Why Do We Need Global Institutional Reform?
Some Critical Observations on Global Moral Responsibility

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Abstract. What is the justification or the ground of responsibility involved by global justice through global institutional reform? In other words, even if global justice seems to be defined as a specific aim given by what we normally think to be right or just solutions to the global human problems, this does not preclude the necessity of taking into account the difficulties and questions the operational level of global justice raises, institutionally and organizationally speaking. The cultural constraints, the diversity and the nature of problems and so on and so forth, concerning the legitimacy and, also, the social impact of the adopted solutions, are another type of difficulties. My interest here is to analyse the reasons or grounds of the global modalities (institutional and organizational means) for solving problems of global justice. The reasons for this enterprise are twofold and, in my opinion, inevitably interconnected: on the one side, the fact that globalization of justice is by itself a difficult concept, and on the other side, that the understanding of global justice rather in an Occidental or democrat liberal way brings specific difficulties both of conceptual and operational nature, requiring further confrontations with other desiderata or other comprehensive doctrines and starting from this, consistent critical analyses.

Key words: global responsibility, reciprocity, solidarity, moral vs. institutional perspective, institutional responsibility etc.

Nowadays, phenomena like severe poverty, starvation, migration, global warming and environmental degradation, terrorism, military democratization, consumerism and deep underdevelopment represent an aggregate of problems which is supposed that all individuals, regardless of where they actually live, perceive and consider as being of general or global interest, all of them having to deal with such problems in a form or another[1], no matter how conscious, active, responsible or able to understand they may be. Moreover, all are considered issues of justice given the violations of fundamental individual rights or simply declining any moral obligations for their production.[2]

It might be said that the amplitude of these phenomena makes unlikely the individuals' intervention, private or public, to manage them. So, this kind of problems needs special treatments and agents.[3] In other words, whatever the global justice issues may be, they seem to imply adequate management and unitary solutions.

1] "Globalization in the contemporary world", said Keohane (2003, 130) "means that transnational relationships are both extensive and intensive. States and other organizations exert effects over great distances; people's lives can be fundamentally changed, or ended, as a result of decisions made only days or moments earlier, thousands of miles away. In other words, independence is high."

2] In this order, Pogge (2005) considers, for instance, that it is "tragic that the basic human rights of so many remain unfulfilled, and we are willing to admit that we should do more to help. But it is unthinkable to us that we are actively responsible for this catastrophe."

3] Nowadays, said Lu (2006), the idea of world government is replaced with that of "the concept

A usual supposition, in this order, is that the entities able to do something are either the states[4] whose individuals endure the effects of the global injustice even if those effects are not produced by themselves[5], or, when these states fail, some sort of international organizations entitled to solve the global problems[6].

But any international organizational action we take into account needs, accordingly, an institutional background and an institutional framework, so if we consider a global organization of justice we also need to take into account the issue of global institutional reform (Coglianese, 2000).

In this logic, global justice becomes not just an empirical but, also, a normative instrument, in order to identify the legitimate solutions for what could be named the global problems and also for creating formal and material conditions for assuming responsibility for them. As a consequence, individuals, through governmental or nongovernmental organizations are and have to be both responsible and entitled to be "global agents."[7]

This quality of the individuals does not assume that individuals themselves are able to solve the problems considered of global justice interest, but rather that they are aware of the nature of the problems (causes and effects)[8] and, also, of the principles or institutions under which the global problems stand and are to be solved. Not least, it is assumed that they are able to be supportive (both formally and materially) of the organizational institutionalized actions.

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of 'global governance,' which highlights the increasing agency of global civil society and nonstate actors, and deliberately eschews the coercive and centralized components of domestic models of government for looser, decentralized modes of achieving similar functions of government ."

4] States seem to remain, "the most powerful actors in world politics, but it is no longer even a reasonable simplification to think of world politics simply as policies among states" (Keohane 2003, 130).

5] Many of what might be called global injustices are produced by the civilized and developed countries. Reflection, said Pogge (2005, 5) on the popular view that severe poverty persists in many poor countries because they govern themselves so poorly shows, then, that it is evidence not for but against explanatory nationalism. The population of most of the countries in which severe poverty persists and increases do not "govern themselves" poorly, but are very poorly governed, and much against their will. They are helplessly exposed to such government because the rich states recognize their rules as entitled to rule on basis of effective power alone."

