

# "GLOBALIZATION AND JUSTICE"

The aim of this short paper is to present a few reflections, that are inspired by the social doctrine of the Church. It is with an attempt to grasp the revaluation of the person through the category of Capability, a key category for an approach to globalization.

a) The new forms of risks and complexities of the economical and cultural structures of the global society threaten the traditional notions of human dignity and equality increasing the marginalization of many persons.

In this sense Giddens makes a critical distinction between negative and positive welfare. While the former is interested in providing security, that is a form of insurance to risk, the latter not only provides security to risk, but also the capacity to take risks and to integrate the institutions within a larger economic system. This mix of negative and positive welfare creates, what Giddens denominates as “the social investment state”. Hence for Giddens “inclusions and exclusions have become important concepts to analyze and respond to the inequality caused by changes that touch the industrialized nations.<sup>[1]</sup> The required strategies of welfare seek to develop the capabilities of the persons to participate effectively in the economic system. In this way one can speak more of “active society” and the economical inclusion, than of security.<sup>[2]</sup> The novelty here is the emphasis placed on the state of reinforcement of the capability of the individuals to participate in the economy. Welfare is not seen as an end in itself, but as an instrument with which the capacity and the choices of the persons can be broadened. The emphasis is more on the positive role of welfare to help individuals and “vulnerable groups” to face risks than to play a passive role by being just an instrument that provides security. Of course security is also important, but is subordinate to the fundamental category of Capability.

One tends to see the state in terms of its function as a facilitator and regulator of the Market than in its distributive role and in the management of the question. At the centre there is the conviction that the complexity of globalization reduces the capacity of the state directly to influence the economy, an aspect which is not taken into consideration by relationships.

Strategies are oriented towards the development and consolidation of politics that can improve technological innovations and the economic competitiveness. The politics of the moment demand a state which invests not in the sense of investing directly in the Market, but in the form of investment in infrastructures, innovations and competitiveness.

An area where emphasis needs to be manifested is in the priority to educational politics and updating. The formation of the human capital is the key contribution to the economic growth and so the government must invest towards a qualified workforce.<sup>[3]</sup>

b) The notion of Capability is central to thinking concretely of overcoming the forms of oppression and poverty that in globalization seem to increase more and more.<sup>[4]</sup> Capability can be defined in terms of the capacity of the individual to choose other forms of life.

This idea developed by Sen, is more than a descriptive concept and it impels us to

rethink the fundamental elements of human dignity. In the light of this concept equality is defined not in terms of the possession of a certain amount of resources but in terms of the reinforcement of individual capabilities.<sup>[5]</sup>

It goes beyond the models of egalitarianism to justify “the equality of capability” which considers seriously the conditions of opportunities and the diversified goals of the individual agents.

Central to the project of Sen aimed at building greater social equality, is an attempt to extricate our understanding of equality from the utilitarian perspectives based on resources. In this context Sen affirms that equality can be described in a variety of areas and variables each of which is different from the others. For example, we can choose to focus on income, on wealth or utility or like the liberated, on the equality of liberties. Different theories assume different grounds on which they can describe equality.<sup>[6]</sup> The major part of the theories by focussing on the grounds of equality tend to exclude substantial inequalities in well-being and in liberty. Sen is interested in incorporating the facts of diversity and of pluralism in a theory of equality. Thus respect for the cultures also finds a place. Sen’s approach suggests that we pass from a model of “simple equality”, which focuses on a particular aspect, to a notion of a complex equality which takes into account the plurality of areas from where equality can be described. The only way to deal with this complexity is to start from the equality of capability.

The liberty of leading various lives, that is capability, is determined by the various aspects of human “functioning” (that makes available the essential goods) that an individual can choose. That is, capability is determined by the forms of life that are possible and these in their turn depend on the accessibility of the various functions which make available the essential goods.<sup>[7]</sup>

Capability is central to the notions of dignity and liberty, that stand at the centre of *the three relationships*. For Sen liberty is defined by the fact that the capability to act will constitute the liberty of the person, the real opportunities to develop one’s own human dignity.<sup>[8]</sup>

The real liberty to choose or the negative liberty needs a dose of positive liberty to make the individuals capable of acquiring certain types of capabilities.

