

*International Conference*  
*on*  
*Global Justice and the Global South*

**ABSTRACTS**

**Panel: 1**  
**Mapping Global Justice**

**Plurinationalism and Global Justice**

- **Christine Keating**

A key component of Ecuador's 2008 Constitution is a new definition of the state as a "plurination," that is a state that respects, affirms, and enables the autonomy of the multiple ethnic and cultural groups within it. Although grounded in indigenous struggles, the term has also been called upon by the Afro-Ecuadorian, LGBTQ, feminist, and migrants rights' movements in the post-2000 period. Indeed, the term's proponents have argued that the notion of plurinationalism is one "that opens the social contract to multiple differences, be they differences of ethnicity, or of gender, or of culture, or of age, etc."(Chuji 2008).In my paper, I trace the struggle to redefine Ecuador as a plurination, which emerged originally through indigenous protest as an alternative to a separate state. Next, I examine and assess the potential for the notion of plurinationalism to enable the co-existence of diverse modes of decision-making, ways of living, and forms of relating of a variety of different groups. In doing so, I engage debates in global governance, feminist theory, and postcolonial theory and argue that an open-ended notion of plurinationalism can serve to link together struggles and concerns that are all too often fragmented.

**Inclusion and Exclusion, Social and Global**

- **Jay Drydyk**

Policy discussions of social exclusion and social inclusion sometimes leave unresolved the questions of 'Exclusion from what?' and 'Inclusion in what?' This is an important oversight if 'inclusion' is allowed to mean participation in social relations that are disadvantageous – as arguably participation in some forms of development has been for women. I propose that 'exclusion' (and 'inclusion') can be understood as being unable (or able) to engage in social

relationships and activities that can provide for a sufficient livelihood, and that ‘sufficient’ should be understood as nothing short of the highest capability levels sustainable for present generations as well as future generations. On this conception, social inclusion constitutes a moving target for local and global justice. At any point in time, local social justice requires bringing everyone to levels of local sufficiency, which is determined by what is producible locally within each society; thus inclusion/exclusion with respect to health and health care would be conceived in terms of levels of health care and health capabilities that are deliverable by a society to its members at a given time. As the productive capacity of a society rises, so do the standards for sufficiency, exclusion/inclusion, and social justice. Beyond this, global justice demands upward harmonization towards the highest levels that are achievable by any society (and sustainable worldwide).

Support for this conclusion from public reason is discussed, as are the views of sufficiency proposed by Harry Frankfurt and Martha Nussbaum. I conclude by showing how this approach allows greater accommodation between two pairs of groups that are typically regarded as adversaries: (a) nationalist advocates of social justice versus cosmopolitan advocates of global justice, and (b) advocates of sufficiency for all versus advocates of priority for the worst-off.

## **Global Justice: Theory, Silence and Voices**

- **Jayati Srivastava**

The paper engages with the diverse trajectories of the debate on global justice. It argues that the grammar of global justice through its pronouncements of ‘universal obligations’, ‘duties beyond borders’, ‘moral universalism’, and ‘cosmopolitan regard’ theoretically creates the possibility of an alternative vision of a political community that goes beyond extant territoriality, sovereignty and the separation of the domestic and the international.

However, the debate on global justice is not completely devoid of boundary maintenance and is marked by contrived silences and closures. While discussing silences and closures embedded in theories of global justice, the paper will especially focus on voices from the ground, being echoed through the agency of protest movements that span a range of issues and articulate diverse visions of global justice.

**Panel: 2**  
**Global Distributive Justice**

**Global Inequality and State Duties: A Relational Lens**

- **Christine Hobden**

On the global stage, states are agents that wage wars, negotiate trade agreements and sign treaties. While much of this action is neutral or mutually beneficial, many state actions perpetuate global inequality and injustice—most notably the (arguably) often exploitative trade relations between the Global North and Global South. This paper examines global inequality between states through the lens of a relational view of justice. I argue that in addition to basic non-relational duties such as non-harm, the level of interaction between states as agents can warrant relational duties of justice. An examination of the relational view reveals a reliance on an underlying principle of justice and the nature and aims of the practice in determining what duties might arise. Drawing on this insight, the paper suggests that although relations between citizens are importantly different to relations between states, both practices share the underlying principle of formal equality and the nature and aims of being long term, mutually dependent, formalized and with valuable ends at stake. This similarity suggests duties that are similar in kind: the international stage is often characterized by principles of desert yet this analysis suggests egalitarian principles of distributive justice between states that participate in shared, long term and mutually dependent practices. Turning to possible objections, the paper clarifies three aspects of the view: firstly, while duties are similar in kind, the view does not hold that they are similar in strength or application; secondly, the view suggests that it is particular practices of which states are participants that ground relational duties rather than the overarching practice (or lack thereof) of the international stage; lastly, the view is not intended to provide a finite list of duties but rather a map to enable us to more accurately and justly navigate the complicated terrain of global interaction.

**Global Resource Dividend (GRD) as ‘Transpositional Alternative’ in the South**

- **Prasenjit Biswas**

Failure in correcting widespread inequality of income or rampant violence on women, adivasis, dalits, sexual minorities and other marginalized segments remains as practically necessary ground for establishing Global Resource Dividend (GRD) for the South in a transnational/transpositional conception of justice. The correlation between increasing spread of

global capital and deepening inequality, coercion and violence makes it necessary that GRD be established through operational procedures of ‘corrective justice’ and ‘principle of difference.’ Apparently these two procedures lack a ‘reflective equilibrium.’ This lack needs to be theoretically explained in terms of a shared notion of a just well-ordered society and consensual ‘institutional approach’ at the transnational level.

For the South, moral claims of a variety of rights as enshrined in international covenants can prevail over any manipulative and coercive policy framework. Rights based framework brings in an ethical responsibility and duty upon every person, group or nation to act as moral agents who can advance moral claims against imposition of a coercive institutional order. Such an embedded sense of responsibility could be intersectional and it could be institutionalized through reasoned deliberation on evaluation of competing principles and concerns. Thomas Pogge’s advocacy for sharing the dividends from resources creates such an opening for developing common grounds on which moral claims on justice can be globally constructed. Such a conception of justice allows redistribution of public good by moving beyond framework of impartiality and positional objectivity that merely lays contextually legitimate political and juridical claims against not so just outcomes of a system. This possibility of minimizing injustice by universalizing moral claims of justice implies a global institutional order of sharing resource dividends between unequal partners that might overcome abstract cosmopolitanism as well as bounds of sovereignty. The paper opens up such consequences of GRD as an emergent moral context for global justice, which brings forth an alternative transpositional position on justice.

## **Global Poverty, Luck Egalitarianism and Collective Responsibility**

- **Daniel Putnam**

Severe and avoidable poverty-related deprivation afflicts hundreds of millions of men, women, and children throughout the world every day. Call this phenomenon *global poverty*. Current levels of global poverty strike most thoughtful people as gravely unjust. Most leading contemporary theories of justice imply that global poverty is, indeed, unjust. But they give different answers to the question of what *makes* it unjust. In the terminology of this paper, they entail different *diagnoses* of global poverty. This paper explicates the diagnosis of global poverty entailed by a leading theory of justice, luck egalitarianism, and assesses the theory on that basis. I proceed as follows. First, I introduce the methodology of this paper: what I call the *diagnostic approach* (DA) to theorizing about injustice. Unlike ideal theory, which defends a conception of a perfectly just society and infers that real-world conditions are unjust if and insofar as they fall

short of that ideal, DA starts with real-world conditions and asks what are the properties in virtue of which they are unjust. From this diagnosis, we can work our way up to a conception of a perfectly just society by inferring that there at least these properties are not instantiated. At the same time, we can work our way down to a choice among feasible alternative reforms by selecting those that will maximally reduce the instantiation of injustice-making properties. Second, I introduce luck egalitarianism and situate it in the landscape of contemporary analytic theories of justice. Although it has been specified and qualified in a number of different ways, the core idea of luck egalitarianism is that it is unjust if and only if a person is disadvantaged through no fault or choice of her own. Third, I discuss global poverty--both the empirical facts and the philosophical literature. Specifically, I focus on the debate between Peter Singer and Thomas Pogge about whether affluent persons in the developed world are violating negative duties or (only) positive duties in their conduct towards the global poor. Regardless of what the right answer is to that question, it seems clear that holding all else equal, global poverty is a *graver* injustice if it results from actions that violate negative duties than if it results from omissions that violate positive duties. But within the framework of luck egalitarianism, I argue that there is no moral difference between these two cases. The drowning child who was pushed and the drowning child who slipped are equally victims of bad brute luck. I consider and respond to two responses from the luck egalitarian. And I conclude by arguing that this exercise (1) vindicates the diagnostic approach as a viable methodology for theorizing about injustice and (2) sheds light on a more general problem with luck egalitarianism. By focusing so much on reconciling *personal* responsibility with distributive egalitarianism, luck egalitarians have lost sight of the moral relevance of *collective* responsibility to questions of justice.