6] "The current period of globalization raises questions about the effectiveness of the nation state in the face of problems that increasingly transcend territorial borders", said Coglianese (2000, 1). In this order, an important question is whether states can cope with these challenging problems.

7] So even if "nation states will confront the challenge of designing institutions that have enough policy authority to manage global problems", they, also, have to be "sufficiently responsive to the community of nation states for maintaining their support over long term" (Coglianese 2000, 1).

8] Concerning world poverty, Pogge (2005, 1) said, for example, that "citizens of the rich countries are, however, conditioned to downplay the severity and persistence of it and to think of it as an occasion for minor charitable assistance. Thanks in part to the rationalitions dispensed by our economists, most of us believe that severe poverty and its persistence are due exclusively to local causes. Few realize that severe poverty is an ongoing harm we inflict upon the global poor. If more of us understood the true magnitude of the problem of poverty and our causal involvement in it, we might do what is necessary to eradicate it."

If we treat global justice issues in this manner, it seems to be right to say that the concept represents more than one might call a fashionable one on the agenda of political philosophy conferences, but rather one whereby problems of economic, political or even moral nature could be optimally managed, and, indeed, problems for which all of us are, and not just formally, responsible.

But what is the justification or the ground of this sort of responsibility involved by global justice through global institutional reform? Why should individuals be responsible? And another question: Could individuals be responsible or act responsibly if they considered being responsible is reasonable or entitled? In other words, how efficacious is the global institutional reform? And, no less important: How global could be the context of global justice by this institutional reform?

In other words, even if global justice seems to be defined as a specific scope given by what we normally think as right or just solutions to the global human problems, this doesn't preclude the necessity of taking into account the difficulties and questions the operational level of global justice raises, institutionally and organizationally speaking. The cultural constraints, the diversity and the nature of problems and so on and so forth, concerning the legitimacy and, also, the social impact of the adopted solutions, are another type of difficulties.

My interest here is not to minimize the importance of the debates on the global justice desideratum nor the global actions efficiency, but rather to analyse the reasons or grounds of the global modalities (institutions and organizations means) for solving problems of global justice nature.[9]

The reasons for this enterprise are twofold and, in my opinion, inevitably interconnected: on the one side, the fact that globalization of justice is by itself a difficult concept, and on the other side, that the understanding of global justice rather in an Occidental or democrat liberal way brings specific difficulties both of conceptual and operational nature, requiring further confrontations with other desiderata or other comprehensive doctrines and starting from this, consistent critical analyses.

I. WHY HUMAN RESPONSIBILITY IN SOLVING GLOBAL PROBLEMS? AND, WHAT SHOULD WE UNDERSTAND BY "GLOBAL RESPONSIBILITY"? INSTITUTIONAL VS. MORAL PERSPECTIVES

Many articles have been written and many political and moral ideas circulated since the aforementioned topics have emerged and evolved. Some of them made history bringing to the forefront of debates challenging but uncomfortable themes like those as eradicating

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9] No doubt, said Blake (2005), "topics such as rights, constitutionalism, toleration, and – perhaps most importantly – the distribution of scarce resources have now been placed at the forefront of discussions of international ethics." The problem, said Lu (2006), "to the entry questions is whether global governance in contemporary world conditions can really deliver the goods of global security, such as universal human rights, social justice, and environmental protection."

famine (Singer, 1972), eradicating migration and poverty (Pogge, 2002), diminishing consumerism and climate change (Persson & Săvulescu, 2012), being focused both on the idea of individual responsibility as the fundamental ground for realizing global justice and also, on that of institutional reform, globally speaking, relying on it.

This kind of debates places, as I mentioned earlier, the theme of global justice in terms of responsibilities or moral positive duties, *i.e.* duties to create, if they do not exist, social guarantees against standards threats, or "if they do, to preserve effective institutions for the enjoyment of what people have rights to enjoy" (Shue 1996, 17).

