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# Indice

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# Patriarchal Bargains and Responsibility for Structural Injustice*

*Abstract*

Iris Marion Young (2011) introduces a paradigm shift in the conceptualization of responsibility through the elaboration of her Social Connection Model (SCM) to combat structural injustice. This model offers a shared political understanding of responsibility, aiming to avoid victim-blaming and the imposition of supererogatory duties on the oppressed.

However, two objections emerge regarding the application of the SCM. First, Young's approach of assigning differentiated duties based on individual circumstances raises concerns about potential evasion by both oppressors and victims, leading to the phenomenon of 'undererogation'. Second, some question the SCM's effectiveness in transcending blame, with the allocation of differentiated duties potentially resulting in a resurgence of victim-blaming.

In this paper, I address both objections in relation to the issue of patriarchal bargains. To tackle the first, I propose turning to Serene Khader's deliberative perfectionist approach (Khader 2011), which advocates for an intersubjectively defined spectrum of vulnerability. This spectrum can help determine the scope and degrees of victims' duties, thus mitigating the issue of undererogation. To address the second objection regarding the risk of victim-blaming, I suggest two strategies: 1) Robin Zheng's clarification of Young's distinction between blaming and criticizing (Zheng 2018; 2019), and 2) differentiating between victim-blaming and blaming victims after the

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allocation of justified duties. While both strategies have their limitations, they provide valuable insights for navigating the complexities of Young's reconceptualization of responsibility in relation to blame.

*Keywords*: responsibility, structural Injustice, patriarchal bargains, victim-blaming, gender norms.

## Introduction

Structural injustice, given its pervasive, iterative, and multifactorial character, presents a challenge for the conventional understanding of responsibility. At the heart of this challenge lies the recognition that addressing structural forms of injustice, such as gendered oppression, necessitates a profound re-evaluation of how we assign duties to combat these injustices. The conventional understanding of responsibility – what Iris Marion Young (2011) calls the 'liability model' – seems inadequate for this task because it hinges on establishing a clear and direct causal connection between a specific agent and an alleged wrongdoing in order to ascribe responsibility and subsequent corrective duties. However, this link is hard to establish when we are confronted with the complex web of structural forms of oppression in which agents often wield little control over the multiple factors that enforce injustice (Gädeke 2021).

The case of patriarchal bargains in circumstances of gendered oppression is particularly illustrative of this complexity. Patriarchal bargains are self-interested trade-offs that women make with their communities in circumstances of gendered oppression (Kandiyoti 1988; Narayan 2002). They can be seen as a strategy to maximize security or optimize an already limited set of life options: for instance, a woman living in a patriarchal community might exchange submissiveness for protection, stability, and presumed respect (Kandiyoti 1988). Patriarchal bargains, thus, usually require compliance with oppressive gender norms, which has sparked a heated debate as to whether these negotiations represent efforts to cope with oppression or make women responsible for perpetuating it.

One of the main arguments against assigning individual moral responsibility for perpetuating oppressive gender norms to the bargaining woman is that she primarily functions as a norm taker rather than a

norm maker. Therefore, in complying with these norms, she cannot be considered at fault for perpetuating them, as they would continue to exist regardless of her individual decision to not comply. Additionally, non-compliance is considerably costly for her given her vulnerable position within the oppressive system in which she lives. (Khader 2011) Individually assigning a moral duty of non-compliance would not only misconstrue the system of gendered oppression, which manifests itself as an exceptionally intricate collective action problem, but also inflict harm on the agent herself. This would compel the agent to sacrifice the pursuit of her higher-order ends, despite the fact that her individual actions would yield little to no change in the structural system of oppression. On a conventional understanding of responsibility, given the structural character of gendered injustice, blame is thus placed on the victim for something that she has not directly contributed to. Moreover, the subsequent imposition of a supererogatory duty of non-compliance would be profoundly exploitative, especially given the agent's vulnerable position within the system of oppression.

Yet, exonerating women as individuals from all forms of responsibility concerning gendered oppression also has its drawbacks. Addressing structural oppression, in fact, necessitates structural change, which is a process that involves all constituents within the structure, even those at its lower echelons. Historical examples actually reveal that victims, when organized into structured collectives, frequently emerge as leaders of the struggles against injustice and occasionally overcome their individually imposed structural vulnerability by uniting and collaborating to realize the desired social change (Vasanthakumar, 2020). Standpoint theorists also note that marginalized individuals and communities may have, in virtue of their marginalization, a better grasp of the issues regarding oppressive gender norms and institutions than do privileged individuals. Therefore, their contribution to resisting oppression may be crucial, if not essential (Hooks 1984; Wylie 2003).

Moreover, characterizing individual agents as passive subjects of oppression, unable to respond to injustice because of their socially imposed vulnerability, may inadvertently raise some concerns for their victimization. In striving to avoid victim-blaming and the imposition of supererogatory acts of resistance against gender oppression, we risk portraying women as 'dupes of patriarchy' in need of salvation (Narayan,

2002). How, then, can we reconcile this tension between avoiding burdening the victims of oppression with a moral duty to resist and asserting that addressing structural oppression mandates the participation of marginalized groups in the struggle for its elimination?

In her influential work, Young (2011) offers a compelling and thought-provoking alternative to the conventional understanding of responsibility, which, as I will argue in this paper, helps us to circumvent – if not fully, at least partially – the negative implications of the 'liability model' – victim-blaming and supererogation – while simultaneously acknowledging that addressing structural injustice demands a collaborative effort that also includes the victims of oppression. Her Social Connection Model (SCM) redefines responsibility within the context of structural injustice as primarily shared and political, as opposed to how the liability model defines responsibility by singling out and blaming culpable agents for the unjust outcomes that they have brought about. Moreover, the specific duties that derive from this shared political responsibility are assigned on a differentiated basis such that what an agent ought to do individually is ascertained given her specific abilities and circumstances. This assignment thus avoids the imposition of supererogatory acts of resistance.

However, the SCM has not been without its share of objections. Here, I will especially focus on those that question its effectiveness in avoiding the negative implications of the liability model in relation to patriarchal bargains. The first objection that may arise from the application of the SCM to women's compliance with gender norms revolves around the differentiated process of assigning responsibilities to individuals. One could argue that this differentiation may inadvertently create a moral landscape in which everyone – including oppressors and relatively privileged victims – could potentially evade responsibility by only choosing duties that align with their own preferences, capabilities, or subjective views of what they can reasonably accomplish. In other words, if individuals are given substantial latitude in selecting their duties on the basis of their subjective assessments of their abilities and circumstances, the prescriptive force of the SCM may be weakened. This would result in a form of 'undererogation' rather than supererogation.

The second objection, which is closely related to the first, looks at the intersection between assigning differentiated duties to individuals and the conceptualization of a forward-looking account of responsibility that

aims to transcend blame. Martha Nussbaum (2011), among others (Barry and Ferracioli, 2013; Gädeke 2021), contends that the concept of blame, which the SCM seeks to distance itself from, potentially re-emerges once individual duties are differentially assigned. In essence, if an agent fails to fulfil one of the duties assigned to her within the SCM framework, questions may naturally arise about whether she should also be blamed for her failure. This objection, thus, suggests that the SCM may inadvertently pave the way for victim-blaming.

After delineating Young's SCM and illustrating how it can be applied to the case of patriarchal bargains (Section 1), I respond to the first objection (Section 2) by referring to Serene Khader's deliberative perfectionist approach. (Khader 2011) I argue in favour of an intersubjectively defined spectrum of vulnerability that determines the scope and degree of the victims' duties to resist so to avoid both supererogation and undererogation.

 I then address the second objection (Section 3) about the risk of victim-blaming. I suggest two different strategies to respond to it. However, I recognize that neither is ultimately convincing, so I leave this objection open for further discussion.

