sup>5</sup> This is an idea that can be raised against demands of global distributive justice made on the basis of positing a *causal* connection between global markets and the plight of the ‘global poor’.

<sup>6</sup> “Institutions are understood as those publicly recognized systems of rules which are generally acted upon and which, by defining offices and positions, rights and duties, give political and social activity its form and structure” (“The Sense of Justice”).

I don't see how it could be the case that the issues of justice that emerge from the investigation of the circumstances of global justice would simply be, as Idil put it, "*checked and refined* in light of [it]" (10, my italics). Rather, I would contend that that ideal must be operative during the initial formative investigation itself.

The proposed endogenous approach has much to recommend it. And this is in part because, *qua* endogenous, the approach can be correctly described as "neutral" (11). But when it is deployed with cosmopolitan intent – when, that is, the circumstances of global justice are investigated as to their normative possibilities through the lens of the cosmopolitan ideal – then the approach cannot but receive a normative inflection.<sup>7</sup> What remains unclear, then, and what I for one would be eager to hear more about, is just how and to what extent the cosmopolitan ideal would inform the understanding of 'institution' that will underwrite the initial investigation of the basic institutional structure of the global market system—whether it would motivate a relatively expansive conception of 'institution' that would result in a more inclusive and (perhaps) interventionist conception of global justice; or else whether the cosmopolitan ideal could be taken as consistent with a relatively narrow conception of 'institution', and by implication with a correspondingly restricted and (merely) regulatory conception of the meaning and scope of global justice.

*When dealing with justice, how much work can or should the cosmopolitan ideal do?*

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<sup>7</sup> This would be true for any approach, not just cosmopolitanism. The idea is that the 'neutrality' *vis-à-vis* justice of the endogenous approach holds within the terms of whatever more general normative orientation is adopted—in the absence of which – i.e., in a 'radically endogenous approach' – no meaningful distinction between facts and norms – hence no questions of justice – would emerge at all.