Two Ideas for Treating People as Equals

Thomas Pogge

This paper discusses two different approaches to political inequality. They differ on what the core of the problem is and consequently envision different solutions. But they resemble each other in one respect: each involves an attempt to extend to the world at large an idea that is familiar in the context of a national society.

The problem of political inequality arises when people live together in one polity whose structural features cannot be designed to accord with the will and judgment of every member. People have different views about many substantive issues, such as what conduct should be proscribed and punished, how public revenues should be raised and spent, how economic cooperation and exchange should be structured through planning and markets, how education and health care, and access to these, should be organized. In reality, disagreements of these kinds get resolved, one way or the other, with some people winning and others losing. This opens a deep inequality between those who get their way and others who must live under rules they regard as alien to their values and interests.

This problem can be alleviated through political decision procedures that give everyone an equal say. Such a system tempers the losers’ inferiority of being forced to live under rules they reject with a recognition of their equal standing: their vote was counted equally with others and will be so counted again in future decisions.

But this alleviation also raises an analogue of the initial problem. There are many different ways of organizing political decision procedures that can be said to give everyone an equal say; so a polity’s political decision procedures cannot be designed to accord with the will and judgment of every member. Democratic institutions may then bring no resolution of the problem insofar as those who lose on the substance also regard themselves as losers with respect to how the political decision procedures are designed.

This two-level political inequality is not merely a theoretical possibility but an important feature of many actual societies. In the United States, many of my friends are deeply opposed to important structural features and policies of their society, for example to the pervasive inequalities in educational opportunities which arise from schools being funded through local property taxes. And many are also — at the second level — opposed to existing political decision procedures that permit rich individuals and corporations to spend large sums on influencing the selection and conduct of political office holders. Those of us who share these views are politically speaking double losers insofar as the US education system violates our values and insofar as the US political system marginalizes us and eschews the genuine democratic equality we believe in.

1.1
Rawls’s later work can be seen as an effort to work out how a society might avoid or at least greatly reduce this problem of political inequality. A key element in this effort is his liberal principle of legitimacy: “our exercise of political power is fully proper only when it is exercised in accordance with a constitution the essentials of which all citizens as free and equal may reasonably be expected to endorse in the light of principles and ideals acceptable to their common human reason.” The basic idea here is that a society can narrow second-level and first-level differences about the appropriate design of its political decision procedures and of its remaining institutional arrangements and policies through agreement at a third, philosophical level of principles and ideals. Rawls proposes for this role a shared political conception of social justice. A conception of social justice is political iff it has three features:

- It limits itself to addressing the design of society’s basic structure.
- It is freestanding, that is, does not presuppose, hence can be presented as independent of, any comprehensive moral, religious, or philosophical world view.
- It is constructed around certain fundamental ideas available in the society’s public political culture.

These three features show how a political conception of social justice might be the object of an overlapping consensus among the adherents of a wide range of diverse comprehensive moral, religious, or philosophical world views. By addressing only the narrow subject of basic structure design, the political conception does not directly challenge comprehensive doctrines. And by being freestanding and borrowing its organizing ideas from the society’s public political culture, this conception does not privilege any comprehensive doctrine over others.

An overlapping consensus on a political conception of social justice can then go a long way toward resolving the problem of political inequality. The basic idea is that those who lose in any important political controversy do not find that their fundamental values and interests are being set aside in favor of the fundamental values and interests of other perhaps stronger groups. Rather, they find that the decision is being made within a framework of a shared moral conception, built around certain fundamental ideas available in the society’s public political culture. They feel reassured that certain political possibilities threatening to them are enduringly “taken off the political agenda.” And they avoid the disrespect they would suffer if their fundamental group-specific values and interests were trumped by those of another group.

1.2

International society is subject to the same sort of political inequality problem that threatens national societies: peoples coexist in one larger social world whose structural features cannot be designed to accord with the will and judgment of each people or national government. As a solution, Rawls proposes an analogue to his domestic political liberalism. He envisions that peoples shall be bound together by an overlapping consensus whose content
is narrowly focused (on a minimal list of human rights and various rules of good conduct that peoples are to follow in their interactions with one another),
does not presuppose an endorsement of any specific form of national organization and, in particular, allows for societies that are well-ordered by a conception of decency that lacks the four central features of Rawls' own conception (political, liberal, democratic, egalitarian),
is constructed around certain fundamental ideas available in international political culture.