All these duties and responsibilities could be explained and justified, through the concept of humanity that includes and, also, demands both reciprocity and solidarity, in the inter-individual relationships. These exigencies are satisfied, practically, if and only if the individuals are moral agents or, in other words, if their behaviour adopts substantial restrictions, especially if their lifestyle, excessively, inflicts harm on natural and social environment.[10]

The concept of humanity is a normative concept and, also, an inclusive one, assuming that all human beings, irrespective of their biological, moral, historical, economic, social or political contingencies, are the same.[11] The way we understand the idea of humanity, both controversial and prolific, comes from the modern philosophers[12], e.g. Locke, Bentham, Kant etc., but also from contemporary authors, like Williams (1962), Rawls (1971), Berlin (1980), Searle (2005) and others. Berlin (1980, 166), for instance argues that "the basic categories (with their corresponding concepts) in terms of which we define men - such notions as society, freedom, sense of time and change, suffering, happiness, productivity, good and bad, right and wrong, choice, effort, truth, illusion (to take them wholly at random) - are not matters of induction and hypothesis. To think of someone as a human being is **ipso facto** to bring all these notions into play: so that to say of someone

10] See Person & Săvulescu (2012, 1-2)

11] We also can say that the concept of humanity is an egalitarian one. This idea refers to the fact that all individuals are alike in some respects: these respects, Williams (1962, 115-116) considers, are both negative, such as, the capacity to suffer, and certain needs that men have, and positive, which means that they are equal in certain things that they could do or achieve. In other words, "there are certain other abilities, both less open to empirical tests and more essential in moral connexions, for which it is true that men are equal. These are certain sorts of moral ability or capacity, the capacity for virtue or achievement of the highest kind of moral worth." There also is, an equality of men, *i.e.* the equality in the unequal circumstances (Williams 1962, 120).

12] See in this order Iliescu (2014, 12-17; 22-32), who analyses the "typological" or "intrinsic" quality of being humans, but also Carter (2011, 544) who considers, that "a solution to this problem consists in asserting that a person's moral capacities–her nature as a moral being and thus her true moral worth–cannot and should not be seen to depend on anything as contingent and unequally distributed as natural capacities." This is the Kantian solution, according to which respect is owed to each person simply in virtue of her being a rational moral agent. For Kant, we are all equally rational and equally moral agents, given that our nature as rational and moral agents depends not on our natural capacities but on the free will that we each possess as noumenal beings. This equality as moral agents gives us a reason for respecting other agents to an equal degree.

that he is a man, but that choice, or the notion of truth, means nothing to him, would be eccentric: it would clash with what we mean by 'man' not as a matter of verbal definition (which is alterable at will), but as intrinsic to the way in which we think, and (as a matter of 'brute' fact) evidently cannot but think."

In virtue of being humans, we have to assume that all human beings, constitutively, have intentional[13], affective[14] and deontological capacities[15] that make possible human institutions and create power relationships (Searle, 2005, 10). In this logic, human institutions are not only *constraints* of human behaviour but also *enabling*, because they create "deontic powers", *i.e.* rights, duties, obligations, authorizations, permissions, empowerments, requirements and certifications.[16]

This normative conception of humanity is also a political one, assuming that all human beings "are able to take part in, or can play a role in a social life, and hence exercise and respect its various rights and duties" (Rawls, 1996, 18). This kind of conception creates a specific responsibility suitable to a political conception of justice, not to a comprehensive doctrine[17], entailing both reciprocity and solidarity (sociability), based on the freedom and deontological capacities of the individuals. A political conception of justice is an encompassing conception, where value pluralism and the irreconcilability of values are relevant. This means to represent justice according to the differences between individuals in their opinions and beliefs about the ways of life considered significant, and not according to a standard of good life for all of them[18]. This political conception

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13] In this order, Searle (2005, 6) considers that given all of us have hopes, beliefs, desires, fears and so on, we need to discuss all of these in a collective manner. In other words, even if they belong to each individual, they also represent ways of being in interaction or require interactional behaviour.

14] Williams (1962, 112) names it, "the capacity to feel pain , both from physical causes and from various situations represented in perception and thought; and the capacity to feel affection for others, and the consequences of this, connected with the frustration of this affection, etc."