**Panel: 3**  
**Theorizing Global Justice**

**A Dilemma of Republican Theories of Justice and an Emergentic Reinterpretation**

- **Michael Dusche**

This paper deals with a dilemma that republican theories of justice (Kant, Rawls, Habermas) run into when they are applied in in-egalitarian social contexts. To be able to resolve the ensuing dilemma the paper steps back and reflects on some fundamentals of theory of justice. The first part of the paper raises questions as to the nature of moral theory as opposed to theory in the exact sciences. In a fundamental way, the status of social rules and norms differs from the status of natural laws and so does the status of the observer with respect to the observed. Objectivity means a different thing and human action cannot be reduced to sequences of cause and effect. By contrast, action-theoretical descriptions (based on the work of the American pragmatists but also on the work of Hans Joas and Rahel Jaeggi), help us to explain purposeful individual and collective behaviour, innovation, newness, creativity, social change and the phenomenon of historicity (societies can have history in ways not captured by notions of natural history or evolution). Part Two will expound the dilemma of Kantian universalism, which, in Part Three, will be resolved on the basis of an "emergentic" reinterpretation of moral universalism and global justice.

**The Relational Foundation of Global Justice**

- **Stephen Minister**

Some defenders of cosmopolitanism have argued that working toward global justice and defending human rights require "vigilant citizens" who monitor the impact of state and global institutions on people's lives and who draw attention to the ways in which these institutions fail. This paper will argue that in thinking about the role of vigilant global citizens, we have much to learn from relational approaches to ethics, as found in the work of a variety of feminist philosophers and the Jewish thinker Emmanuel Levinas. This thesis is a supplement to, rather than a criticism of, an institutional conception of human rights and cosmopolitanism, as it suggests that building and maintaining a just global institutional order must be founded on relationships of understanding and attentiveness between people throughout the world.

In contrast to some Kantian approaches, a relational approach brings to the fore many of the complexities of embodied, socially-situated human life. Relational approaches require us to

attend to the many particularities of persons' lives, such as their historical, cultural, and environmental locations. They also require that we recognize the internal diversity within groups and the corresponding possibility of neglected voices within states, communities, and even families. Finally, they focus our attention on the outcomes or actual capabilities engendered by institutional arrangements, rather than simply the principles on which they are constructed. As such, a relational approach helps us move beyond the reliance on abstract or aggregated standards that can hide inequalities, oppression, or the systematic neglect of certain persons, as well as the simplistic depictions of others' situations that all too easily feeds into paternalism.

The ultimate focus of global justice must be the lives each of us, as particular individuals in particular social circumstances, is able to lead and a relational foundation for global justice perpetually recalls us to this truth. This paper will conclude with some practical considerations of how to stimulate such relational connections.

## **Contingency of Reasoning in Global Justice**

- **Sridhar Venkatpuram**

In "Ethics for a Broken World: Imagining Philosophy after Catastrophe," Tim Mulgan uses a novel approach to make philosophical arguments. He presents lectures about modern day philosophers given by a fictional philosophy professor who exists sometime time far in the future. That future professor lives in a 'broken world' that has experienced catastrophic environmental changes. While the literary device is primarily aimed to highlight our relations to future people, Mulgan also aims to highlight the *contingency* of our moral and political ideals. That is, he wants us to recognize the tendency of many philosophers to see themselves as defending political and moral ideals that apply to any context but their reasoning is often contingent on particular assumptions and norms; aspects that are so pervasive that only people many generations from now would recognize as context and time bound. Mulgan is specifically interested in showing how much of (Anglo-American) philosophical reasoning has been contingent on the assumption of a world of affluent conditions. Such reasoning, he argues, is inadequate for doing justice in the future world of scarcity.

An academic conference on global justice being held in India, particularly focused on voices from Southern countries, offers a rare opportunity to highlight the contingency of reasoning about global justice that has so far been done in the North. Focusing on health, I will identify

three assumptions on which much of global justice arguments are contingent upon and their negative consequences of people living outside of first-world/ Anglo-American countries. The first dimension is the assumption that health is largely about disease which, in turn, is related to healthcare. The second dimension is the belief that (natural) scientific research is the most promising way to improve health. And the third dimension is that individuals have significant agency in forming their life plans, personal health and wellbeing. These three assumptions, I will argue, have produced arguments about global justice that are inadequate in many ways to addressing the multiple dimensions preventable illness and mortality in the world.

### **A Possible Defence of Rawls: A Note**

- **Srijit Mishra**

While accepting the practical merits of AmartyaSen's comparative justice, this note attempts a possible defence of Rawls' transcendental approach as an abstract thought experiment. This is done with regard to two aspects.

It is easier to do this when one is arguing between the Smithian 'impartial observer' that Sen proposes to that of a veil of ignorance in the 'original position' where participants do not know their identities in Rawls. This is so because both help us avoid a personal slant. In addition, as the original position allows people to come to a mutual agreement, the approach is participatory and bottom-up whereas the impartial observer will be an imposition and top-down.

Sen is on much stronger ground with the claim that a transcendental approach is neither sufficient nor necessary to our understanding of comparative justice, which is what matters in our day-to-day affairs. To this one suggests an indirect link through the argument that though the application of components of the transcendental system taken independently is one possible way of arriving at the comparative approach and in that sense these components are sufficient on their own, yet, in an abstract thought experiment of the Rawlsian type these components cannot be separated, and hence, are independently Insufficient but are Non-redundant parts of a set that is itself Unnecessary but Sufficient – the INUS condition.



**Panel: 4**  
**Perspectives on Development**

**Inequality and Global Justice: Rethinking Sustainability Beyond 2015**

- **Mitu Sengupta**

The Millennium Development Goals (MDGs) are a landmark global agreement, reached under the United Nations that renders ending extreme poverty a global responsibility. The official debate on what should replace the MDGs when they expire in 2015 is moving very quickly.

My paper aims to articulate a set of politically feasible post-MDG development goals that focus on the responsibilities of affluent states and the donor community rather than only on outcomes for aid recipients (that is, mainly countries in the Global South). The premise of the paper is that institutional rules and practices, unlike poverty eradication outcomes, are directly within the control of the world's wealthiest states. This makes them especially appropriate for formulating goals with strong accountability provisions. While it is hard to establish who exactly is responsible for the success or failure of poverty eradication in a particular developing country, it is relatively easy to point to which governments have not done enough to, say, curtail illicit financial flows. Consequently, a politically feasible way of introducing accountability and agent responsibility into the post-MDG framework would be to advocate for goals that: (1) focus on state agents rather than aid recipients, (2) have outcomes that are defined in terms of changes to the structure of institutionalized practices and rules on the global level, and (3) meet a "do no harm" requirement, that is, exclude rules and practices that would themselves contribute to the persistence or exacerbation of global poverty. While there are many areas in which the reform of global rules and practices could have a major impact on human development and poverty eradication, I will focus on two: (1) financial transparency and integrity, and (2) international trade.