The first strategy involves Robin Zheng's explanation of Young's distinction between blaming and criticizing, which is itself based on a longstanding distinction in the literature between responsibility as attributability and responsibility as accountability (Zheng 2018; 2019). The second strategy, instead, relies on an understanding of victim-blaming as being incompatible with the apportioning of justified duties. In other words, if the victim's duties are justified, not taking them up licenses a form of blame that cannot be considered victim-blaming, at least not in the pejorative sense in which we typically conceive it.

## 1. *The structural turn*: *Young's Social Connection Model of responsibility*

In *Responsibility for Justice*, Young (2011) elaborates the SCM to address the problem of thinking about responsibility in relation to structural injustice. She argues that, because structural injustice is 'produced and reproduced by thousands or millions of persons usually acting within institutional rules and according to practices that most people regard as

morally acceptable' (*ibidem*, 95), we need a specific type of responsibility that reflects the complexity of social injustice.

To better illustrate how structural injustice works, Young uses the example of sweatshop labour, the production of garments and other consumer items in relatively small manufacturing centres in less-developed countries (*ibidem*, 125-134). Sweatshop laborers suffer injustice in the form of coercion, extremely poor working conditions, and need-deprivation. However, while some of this injustice can be attributed to specific culprits, such as factory owners who violate labour laws and harass their employers, other concurrent and interlocking factors are outside of these culprits' control. Having to survive and produce profit in a capitalistic and highly competitive environment, corporations cut productions costs by operating sweatshops, which are tolerated by the governments of less-developed countries that seek foreign investments to develop their economy. Workers, on their end, accept the bad working conditions since working in a sweatshop is often their only available source of income, while consumers opt into this system by looking for the 'best deals', which require keeping labour and production costs to a minimum. The result is a complex pattern of interlocking interests that are produced and reproduced by a large number of individuals and institutions who are differently related to each other and that ends up harming workers but also makes the realization of alternatives impossible because everyone is to some extent involved in the system. Young argues that, in these circumstances, we need a concept of responsibility that focuses on the reproduction of this pattern rather than the wrongdoing of a few individuals. She, thus, proposes to separate responsibility into two distinct models: the liability model and the SCM.

Young argues that the liability model is the traditional understanding of responsibility by which we conceive of legal and moral responsibility. She recognizes that this is 'indispensable for a legal system and for a sense of moral right that respects agents as individuals and expects them to behave in respectful ways toward others' (*ibidem*, 99). However, it presents several limitations when assessing structural injustice, such as in the cases of sweatshop labour or gendered injustice, because of the multiple factors at play. These make it impossible to single out a linear causal connection between a single wrongdoer and a certain social harm.

Unlike the liability model, the SCM focuses on bettering the situation (i.e., is forward-looking) rather than on allocating blame (i.e., backward-looking). Accordingly, in cases of structural injustice, the SCM maintains that individuals are not guilty of wrongdoing but instead share responsibility for improving the background social conditions in which they interact (*ibidem*, 105). This does not mean that the SCM ought to completely replace the liability model but instead that it ought to supplement it when we need to analyse structural injustice (*ibidem*, 174). Therefore, the two models should be pursued in tandem so that we can determine the kind of responsibility that we ought to assign to the agent, depending on her relation to injustice.

The duties of a bearer of political responsibility should be delineated based on one's abilities and circumstances. Specifically, Young proposes four parameters for discerning agents' duties: power, privilege, interest, and collective ability (*ibidem*, 142-151). Power refers to the extent of influence or control the agent wields over the processes that lead to unjust outcomes. Privilege considers the agent's position within the structure and often but not necessarily aligns with power.[1] The third parameter, namely interest in undermining injustice, refers the crucial role that victims have in publicly articulating their situation as injustice, thus voicing their particular interest in changing the situation (*ibidem*, 146). Lastly, the fourth parameter is collective ability, which denotes the capacity to leverage the resources of already organized entities to effect change.

Young recognizes that these parameters may conflict with each other (*ibidem*, 147-150). For instance, she acknowledges that agents with significant power within the structure of injustice may also have an interest in perpetuating the structure rather than in undermining it and, conversely, those who are less powerful within the structure may have a more vested interest in changing it. She thus contends that the first step is to expose these structural fissures and allow political contestation in which those who have an interest in undermining the structure may hold accountable

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[1] For instance, Young offers the example of the middle-class clothing consumers who have a relatively privileged position but do not wield much power with respect to the issue of sweatshop labour (2011, 145). Nonetheless, in being economically privileged and the beneficiaries of the affordable prices that retailers offer, they have greater responsibility to take action because they would not suffer too much from the costs of opting out of system.

those who have power and are privileged enough to change it. Moreover, those who are powerful and privileged should recognize their enhanced capacity to change the underlying conditions that lead to specific injustices (*ibidem*, 148). Yet, it is unclear on what basis this political contestation takes place. For instance, Young leaves undetermined the features of the structural fissures from which guidance for action allocation should be derived. This will be the main point of discussion in Section 2.

Young also adds that, while the agent cannot be *blamed* for her decisions in relation to differentiating her duties because it is not possible to track a linear causal connection between her actions and the system of injustice, she can be *criticized* for not taking enough action, taking ineffective action, or taking action that is counterproductive (*ibidem*, 144). Unfortunately, she does not specify what is the distinction between blaming and criticizing. Consequently, this remains one of the most contentious aspects of the SCM, which will be thoroughly explored in Section 3. However, before delving into these critical issues, the following section illustrates how the SCM applies to women's compliance with gender norms.

### 1.1. The SCM and women's compliance with gender norms

While it might appear counterintuitive to discuss the assignment of responsibility for combating structural injustice to everyone, including victims, especially after expressing a profound concern for victim-blaming and imposed supererogation, Young's SCM can help circumvent the challenges inherent in conventional understandings of responsibility related to women's compliance with gender norms. Specifically, here I show how her framework can be applied to two cases of bargaining women in situations of gendered oppression – Shreya and Lisa.

Shreya is a black female attorney, who chooses to accommodate the racist and sexist demands of her colleagues. (William and Dempsey 2014; Khader 2021)[2] She knows that not only non-compliance would ren-

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[2] Shreya's story is an imaginary example based on the data about challenges to women's advancement in the workplace (William and Dempsey 2014). Khader (2021) uses it to show the possibility of self-respect and resistance under circumstances of oppression. Much of my discussion of patriarchal bargains is based on her insights about this fictitious case.

der the workplace environment intolerable, but it would also seriously jeopardize her career prospects.

Lisa is a married woman, trying to find an agreement on full-time childcare with her husband (Cudd 2006). Lisa opts to be a stay-at-home mom, after considering that her husband's job is more remunerative than hers and so would guarantee better economic prospects for her family. According to the SCM, both women are *not morally culpable* for perpetuating unjust gender norms by complying to pursue their higher-order ends. Yet, they are *responsible* for combating gender injustice, given their involvement in the system that perpetuates these norms. Additionally, despite prioritizing other interests, they possess an interest in undermining the structure that limits their opportunities for flourishing.

The key question revolves around how this type of responsibility can be discharged. One way to do so is to reframe Shreya and Lisa's bargains as instances of prospective resistance. Prospective resistance entails that the bargainer negotiates with gender norms to achieve her higher-order ends while intentionally deferring open resistance to a time when she is more powerful or better positioned in the social structure, thus also potentially maximizing its impact. This reframing ensures that the agent is not burdened by any supererogatory demand, as the duties she must fulfill are proportionate to her vulnerability in the circumstances she faces.

However, this does not imply that 1) the bargaining agent cannot take any action to fight injustice while waiting for more favourable conditions – for instance, self-reflection, *per* Young's account (2011, 148), is already an initial step of resistance; 2) the option of immediate resistance is foreclosed if it carries reduced efficacy; 3) that failure to reframe a bargain as prospective resistance renders the agent blameworthy. While I extensively address the third claim in Section 3, here I briefly analyse the first two.