15] Human beings have a capacity which, Searle considers (2005, 7), " is not possessed by any other animal species, to assign functions to objects where the objects cannot perform the function in virtue of their physical structure alone, but only in virtue of collective assignment or acceptance of the object or person as having a certain status." This is the deontological capacity. "Obvious examples of this human capacity are money, private property and positions of political leadership" (8).

16] See Searle (2005, 10).

17] Relevant for this difference is the Rawlsian (1996, 13) conception. According to him, "a political conception of justice differs from many moral doctrines, for these are widely regarded as general and comprehensive views." The comprehensive conception "includes conceptions of what is of value in human life, and ideals of personal character, as well as ideals of friendship and of familial and associational relationships, and much else that is to inform our conduct, and in the limit to our life as a whole" (1996, 13). By contrast, "a political conception tries to elaborate a reasonable conception for the basic structure alone and involves, so far as possible, no wider commitment to any other doctrine." This kind of conception involves a political culture meaning political institutions of a constitutional regime and the public traditions of their interpretation (including those of judiciary), as well as historic texts and documents that are common knowledge. Comprehensive doctrines of all kinds – religious, philosophical, and moral – belong to what we may call the "background culture" of civil society" (Rawls 1996, 14).

18] See Rawls (1996, xviii-xix).

is also coextensive to methodological individualism, which supposes that any project of enhancement the perspective about good life has to assume *a priori* the possibility of someone who may use the right *to veto* or who would reject this kind of good life.

Being responsible, in this order, is to have an individualistic egalitarian attitude from a normative point of view, meaning to treat all people as equal human beings, despite or irrespective of how efficient or not their practical abilities are or how deep their disabilities are in various areas of activity and of human achievement.[19]

So individuals have to be considered moral agents irrespective of whether they are moral or not *de facto* or empirically. Even if their specific empirically morality is tested just by their moral actions in different contexts, the morality in society according to a political conception of responsibility should not be tested only by these concrete moral individual actions or how numerous they are, but rather through the reciprocity and solidarity their interactional behaviour involves. This means that any moral rules they have to obey in order to produce reciprocity and solidarity have to be political or constitutional, and any moral agent has to be rather a constitutional or political agent. This kind of responsibility is translated into the willingness to comply with moral or constitutional rules,[20] which "allows an actor to realize gains from cooperation in interactions with others who are equally disposed" (Vanberg & Buchanan 1988, 145). Also, it means the willingness to punish defection that protects an actor against continuous exploitation[21].

Empirically, this means that responsibility isn't something assured *per se*, nor by the morality of individuals, but rather by and through an institutional framework, meaning the institutional and interactional opportunities every individual has to estimate the "reciprocated behaviour"[22]. This institutional framework has to assume rules and players, individual and collective or, in other words, political organizations for getting and implementing the political rules or institutions, not necessarily moral (comprehensive) conducts.

19] See Nussbaum (2003, 451), who considers that "we have a claim to support based on justice in the dignity of our human need itself. Society is held together by a wide range of attachments, and concerns, only some of which involve productivity. Productivity is necessary, and even good; but it is not the main end of life." See also Iliescu (2014, 39)

20] We use here the concept of constitutional interest proposed by Vanberg & Buchanan (1988, 140), who "separate, define, and contrast two kinds of individual interests: (1) constitutional or rule interests, and (2) operational or action interests. An actor's constitutional interests are reflected in his preferences over potential alternative rules of the game' for the social community or group within which he operates. His constitutional interests in form his choices insofar as these choices pertain to the kind of institutional order or order of rules under which he is to live. Or, stated somewhat differently, they reflect preferences that would 'emerge if he were to participate in choosing the constitution, in the broadest sense, for his respective social community. By comparison, a person's operational or action interests are reflected in preferences over potential alternative courses of action under given situational constraints, including the constraints that pertain to the given structure of rules and institutions."

21] See Vanberg & Buchanan (1988, 145).

22] Trivers (1971) explains this reciprocating behaviour from an evolutionist point of view. See Trivers *apud* Vanberg & Buchanan (1988, 146).