**Islamic Finance as a Site of Distributive Justice**

- **Mai Hamed**

On the global stage, states are agents that wage wars, negotiate trade agreements and sign treaties. While much of this action is neutral or mutually beneficial, many state actions perpetuate global inequality and injustice—most notably the (arguably) often exploitative trade

relations between the Global North and Global South. This paper examines global inequality between states through the lens of a relational view of justice. I argue that in addition to basic non-relational duties such as non-harm, the level of interaction between states as agents can warrant relational duties of justice. An examination of the relational view reveals a reliance on an underlying principle of justice and the nature and aims of the practice in determining what duties might arise. Drawing on this insight, the paper suggests that although relations between citizens are importantly different to relations between states, both practices share the underlying principle of formal equality and the nature and aims of being long term, mutually dependent, formalized and with valuable ends at stake. This similarity suggests duties that are similar in kind: the international stage is often characterized by principles of desert yet this analysis suggests egalitarian principles of distributive justice between states that participate in shared, long term and mutually dependent practices. Turning to possible objections, the paper clarifies three aspects of the view: firstly, while duties are similar in kind, the view does not hold that they are similar in strength or application; secondly, the view suggests that it is particular practices of which states are participants that ground relational duties rather than the overarching practice (or lack thereof) of the international stage; lastly, the view is not intended to provide a finite list of duties but rather a map to enable us to more accurately and justly navigate the complicated terrain of global interaction.

## **Happiness, Welfare & Measurement:**

### **Critique of the HDI and Comparative Experience in South Asia**

- **Gyanaranjan Swain**

Human welfare is generally measured in terms of indices like the HDI. However, such objective measurements might not tell the entire story. The proposed research focuses on the concept of happiness understood as subjective well being, and whether this idea is applicable across different communities in South Asia. Bhutan, for example, is a case in point.<sup>1</sup> The country promotes the idea of GNH (Gross National Happiness). The idea of the GNH is to refine the analytical framework and the empirical inputs of the HDI (Human Development Index) over time. The field of multi-dimensional measurement of well-being and happiness is entering a period of intensive innovation with the advent of GNH. South Asia is known for its diversity, and political instability in most places. In such a situation, it is important to identify the key

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1- *The purpose of this proposed research is to explore the possibility of developing and preparing a comprehensive list of indicators of happiness for different communities in South Asia.*

elements which can make people happy. This task has so far been undertaken by the Human Development Index prepared by the UNDP. But there are certain anomalies in the HDI which encourage states like Bhutan to go for Gross National Happiness.

From a philosophical and theoretical point of view one can argue that the duality of objective and subjective measurements or for that matter, the rational individual or the community as a unit of measurement goes back to the contradiction between social contract theorists such as Hobbes and Locke on the one hand the continental thinker Jean-Jacques Rousseau on the other. There are two important features of the GNH which distinguish it from the Human Development Index and other indicators of well being and Happiness. First, it defines happiness in harmony with others and concern for others.<sup>2</sup> Hence, happiness and well being are more community centred. Sen endorses the idea of happiness within the framework of moral individualism.<sup>3</sup> There is a passive reference to community when he speaks about the influence of social structures and environment on individual choices. But the central focus of the HDI is individual. The HDI certainly neglects nature as an important indicator of happiness. To quote Lyochhen Jigami Thinley (The first Prime Minister of democratic Bhutan)<sup>4</sup>. The second distinctive feature of GNH is the prominence given to psychological well being which goes beyond the boundary of 'subjective well being'. Psychological well being is defined in terms of three things. They are a) Satisfaction, b) Positive and Negative emotions and c) Spirituality. This is an interesting dimension in the literature of well being and happiness particularly in the South Asian context where religion plays a vital role in shaping different ideas of people.

Earlier works on happiness have not focused on the interlinked structures of violence. Demystifying these structures like caste, class, gender and their interconnections in connection with violence in South Asian Communities has become important. These structural agencies often determine the state of happiness for the human beings across South Asia.

Lessons from Bhutan have shown that happiness can be quantified if rigorous methodology is followed.<sup>5</sup> However, there are many questions which remain unanswered. Can we apply the same methodology of multidimensional poverty measurement for happiness index across communities? For example, the Alkire methodology includes identifying 'who is poor' by considering the range of deprivations they suffer, and aggregating that information to reflect

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2- *We know that the true abiding happiness cannot exist while others suffer and comes only from serving others, living in harmony with nature and realizing our innate wisdom and the true and brilliant nature of our own minds.*

3- *The central problem of this research paper is whether we can construct a community specific happiness index across South Asia? The question assumes significance in a context where class, caste and gender interconnect each other in perpetuating different forms of violence.*

4- *The happiness index could well serve as an independent guide or supplement to HDI.*

societal poverty in a way that is robust and decomposable. But the core agenda is head count.<sup>6</sup> However when one is deprived because of one's caste or transgender identity for example then Alkire method would have to employ different methods than what they are using now. Again such a happiness index as extensively used by Bhutan will pass the test of democratic legitimacy? How to resolve the dilemma in case the community is regressive and opposes to human freedom? The proposed research paper seeks to answer these questions.

**Panel: 5**  
**Poverty in the Global South**

**Time: the missing variable in measuring poverty**

- **Araceli Damián-González**

The measurement of poverty has been dominated by the neoclassical approach, which assumes that income is the variable that best represents the increase of utility (defined as pleasurable states of mind). However, this approach has been criticized since human wellbeing depends on multiple satisfiers, one of which is the availability of time for domestic work, child care and leisure.

The relevance of considering time when analysing poverty lies in the fact that social reproduction in *toto* depends on the availability of time. For example, in developing countries the availability of time for domestic work and child care has contracted, particularly for the poor, as more women enter the labour market. Since there are few or no public nurseries to help families with children's care, more children are left by their own. On the other hand, adults have no time to develop other valuable activities apart from work (to have social life, family interaction, to develop their artistic or lyric needs, their scientific capacities, etc.)

The paper will analyse the social and theoretical implications of incorporating time in the measurement of poverty. I will show how its exclusion has meant underestimating poverty. The paper will highlight that very few methods for measuring poverty have incorporated the time dimension, and will present the main features of the few poverty methods that attempt to measure time poverty. I will emphasize the Excess Working Time Index (EWT) which is part of the Integrated Poverty Measuring Method (IPMM), together with income and basic needs. I will present data for Mexico using the EWT, and compare its result with those calculated by the income poverty method and with those resulting from combining both dimensions (income and time).

**Can the Global South Measure its Own Poverty with its Own Methods?**

**The Latin American and Mexican Stories**

- **Julio Boltvinik**

This paper narrates a Latin American experience (1986-1992) that shows that the Global South can measure its own poverty and that it can do it by developing its own methods. It will be

organised in four sections with the following content: 1) Analysis of this experience when the region became the world's methodological forefront in the multidimensional measurement of poverty, by developing and applying the original variant of IPMM (Integrated Poverty Measurement Method) that combined income and UBN (unsatisfied basic needs) indicators and was applied in 10 LA countries, as well as the circumstances that led to its abandonment and the return to the one-dimensional measurement of income poverty. 2) Description of two events that enabled Mexico to move in opposite direction: the development (and sustained application for Mexico) of the improved variant of IPMM (which adds the time dimension to UBN and income, and modifies the indicators and procedures for their combination) and the enactment of the General Law of Social Development (GLSD) which makes multidimensional measurement of poverty official and binding. 3) Analyses of the current situation in Mexico where two official multidimensional poverty measurement methods are applied every two years: one for the whole country instituted by the GLSD and the other (the improved variant of IPMM) adopted by Mexico's City Government. An explanation and discussion of both methods with some data illustrating the results will be included. 4) Discussion of whether the Mexican experience could serve as a guide to develop a multidimensional poverty measurement method applicable to LA and a comparison with some currently world-wide circulating multidimensional methodologies (e.g. Alkire-Foster's and UNDP's) will be carried out.