Insofar as diverse societies can join such an overlapping consensus, Rawls holds, liberal peoples should “recognize these non-liberal societies as equal participating members in good standing of the Society of Peoples, with certain rights and obligations, including the duty of civility requiring that they offer other peoples public reasons appropriate to the Society of Peoples for their actions.”

1.3

A substantial challenge to Rawls’s domestic solution is posed by dissidents who propose a different content for the overlapping consensus — a different political conception of social justice which may limit the subject somewhat differently from how Rawls’s does it, may draw on a somewhat different set of “fundamental ideas available in the society’s public political culture” or may unify such ideas in a somewhat different way. Such third-level disagreement could seriously endanger Rawls’s solution to the political inequality problem.

By the time Rawls wrote “The Ideal of Public Reason Revisited,” (in LP) he fully accepted that there would be such disagreement: “There are many liberalisms and related views, and therefore many forms of public reason specified by a family of reasonable political conceptions. Of these, justice as fairness, whatever its merits, is but one.” And he reformulates the duty of civility so that it does not require political arguments to be presented within the framework of one shared conception of social justice: “A citizen engages in public reason, then, when he or she deliberates within a framework of what he or she sincerely regards as the most reasonable conception of justice, a conception that expresses political values that others, as free and equal citizens might also reasonably be expected reasonably to endorse.”

This recognition makes Rawls’s view realistic. But it also undermines the solution it was supposed to provide to the political inequality problem. To see this, consider some particular fundamental political decision such as the legal availability of abortion on demand in the first trimester of pregnancy. There are three distinct positions a conception of social justice might take on this issue: that such legal availability is required by justice, forbidden by justice, or neither. To be sure, a conception of social justice may not straightforwardly entail one of these three answers. But conceptions will differ in the degree to which they make any one of these three answers easier to argue for. And a citizen's appeal to a specific political conception of social justice may then be, or at least be suspected to be, driven in part by her strong conviction on the abortion issue. Or, in Rawls's own words, the diverse political conceptions of social justice in terms of which citizens publicly present their arguments may be mere
“puppets manipulated from behind the scenes by comprehensive doctrines.” When this happens, the political inequality problem is back in full force: the political decision constitutes the triumph of some comprehensive doctrines over others, veiled by a thin veneer of universalist language.

Rawls tries to deny this problem, writing: “the ordering of values is made in the light of their structure and features within the political conception itself, and not primarily from how they occur within citizens’ comprehensive doctrines. … The ordering is not distorted by those doctrines provided that public reason sees the ordering as reasonable. And public reason can indeed see an ordering of political values as reasonable (or unreasonable), since institutional structures are open to view and mistakes and gaps within the political ordering will become exposed. Thus we may be confident that the ordering of political values is not distorted by particular reasonable comprehensive doctrines.”

Note that “public reason” in this passage cannot be the “thick” public reason associated with some specific conception of social justice but must be taken in a thin sense that is limited to ensuring coherence. This is confirmed by Rawls’s talk, in the same sentence, of “mistakes and gaps.” Detailed analysis of a conception of social justice may indeed reveal mistakes and gaps and may thereby show that this conception is incoherent or that a claimed implication of this conception does not really follow from it. But these easy cases do not overcome the challenge, which is: that there are likely to be different conceptions of social justice, each perfectly coherent internally according to its own full account of public reason, which favor incompatible decisions on a controversial political question — and that the adherents of diverse comprehensive doctrines are then likely to gravitate toward that coherent conception of social justice which best matches their respective considered judgments in wide reflective equilibrium. A person who is deeply convinced that abortion is a mortal sin is likely to find herself drawn to a conception of social justice which permits or even requires the criminalization of abortions, while someone convinced that women may permissibly choose to have an abortion in the first trimester is likely to find himself drawn to a conception of social justice which prohibits such criminalization.

One may think that the problem is perhaps not all that serious so long as there is enough overlap in the “family of reasonable political conceptions” Rawls anticipates. But once we ask how the limits of this family are to be defined, this hope dissipates. If we work with a thin conception of the reasonable here, one that merely banishes incoherent conceptions from consideration, there will not be enough overlap in the remainder to settle any fundamental political controversies. If instead we work with a thicker conception of the reasonable, one containing substantive elements of social justice as Rawls conceives of it, then we reproduce the political inequality problem on the third level of conceptions of social justice: we privilege one conception of social justice — Rawls’s — and then qualify as reasonable those competing conceptions that are no more than a certain distance away from his. This sort of Rawls-centric definition of the family also fails the test of realism as the proponents of competing conceptions of social justice will want to claim an equivalent entitlement to define the family of reasonable conceptions in a way that places their own conception at the center.
Rawls’s later work fails then to solve the problem it posed for itself. Rawls tried to show how it is possible, in a democratic society under modern conditions, to resolve fundamental political controversies without thereby expressing a rejection of the comprehensive doctrines of those on the losing side. This is indeed possible insofar as the losers are also committed to a shared conception of social justice that favors the winning side. But the losers are unlikely to have such a commitment if they can instead embrace an internally coherent alternative conception of social justice more favorable to their own side. If they do, the political inequality problem recurs in full force. Each side to the political controversy makes its appeal to its own freestanding conception of justice (sincerely regarding it as the most reasonable, partly because of its welcome implications for the controversy in question), and one side gets its way and the other loses out.