II. HOW DOES SOCIAL RESPONSIBILITY WORK GLOBALLY?

The theoretical framework used, for instance, for the responsibility of global poverty, is given, said Pogge (2005), by the idea that severe poverty and its persistence are due not to exclusive local causes as it has been often assumed, but mainly to our causal involvement in it, and for that reason we have to do what is necessary to eradicate it. So, if we cause this kind of harms and, in Pogge's view (2005, 1), despite the fact that something proven may be hard to believe (he brings a lot of arguments and facts of rich countries involvement)[23], we should be made responsible and, in conclusion, we have to pay for this. In other words, we have to do something according to this kind of effects (to create donator institutions, for example, is what Singer said).

The basic argument used here is quite simple: we are responsible for the world we live in because the way we live determines the world we have (just or unjust, good or bad) and the world we have determines the way we live (miserable or happy lives). So, in most of its aspects the way we live depends on us and on what we are doing.

The main assumption here is, no doubt, that the way we live is a matter of choice, in fact our choice. So, our choices make us responsible for our lives (is a matter of brute fact) and this responsibility becomes more imperative if those choices affect other people's lives and not just ourselves. Keeping this in mind, if we are reasonable and rational people we have also to admit that many things considered immoral or condemnable for our lives could be avoided through the actions we choose to make.

So, another basic assumption is that if we want a good or just way to live for us and for other persons we have to make adequate choices. Singer (1972), for example, talks about necessary decisions or choices: we have to react to the problem of world famine in significant ways.

We tend to agree with this, the matter of "negative externalities"[24] being a well-known problem. The technical problem here is how the responsibility or the link between the effects and causes for these harms could be something traceable? Moreover, which individual or collective choices could be considered the adequate choices in order to prevent the damages or harms to the others?

So, we could consider something true in the fact that we are free and rational choice makers but are all our bad or inadequate choices premeditated wrong or intentional erroneous? Obviously not, and in my opinion this is not just a matter of calculus or knowledge but, in the same time, it is also a matter of freedom.

23] "Once we break free from explanatory nationalism", Pogge said, "global factors relevant to the persistence of severe poverty are easy to find. In the WTO negotiations, the affluent countries insisted on continued and asymmetrical protections on their markets through tariffs, quotas, anti-dumping duties, export credits, and huge subsidies to domestic producers" (2005, 6).

24] Olson (2000, 50) considers, following Pigou's definition, that an externality is defined as "when the activities of firms or individuals bring costs or benefits to others for which they are not charged or rewarded."

Mutatis mutandis, is uncontroversially true "that reasonable people disagree deeply about the nature of the good life and in the same time reasonable people also disagree fundamentally about principles of justice" (Quong, 2005) so, in this order is something reasonable to ask how can we put together the moral exigencies for a good live, for a right one and not in the last instance for a free life?

By *without sacrificing anything of comparable moral importance*, Singer meant, "without causing anything else comparably bad to happen, or doing something that is wrong in itself, or failing to promote some moral good, comparable in significance to the bad thing that you can prevent."[25]

The conclusion of this is twofold:

1. our morality is quite stringent and quite demanding (Pogge 2005, 5) and

2. donating to famine relief is not a matter of charity or supererogation; such donations are not optional generosity or gifts , but rather duties, and those who do not donate are acting in an immoral way on any plausible interpretation of our moral thinking. See also Singer (1972), Pogge (2005), Blake (2005) and so on.

No doubt, if the argument is thus put, its conclusions are difficult to reject, being responsible or activating the moral duties increases the chance for a better-off society in economic terms. But, could that moral coordinate be considered a condition of possibility for a global just society or, more, for a global free society?

First, establishing that individual agents could be made responsible in some aspects of their lives doesn't mean they could control and rationalize all the aspects of their lives. This is an illicit extrapolation. Moreover, if they are able and justified to do this or to use positive freedom this way, how can negative freedom be defended and justified in society?

Second, "establishing that individual agents have moral duties to prevent avoidable starvation and immiseration at the global level, to begin with, does not tell us much of what else such agents owe to people simply in virtue of their humanity" (Blake, 2005) or other values or interest. We all know that in the name of humanity, or solidarity or whatever other important values people made the most inhuman or egoistic actions against people. This implies that for a global free and just society the values must be plural and inclusive.