Consider Shreya's case in relation to point 1). As a black female attorney in a law firm marked by racism and sexism, she may recognize her relative lack of power and privilege compared to her colleagues. While feeling limited in her ability to openly confront this injustice at present, she may acknowledge a responsibility to resist when circumstances allow for explicit resistance without unbearable or excessive costs. According to the SCM, this already marks a crucial step in combating

injustice, as compliance and responsibility can harmoniously coexist in circumstances of structural injustice. By striving to do her best and keeping the possibility of future resistance in mind, Shreya aligns with the SCM's principles. Additionally, despite facing marginalization and disempowerment, she may opt for subtler forms of resistance that are less burdensome than open resistance, such as joining a group focused on raising awareness of women's working conditions or discreetly challenging certain requests from her colleagues.

Similarly, let's consider Lisa's case. Prioritizing full-time care for her child to maximize family income does not imply that she must abandon the fight against gender injustice. For Lisa, prospective resistance might involve returning to work once her child is older, but, in the meantime, she could advocate for women's equal pay and work towards closing the gender pay gap by actively supporting policy changes and legislative initiatives. In both cases, compliance does not amount to acquiescence to oppression.

Moreover, even after reaching a certain position from which it is less costly for an oppressed person to resist more openly, one can differentiate between counter-normative and a-normative behaviour to resist oppression (Terlazzo 2020). Counter-normative non-compliance entails direct opposition to norms and is tendentially more costly. For instance, with respect to beauty norms, a plus-sized woman may reclaim the use of 'fat' as a positive adjective but at the cost of a higher risk of backlash. A-normative behaviour, on the other hand, involves eccentricity that lies outside of a norm without necessarily contradicting or challenging the values at its heart. An example might be the case of dying one's hair an unconventional bright colour. Therefore, even when it comes to non-compliance, different types of action can be more or less costly and consequently may or may not represent a duty depending on one's social position and the power that an agent has within the structure.

Turning to point 2), differentiating duties, based on the parameters Young proposes, does not imply that the agent cannot choose to openly resist, despite the associated costs, if she desires to do so. It only implies that no one can *compel* her to do so precisely because this goes beyond her duty. One might argue that she should refrain from openly resisting in these circumstances because doing so would have reduced efficacy compared to prospective resistance. While deferring resistance might be

more impactful, the fact that the agent bears higher costs might compensate for this by inspiring other people to fulfil their duties.[3] Observing a person who significantly sacrifices her interests for the cause may not provide immediate rewards in terms of emancipation and certainly cannot be mandatory – once again, given the costs involved – but it might encourage others to fulfil their obligations. For instance, consider the stories of renowned social reformers, such as Rosa Parks or Nelson Mandela, whose dedication inspired numerous individuals to join the fight against injustice, even though they faced exceptionally high personal costs. Therefore, the SCM neither precludes nor discourages the option of open and immediate resistance.

I move now to discuss the process of allocation of certain duties, in particular by addressing the objection according to which subjectivity in assigning duties may result in a moral free pass because of undererogation.

## 2. Undererogation: The problem of differentiating duties

As illustrated so far, Young argues that all the agents who (indirectly) contribute to the background conditions in which injustice takes place still share some form of responsibility for social change (2011, 142). Yet, it is up to them to decide how to discharge this responsibility within the limits of what is reasonable for them to do, given the four parameters of power, privilege, interest, and collective ability (*ibidem*, 143). This raises questions about the subjective nature of specifying individual duties to bring about desired social change. In fact, while responsibility is shared, the fact that individuals can choose what is reasonable *for them* to do may leave space for being lax about resisting injustice and offering excuses for inaction. Even more worrying is that this problem applies not only to the case of the victims of oppression, who may be legitimized in opting out of certain particularly demanding duties given their vulnerability to injustice, but also to those who are more powerful and privileged within

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[3] The efficacy of a certain act of resistance can be particularly hard to predict. However, from a general perspective, having more power, privilege and collective ability intuitively leads to greater chances of success.

the structure of injustice and who may find it reasonable for them to do the bare minimum because they have no particular interest in dismantling a system that benefits them. In this sense the subjective nature of differentiating duties may amount to a form of 'undererogation'.

Young recognizes that the parameters for reasoning about individual action may lead to this counterintuitive conclusion and argues that political contestation can help us to clarify one's role in a system of oppression and the corresponding duties one should fulfill in relation to that system. Yet, this seems to reiterate the problem of subjectivity at an earlier stage of the process of assigning duties: the moment when one recognizes one's role within the system. How do we reveal the structural fissures that function as a basis for action guidance during political contestation? An agent may have a distorted perspective of how she contributes to a system of oppression and so, once again, she may argue that she ought to do much less than her actual role would require her to do.

Take again the case of Shreya, but this time once she has reached a position of power within her firm. Let's hypothesize that, in this situation, she no longer faces any particularly high costs of non-compliance since she is powerful and privileged enough to defy her colleagues' demands. What if she refuses to recognize that her situation has changed and so does not accept that her responsibility to fight structural injustice has also changed? According to Young, the process of political contestation should help her to recognize that she now has a more burdensome duty to discharge than she did before, when she was more vulnerable to the costs of non-compliance. Yet, without a point of reference in the political arena to guide this process, the allocation of differentiated duties remains rather undetermined. The more undetermined it is, the more laxity is granted to resisting injustice. For instance, even after engaging in the process of political contestation, Shreya may fail to recognize that her situation has changed, given the absence of shared criteria to assess the social circumstances she lives in. A way to overcome the indeterminacy of the process of political contestation would be to provide a clear assessment of an agent's vulnerability, enabling us to determine how demanding a specific duty should be in relation to it. In the following section, I argue that Khader's deliberative perfectionist approach can facilitate this assessment by clarifying the structural fissures that ground the agents' subsequent duties to fight oppression.

## 2.1 An intersubjective process for allocating differentiated duties

Khader's deliberative perfectionist account aims to articulate a specific conception of basic human flourishing, through a process of public deliberation, with the purpose of guiding public interventions in circumstances of oppression. (Khader 2011) While she does not advocate for a predefined flourishing framework, she does outline certain specific formal requirements for what this conception of flourishing ought to entail.

In particular, she argues that it should be cross-culturally acceptable, substantively and justificatorily minimal, and vague (*ibidem*, 60-63). By 'cross-culturally acceptable' she means that it must be arrived at through an actual, rather than hypothetical, process of deliberation that is inclusive and widely perceived as legitimate. To achieve cross-cultural acceptability, this conception must also be substantively minimal because there seems to be greater consistency among different cultures regarding what basic flourishing requires than what human excellence requires (61). Additionally, it should be justificatorily minimal, meaning that it should be compatible with a variety of different justifications.[4] The conception is vague insofar as it is described at a level of generality that allows for its application in various cases.[5] Finally, this conception requires local-level deliberation for practical use, given that understanding the role that a specific action plays in its particular context is essential when defining the costs attached to certain actions of resistance.

Khader acknowledges that there are already several existing proposals for a conception of flourishing with the potential of aligning with these stipulations. She refers to the list of human rights, Nussbaum's

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[4] Khader borrows this term from Joshua Cohen (2004), who uses it to describe conceptions that do not involve comprehensive moral justifications. Therefore, the agreement reached on a certain list of elements that constitute basic human flourishing can be supported by different perspectives. Examples include the justification of women's human rights using ideas found in the Koran (Afkhami 1997) or a reinterpretation of human rights based on traditional Yoruba beliefs (Bewaji 2006).

[5] For instance, one should refer to 'access to adequate nutrition' rather than access to specific foods (Khader 2011).