The worth of this notion of liberty consists in its identification of the interconnection between negative and positive liberty: to have the negative liberty you have to act positively. One realizes that liberty does not depend only on personal characteristics but also on the structure of social regulations. They form the basis of self-respect which can condition the functioning of an individual and hence his capability.

c) Regarding traditional egalitarian theories, what is more important is the distribution of capabilities than the distribution of income or primary goods or services. This perspective places a great importance on our capacity of doing and being: the choice of the social regulations must be justified by their capacity to promote the human capabilities and hence liberty and dignity. Capability furnishes a vision of equality and suggests that the human dignity, implicit in this vision is multidimensional. The majority of the approaches the distribution of a only good which can be aim at the equal distribution of somethings, be it services, income, primary goods or resources, thus confusing the means with the end.

The problem of the measurement of goods and resources is that there are significant differences in what various persons and groups can do with a given quantity of goods

because of various circumstances. For example a disabled person needs more goods to reach the necessary end. Moreover every individual can demand different amounts of goods in order to reach certain levels of human functioning. For some individuals to be in good health can demand higher levels of self-respect than income. Given these differences between persons and the plurality of circumstances, no single measurement of goods can go well for the field of choices available to the individual. It is better to look at the field of choices open to the individual than at the initial supply or the endowment of resources.

The acknowledgement of pluralism, which demands answers to the problems of inequality that can vary in every particular historical situation in relation with the individuals, does not mean abandoning the traditional measures of inequality but to ask the question: equality for what?

There are big differences between the perspective of the Capability and the argument of the primary goods of Rawls.<sup>[9]</sup> The criterion of the primary goods which the person uses is not the same as the criterion of the effective liberty to pursue freely the chosen goals. The point of importance is the appropriate measure of individual liberty, because what is central to the perspective of the Capability is the vision that the broad diversity of the human circumstances exact diverse quantity of primary goods, to make possible the diverse levels of effective liberty or the capability to pursue chosen goals.

Surely redistribution remains a vital element in the Capability. What is important is that the redistribution becomes a means to an end. So the success of the redistribution programmes can be measured by the extension with which an individual is provided with those means to acquire the ends. Added to it, the programmes must be sensitive to the individual differences in the conversion of the primary goods as income, resource and self-respect in individual capabilities.

The welfare programmes which are redesigned centred on social participation or exclusion reflect a step towards Capability. The goal is to bind the welfare programmes with broader socio-economic goals which are instrumental to the functioning of the persons. Thus industrial policies have the aim of improving the updating and the level of the labourers' qualifications in order to help them acquire certain levels of functioning and capability. The intervention of the state is a means to arrive at an effective liberty and to overcome the barriers of exclusion.

d) An important aspect in the context of capability is the notion of the political Capability. It implies not only to vote and to participate in the political community, but also effective participation in the civil society like the participation in the economy.<sup>[10]</sup> This approach always allows the extension of the more diverse democratic activities to the structures of the government, like the central Banks and new welfare agencies based on contract and to fight corruption efficaciously. A new dimension of the political panorama that is always very complex and which is created by globalization is the proliferation of the places of decision. In this context capability denotes the political capacity to influence the practice and the conduct of the government within various institutional regulations. With the reinforcement of these capabilities, the citizens can challenge, negotiate or involve themselves with the government structures leading them towards the common good.

One assumes the importance of the capacity to choose and one realizes at the same time that the choice itself is a good. This argument was used by Sen to pass from the

assumptions with regard to the autonomy of the agent towards the justifications of the positive intervention of the state (an intervention invoked by Turimanna with regard to the markets) to make possible the individual capacity to attain its goals.

The freedom to choose is a good which is intrinsically important. Many are so weakened by misery or racial inferiority or similar aspects that they cannot see their own horizon. And so they are not free to choose their own goals.<sup>[11]</sup>

The basic difference between Rawls and Sen is that for the approach of the Capability the negative and positive liberties (freedoms) are intertwined: hence the pursuing of the individual goals may demand the positive intervention of the state to adjust the deficiencies of the effective liberty, thus moving the approach of the Capability towards a conception of liberalism more inclined to politics.

The notion of effective liberty ‘of being’ developed by Sen, is interested with the problems of control. To exercise the capability the agents need to be free from control and not from interference. Liberty consists in the absence of control from the part of others, but not necessarily from the absence of intervention.<sup>[12]</sup> For the theoreticians of Capability, where there is intervention, but not control, there is a chance for effective liberty, while where there is control, but not intervention, there is the diminution of the effective liberty of the individuals and the nations.