1.4

Rawls did not have time to bring analogous realism into his account of international relations. The challenge is precisely analogous, so I can be brief. Rawls’s account of the appropriate moral principles to govern international relations — thinly justified by appeal to an international original position — is not the only candidate account. Various competing internally coherent accounts of international morality can be constructed with ease. These competing accounts vary in how well they accord with the values and interests of the various peoples. Actual peoples and their leading intellectuals can then be expected to gravitate toward accounts of international morality that are more congenial to their respective values and more responsive to their respective national needs and interests. It is not realistic, then, to expect Rawls’s proposal to be the sole one freely favored by all the peoples Rawls would want to include in his Society of Peoples.

Here again the problem of “Rawls-centrism” arises: Rawls is willing to admit certain non-Rawlsian liberal and decent societies as equal members in good standing into his Society of Peoples. But the limits of this Society are drawn from the standpoint of his own liberal conception of social justice. Other peoples would — on the basis of their values and their conception of ideal domestic organization — favor a different set of membership qualifications which would in various respects be more exclusive and more inclusive than Rawls’s. In Rawls’s Society of Peoples, then, some members are more equal than others and Rawlsian liberal peoples are the most equal of all, getting precisely the values and associated membership qualification they prefer.

To sum up. Domestically and internationally, Rawls’s solution founders on the same dilemma. Either it assumes that there is one core morality freely endorsed by all those who qualify as members according to this core morality. But this is unrealistic. Or it recognizes that there is a plurality of plausible candidate core moralities, which are endorsed by and themselves qualify diverse potential members. But then it must concede that the implementation of any one of these schemes cannot be said to treat equally all those whom it qualifies for membership. <PPT 2–8, UPSHOT>
Perhaps we should not be all that upset about the failure of this philosophical effort. Sure, it would have been nice if it had succeeded somehow — though I don’t see how it could have. But the huge problem of political inequality in our world today is due less to the fact that the values underlying our shared institutional arrangements are not quite equidistant from the richer value systems of the agents whose common life they govern. It is due more to the massive regulatory capture — at the national and increasingly also at the supranational level — which fuels a dizzying inequality spiral through which the richest corporations, banks and individuals are rapidly growing their shares of national and global household income while ordinary citizens are progressively deprived of any meaningful political role or influence. The phenomenon is well-known at the national level, in regard to the United States, for example, where the content and application of regulations are legally sold in exchange for campaign contributions and lavishly paid future employment (“revolving door”). The globalization push of the last few decades has added a whole new dimension to the phenomenon and thereby substantially aggravated the trend toward greater concentration of income and wealth at the top.

Globalization involves the emergence of complex and ever more comprehensive and influential bodies of supranational law and regulations that increasingly pre-empt, constrain, and shape national legislation. Such supranational rules are not formulated through the kind of transparent, democratic procedures that characterize national law-making in the countries that have reached a basic level of domestic justice. Rather, supranational rules largely emerge through intergovernmental negotiations from which the general public and even the majority of weaker governments are effectively excluded. Only an unusually small number of ‘players’ can exert real influence over supranational rule-making: powerful organizations, prominently including large multinational corporations, banks and hedge funds, as well as very rich individuals and their associations and the ruling “elites” of the most powerful developing countries. These richest and most powerful agents are best positioned to engage in cost-effective lobbying. They can reap huge gains from favorable supranational rules and can therefore afford to spend large sums acquiring the necessary expertise, forming alliances with one another, and lobbying the stronger governments that dominate supranational rule-making. Ordinary citizens, by contrast, typically find it prohibitively expensive to acquire the necessary expertise and to form alliances that are large enough to rival corporate influence. In the absence of global democratic institutions, globalization sidelines the vast majority of human beings, who have no way of influencing the formulation and application of supranational rules, while greatly enhancing the rule-shaping powers of a tiny minority of those who are already the richest and most powerful. Their interests are diverse, and so they are competing and bargaining with one another — each seeking to shape and reshape supranational rules to be as favorable as possible to itself. There are winners and losers in these contests, some elite players fail in their efforts to shape in their favor the rules that stand to impact them the most. Yet, rules do get captured by some elite players and, as a group, they consequently grow their share of global wealth and expand their advantage over the rest of
humankind. This, in turn, further increases their capacity to influence the design and application of the rules in their own favor and thereby to grow their share of global income and wealth.