(2001) capabilities list, Ackerly's (2000) list of what human beings should be able to choose, and Alkire's (2005) list of capability dimensions. Yet, she also recognizes that none of these may be sufficiently cross-culturally acceptable. Therefore, she not only refrains from presenting her own proposal but also does not take a stance on which of these conceptions is the best vis-à-vis her suggested stipulations. She argues that an actual process of public deliberation should guide the elaboration of these conceptions, yet she also leaves open the question of what kind of deliberative process would be the most appropriate.

Here, I do not intend to offer answers to these questions because doing so would be beyond the scope of this paper. My contention is that a publicly deliberated conception of flourishing – whatever this might be – can integrate the SCM to guide the process of differentiating individual duties. Such a conception would provide guidance in recognizing and assessing specific vulnerabilities, allowing for a thorough evaluation of the potential costs of certain actions for individual agents, in relation to their vulnerability. Moreover, by being subject to public deliberation, it sidesteps criticisms of paternalism and ethnocentrism often leveled against other conceptions of flourishing.[6]

For instance, let's turn back to Shreya's case, once she has reached a position of power and privilege within her firm. After the public deliberation of a specific conception of flourishing, it is easier to determine how burdened she should be by the allocation of duties of resistance. This conception would highlight that Shreya is now in a different position than before and thus must fulfill a set of duties that are likely more demanding than those she had when she used to hold a less privileged position in her firm. Similarly, regarding Lisa, an account of flourishing would assist in determining the demandingness of her duties, once she is no longer solely occupied with full-time childcare. Thus, this conception of flourishing acts as a benchmark for identifying the structural deficiencies within a given social setting. It provides a measure of vulnerability that guides the differentiated assignment of duties based on the associated costs relative to

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[6] For a review of the debate concerning the charged of paternalism and ethnocentrism against different accounts of flourishing, especially Nussbaum's capabilities approach, see Khader 2011.

the agent's specific circumstances. Yet, the account of flourishing does not prescribe *specific* actions in a given situation; the decision on what to do in a given situation still lies with the agent, who determines the appropriate course of action based on her circumstances and, ultimately, through the process of political contestation that takes place within her community with whom she shares political responsibility.[7] In short, the primary role attributed to the flourishing account here is to indicate the extent to which the agent should bear certain costs to address injustice to prevent her from opting for undererogation. Once the demandingness of her duties has been established; it is up to the agent to decide what to do.

While the conception of flourishing guides offers guidance in the process of duty allocation, the question of addressing failures in duty fulfillment remains open. In particular, detractors of the SCM argue that Young falls short of delivering an account of responsibility that successfully extends beyond the concept of blame. The following section discusses this objection and examines two viable strategies to tackle it.

## 3. Failing duties: The problem of victim-blaming

Nussbaum (2011), in her famous foreword to Young's *Responsibility for Justice*, contests the possibility of conceptually separating responsibility from blame. She thinks that if an agent A bears forward-looking responsibility R for social ill S and time passes without A's taking up R, then, after enough time has passed, A is guilty of not doing what she was supposed to. By contrast, on Young's view, the agent cannot be considered guilty because the SCM goes beyond the idea of blame. A, thus, seemingly acquires a moral free pass. Similarly, Gädeke (2021) and Barry and Ferracioli (2013) echo Nussbaum's concern, contending that refraining from blaming the agent for failing to discharge political responsibility overlooks the genesis of past injustices, effectively 'wiping the slate clean' even when the agent fails to act as expected.

However, if we take these objections seriously and revise the SCM to include blame, we risk ending up with a version of the SCM that very

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[7] I wish to thank one of the reviewers for suggesting to clarify the purpose of the flourishing account in the SCM.

much resembles the liability model. In fact, if the revised SCM affords us the possibility of blaming the agent for not discharging her forward-looking responsibility, it also affords us the possibility of blaming victims for failing to act as they should have and thus re-enacts the previously examined worries concerning victim-blaming.

The two strategies I analyze here attempt to address this challenging objection from distinct angles, yet neither fully resolves the issue. Therefore, I refrain from favoring one over the other and focus solely on assessing their respective advantages and disadvantages. The first strategy entails adopting Zheng's (2019) explanation of the distinction between blaming and criticizing. The second involves arguing that holding a victim accountable for failing to fulfill their justified duties does not amount to victim-blaming.

## 3.1 Blaming vs. criticizing

To address the victim-blaming objection, Zheng (2019) reframes the difference between the SCM and liability model as a difference in responsibility as accountability and responsibility as attributability. She explains that responsibility as attributability appraises agents for their actions by focusing on the agent, while a conceptualization of responsibility as accountability apportions burdens by concentrating on the harm and its redress. Zheng argues that the liability model of responsibility represents a particular conception of responsibility as attributability, while the SCM can be considered as a conception of responsibility as accountability. As we have seen, it is not possible to identify some form of faulty agency for a specific individual because of structural injustice's pervasive, iterative, and multifactorial character. Therefore, the SCM proceeds by determining how certain responsibilities should be apportioned without assessing faulty agency to certain individuals. This also means that if the agent fails to take up her responsibility, she cannot be blamed on the SCM, which is always directed at clarifying what should be done next rather than what should be done about the past. If the agent does not discharge her differentiated duty, the SCM then moves on to elaborate ways to redistribute these burdens across the community.[8]

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[8] I would like to express my gratitude to one of the reviewers for bringing attention to the issue of free-riding political responsibility, which arises when an agent fails

Yet, Young (2011) and Zheng (2019) agree on the idea that the agent can be *criticized* for not acting as she is supposed to act. For instance, let's hypothesize that, based on the spectrum of vulnerability previously analysed, subject A needs to discharge a specific duty D, which is proportioned to her threshold of vulnerability. Yet, regardless of the threshold, A decides to go for duty L which is much less onerous and effective for furthering resistance to struggle. Zheng (2019) argues that we cannot blame A since her agency is not at fault given that she is not intentionally causing harm and that intricate, concurrent factors make up the system of oppression that generate the harmful outcome. What we can do is to criticize A for not fulfilling her assigned role in the collective struggle for resistance.

The subtle but fundamental distinction between blaming and criticizing lies in Zheng's argument that criticism is applicable to a broader set of cases, while blame is justified only when a wrongful outcome is attributable to a certain person. For instance, criticism holds someone accountable by exposing them for not acting as expected. In the context of structural injustice, where linking individual consciousness to action in macro-social processes is challenging, basically everyone can be the object of this type of criticism. Blaming, instead, is qualified as the exercise of distinguishing those who are more or less morally righteous.[9] However, it is hard to locate a special higher or lower moral ground vis-à-vis structural oppression if all the agents are to some extent involved in the structure of injustice, but, at the same time, they cannot individually affect the structure to make a substantive difference.

While Zheng's strategy aligns with Young's understanding of the social connection model, it is vulnerable to two criticisms. First, one may argue that regardless of how much we emphasize the distinction between blaming and criticizing, it is too difficult to implement it. When criti-

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to fulfill her duty, leading to the redistribution of the burden of resistance across her community. While I do not delve into the topic of free-riding in this paper, as my primary focus is on the allocation of differentiated duties and victim-blaming, it is worth considering that determining what is the appropriate response to the lack of duty fulfillment, either by opting for the first or second strategy analyzed here, is also crucial to respond to the issue of free-riding. In fact, one may prevent the agent from engaging in free-riding either by criticizing (strategy 1) or blaming (strategy 2).

[9] Here Zheng (2019) refers to Young (2011, 170), who refers to Nietzsche (1967).

cizing a victim for not acting as expected, we risk inevitably conveying an element of blame in our judgment. Second, authors like Nussbaum (2011) argue that blame should actually be welcomed since it serves as a powerful deterrent for inaction. Therefore, any account that tries to avoid it risks being insufficient for motivating agents to act differently. In this perspective, praise and blame are seen as incentives to seek social change in the future yet on the proviso that blame is properly allocated. This, thus, leads us to the second strategy for saying that the SCM avoids victim-blaming, at least in the pejorative sense.