So, I think this kind of responsibility invoked as a major source of the global justice is controversial and this contributes, paradoxically, not only to its insufficiency but also to its undesirability. In my opinion, what jeopardizes global responsibility is precisely what is considered its foundation, and not just for the local responsibility but also for global responsibility: either is humanity, or reciprocity and solidarity. All these, in order to avoid the paradoxes, must be considered in the institutional sense not morally, as individual moral behaviour features.

25] So, Singer considers that, beyond all these disagreements there still remains something as uncontroversial as the previous truisms which instead could indicate which the adequate choices are: 1) Suffering and death from lack of food, shelter, and medical care are bad; 2) If it is within our power to prevent something bad from happening, without thereby sacrificing anything of comparable moral importance, we ought, morally, to do it. See Singer (1972, 231), Blake (2005).

On the other hand, why would responsibility have a major role in a global context when it has a minor one in a narrow context? In other words, how could we obtain responsible individuals in a global context if they hardly admit to be responsible within proper national borders?

So, what is supposed to be changed in the attitude of the individuals and institutions in order to be responsible, given that neither reciprocity nor solidarity are something easy to obtain or always possible, even the starting point in doing this is something uncontroversial true, as Singer said ?

The problem with such an approach, Blake considers, is that "in the domestic arena, we have a focus not simply upon individual morality, but upon the moral evaluations of social institutions and practices; – upon, that is, social justice, as distinct from morality." Liberal justice does not concern itself primarily with such moral choices as we used to think, following Singer or even Person & Săvulescu's conceptions, but with the background institutions within which these choices are made: justice, is concerned with the moral assessment and justification of social institutions; […] morality, with the assessment of conduct and character (Pogge 1989, 17).

Plus, I think that this empirical responsibility based on explicit moral reciprocity and solidarity and not on the inviolability of the individuals as equally free and equally rational people, creates some sort of legitimate interference, designing ways of lives for all the people who are considered different or technologically, economically, democratically or from the point of view of civility, insufficiently developed. In other words it is sufficient to assume or found some sort of suffering of somebody's life to activate legitimately the responsibility function, for the eradication of suffering (of poverty, of misery, of corruption etc.). Even if the suffering is considered something detestable or regrettable and, also, measurable, isn't enough to intervene to eradicate it. The responsibility in these terms will be rather a pretext for some of us to do anything which is supposed to diminish these states, even the worst things we can imagine so long the worst things would contribute to eradicate the blamed suffering.

A way to solve this problem accordingly to Rawls (1996, 137) is to have a basis of public reason and justification and this basis is given by what he calls "a political conception of justice that all citizens might be reasonably accepted to endorse." In this order, the legitimate political power as instrument for positive freedom, creating hopes for reciprocity and solidarity, is based, as John Rawls argued, "on the 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 for their common human reason. This is, he concludes, the liberal principal of legitimacy."[26]

So, the global responsibility should be understood and applied institutionally, not as a morality issue. It is necessary, first, to reform our supranational institutional arrangements (Pogge, 2013, 10), not the morality of the individuals.

26] See Rawls (1996, 137).

III. IS GLOBAL JUSTICE EFFECTIVE? HOW CAN WE POSSIBLY KNOW THAT MAKING IT WORKABLE WILL BRING US DESIRABLE OUTCOMES?

I think that global justice represents, undoubtedly, an *excessive faith in the efficacy* (Posner, 2009) of global moral responsibility. This implies some sort of metaphysic presupposition which is controversial. In other words, an intrinsic or necessary link is assumed between what we expect to happen and what really happened, that does not exist. The reason of believing this is given by not differentiating between two distinctive operational plans: the process for obtaining the global justice results (through institutions and organizations) and the results or beneficial of global justice, *i.e.* the eradication or elimination of poverty etc. Anyway this kind of fallacy is tempting, argue Vanberg & Buchanan (1988, 139), because it seems quite natural to presume that the beneficial consequences of rules and institutions must have something to do with the fact that they exist and persist. The "functionalist error", the authors above maintain, "is important because distracts attention for genuine challenge which is that of identifying the actual processes or mechanisms that establish the critical linkage between beneficial consequences and effective causes for behaviourally generated rules and institutions"[27], the concept of public individual interest or constitutional being a key concept, in this order. No doubt, the arguments which bring in sight the inefficacity of global justice are quite strong[28], but are they relevant for global justice necessity or legitimacy? In my opinion they are not, but this is not so easy to defend.