Because the US is the softest target for regulatory capture and also still the dominant player in supranational negotiations, it is not surprising that the wealthiest Americans have done especially well throughout the recent globalization period. <PPT9> More generally, the upward shift in institutional design from the national to the supranational level further increases the absolute and relative wealth and power of a tiny super-rich minority, who can monopolize such influence, and thereby further marginalizes humanity’s poorer majority, who have no way of influencing supranational negotiations. <PPT10–18> The rapid global polarization of the last 20 years is a foreseeable effect of a highly undemocratic path of globalization and the regulatory-capture opportunities it provides.

2.2

It is tempting to protest the prevailing trend toward ever greater inequality by appealing to the now widespread moral idea that all human beings are equal. But this idea is often quickly dismissed as unhelpful. It may support the conclusion that, from the point of view of the universe (as Sidgwick so memorably put it) the lives, needs, interests and judgments of all human beings are of equal importance. But this conclusion is thought to have no substantial practical implications because specific conduct, policy or institutional-design decisions are not, and should not be, made from the point of view of the universe. They are made by specific situated agents — such as parents in a shopping center, who may surely give preference, in their conduct, to the needs and interests of their own children without thereby offending the fundamental equality of all human beings. In fact, most would say that such situated agents ought to give priority to their near and dear over perfect strangers and that any understanding of human equality in conflict with such prioritization should be dismissed for this reason alone.

But if we look a little closer here, we find limits even to a parent’s privilege to give greater weight to the interests of her own than to those of other children. There are obvious limits to how much special weight she may give to the needs and interests of her own children, to what lengths she may go to advantage her children over others. More interestingly, there are also limits to the contexts in which she may give any such special weight at all. When she makes decisions as principal of a high school, for instance, it would be wrong — unfair — for her to give greater weight to her own child’s interest in good grades than to the analogous interest of other pupils. The same is true when she holds a public office that involves the awarding of government contracts.

The same is true even when she merely exercises the office of citizen, when she weighs in, for instance, on the question whether and how affirmative action should be continued in her country. In this context it would again be unfair of her if she based her public statements on private reasoning such as the following: “I love my children and, if they were girls or black, I would of course speak up
in support of affirmative action. But in fact my kids are both white boys who would be taxed to fund an affirmative action effort that would also erode their competitive advantage over girls and non-white kids. For the sake of my children, I will therefore use my political voice in opposition to affirmative action programs.” Even opponents of affirmative action would find such reasoning morally deficient: in their public pronouncements and electoral decisions about matters of legislation and institutional design, citizens ought to set aside their private commitments and loyalties to focus exclusively on social justice and the national good.

This piece of ordinary moral thinking is surprisingly demanding. The requirement is not merely that, in cases of conflict or competition, one should give more weight to the demands of one’s public roles – as parliamentarian or citizen, as judge, principal or procurement officer – than to any reasons arising from one’s private roles. The requirement is rather that, in exercising one’s public roles in designing and applying the rules and procedures of one’s national society, one ought to be strictly impartial by giving no extra weight whatsoever to the needs and interests of one’s own children, spouse, parents and friends for example. Acting in such an official role, one is to treat its demands as providing exclusionary reasons (Raz), i.e. strong first-order reasons combined with second-order reasons to set aside other first-order reasons that would otherwise be relevant to one’s conduct decisions.

It is remarkable that, in a considerable number of national societies, such an impartiality requirement has come to be internalized and honored to the extent that it is. Centuries of social struggle on different continents and in diverse cultures have preceded this civilizational achievement. Crucially important to the historical outcome is the plain fact that, in any historical period, societies that were ahead in terms of internalizing a strong national impartiality requirement had a substantial competitive advantage over societies that were behind. By interfering with an efficient, merit-based division of labor, nepotism is a serious drag on a society’s ability to solve its problems and to hold its own against other societies.