## 3.2. Victim-blaming vs. blaming the victim

The strategy that distinguishes between victim-blaming from blaming the victim takes a fundamentally different approach from the first one. It essentially argues that, under certain circumstances and provided that blame is properly allocated, blaming the victim is justified and does not amount to the pejorative sense of 'victim-blaming' when apportioning blame signifies something inherently wrongful. Although this strategy is not explicitly present in Young's work, it enables her account to respond to Nussbaum's and others' criticisms, while preserving the idea of not strictly blaming victims.

The argument unfolds as follows: if an agent A has a certain duty D, but the apportioning process of D has not considered her social position, the costs attached to resisting, or other relevant factors, then A should not be blamed for not fulfilling her duty. However, if D has been assigned through an appropriate process, as with an application of the SCM, then we may not only criticize her but also legitimately blame her for not discharging her duty. Most importantly, blaming in this case does not align with the traditional understanding of victim-blaming. According to Harvey (1995), victim-blaming involves claiming that the victim either contributed to a specific harm or responded in a way that exacerbated the outcome. The revised version of the SCM that reintroduces the notion of blame does not blame the victim for these reasons. The victim cannot be blamed for making a critical contribution to structural injustice or for exacerbating harm, as we have established that, as an individual, she can only make a marginal contribution (i.e., she acts as a norm-taker rather than a norm-maker). The reason to blame her specifically lies in her failure to fulfil her differen-

tiated duty to contribute to the collective struggle against oppression. She is, in a way, 'blameworthy' for impeding the process of social change but not for making things 'worse', given her limited capacity to do so.

The first drawback of this strategy is its unorthodox nature; it may be argued that it introduces such a significant change in Young 's account that it distorts the essence of the SCM. After all, one of the primary objectives of the SCM is precisely to separate the concept of blame from that of responsibility. Therefore, reintroducing it, even if on a different basis to avoid victim-blaming, might be seen as undermining the nature of Young's theoretical project.

The second concern revolves around the distinction between cases of victim-blaming in the pejorative sense and what can be termed as 'blaming the victim' or 'victim-blaming in the justified sense'. This distinction hinges on whether the latter truly qualifies as victim-blaming or is rather akin to holding someone accountable for failing in their duties, despite being a victim themselves. The distinction aligns with the framework of the SCM because the SCM operates on the assumption of shared political responsibility towards structural injustice. However, it is incompatible with the liability model, which requires tracing a direct causal link between an individual and a specific wrongdoing. Therefore, according to the liability model, all instances of victim-blaming ought to be considered in the pejorative sense. On this model, in fact, if the victim fails to fulfill her duties she is identified as someone who 'makes things worse' and so deserves to be blamed as such.

*Conclusion*

The examination of Young's SCM has provided a comprehensive exploration of an alternative framework for understanding responsibility in the face of structural injustice. I have tried to shed light on its strengths and address various objections that may arise in its application within the context of women's strategic compliance with gender norms.

To respond to the first objection about the possibility of undererogation within the SCM, I introduced an intersubjectively defined spectrum of vulnerability, drawing from Khader's deliberative perfectionism. The second objection, closely tied to the first, questioned the SCM's ability

to distance itself from blame. I have proposed two strategies for addressing this concern: 1) distinguishing between blaming and criticizing and 2) distinguishing between victim-blaming and the apportioning of justified duties. However, I have also highlighted how both strategies face some criticism, so this issue has been left partially unresolved within the SCM.

Yet, despite this lingering question, I find the SCM to be a compelling framework for conceptualizing shared political responsibility in combating structural injustice. It advocates for a nuanced approach to duty allocation, thereby preventing systematic and disproportionate disadvantage to the most vulnerable, while also ensuring that everyone is included in the fight against injustice.

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# Moral Injustice. How an Unfair Distribution of Moral Burdens Harms the Individual and Our Society as a Whole*

Abstract

Moral agency cannot be understood if one makes abstraction from the social conditions of agency. If the latter are taken into account, it becomes clear that acting in accordance with one's values does not depend solely on the agent's own intentions. The ability to act morally depends on what kinds of responsibilities one bears and is co-determined by political and structural conditions. As a result of an unfair division of moral labor, some subjects are structurally over-exposed to moral insecurity and failure. This can be defined as moral injustice. First, the paper explores the psychological dynamics of the experience of moral insecurity and failure, explaining the reasons why people feel guilt or shame despite the lack of control over the circumstances of the action and how they cope with these negative emotions, which can lead to aggressiveness and moral blindness. Second, it explores the social dynamics which lead to moral injustice, understood as an unfair distribution of moral burdens. Finally, it shows how moral injustice affects people's well-being and the quality of our democratic life and should therefore be considered a politically relevant issue.

Keywords: moral blindness; guilt; moral shame; moral distress; feminist moral philosophy; moral injustice.

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## Introduction

The usual assumption in contemporary moral philosophy is that anyone who is fully conscious and capable of making autonomous decisions can be considered a moral agent. The latter, in turn, is regarded as a person capable of acting in accordance with what they consider valuable. In this respect there are no differences among moral agents. The underlying egalitarianism and universalism of this assumption stand in contrast to the exclusion of women, slaves, and other subjects, which was typical both in ancient and in a great part of modern moral philosophy. Aristotle, for instance, thought that a specific social status – that of free male citizens – was necessary to be considered full-fledged moral agents (Nussbaum 1995, 122). Even though the usual contemporary approach is based on important democratic values, it is based on a form of universalism which, by making abstraction from the social conditions of agency, becomes blind to power differentials. This kind of universalism has been criticized especially by feminist and non-white philosophers. Drawing inspiration from this line of critical thinking, and especially from the work of Marget Urban Walker (2001; 2007), I will argue that certain social conditions jeopardize the subject's moral capabilities, resulting in moral insecurity and moral failure.

It is a common-sense truth that not everyone shares the same responsibilities. Indeed, who is supposed to bear responsibility for what and, moreover, what counts as responsibility are questions with no obvious answers. However, since responsibility is a key concept for any form of moral theorizing, they cannot be left aside. As Walker argues, answering them requires an analysis of power relations and shared cultural values. As she states: "We are not all responsible for the same things, in the same ways, at the same costs, or with similar exposure to demand or blame by the same judges" (Walker 2007, 106). The fact that parenting, for example, counts as a responsibility, seems obvious to us, but it was not obvious in ancient Sparta, and the fact that only mothers are responsible for childcare is something many people nowadays no longer accept as obvious. One could object that these differences are not relevant for moral theory, since everyone ought to follow the same moral law, regardless of their actual social roles and corresponding responsibilities. However, here is exactly where the limit of abstract moral theorizing

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comes to the fore: it does not take into account the material conditions which make moral agency possible. Different social positions not only entail specific responsibilities that others may not have, but they also impact access to the resources needed to fulfill those responsibilities. If these resources are limited, the ability to act as a moral agent will be impaired. By 'resources' I mean not only money or material goods, but also, and especially, power and authority, as well as time, mental and physical energy, and whatever is needed to perform the required moral action. Some moral philosophers would rejoin that if one lacks the necessary resources to perform an action, one is relieved of responsibility, because no one can be morally required to do something one cannot do, according to the principle that 'ought implies can'. Yet the distinction between what is possible and what is not is far from obvious. In many cases one realizes that something is impossible to do – in order words, that the available resources are insufficient – only while trying to do it. As we will see, this makes a substantial difference. It means that, in real life, people often *are* held – by others or by themselves – responsible for things they cannot do or they cannot do the way they are expected or they themselves wish to do. Saying that they are not, in fact, responsible would be to disregard the reality of moral practices, the way shared "moral understandings" (Walker 2007) shape people's own personal and social identities. However, a moral theory which makes abstraction from the reality of moral practices condemns itself to irrelevance.