It is a concept of liberty as liberty ‘to do’ than liberty from (negative liberty) or freedom from power.<sup>[13]</sup>

Central to this complexity of the political and economic life is the acknowledgement of the institutional constrictions and limits on the individual choice and on human dignity. Every consideration of Capability and of effective liberty must acknowledge the underlying structural regulations that can limit the exercise of liberty. These regulations have to face the structures of advantage that put the individuals to confrontation in making choices. These are the structures of advantage that define and delimit ‘control’. Interference in these structures of control act in order to expand liberty.

A strong point of this perspective is that liberty and dignity are collocated within the context of institutional structures of power and this allows to understand for example, the way in which a class, a gender or an ethnicity can act in conditioning the choices which the individual can or cannot make. This formulation of the dignity points to a more complex conception and politics of liberty than that which is present in the distinction between positive and negative liberty.

In conclusion, the advantage of the paradigm of the Capability is that it offers a structure on problems of equality which is politics in a fundamental sense. To formulate that more properly we need to move towards a notion of liberty ‘from control’ rather than ‘from intervention’.<sup>[14]</sup>

In the positions presented, though far from metaphysical approaches, one revalorizes the dignity of the person, a formal principle without an immediate and direct applicable content, but which consents and orients the liberal and democratic discussion on globalization with a human face.<sup>[15]</sup> The duty of theology will consist in taking and developing the implicit concept of the human dignity in these positions: the relational nature of the person. Human dignity can be traced back to the “human relational condition as such, to man in his right to have rights or to be acknowledged as man, because he is man through and in the constitutive relationship to the other.”<sup>[16]</sup> Thus conditions for the reconstruction of globalization emerge, placing it in a position to

express fully its potentialities and to improve the conditions of life all over the world in the light of justice (Centesimus Annus n.58).

#### Notes

1. A. GIDDENS, *La terza via*, Il Saggiatore, Milano 1999., p. 103.
2. At the end of it all, it is not as much a question of overcoming unemployment by keeping occupied the unemployed. It is rather a question of recognizing that the realization of the full human potential of the population implies not only the mere providing of a job for the unemployed, but the involvement of all those who want to participate, working full-time, part time or casually. This approach has to be adapted in a flexible manner keeping in mind the emerging models and recognizing the fact that the services sector has a different structural understanding regarding employment than the traditional one which is associated with the manufacturing sector and based on the conventional theories of welfare
3. From this perspective Capability is interested in the acquisition of qualifications and having the possibilities for updating as well as the providing of the infrastructures needed for innovations. These are crucial capital investments whose proprietorship may be controlled by the state. (G. HODGSON, *Economics and Utopia*, Routledge, London 1998).
4. There is a broad congruence between the emergence of the structural pressures of globalization and the emergence of the notion of Capability. (J.KANISHKA, "Capability, freedom and the new social democracy" in *Political Quarterly* Jul.-Sep. 2003, pp.282-295.
5. Hence it is possible to arrive at a redistribution of the economic power through a redistribution of Capabilities.
6. A.SEN, *Inequality Re-examined*, Oxford University Press, 1992, p.21.
7. Human activities move from the more primitive forms like food, shelter or health to those which are the more complex like self-respect and participation. "The claim is that these activities are constitutive of the being of a person and an evaluation of well-being has to be a form of judgement passed on these constitutive elements" (A. SEN, op.cit., p. 39). The individuals can distinguish themselves from the attachment they have to the various activities and every normative consideration of liberty must be sensitive to the various evaluations which one does with regard to activities.
8. Ibid. p.40
9. There are similarities: Rawls is an anti-perfectionist since he views the primary goods as instruments with which individuals can pursue their liberal objectives and an anti-utilitarianist like Sen who is skeptical about every aspect of freedom based on the concept of utility.
10. E. ANDERSON, "What is the point of Equality?" in *Ethics*, January 1999 p.287ff.
11. I. HACKING, "In Pursuit of Fairness" in *New York Review*, September 1996, pp.40-43.
12. Pettit develops a concept of republican liberty which is similar to Capability (E.PETTIT, *Republicanism: A Theory of Freedom and Government*, Oxford, Clarendon Press, 1997, p.22.
13. If this argument is valid, the new *social- democracy or the third way*, which is inspired by the vision just described, distinguishes itself from neo-liberalism and from

classical social-democracy.

14. In this way the project for a new social-democracy leads to the problem of having to review democratic citizenship.
15. Nussbaum proposes to take the relevant capabilities for the scope of social justice in the light of an objective theory of human well-being (M.NUSSBAUM, "Nature, Function, and Capability: Aristotle on political distribution" in *Oxford Studies in Political Thought* 1(1988) 145-184).
16. P. Valadier, *Morale en desordre*, Seuil, Paris p.168.