First of all, we have to delimitate between the plans or levels we are situated, when we are put in question this issue, and the plan of ought to do something (what is just) is different from that of a possibility to do what is ought to do (the circumstances of justice). In other words, we have to keep in mind and not only in mind this difference. Philosophically speaking, the first level comes before the second level (the first question has to be why and after that how)[29], but what we have to do isn't something easy or uncontroversial.

Second, the instrumentalist (functionalist) fallacy shows us that global justice has costs of effectiveness and, also, that these costs could be a real problem to sustain its desirability. But this shows in fact that the circumstances for global justice are difficult to create (organizations, agents, policies and so on) and not that the principle of global justice is unnecessary or unjustified. Moreover, the imperative to do what is just doesn't suppose or imply that individuals do this in any conditions they find themselves, but rather that the principles has viability irrespective of the circumstances where individuals are or live. So,

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27] See Vanberg &Buchanan (1988, 139).

28] Keohane (2003, 54) considers, that "those of us who would like to see greater democratic and pluralistic accountability in world politics must recognize that global society, while real will not become universal in the foreseeable future. Too many people believe in the superiority of their own worldview and deny the obligation to tolerate the views of others. [...] Cosmopolitan democracy is a distant ideal, not a feasible option for our time."

29] See Goodin (1982, 125).

as Singer said, not the distance or the proximity of the circumstances of justice is the real problem, but rather the recognition the viability of the principle of justice.

In other words, if we find that global institutional reform is necessary, what should be done is to try to make it workable. This doesn't mean but to hope for better results and not a perfect place for all to live where poverty or corruption disappeared. This is necessary to do even if trying implies or generates unintended or undesirable consequences.

This argument brings to light two important assumptions:

1. principles or institutions aren't autonomous, so they are not by themselves coercive or regulating, even if their aim is to regulate individual or collective actions (Pryeworski, 2004);

2. individuals are free even after that they are moral (we have to assume the lexical priority of the Rawls' liberty principle: for being rational, *i.e.* to choose between bad or good, wrong or right, true or false, it is necessary to be free.

So any institutional reform has to start from this: individuals who suffer from extreme poverty should be treated in a noncoercive way or as if are free individuals (first) (even they aren't de facto, through their political system) and after that as persons in needs or rational persons. This implies that is perfectly legitimate that any of them may refuse what you consider as being rational or reasonable to endorse. Refusing what you consider rational and reasonable could mean just a perspective of life different from yours (even an opposite one, a scarce life), and to respect this is also a moral duty (to do someone good with force is not a good thing).

IV. CONCLUSIONS

In conclusion, the idea of moral responsibility for global problems remains a problem and, in my opinion, should remain a problem. Making individuals morally responsible for global problems doesn't mean a better global world or a desirable one.

In fact, Blake (2005) argues that "the liberal theory of justice does not go simply towards the legitimacy of individual choices, but to the legitimacy of the social system within which these choices are made. It analyses, in Rawls's phrase, the basic structure of society, rather than simply the individual decisions made as to the use of resources. A fuller extension of the globalization of morality, therefore, requires an examination of the form and nature of the global society, so as to inquire as to whether the liberal principles ought not to hold at the global level as well."

Mutatis mutandis, the institutional reform is necessary; so, even if it is seen just as a very difficult problem doesn't mean that it is not worth to try to solve it. The inviolability rights thesis doesn't sustain that any right is not violated *de facto*, but rather that no right should not be violated *de jure*, meaning that every time when an individual right is violated *de facto* it is necessary to eliminate the source of violation. "The governments and citizens of the more affluent countries", Pogge said, "are not mere bystanders to the deprivations suffered by the world's poor, but – through our foreign policies and especially our

governments' role in shaping international rules and practices – are active participants in the violation of their human rights" (2013, 11), probably he continued, the most serious human rights violation in human history. We have to change this situation through the same mechanism, meaning enhanced international institutions by changing foreign policies.

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