The ability to fulfill one's responsibilities therefore depends on what kinds of responsibilities one is supposed to discharge and on the resources one has available. This means that some people bear responsibilities they cannot (fully) discharge, because they lack the necessary resources, whereas other people do not bear the same kinds of responsibilities or are in a better position to discharge them. Let us take as an example a woman who, while working full-time, bears responsibility for household and child care, because a traditional division of roles still applies in her family. It is not unlikely that this woman will not be in a position to perform her care work in the way other people, and perhaps she herself, expects it to be done. She will therefore be subject to blame and self-criticism in a way unknown to her husband, who does not bear the same kind of responsibilities. We can imagine another woman, richer than the first one, who can delegate much of the care work she cannot

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do to other women. Having access to greater material resources, she will be spared, at least in part, the blame and self-criticism to which the other woman is subjected. An unfair distribution of responsibilities and resources results in what I will call *moral injustice*. I will explore its causes in the second part of the paper and point out its consequences for our democratic societies in the concluding paragraph. Before addressing these aspects, however, I will focus on the psychological experience of being unable to act in accordance with what one considers valuable. In doing so, I will challenge another common assumption, namely, that negative moral emotions, such as guilt and (moral) shame,[1] can be considered appropriate reactions only when they arise as a result of intentional violations of moral values.

## 1. *Moral insecurity and moral failure*

When a moral agent fails to fulfill what they see as their moral responsibility, they feel shame or guilt (O'Hear 1977; Piers 1971). If it is true that, as I have argued in the introduction, some people bear responsibilities they cannot (fully) discharge, it follows that some people cannot avoid feeling shame or guilt. This emotional dimension of moral agency is neglected by those moral philosophers who stick to (a specific understanding of) the principle that ought implies can. It is irrational, from their perspective, to feel guilty for having failed to do something that was impossible for the agent to do. However, it is an emotional reaction many people experience in their everyday life and, as Lisa Tessman writes at the beginning of her insightful book on moral failure, if we dismiss emotional reactions as irrational, "the result is a moral theory that does not really suit the kinds of creatures that we are" (Tessman 2015, 2). This does not mean that we should accept emotional reactions at face value.

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[1] Shame is often considered a social emotion, arising as a result of the subject's exposure to the gaze of others. However, as some authors have pointed out, shame can also be a private experience, and result from one's inability to meet one's self-ideal. This is called moral shame. Throughout the paper, I will always mean moral shame, even if I will omit the adjective. On shame and its relation to injustice, see Cavallo (2021).

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They could be the result of mistaken beliefs, ideologies, or unconscious motives (*ibidem*, 31). Guilt and shame clearly fall into this category. However, there are cases in which guilt and shame result from our firmest beliefs and values. This is clear in the case the subject fails to do what was possible. One feels guilty if one commits – or witnesses without intervening or protesting – something which one considers to be immoral; one feels shame if, as a consequence of immoral action or complicity, one starts seeing oneself as being of lower value than one had previously assumed. Discounting these emotional reactions would amount to a form of irrational denial or suppression. The same applies to those cases in which the subject's ability to act in impaired by the circumstances. If a social worker A, for instance, believes that it is their responsibility to help an immigrant worker B find a job, it is not unlikely that A will feel guilty if they fail to help B find a job, even if this is due, at least in part, to the fact that B is discriminated against by most employers, something for which A bears no responsibility. This can happen if A believes that, despite discrimination, it is not impossible for B to find a job; in this case, A will believe, *a fortiori*, that the fact that B has not found a job is attributable at least in part to A's own failure. However, even if A would eventually come to the conclusion that there is nothing else to do to help B find a job, A may still experience a form of uneasiness, because A was involved in a situation which resulted in the violation of something valuable (namely, B's right to work). Bernard Williams has called this feeling of uneasiness a "moral remainder" (Williams 1973, 179), which is a sign of what the subject considers valuable. Dismissing negative emotional reactions to unintentional violations of moral values amounts to arguing that people should forget about their values as soon as they realize that it is difficult to put them in place. The ability to forget what one values would then count as a virtue. Williams, however, does not think that guilt is an appropriate term to describe this moral remainder. He thinks it is rather regret.[2] He shares with other authors the idea that guilt is not appropriate for those cases in which the subject could not have done otherwise. However, these authors ignore the possibility that

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[2] The same does Gowans (1994, 148), quoted by Tessman (2015, 33), who in turn does not disagree on this point.

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the subject fails to achieve a goal which they believed was attainable and instead turned out to be impossible to achieve. In this case, the subject is likely to experience guilt and shame. If a goal is set, it is considered attainable. Failure to achieve it is then experienced as failure. Within the moral domain, failure equals the inability to achieve moral goals and is experienced in the form of guilt and shame. Regret is a feeling one has for having to give up on a certain goal *before* even trying to achieve it.[3] Imagine a person who decides to give up studying music and never becomes a musician. The goal was not, in itself, unattainable, but the person had good reasons to believe it was better to give up. If music is still important to this person, they may regret not having become a musician. However, there is no experience of failure, because becoming a musician was no longer the person's goal. On the contrary, if someone has to give up on a goal *after* having tried to achieve it, they will have to acknowledge their failure and will be more likely to experience shame and, in the case of moral goals, guilt rather than simply regret. If that person really wanted to become a musician and had to give up after years of intensive training because they realized they were not skilled enough, it is odd to think they would simply regret not having become a musician. It is more likely that they would feel ashamed for having invested so much time and energy in something they are not good at. Similar to this attempted musician, moral agents are committed to realizing moral goals which they consider valuable and attainable. Thus, if they fail to do so, they are more likely to experience guilt and shame rather than simply regret. This is due precisely to the fact that ought implies can. As Lisa Tessman suggests, this principle should be understood in the sense that moral requirements imply something which "would necessarily be possible (and actual) in every good-enough world" (Tessman 2015, 46). This is, at least, how people experience the force of moral requirements: as something that ought to be possible, even when it is not, and continues to hold for people even if they are unable to act accordingly in the present moment

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[3] Indeed, this is what Williams talks about (1973, 170), as he analyzes moral dilemmas, which are situations in which one has to give up on one of two conflicting moral goals. The same applies to the other authors quoted in the previous footnote. It is quite curious to note that the idea that pursing a moral goal could be impossible due to external constraints is almost absent in moral philosophy.

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given the circumstances. In this sense, moral requirements are similar to desires: just as the fact that someone cannot satisfy a desire at a specific time does not necessarily mean that they no longer have that desire, the fact that a moral requirement cannot be fulfilled under specific circumstances does not necessarily mean that the requirement ceases to hold for the subject.[4]

Going back to the example of the social worker, one could still argue that A's emotional reaction is irrational, since the fact that A's goal turned out to be unattainable shows that A had wrongly assessed the circumstances and overestimated A's own moral capabilities. The conclusion would be that one must be realistic about one's moral capabilities and adequately take into account external constraints. In this way, one would avoid setting unattainable moral goals and thus experiencing moral failure. Indeed, it is perfectly possible to imagine that $A_2$ (a colleague of A's) does not feel guilty even though they cannot help B find a job. $A_2$ does not have strong emotional reactions; $A_2$ believes there is nothing to be done to change the situation and that A should learn to accept reality. However, $A_2$ is not necessarily more rational than A. $A_2$'s appeal to reality could be a form of what in psychoanalysis is called 'rationalization', defined by Laplanche and Pontalis as an "attempt to present an explanation that is either logically consistent or ethically acceptable for attitudes, actions, ideas, feelings, etc." (Laplanche and Pontalis 1973, 375). A very common way of rationalizing is indeed to make "appeal to reality" (*ibidem*, 376) in order to conceal the true motives of one's behavior. At worst, appealing to reality may be a way of denying an inner conflict and justifying forms of emotional detachment or even immoral behavior, thus rendering the subject blind to all kinds of moral considerations (cf. Dejours 1998, 155ff.). As Laplanche and Pontalis state, since any behavior is susceptible of rational explanation, it is often difficult to distinguish between true motives and rationalizations. However, whereas true motives are the expression of the subject's own beliefs, rationalization

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[4] Someone could argue that, just as there can be irrational desires, there can be irrational moral believes. At this point of the argumentation, however, I am not interested in defending the rationality of someone's moral believes, as I am only interested in describing the experience of moral failure. On the social origin of moral requirements, see the next page of the paper.