## **The Impact of Foreign Direct Investment in Poverty Reduction in India**

- **Srilakshmi Vajrakarur**

Over the last two decades, enormous efforts have been made by developing countries to attract Foreign Direct Investment (FDI). FDI is generally looked at as a source of economic development, modernization, promotion of employment hence leading to the reduction in the poverty levels in the economy of the host country.

This is reflected by the currently pursued economic policies, which is explicitly intended to improve conditions to attract FDI and to maximise the benefit of the presence of FDI in the host economy.

Since the globalisation and liberalisation of the Indian economy in the year 1991, India has become much more liberal in its economic policies to attract more FDI to increase its economic growth and hence, alleviate poverty in India.

The main objective of my study is to ascertain whether since the opening up of the Indian economy, FDI has played a major role in alleviating poverty in India. Based on a literature

survey on the role of FDI in poverty alleviation, this paper argues that FDI may have positive effects on poverty reduction mainly in three ways:

1. Labor intensive economic growth.
2. Technological, innovation and knowledge spill over effects from FDI based firms on domestic economy.
3. Poverty alleviation government programmes or projects financed by tax revenues collected from FDI based firms.

Secondary sources of data will be used for this study.

**Panel: 6**  
**The Theory and Practice of Rights**

**Are there any positive rights?**

- **Adina Preda**

This paper aims to challenge a common objection to the idea that positive rights, such as socio-economic or welfare rights, can be general or pre-institutional, i.e. held by all persons against all others. According to this ‘claimability’ objection, it is unclear who bears the duties correlative to positive rights and ‘hence unclear whether anyone does. If no one has the correlative duty then there is no right: no claim can be made’. First, I argue that some common rejoinders to this thought are misguided. For instance, Sreenivasan claims that it is implausible to maintain both that everyone bears the duty and that one’s state bears it. Both these claims fail to sufficiently explore the conceptual options available, I argue. Second, I examine this objection as put forward by Onora O’Neill. This maintains that positive rights cannot be general because 1.) Rights must correlate with perfect duties and 2.) General perfect duties cannot be positive; they must be either negative or special. I accept the first assumption but I argue that there is no conceptual reason why perfect duties cannot be both positive and general. What underlies this objection is a normative concern about the demandingness of such duties. This concern can be alleviated by institutionalising and thus limiting such duties, which does not mean that they become special rather than general. On the contrary, it means that general positive duties ground special duties. So, to echo to an extent H.L.A.Hart’s argument for a natural right to equal freedom, I will suggest that if there are any special positive rights that are universal, there must be general positive rights.

**From Sticks & Carrots to Rights Diagnostics:**

**A New Approach to Human Rights Violations**

- **Scott Wisor**

Human rights activists commonly adopt the “carrots and sticks”, or conditional-coercion, approach to human rights violations. On this model, rights violators (usually states) are defined as unitary, rational actors who should be rewarded for goodbehavior and punished for bad behavior by external actors. Operating from this paradigm, human rights organizations seek to mobilize the political will in their home states to impose punishments against foreign rights violators. Human rights advocates often hold that punitive measures should not be lifted until rights violations in target countries cease. I argue that this model is mistaken for the following



reasons. First, by treating rights violators as unitary actors, human rights activists mistakenly obscure the heterogeneity of the actors that collectively contribute to or permit rights abuses. Second, by assuming that states which violate human rights will respond positively to coercive measures, it ignores the causal processes and incentive structures that generate rights violations. Third, the model is inconsistent with the empirical literature which suggests that some forms of external coercion may produce unintended and counterproductive results, such as strengthening rather than weakening the intended targets, inflaming extremist sentiments, harming livelihoods, and deterring political or diplomatic progress. Fourth, the model is static; assuming shifting a single variable will not have interactive effects on other determinants of human rights securement. In this article I explicate the “sticks and carrots” approach to human rights, criticize it on both theoretical and conceptual grounds, and suggest an alternative model of rights advocacy which I term rights diagnostics. The model I propose is sensitive to the internal political struggles in rights violating states and the incentive structures faced by rights violators, and responds to extant empirical information on the role of external coercion and inducements in producing institutional change. I conclude by sketching an institutional design that would potentially implement “rights diagnostics” to assess extant and proposed coercive regimes.

### **'Courting Death': hunger fasts, protests, and the contest over justice**

- Ujjwal K Singh

Can the body be the site for the reclamation of justice? This paper focusses on the ‘hunger fast’ as an idiom of protest, relying on specific modes of hunger fasts as sources, to delineate the distinct symbolic and substantive elaboration of the notions of justice and political protest, attempted in each. While the Gandhian fast became the modular form to be emulated in subsequent protest fasts, the hunger fasts by Gandhi were intricate experiments designed for diverse effects. In the contemporary context, the enduring fast by Irom Sharmila and the Anna moment may be seen as the complete reliance on an individual to become an exemplar of the ‘saintly idiom’ and the ‘politics of comment’. The sacrificial element, which was present among the satyagrahis, assumed the proportions of a ‘cult of self-sacrifice’ and martyrdom in some of the nationalist traditions, notably among the Irish Republicans, several of whom (including MacSweeney) died while on hunger strike and being force-fed in Irish prisons, and the HSRA prisoners in Indian colonial prisons. Significantly, both these movements – the Gandhian nationalist and the revolutionaries were not just part of masses of people who ‘challenged overwhelming odds and firepower in the pursuit of independence and nation-hood’ to don the

mantle of ‘invulnerability’ but also adopted a mode of ‘passive and non-violent resistance’ within prison, which was different from their pursuit of violent resistance against a repressive state.

**Panel: 7**  
**Democracy and Global Institutions**

**Hooray for Global Justice? Emerging Democracies in a Multipolar World**

- **Julian Culp**

Rising powers are fundamentally shifting the relations of power in the global economic and political landscape. International political theory, however, has so far failed to evaluate this nascent multipolarity. This article fills this lacuna by synthesizing empirical and normative modes of inquiry. It examines the transformation of sovereignty exercised by emerging democracies and shows that – in stark contrast to emerging democracies’ foreign policy rhetoric – the “softening” of sovereignty has become the norm. The present paper assesses this softening of sovereignty on the basis of a “democratic-internationalist” conception of global justice. This conception holds that global justice demands the establishment of reasonably democratic transnational relations that enable people themselves to determine what else justice requires. Because we find that the exercise of soft sovereignty by emerging democracies contributes to the realization of reasonably democratic transnational relations, we conclude that this nascent multipolarity ought to be welcomed from the democratic-internationalist view of global justice.

**Making ‘Cosmopolitan Justice’ Work: Democracy and Social Justice**

- **Anindya Sarkar**

Cosmopolitan theory of Justice seeks to critique global resource privilege by providing a moral impetus to correct global iniquities. I argue that the moral gravitas of this claim notwithstanding, social justice needs to be reconceptualised as contested terrain to realize the normative demands of such a global theory of justice. Any notion of justice has to take into account differing conceptions of public good arising out social struggles among marginalized communities in global south. In such a frame, I seek to explore grounding of shared meanings as a precursor of justice in social movements in India. The idea of justice thus becomes one of political re-imagination rather than based on outcomes. Selected social movements in contemporary India will be examined to provide theoretical impetus to this claim. I argue that the elevation of justice to a distributional purview elides the emancipatory possibilities of organizations e.g. the National Association of People’s Movements. For global justice to be a successful empirical project, justice needs to be realized as a political agenda before it becomes

an ethical imperative. In this context, the limits of state centrism of current welfarist dispensation will be examined. The current demands for redress, whether in land acquisition movements or anti nuclear movements are driven by stakeholders who believe they have been marooned at the altar of development. Thus for justice to be realized, we must reconcile domestic needs for equity with the global economic order. To achieve this aim, the prospect of constructing shared meanings across the global civil society will be examined. Finally, it will be argued that a ‘cosmopolitan theory of justice’ is unrealizable as an end but needs to be conceived as a process to re-imagine fairness.