Let me try to sketch such a strong national impartiality requirement in a little more detail. Its guiding idea is that the basic rules of a society as well as its policies and officials ought to be fair by showing equal concern for the needs and interests of all members of this society. This implies various procedural and substantive requirements on national political organization. On the procedural side it implies that those who are bound by national rules enforced upon them within the national territory ought to be able to play an equal role in the formulation of these rules and of the institutional arrangements implementing and enforcing them. It would be clearly incompatible with citizens’ equal moral standing, for example, if some society’s laws were made by an assembly whose members were elected by male citizens alone or through a system of weighted voting that favors whites or males, for instance, or those who pay more taxes or live in thinly populated areas. Absent a compelling reason for giving more weight to the judgments of some citizens than to those of others,
Some broadly democratic national system of government is required by the commitment to moral equality.

Somewhat more controversial is the idea that the moral equality of citizens places not merely formal but also material constraints on procedures of collective decision making. John Rawls argues, for instance, that the moral equality of citizens is violated by a society that does not maintain the fair value of the political liberties – a society like the United States, for instance, whose political competition is in large part funded and shaped by private campaign contributions. Though formally satisfying the one-person-one-vote requirement, the US in fact more closely approximates a one-dollar-one-vote system in which political outcomes are routinely auctioned and purchased through lobbying.

In addition to such (formal and material) procedural implications, the equal moral standing of citizens is widely believed also to entail substantive constraints on the legislative output of national political processes. These substantive constraints can again be classified as formal or material. A law barring an ethnic, religious or linguistic minority from higher education, for instance, would be widely condemned as a formal violation of the moral equality of the members of the excluded minority. The material constraint such equal moral standing imposes on legislative outputs might be generally stated as the demand that the design of a society’s social and economic institutions ought to reflect equitable trade-offs among the needs and interests of different population segments. Theorists differ on how to specify this demand. A weak version, which would probably be widely accepted in contemporary political philosophy, might be this. In the choice between two candidate national legislative outcomes, \( N_1 \) and \( N_2 \), if the representative groups that would do better with a decision in favor of \( N_1 \) are (i) larger, (ii) worse off and also (iii) more strongly affected by the outcome than the representative groups that would do better with a decision in favor of \( N_2 \), then the basic commitment to moral equality requires that \( N_1 \) be chosen over \( N_2 \). A national legislature making the opposite choice cannot credibly claim to be recognizing the losers as the moral equals of the winners, to be attaching as much importance to the needs and interests of the former as it is attaching to the needs and interests of the latter.

This national impartiality requirement illustrates that a commitment to the moral equality of all human beings grounds a defeasible presumption in favor of equal treatment which, though easily defeated in many contexts, can be quite powerful in the absence of defeating reasons.

The national impartiality requirement limits agent-relative reasons for the sake of other agent-relative reasons. Acting in her official capacity, a country’s Health Minister is to disregard the special needs and interests of her children, spouse, parents and friends for the sake of giving full and equal consideration to the needs and interests of all the residents of her country. Her position is understood to require that she be impartial among and yet also partial toward the members of her society. And
the same normative expectation applies to these members themselves insofar as they act in their public role of citizen.

In our time, a commitment to the fundamental equality of all human beings may give rise not merely to such wider partialities but also to a genuinely global impartiality requirement demanding that, insofar as human agents are involved in the design or administration of global rules, practices or organizations, they ought to disregard their private and local, including national, commitments and loyalties to give equal consideration to the needs and interests of every human being on this planet. In these special contexts, agents ought to be guided exclusively by agent-neutral considerations.

2.3

We might begin to specify such a global impartiality requirement by sketching analogues to the four implications of national impartiality explored in the preceding section. First, the equal moral standing of all human beings implies that global decision making ought to be designed so that all human beings are enabled to play a role in the formulation of global rules and of the global institutional arrangements that are implementing and enforcing these rules (procedural-formal). Second, in analogy to Rawls’s fair-value requirement, moral equality implies that global decision making ought to afford even to poorer, more vulnerable human beings opportunities to exert real political influence which do not fall far short of the corresponding opportunities enjoyed by wealthy and privileged people around the world (procedural-material). Third, moral equality implies that all should be able to participate in global institutions, such as markets and communications, on equal terms (substantive-formal). Fourth, the moral equality of all human beings also implies that decisions about global rules must meet the analogue of the weak demand: in the choice between two candidate global agreements, G₁ and G₂, if the representative groups that would do better with a decision in favor of G₁ are (i) larger, (ii) worse off and also (iii) more strongly affected by the outcome than the representative groups that would do better with a decision in favor of G₂, then the basic commitment to moral equality requires that G₁ be chosen over G₂ (substantive-material). An international summit or rule-making body reaching the opposite decision cannot credibly claim to be recognizing the losers as the moral equals of the winners, to be attaching as much importance to the needs and interests of the former as it is attaching to the needs and interests of the latter.