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"finds solid support in established ideologies (…)" (*ibidem*). An immediate emotional reaction is certainly more likely to be an expression of a person's beliefs than a realistic, detached assessment. This, of course, does not mean that a person's beliefs cannot be irrational, nor that reality should not be taken into account. What I want to point out is simply that the lack of an emotional reaction is not necessarily preferable to its occurrence. Which reaction is more rational is debatable. If one has high moral standards, reality itself may appear irrational, and negative emotional responses may be considered the consequence of a sound appraisal of the evils of reality. On the other hand, if one thinks that reality cannot or should not be changed, negative emotional responses may appear as irrational. This also means that people who tend to experience guilt and shame are people who believe things ought to be different, consider themselves (co-)responsible for bringing about change, and believe that change is possible. This is confirmed by empirical evidence (e.g., Montada and Schneider 1989).

Does this mean that only a few "moral saints" (Wolf 1982) experience negative emotions when faced with the impossibility of meeting their high moral standards? If this were the case, it would not make sense to speak of a moral injustice: the fact that some people cannot fulfill their responsibilities would be due solely to the fact that they have too high moral standards. However, while this may be true in some cases, it must be remembered that values are not a creation of the subject. One learns to see certain things as valuable by participating to what Alsdair MacIntyre calls "practices" (MacIntyre 2007, 187). By engaging in a practice, one learns to value the goals that define the practice itself. One learns what it means to be a good football player by playing football, and one cannot be a good football player without valuing excellent playing and scoring. In the same way, one learns to value certain goals by being a social worker (to stick with our previous example), and one cannot be a good social worker if one neglects those values. Values are constitutive of the practice in which one engages and define what it means to be a good practitioner. They determine the goals of the practice, which must be assumed to be attainable, for otherwise the practice itself would be absurd. Thus, the inability to achieve these goals is experienced as a fail-

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ure.[5] This is why a person can – reasonably – experience guilt and shame for having failed to achieve a goal which is constitutive of the practice in which they are engaged.

One could still argue that the fact that the goal turned out to be unattainable should, *a posteriori*, justify the subject. However, it is not entirely accurate to say that the goal turned out to be unattainable. How can A know for sure that helping B was impossible? In most cases, the only thing that is sure is that A was unable to achieve a goal. It is hard to assess whether the goal actually was unattainable. This means that A remains insecure about the justification of their choice. This is what I call moral insecurity, which can have different causes. Under certain circumstances, the price of doing X may be too high for A. In such cases, A will decide to do Y instead of X because Y appears to be the lesser evil. However, A may: (1) feel responsible for being in a situation in which A is forced to choose Y (Williams 1993, 69-74); (2) worry about not having correctly assessed the situation and, accordingly, misjudging the possible consequences of X (Hill 1991, 67-84);[6] (3) realize that the choice of Y was motivated by the fear of possible negative consequences for A-self (Frankfurt 1998, 39-40). In cases (1)-(3), A cannot rule out that X would have been feasible if only A (1) had not made wrong decisions in the past; (2) had assessed the situation more accurately; or (3) had had the courage to bear the possible negative consequences of X. However, if X was actually possible – which A cannot rule out in all these cases – not doing X constitutes a culpable moral failure. Thus, in all these cases, A cannot be sure whether Y can be justified. A believes, or wants to believe, that their behavior was justified, but the possibility that it was not

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[5] One experiences failure *as a practitioner*. What is at stake is the meaning of one's engagement in the practice, or even the meaning of the practice itself. This shows that being able to act in accordance to what one considers valuable is not only a moral, but also an existential question. However, I do not have the space to explore this dimension here.

[6] A common approach in moral philosophy is to consider something as a moral requirement only if acting upon it will produce the state of affairs with the highest value, *all things considered*. One of the problems with this approach is that the agent is not necessarily in a position to develop an all-things-considered reasoning and is therefore left with moral insecurity.

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leaves room for guilt and shame. Indeed, guilt and shame do not only arise, as it is often assumed, when the subject has clearly violated a moral principle. As Nancy Sherman writes:

> sometimes (…) feeling guilt involves an *open* question of an individual's moral responsibility (…) [A] person remains genuinely uncertain, not sure what to believe about his or her moral responsibility given the question of causal involvement, whether an individual could have or should have known the consequences of his or her actions (…) or could have or should have found a more graceful way out of complicity. (…) In the case of subjective guilt, to call it 'irrational' or recalcitrant can be dismissive, encouraging us to overlook the genuine figuring out that is often part of the psychological process of healthy ownership of responsibility (2014, 223-224).

The complexity of moral life often makes it hard for the subject to assess their own behavior. As a result, the subject may experience guilt and shame (perhaps transiently or inconstantly).

Another source of moral insecurity is what Immanuel Kant calls "imperfect duties". Imperfect duties prescribe generic ends to be pursued (e.g., the well-being of others), without saying anything "about the kind and extent of actions" (Kant 1991, 240) that ought to be undertaken in view of these ends. The extent to which the subject is bound by these duties is left to the subject's own sensibility. For example, nurses' work aims at promoting the patients' well-being. However, it is not always clear what exactly this duty requires, who is supposed to do what, when, and how. The problem with imperfect duties is that "no specific limits can be assigned to what should be done" (*ibidem*, 197). As a consequence, the subject cannot know whether they have fulfilled their responsibility by doing what they have done the way they have done it. It is always possible to do more and to do it differently. Thus, the subject has no clear criteria upon which to judge what they have done or omitted. This can result in "moral distress" and give rise to guilt and self-criticism (Campbell *et al.* 2016).

The reader might wonder why I am insisting so much on guilt and other negative self-directed emotions. One could argue that being realistic about one's moral capabilities and adequately taking into account external constraints does not necessarily translate into passive accep-

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tance of reality, as I have argued before. The alternative between guilt and submission is a false alternative. When people realize that external factors make it impossible to realize what one considers valuable, they have neither reason to feel guilty nor to accept the situation as it is. The most appropriate emotional reaction is anger (or outrage), which can motivate people to express criticism and, if possible, to engage in a struggle to change reality. I do not want to downplay the importance of anger, nor am I arguing that this kind of emotional reaction is unlikely or inappropriate. Anger can, indeed, be a successful motivator and sustain people's efforts to bring about real change. However, if the individual is unable to act upon this anger – for example, because they fear the consequences – or if they make the experience of repeated failures, anger turns either towards oneself in the form of self-blame, giving rise to "guilt, self-criticism and low self-esteem" (McCarthy and Deady 2008, 256), or against other people in the form of aggressiveness, which no longer has to do with a struggle for justice. It can turn against colleagues who still represent the work ethos: they are "slackers", who work too "slowly" and inefficiently; "old dinosaurs" or "idealists"; it can be "women" and "faggots" who are too "weak" and "feminine" to confront reality with "virile" courage; it can be patients who "deserve" to be neglected and mistreated, and so on (Dejours 1998, 113-121; Molinier 2006, 248-251; Gaignard 2007; Rolo 2015, 66-70; Duarte and Dejours 2019). These developments are easily explained. At first, one feels hindered in one's course of action, but still continues to believe in one's own moral capacity to act autonomously. One is outraged at those who made it impossible to pursue the right course of action and at those colleagues who seem ready to compromise. However, if one is repeatedly impeded or coerced and is unable to resist or to achieve meaningful change, one begins to doubt one's capacities as a moral agent. Being forced to accept what one judges to be morally wrong, one finds oneself guilty of complicity. As Alvita K. Nathaniel (2006) writes, moral conflicts must be followed by a decision: either make a stand (resisting coercion, breaking the rules, whistleblowing, protesting, etc.) or give up by submitting to the circumstances. Talking about work, and following Hirschman (1970), we can add a third option, which is to quit the organization. Protesting and resigning are always viable options, motivated by anger, for preserving one's sense of integrity. However, they are often perceived as either difficult to attain

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because of structural problems (e.g., widespread racism), or particularly risky, considering the possibility of incurring ostracism, job loss, financial insecurity, and other negative consequences. This is why people often feel forced to accept the circumstances as they are and renounce trying to change reality. When this happens, anger can no longer lead to any positive resolution of the conflict and thus gives way to self-blame and/or aggressiveness. The latter, however, is nothing but a way to cope with one's sense of unworthiness, to escape one's guilt by projecting it onto others (Rolo 2019, 53-54). This explains why I have been insisting on guilt and other negative self-directed emotions.