### **New Institutions for Global Justice**

- **Santosh Kumar**

The proposed paper aims to explore: *how must global institutions be justified and designed in an egalitarian manner that addresses the morally urgent problem of global poverty?* As our world becomes more and more interdependent, the issues of institutional design at the supranational level are deemed to be of considerable significance, besides being a matter of central focus for both global justice theorists and practitioners. This need builds on a widely shared belief that the existing international institutions have failed us in addressing one of the most pressing issues of contemporary times—the rise in global inequality within and across states, especially between the North and the global South.

Various global justice theorists and philosophers have offered proposals for protecting the basic human rights of the global poor but they are primarily concerned with reforms in the existing global order rather than designing it from the perspective of the global south. Thomas Pogge’s Global Resources Dividend (GRD) is a compensatory model which aims at rectifying the historical injustice and he does not come up with any feasible institutional design for egalitarian redistribution of benefits and resources to alleviate poverty in the global south. Similarly, Martha Nussbaum discusses ten principles and includes domestic basic structure, international institutions, business groups, and NGOs into the global structure but she is not clear what institutional arrangement is required to globalize the capabilities ensuring minimum decent life of the global poor. Simon Caney’s proposal of liberal-egalitarian governance does not properly address the issues of non-compliance, bad brute luck, and the level of ‘immediacy’ crucial for understanding poverty alleviation in the global south. Allen Buchanan’s cosmopolitan institutional proposal based on the preventive use of force faces certain limitations: firstly, the

authorization of ‘the preventive use of force’ by the United Nations Security Council (UNSC) to protect the basic human rights of the global poor’ undermines the fairness and decision making autonomy of the body; secondly, since the global south has no fair representation in the UNSC the authorization may also go against their own interests; thirdly, the structure may collapse as it can divide the states into those who support the preventive use of force and those who do not.

My proposed research underscores the significance of introducing a certain level of coercion and immediacy in institutional design that might explore models with a promise to achieve a vertical dispersal of sovereignty equipped with political and legal ‘immediacy’ to restore and promote duties of justice. It functions on the basis of socially-connected responsibility and global deliberative equality to ensure the voice and representation of the global south. By socially-connected responsibility I mean that even in the absence of any common global political order there exists an international society which is socially connected across the political communities. It includes both the individuals and institutions as moral agent who contribute to global injustice, directly or indirectly, and should be held responsible for obligatory justice. It also broadens the scope of the duty of justice unlike Poggean negative duty of justice.

**Panel: 8**  
**State and Justice**

**“Let Them Burn”: A Study of the Plight of Distraught Riot Victims in India and why the Higher Judiciary Should Step In**

- **Ayesha Khan**

Though a considerable amount of research has gone into documenting and analysing the spate of communal carnages in India, little work has been done on what happened to the people who survived. Where did they go? How have they reconstructed their lives? Which organisation helped them? What has the State done for them? These are some of the anxiety ridden questions which the author intends to address. The answer to the last question is easy to negotiate. For instance, the government of Gujarat has done practically nothing for the people who might have managed to survive the pogrom, but who lost their family members, livelihoods, hearths, and their homes in the process. In Muzaffarnagar, even today, several weeks after the riots, hundreds of families are living in wretched conditions in relief camps, too scared to return to their homes. Their plight, in a sense, is no different to any victim of communal violence. Whether you travel to the outskirts of Ahmedabad to Citizen Nagar to meet 2002 riot victims living next to a garbage dump, or to the overflowing drains of Trilokpuri where the widows of 84 live, or the makeshift homes for Kashmiri Pandit families in Jammu, the one common factor that binds these groups is the fact that their condition represents the utter failure of the Indian state to uphold the rule of law. This is not about being Muslims, Sikhs or Hindus: it is about a society that doesn't protect and provide justice to its own.

Through this paper, I shall briefly delve into the current status of the victims of these riots in India and explain how the Government's apathy has only deepened their insecurities. I shall then elaborate on the importance of mapping out a plan for reparation in consultation with riot-affected communities and rights groups working with them. I will expand upon the provisions of the UN Basic Principles and Guidelines on the Right to Remedy and Reparation for Victims of Gross Violations of International Human Rights Law according to which compensation should be provided for any economically assessable damage, including lost opportunities such as employment, education, and social benefits; and material damages and loss of earnings, including loss of earning potential.

Subsequently, I shall examine the controversial Communal Violence Bill, 2013, specifically analysing whether it is in compliance with well-established international human rights principles, including state accountability for failure to prevent and respond to communal riots, including command or superior responsibility, non-discrimination, principles of relief, return, and resettlement in line with UN Guiding Principles, and the right to remedy and reparation in line with UN Basic Principles and Guidelines on Remedy and Reparation.

To conclude, I will examine possible solutions to the destitution of these victims from a judicial perspective, suggesting approaches that the higher judiciary can take, under Part III of the Indian Constitution.

### **Protecting Indian Local Communities and Traditional Knowledge**

- **Reecha Das**

The paper proposes to study the effect of the Nagoya Protocol to the Convention on Biological Diversity on indigenous communities and traditional knowledge protection in India. In order for the Nagoya protocol to be effective and enable benefit sharing between States, involvement of the local communities in a bottom-up approach is required. This paper argues that domestic regulations governing traditional knowledge need to be stringent. At present, the Biological Diversity Act, 2002 does not provide the protective framework that is required. Drawing from examples from other Global South nations, such as Brazil, Peru and several African nations, this paper will propose what kind of mechanisms can be implemented at a domestic level. This would mean including, in national legislation, provisions to recognize the rights of communities, and provisions for government support so communities can develop the necessary protocols that ensure participation of stake-holders at all levels.

Finally, the paper will argue that once a strong domestic regime is in place, there is a need for a multi-party international dialogue between States that have strong local traditions, primarily many of the Global south nations. Though not as far-reaching as the Nagoya Protocol, this international framework would be useful in ensuring cooperation amongst vulnerable States and provide for a stronger bargaining power.

## **Indigenous Ecocentricism and the tragedy of commons**

- **Rajesh Dev**

This presentation attempts to interrogate conventional conceptions of ecocentricism that brands indigenous groups as fundamental stakeholders towards establishing a “global eco-community”. Indigenous groups are not only identified as those who tend to have “close ties with their land” but it is argued that an indigenous selfhood is constituted by their deep interrelatedness with nature. Indigenous groups are perceived as occupying a vantage point of “critical otherness” that provides them the capability to offer alternative visions of life-forms and grounds for justice. This association, as we demonstrate through empirical examples from two ‘tribal’ states in India, not only bears the problem of over-identification but also perhaps privileges a “generic stereotype” that inhibits more transformative actions.



**Panel: 9**  
**Climate Change and Justice**

**ECOSOVEREIGNTY: Reconciling Global Justice with Local Autonomy**

- **Omar Dabbour**

While a few thinkers, such as Hannah Arendt and John Rawls, have argued that global justice requires local autonomy, most political philosophers have tended either to espouse cosmopolitan values embodied in global governance institutions or self-determination embodied in nation-states. In this paper, I advocate a new principle of ecosovereignty designed to reconcile global justice with local autonomy. Ecosovereignty is the principle that regions and countries that embody a distinctive and sustainable relation to their environment may claim sovereignty rights if this relation is threatened by states, corporations, or international institutions. This principle is based on the value of the self-determination of peoples, and mandates the protection of distinctive environments and the ways of life dependent upon them. It provides a means of maintaining the integrity and independence of local communities, as well as redressing the injustices and imbalances of resource exploitation in the Global South.

Ecosovereignty is appropriate for a postcolonial period in which political self-determination is no longer generally applicable either to national groups or to non-self-governing peoples. The principle universalizes the political experience of contemporary movements for environmental security, indigenous rights, and food sovereignty. It justifies two policies, depending on local conditions—devolution of large states (when there are problems of internal colonialism) or federation of small states (when there are problems of political coordination). This paper justifies the principle by making the following points: [1] all forms of governance, including global governance, require sovereignty; [2] global governance institutions are either undemocratic if they are sovereign, or ineffective if they are not; and [3] a sovereignty regime that does not accord autonomy to ecological distinctive countries or regions, violates the norm of the political self-determination of peoples.