Needless to say, present global political decision making does not remotely satisfy any of these demands; and the supranational analogue of nepotism is so widely taken for granted that there is not even a word for it. The dominant view is that those involved in the creation and revision of international laws, treaties, agreements, or conventions or of intergovernmental agencies and organizations are morally permitted (and perhaps even required) robustly to advance the interests of their home country in such negotiations. This dominant view is tolerant of such national partiality even in regard to the interpretation, application and enforcement of international laws, treaties,
agreements, and conventions and in regard to the daily operation of intergovernmental agencies and organizations.

To be sure, heads of UN agencies and members of the WTO Appellate Body are expected to follow the relevant international rules and to give weight to the legitimate interests of countries other than their own. But it is widely expected and accepted that such persons give disproportionate weight to the interests of their own country and its governing elites. And in the context of such wide acceptance, these persons do in fact often and blatantly favor their home country in ways that would be met with near-unanimous condemnation at the national level. National governments consequently expend considerable efforts on filling important such positions with a compatriot. Consider the extreme length to which the US government goes to ensure that the President of the World Bank will be one of their own. This effort stands in stark contrast to the effort that the government and citizens of Texas are willing to expend toward ensuring that the US President will be someone from Texas. The difference cannot be explained by the greater power and influence of the President of the World Bank – on the contrary! Rather, the difference is primarily explained by the fact that state officials and citizens throughout the US know that the President of the United States will not and politically could not substantially favor the interests of his or her home state; whereas government officials and individuals around the world well understand that the President of the World Bank will run the Bank to promote US economic and political interests and US ideological commitments, and that such conduct will be expected and accepted by the global elites and replicated by other intergovernmental officials and national governments.

A global impartiality requirement is then, relative to the status quo, a quite radical proposal and yet also one that is quite obviously continuous with the national impartiality requirements that are widely accepted — at least in word if not always in deed — in the more developed societies. Its widespread acceptance around the world could slow and perhaps even reverse the inequality spiral discussed earlier, and such acceptance is politically not unrealistic once people understand that supranational institutional arrangements and governance organizations have become highly influential in their distributive effects and rather similar in their authority and functioning to national institutional arrangements and governmental agencies. As in the corresponding national historical processes, moral forces can be reinforced by a prudential appreciation of the collective costs imposed by national nepotism.

What we cannot count on in the global case, though, are the competitive pressures that have played a significant role in the historical achievement of an unnatural but now (in some countries) widely accepted national impartiality requirement. It is clear enough that the global governance structures that have grown by leaps and bounds in the decades since the end of the Cold War – infested as they are with national nepotism – will not be able to solve the challenges facing human civilization. Foremost among these challenges are the threats posed by nationally controlled advanced weapons and other dangerous technologies, the threats of ecological catastrophe through climate change or
resource depletion and the threats posed by supranational lobbying which results in inefficient and unstable supranational institutional arrangements that can lead to massive economic collapse. If humanity is to master these existential challenges, we must learn to reject national nepotism and to expunge it from our supranational rule making and international agencies. Given the magnitude of the threats, it would be good if we could get on with this learning before disaster strikes.

Now laws, rules, practices and institutional arrangements are not living, accountable creatures who could be expected to conform themselves to moral standards. Rather, their character and effects depend on the human agents who formulate, shape, design, interpret, apply, enforce, obey, violate, undermine or ignore them. Thus, moral prescriptions about what criteria rules and practices ought to meet must ultimately be cashed out as moral prescriptions addressed to human agents and, specifically, to the conduct of human agents in regard to such rules and practices. This in turn leads to the conclusion that we should fully recognize a differentiation in the standards of moral assessment applying to the conduct of individual human agents. While they may and should give priority to their near and dear in their personal conduct, they must be required to be suitably impartial in their rule-regarding conduct. At the global level, this means that all human agents — natural persons as well as commercial entities insofar as they responsibly participate in formulating or implementing global rules and practices — must help ensure that these rules and practices, collectively, are fair, that is, justifiable by reference to the equally-weighted needs and interests of all human beings. This requirement is strong and extensive enough to ensure that, if most of us honor it, then the ensemble of supranational institutional arrangements will have the requisite impartiality.