**Rawls General Conceptions of Justice and Environmental Justice Struggles in Odisha:**

**A study on protest Movement against POSCO Project in Odisha**

- **Braja Kishore Sahoo**

Odisha has turn out to be an important site of resistance movements against land alienation, threat of displacement and loss of commons. The consequential uneven developmental projects with disparity, displacement and destitution forces economically and socially marginalized people to struggle for their survival. The most basic reason remain for emergence of resistance to developmental projects were loss of livelihood, alienation from their own surroundings in view of the massive displacement, unparalleled inequality, loss of dignity, exclusion of poor from socio-economic and political life and environmental decay. The most noteworthy and persistent protest movement emerged in Jagatsinghpur in Odisha against the steel plant being set up by POSCO. It has raised major issues of social justice and equity within the mainstream of the environmental movement, varying understandings of social justice in the environmental context. In my paper, with Contextualizing the Rawls general conception of justice and examining the case of the POSCO, this study aims to illustrate how the ousters not only lost their income and wealth but also social goods (liberty, opportunity and the very basis of their self-respect) raising the question of equality and justice. Rawls believes that people's belief of their own conception of a good life is subject to the general conception of justice. From this perspective, I will discuss how social disruption caused by displacement is seen as unjust because of people's reliance on the environment for subsistence. Losing these sorts of assets and resources impoverish inhabitants, what Rawls considers as 'social goods', subject to the general conception of justice.

Key Words: Environmental Justice; Rawls General Conception of justice; Developmental Interventions; Protest Movements.

**Panel: 10**  
**Critique of the Global Political Economy**

**Imperial Capital, Comprador Democracy and Subaltern Justice**

- **MursedAlam, et. al.**

Since India's tryst with economic liberalization there has been a lot of brouhaha about its rising economic might. But as recent literatures such as Sen and Dreze's *An Uncertain Glory: India and Its Contradictions* (2013), UtsaPatnaik's *The Republic of Hunger* (2007) show this growth has come at a severe price. While a minority has been triumphant at their primitive accumulation drive, the vast underbelly of India has been left outside its growth radar. The reform policies of the govt often proved to be catastrophic for the peasants, the gulf between urban and rural India has become gargantuan and the political-capital nexus has further disenfranchised and dislodged the tribals and the adivasis. This lopsided and inequitable growth and the subsequent subalternisation /Calibanisation of the vast number of people have also intensified discontents. In a country of the Global South such as India the question of justice has to engage with this unjust and unequal divide between this 'two Indias' and the problem of 'distributive justice' and socio-political liberty/security must be addressed. Listening to and providing with the needs of the grasshoppers of India is a necessary precursor for a just republic. This paper would deal with these issues and would argue that subaltern studies, which started as a voice of justice in Indian historiography by foregrounding the hitherto unacknowledged struggles of the subalterns needs to reactivate its critical edge and should engage more pro-actively with this neo-subalterns of the imperial capital and comprador democracy to reenergize the debate over 'public reason' for the 'fairness' of justice.

**Escaping the Regulatory Grille – Understanding the Taxonomy of 'Power' and 'Politics' of Global Conglomerate**

- **Roopinder Oberoi**

Who governs? This deceptively straightforward question posed by Robert Dahl about the politics of governance proved complex and controversial enough to require over 300 pages to answer (Dahl, 1961). He would have certainly needed more than that had he been writing about the riotous apparatus of the contemporary international economy, whose governance configuration is at best amorphous and at worst non-existent. An additional question is: What works? The complexity of international issues, their overlapping nature, and the turmoil of the

arena in which they surface defy tidy theorizing about effective management. The ‘race to the bottom’ is a common theme in the globalization literature and is part of the reality of globalization that competition among emerging economies for investment can include auctions for less costly regulatory standards. There is also nothing inherent in the design of the ‘Bottom of Pyramid’ approach to ensure that globalisation will bring businesses or practices that respect environmental and social, as well as, economic considerations and actively build environmental and social capital. At the same time, concern over the negative impacts of economic globalization especially post recent financial crisis have began increasingly to ‘link back to a leitmotif of earlier critiques of multinational corporations’; namely the role of business in lobbying governments, even to the point of destabilizing them, to adopt policies favoured by business. In that frame of reference, transnational private regulators exercise power in the Dahlian sense; they are, indeed, quintessentially political actors. In the classic book *The Corporation*, Joel Bakan defines the corporation as ‘a pathological institution, a dangerous possessor of the great power it wields over people and societies’. It is often lamented (now with higher decibels); globalization sets in market-driven poverty, conflicts among competing capitalisms, generates deeper or reconfigured intraregional disparities, engenders interregional rivalries, and has combined with local forces to consign to poverty with little anticipation for escape in sight”.

Concerns of ‘Southern’ or ‘less developed’ countries about multinationals mammoths are traditionally explained against the background of the post-colonial campaign by the ‘Group of 77’ for a ‘New International Economic Order’. This lexicon is demanding alteration especially in current context of economies failing and active citizenry. Nevertheless, not many researchers explicitly contend with the new role of ‘power and politics’ in this informal and fragmented transnational economic structure. (Geppert, M. and Do¨rrenba¨cher, C. 2011: 4). Few researchers in business/economic studies investigate into the ever-increasing effect of power, politics and conflicts in intensifying transnational forms. Lately, institutionalist researchers have started to draw attention to the political nature of ‘contextual rationalities’; micro-political game playing and the emergence of ‘battlefields’ and ‘political issues of sense making’ (e.g. Geppert, 2003) in business conglomerates. Studies have acknowledged the surfacing of ‘transnational political and social spaces’ in and around key global economic players, which can be measured as an arena for political strategizing, power play and control. This is exactly where, possibly, the schism between ‘power’ and ‘responsibility’ lies and calls for the researchers’ to dissect the blueprint in governance and control of global economic players. Many of these questions are interconnected to the recognition of the boundaries of state and (interstate) public authority characterized by the

globalization of neo-liberal ideas and business practices and at the cost of whom. Where (and how) are the confines of public authority being confronted, pushed and challenged and by whom? The formidable and challenging questions are: Has the State in developing countries passed on authority, permitted authority, or plainly allowed power to slip away, and for what purposes? If the state is complicit in the relocation of authority to private actors, is it so because state managers wish to escape domestic accountability for painful realities and adjustments, which the requirements of macroeconomic policy coordination are indicating towards and now, appear quintessential? Is neo liberal globalization with its apparent fallouts reorganizing/refashioning itself rather than completely bypassing states, sometimes with the active or passive participation of states itself in this process?

**The Anatomy of Chinese Multinationals' Overseas Behavior:  
Human Rights Perspectives**

- **Qingxiu Bu**

In this century, human rights have been transformed into a mainstream issue for multinational companies with a global presence. It is likely that a multipronged mechanism will imminently be demanded to ensure the accountability of economic actors responsible for human rights abuse. This paper places particular stress on the ostensibly prioritized objectives within international human rights arenas. A highly contentious debate revolves around whether China's approach to ensuring human rights is in tandem with the West's in helping Africa move forward or whether it will complicate the current playing field and even undermine the West's long-standing credibility in relation to the protection of human rights. Relying heavily on instruments like the Alien Tort Statute (ATS) has proved inadequate. A more promising path seems to be a comprehensive framework of hard law and soft law initiatives, along with other incentives.

**Panel: 11**  
**Rights and Entitlements: Local and Global**

**Securing Right to Food along with Food Sovereignty:**  
**An Approach towards a Hunger Free-World**

- **Rozy Kumari**

Many nations, including India, have experimented over the decades with a plethora of food security policies. With hunger refusing to go off the global map at the turn of the century, claims for a state-sponsored right to food have gained momentum. Injustices associated with food distribution and the uncertainties of the market, besides the lack of food guarantees and entitlements have been enough to strengthen the case for right to food campaigns globally. In India and a few other contexts, the right to food is now constitutionally guaranteed. But many skeptics point out that securing right to food by itself may not be enough and that what we need in addition is food sovereignty.

Given this context, I want to argue that toward achieving a pro-poor approach one will need to adopt a grassroots perspective as well. Grassroots development implies that we take more seriously the framework and practices associated with food sovereignty, something that helps bring together peasants, farmers and the poor to the forefront of food production in natural farming (the organic farming); or, in other words, to emphasize the agro-ecological perspective of food so crucial to sustainable development. The right to food could be more meaningfully realized if food is available to each section of the society and food sovereignty is the preferred mode of food production. This calls for an alignment between food security policies and grassroots food sovereignty practices towards both the development of human capital and sustainable development.

**Urban Direct Cash Transfer- A Comparative Study of India and China**

- **Xie Si**

China has been making the transition to direct cash transfers (DCT) since 1993 whereas India is gradually moving towards the same. In our paper, an attempt will be made to understand the problems that Chinese and Indian government may encounter in the implementation of the DCT. The focus of our paper will be on issues of the identification of potential beneficiaries and the appropriateness of the DCT in Chinese and Indian context. The paper will offer a comparative study on India and China's policy of DCT and also undertake a small sample survey

of two communities in New Delhi and Wuhan respectively. Our study will be limited to urban areas so that we can evolve an understanding of DCT in the presence of basic banking facilities, since the entire discourse against the DCT has mostly focused on the absence of the same.

Some of the main conclusions have been detailed below:

1. There is a need for improvement in the proper identification of the beneficiaries. Our analysis suggests that the criteria should include more variables, such as regional characteristics, household size, and so on.

2. DCT should be directed at people who do not have the ability to work whereas emphasis should be laid on employment opportunities for those who have the ability to work.

3. There ought to be a proper integration of the existing schemes such as the ICDS, midday-meal, PDS, JSY etc so that not only can we arrive at a better eligibility criteria for the DCT, but are able to develop an extensive database which can serve as a mechanism to ensure that a person who is availing the benefits of a certain scheme does not miss out on availing the benefits of another scheme which he/she is entitled to.

4. The role of the community should be emphasized in keeping track of the income changes of the beneficiaries as well as reporting any observed violation of the rules.

### **Ragpickers as Destiny's Children:**

#### **Understanding their Rights from a Capability Perspective**

- Dillip Kumar Mallik

The liberal democratic State is considered as the custodian of individual rights. Rights are understood within the framework of the state or in relation to state. The legitimacy of the state is challenged when it fails to protect the rights of the 'people'. Who are the people that the state is concerned about? The present paper argues that liberal democratic state has so far expressed its concern only for 'people' who constitute a part of electoral calculations. The state only cares who have a right to vote and show ability to be part of governance process. The paper is a modest attempt to uncover the dilemma of liberal democratic state with regard to protection of child rights in India. The issue of 'Child Rights' has not been addressed in a proper theoretical framework. Indian state has treated their rights as a matter of charity without addressing the structural constraints for their disadvantaged condition. For example, the case of rag pickers in India may be taken as a site for examining these policy issues. Even though the Government of India has pronounced many policies with regard to children, yet there is no specific policy framework for rag-pickers. Rag-pickers have largely been excluded from the GOI perspective.

This paper will make an attempt to understand the rights of the rag pickers in India with special focus on Odisha. The paper will largely base its arguments on Government of Odisha documents and policies. The paper would use capability approach framework to understand the ‘rag picker’ rights and their empowerment.



**Panel: 12**  
**Gender and Inequality**

**Dalit Women Rights and Citizenship: At the Cross-Roads of Gender & Caste**

- **Nidhi Sabharwal**

As the lowest in the caste hierarchy, Dalits suffered caste-based social exclusion from economic, civil, cultural and political rights. Women from this community suffer not only from discrimination based on their gender, but also from caste-identity and consequent economic deprivation. Dalit women constitute about 16.60 percent of India's women population in 2011. Dalit women's problems encompass not only gender deprivation and economic deprivation but also discrimination associated with religion, caste and untouchability, which in turn results in the denial of social, economic, cultural and political rights to them. They become vulnerable to sexual violence and exploitation due to their gender and caste. Dalit women also become victims of abhorrent social and religious practices such as Devdasi/ Jogini, resulting in sexual exploitation in the name of religion.

The 'additional discrimination' faced by Dalit women on account of their gender and caste is clearly reflected in the differential achievements in human development indicators for this group. In all indicators of human development, Dalit women score worse than Dalit men and non-Dalit women. Thus, the problems of Dalit women are distinct and unique in many ways, as they suffer from the 'triple burden' of gender bias, caste discrimination and economic deprivation. In order to gain insights into the economic and social status of Dalit women, our paper will delve more closely into their lives and encapsulate the economic and social situation of Dalit women in India. The analyses of human poverty, caste and gender-discrimination are based on official data sets, as well as a number of primary studies in labour market and reproductive health.

**Is Gender Oppression the Root of Global Economic Inequality?**

- **Lisa L. Fuller**

It is well documented that across the globe women do worse overall than men according to a variety of measurements of well-being, including health, literacy, educational attainment and income. What is less well understood is (1) how we ought to understand the nature of global gender injustice, (2) the kinds of harm that global institutions generate for poor women specifically, and (3) what is owed to women whose lives are negatively affected by these institutions and policies. I defend the position that global gender justice must be at the center of

any plausible account of global justice more generally, and that socioeconomic injustice and gender injustice are best understood as inextricably linked sources of oppression. As such, attempts to look for separate remedies serve to obscure the role of gender oppression in structuring women's lives and opportunities. I argue that global gender injustice is best understood as a set of institutional rules that disproportionately harms poor women, and is coercively imposed by both affluent countries and the male populations of both developed and developing countries for their own benefit. Examples of such harmful institutional rules include: the status and treatment of migrant domestic workers, trade agreements with countries known to tolerate sex slavery and sex tourism, and the continuing practice of rendering women's labor in the home and informal sector invisible at the level of institutions. Following Thomas Pogge, I argue that the oppression of women in the global South could be justified only if there were no feasible institutional alternatives under which the suffering caused by their oppression could be avoided. I suggest that there are, indeed, global institutional and policy alternatives under which their disproportionately low levels of welfare could be avoided. Finally I argue that, since negative duties are quite demanding, it is not acceptable for women's well-being and freedom to be sacrificed in the name of policies meant to improve conditions for "all." Rather, reforms must be put in place such that first and foremost, women are not harmed by our collective institutional arrangements, and only then is it morally permissible for other goals to be pursued.

### **Sex-selective Abortion and Gender Justice: A Global Perspective**

- **Bijayalaxmi Nanda**

India's declining child sex ratio reveals a deficit of girls to boys. This deficit has been traced to the heinous practice of sex-selective abortion. Intense son preference and daughter aversion has led to a selective elimination of girls even before they are born. Acknowledging sex-selective abortion as gender discrimination and its countering through various interventions and initiatives have become common in policy articulation and execution pertaining to a range of local, regional and global bodies both in India and elsewhere. One of the most important actors in this arena is the state. The state in India has been seen to be actively engaged with confronting the practice of sex selective abortion. The state has also been seen to be compelled by civil society initiatives both at the local and global levels to address gender discrimination and gender concerns within its policies and programmes. A number of competing discourses emerge with the approaches adopted by the state to counter gender discrimination in the form of sex-selective abortion. The contexts and concerns emerging from these competing discourses create a space to examine

through a qualitative analysis, how the state positions women within these discourses and provides the milieu to explore the implications of such positioning for countering sex-selective abortion as gender discrimination and achieving gender justice.

### **Commercial Surrogacy: Comparing Indian and American Practices**

- **Sarah-Louise Johnson**

In this paper I will examine the exploitation, objectification, and commodification of women by exploring two case studies of commercial surrogacy. I will argue that in such cases we should be ethically concerned not only with the most obvious harms of the exploitation of women; but also with the less obvious harms of objectification and commodification of women. I conclude that commercial surrogacy is always exploitative according to my definition of the term, but it will be a matter of degree in different markets. Further, I conclude that commercial surrogacy is not a 'job like any other' because it also objectifies and commodifies women and should therefore be considered harmful.

I will first explore my working definition of 'exploitation' by applying it to an Indian commercial surrogacy case and then to an American commercial surrogacy case. Second I will explore my working definition of 'objectification', and third I will explore my working definition of 'commodification' in the same way. I will go on to argue that objectification and commodification are present in both commercial surrogacy cases, and that although exploitation is present in both cases, it is more troubling in the former case. This paper claims that as a practice commercial surrogacy is morally problematic not only because it is necessarily exploitative, but also because it objectifies and commodifies women too; and by treating women's reproductive labour as a marketable good, we may thereby reduce the ethical significance of women as a group.

**Panel: 13**  
**Cosmopolitan Interrogations**

**Against Closed Borders, From the Perspective of Domestic Justice**

- **Matthew Lindauer**

This paper examines the significance of special relationships between members and non-members of a given society, or “external relationships,” for the moral assessment of that society’s policies concerning the treatment of non-members. It argues that given the existence and ongoing development of certain types of external relationships, a society’s policies towards non-members are morally constrained by principles of domestic justice. In doing so, the paper demonstrates the importance of accepting this point for an ongoing debate in the ethics of immigration literature. It is also suggested that a similar line of reasoning can be extended to other policy areas where the external relationships of members give rise to moral requirements on their society.

**Green Cosmopolitanism: Bringing Gandhi In**

- **Chandrachur Singh**

The central question of my paper is to examine the ways in which moral Cosmopolitan thinking could be widened to include moral perspectives from non-western philosophic traditions such as the Gandhian discourses for providing a morally persuasive and robust motivational arguments and course of action that may help in solving the environmental problems in general and that of the climate change in particular.

The paper argues for creation of a Global environmental organisation informed by a ‘Gandhian Green Cosmopolitanism’. It accepts cosmopolitanism, one of the dominant universalistic moral values of our times, as reasonably providing a general framework for addressing global environmental problems in general and that of climate change in particular. To develop a fully effective cosmopolitan approach in this context, however, two things are required. First, the gap must be bridged between the moral and institutional variants of cosmopolitanism. That is, universal moral arguments must inform the development of some institutions with global reach. Second, in the context of global institutional applications, cosmopolitanism must be enriched through the appropriate incorporation of some non-western moral approaches. Thus, the turn to Gandhi’s highly influential moral and political thought.

## **Medellin is the Future: The Architecture of Civic Freedom**

- **Fonna Forman & Teddy Cruz**

Political theorists interested in global justice should reflect on recent developments in Medellín, Colombia. Once considered the most dangerous city on the planet, a battleground of drug lords, paramilitaries and left-wing guerillas, Medellín is presently the scene of an urban transformation so dramatic that it has captured the attention of urbanists, architects, planners and designers across the world. Medellín's successes in the last decade reducing crime and poverty and improving public health were catalyzed through a dramatic transformation in municipal governance, cross-sector investment in public infrastructure and social services in the poorest and most violent barrios in the city; and an innovative campaign to ignite a new citizen culture. Medellín is perhaps the most vivid example of the new *participatory urbanization* that has emerged in cities across Latin America in recent decades (such as Bogota, Colombia, and Porto Alegre and Curitiba in Brazil) bearing important lessons for the global north on tactics of equitable urbanization.

**Panel: 14**  
**Illicit Financial Flows & Corruption**

**What is wrong with the current international financial system?**

- **Cristian Dimitriu**

The international community is currently coercing poor states into repaying debts that are not binding; that is, that they do not have the moral obligation to repay. This problem is massive and pervasive, and it affects most of the poorest states in the world. In this paper, I do two things. First, I discuss and clarify the conditions under which state debts are not binding. One of the conclusions of this analysis is that the nature of the government that borrows, lack of consent of the population or lack of benefit are not essential for a definition of non-binding debts. Instead, the normative role of public officials becomes the crucial concept. Second, I discuss the feasibility of my account and discuss possible institutional reforms to address this problem. Eradicating this problem requires, among other things, forcing international lenders to adopt standards that are similar to the standards that private law requires at the domestic level.

**Possible Contribution of Corporate Law Remedies to Curbing Illicit Outflows of Capital from Africa**

- **Tsepho H Mongalo**

As the recent ground breaking study by Global Financial Integrity (GFI) entitled 'Illicit Financial Flows from Africa: Hidden Resource for Development' makes it clear that curtailing illicit financial outflows from Africa can produce the largest source of new funds for poverty alleviation and economic growth in the near future, this paper considers how corporate law remedies may be better employed to contribute to the reduction of this counter-productive phenomenon, particularly in South Africa, which ranks in the top five countries with the highest outflow numbers in Africa.

This paper attempts to review the role that can be played by corporate law developments, as influenced by constitutional law developments, in matters of legal standing, with a view to questioning the traditional corporate law's pre-occupation with the primary role of corporate law enforcement as being the protection of shareholders at all cost and the prevention of vexatious and frivolous litigation. This traditional corporate law enforcement framework philosophy invariably leads to the unjustified exclusion of other legitimate corporate constituent groups from

the purview of corporate law remedies in clear contradiction of the modern day emphasis of the prohibition against self-serving conduct by directors of corporations as being the primary concern for any corporate law enforcement framework.

## **Challenges of Corruption and Indian Democracy**

- **Pawan Kumar**

Key Words: Political Corruption, democracy, justice, political equality, accountability

Corruption has always been present in society and structures of state but the theoretical as well as the practical understanding of corruption has evolved only in the recent past. Corruption has either been understood as a structural problem of politics and economics or as a cultural and moral problem that makes the study of corruption multi-disciplinary. This paper is intended to bring corruption into the realm of democratic theory. Political corruption in India is considered as a moral, individual or social problem which this paper attempts to contest arguing that the empirical evidences showing the effects of corruption on democratic institutions and processes have forced us to consider political corruption more as a systemic problem. This paper, thus, tries to establish links between political corruption and democracy emphasizing on an inverse relationship between reducing corruption and broader process of democratization.

Political corruption usually indicates a deficit of democracy breaking the link between people and the state by reducing the domain of public action, which reinforces different forms of inequalities. Political corruption adversely affects peoples' power to influence collective decision making process giving rise to political inequality which ultimately leads to other forms of inequalities in a society. There is a need to focus more on the effects of corruption and understand that such acts lead to the exclusion of certain section of the population violating important democratic values. If political corruption is tackled effectively, it will help in addressing socio-economic and political inequalities as well as ensuring just distribution and redistribution of resources by ensuring greater accountability of political representatives.

**Valedictory address**

**Blind abstraction: Overlooking everyday injustice with “global poverty”**

- **Brooke Ackerly**

Distributive justice approaches to global poverty have broadened the scope of our theoretical conversations about justice from national to global and of the relevant institutions of political economy from national to international. Yet, the complexity of *how* much of the world experiences injustice remains undertheorized by this level of abstraction from the village level experience of injustice. A complete theory of global justice needs to include an account of the processes and relations that perpetuate global injustice. Many of these are globalized, but significantly local. Since these are complex and constantly changing, global justice theorizing also needs a methodology for becoming empirically informed about the ways in which not only institutions, but also processes and relations of everyday life, create injustices and render them invisible before our eyes. The needs of those in poverty are visible to us, but the processes and relations that create the needs are concealed in processes of normalization and relationships of power. The argument is illustrated with discussions of the 2008 Food Crisis and environmental degradation in the low lying areas of south-western Bangladesh.