## 2. *Moral injustice*

So far, we have seen how the inability to act in accordance with one's moral values gives rise to feelings of guilt and shame. This is due to the fact that moral goals, which define and constitute the practice in which the subject engages, are not in themselves impossible to attain and the subject who is unable to meet them is either unsure about the justification for their behavior or experiences moral failure. However, it is not yet clear what this has to do with injustice. The point is that, even though anyone can experience them, some people are more exposed to moral insecurity and failure than others, and this is not due (primarily) to psychological differences, but to an unfair distribution of moral burdens. In order to clarify this thesis, let me go back once again to the social worker's example and add some further elements to it. Let us imagine that in a specific country there is widespread agreement on the moral principle that refugees ought to be welcomed, aided and given the opportunity to live an autonomous life in the hosting country. One could say that this is a responsibility carried by society as a whole. In this sense, it is recognized as a universal moral principle. But, of course, it is not a universal moral principle. Many people disagree and many of those who claim to agree actually behave in ways and hold believes that run against it. Moreover, only a few people among those who agree are actually responsible for carrying out the work involved in following this moral principle. The fact of working in close contact with people generates specific expectations and moral obligations that are not experienced by those

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who manage resources from an office, or simply pay taxes or make donations to social organizations. Societies can agree on universal moral duties, but, as Walker points out, "only certain sorts of actual connections, dependencies-in-fact, generate moral obligations on specific persons" (2007, 92). The kind of moral obligation that arises for social workers out of these relationships of dependency can be described as an imperfect duty of benevolence, for it cannot be said what exactly this duty requires. This is, already, a first source of moral insecurity. Discharging this duty is complicated by the fact that some people – such as racist employers – will stand in the way, exposing social workers to the risk of moral failure. Moreover, social workers have to fulfill their responsibilities with the means someone else has deemed sufficient without knowing exactly what the actual work entails and without even consulting them (let alone the fact that those decision makers may not even care about the moral principle which they pay lip service to). The power to decide what resources to allocate does not lie in the hands of those who are responsible for carrying out the actual work. As a result, social workers may lack the resources to fulfill their specific responsibilities and therefore experience moral failure. Those who are not directly involved in social work, including the organization's managers, the general public, racist employers and powerful decision makers, do not experience moral failure, even though they see it as a common responsibility to aid refugees, because they do not bear the same responsibilities towards them, they do not see their faces, hear their voices, know their suffering. So, although the moral duty is universal, only some people carry the burden of responsibility and are exposed to moral insecurity and failure.

Of course, any job comes with specific responsibilities and associated risks of failure and any social activity can be regarded as a contribution to the realization of a universal duty (e.g., fostering general well-being). Thus, one could argue that – to stay with our example – decision makers carry responsibilities which are not carried by social workers and will be exposed to forms of insecurity and failure unknown to social workers. It is simply a matter of division of (moral) labor. This objection, however, oversees two important points. First, the power differential. While decision makers have the power to determine the circumstances under which others carry out their responsibilities, the reverse is not true. Second, moral failure is experienced very differently by those who directly wit-

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ness the harm caused (or have reasons to fear possible harm as a direct consequence of their behavior) and by those who see it from a distance, if at all. Let us consider the example of a team of construction workers who have to build a tunnel with substandard materials. These people will likely feel guilty about the risk their own work poses to future drivers crossing the tunnel, whereas those who have decided what resources to spend on construction materials, who can more easily ignore the risk they entail, can avoid the experience of guilt. This applies to all kinds of hierarchical organizations. The problem arises when decision makers at the top of the hierarchical ladder disregard the "internal goods" (MacIntyre 2007, 188) of the practice – i.e., its constitutive values – and manage the organization on the basis of a different set of standards. This can be both a matter of different moral sensibilities and, more often, a structural problem, as public and private managers are more and more oriented towards standards of efficiency and profit maximization which are incompatible with the practical rationality which informs the workers' activity (Dejours *et al.* 2018, 160-261). The absence of democratic decision-making structures within most public and private organizations makes it impossible to find a compromise between workers and managers. It also makes it difficult for workers to share and elaborate the conflicts they experience and to form alliances in order to bring about significant change (*ibidem*). The ability to realize the goods internal to the practice is thus structurally undermined. This makes it nearly impossible for the less powerful to avoid the experience of moral insecurity and unintentional moral failure.

The social division of (moral) labor is not a neutral fact, but has moral and political implications, as it places disproportionally heavy moral burdens on the shoulders of specific subjects. Women, for example, bear the heaviest load of caregiving responsibilities and are disproportionately represented in the social work sector, which means that they are exposed more than men to moral insecurity as a result of imperfect duties. Moreover, just as it is more difficult for a poor woman to fulfill her responsibilities than it is for a rich woman (see the example at the beginning of the paper), it is more difficult for an immigrant worker – be it a woman or a man – to fulfill their familial duties than it is for a white citizen, as the former suffers discrimination in the labor and housing markets. If a person, for instance, has to take on two or more different

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jobs in order to feed their children and yet cannot provide their family with decent housing conditions, they will probably not be able to be the kind of parent they would like to be. It is hard to live in accordance with one's own values under conditions of financial constraint and discrimination.[7] As these examples show, the distribution of moral burdens reflects differences in class, gender and 'race'. Paradoxically, it is those who have the least power who end up feeling the guiltiest. Those who have the most power, or enjoy other kinds of privilege, can avoid the experiences of moral insecurity and failure thanks to their social, cognitive and emotional distance from the life of those who suffer (or are exposed to harm).

## Conclusion: The political relevance of moral injustice

Let me briefly sum up the argument developed so far. I have argued that moral agency cannot be understood if one makes abstraction from the social conditions of agency. If the latter are taken into account, it becomes clear that values are not individually chosen, but are constitutive of the practices in which people are involved, and that acting in accordance with one's values does not depend solely on the agent's own intentions. The ability to act morally depends on what kinds of responsibilities one bears and on the availability of the necessary resources. As a result of an unfair division of moral labor, some subjects are structurally over-exposed to moral insecurity and failure. This is what I have called moral injustice.

Unfortunately, moral injustice is not necessarily experienced as such, as it can be experienced simply as a matter of personal failure. Yet, ac-

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[7] One could argue that people's values vary depending on their social conditions and that poorer people do not necessarily wish to live the same life richer people live. While this is certainly true, the difference should not be over-emphasized. I take it that spending time with one's children and providing the family with decent housing is a minimum standard most people share. Insisting on the difference conveys the idea that poorer people are immoral (or amoral), as if they were not full-fledged moral agents, not civilized enough to be concerned about morality. This is a derogatory view which further infringes on people's dignity.

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knowledging the societal factors contributing to one's failure can transform a moral issue into a political one.[8] This does not necessarily lead to the endorsement of a progressive political agenda, as adherence to values can also lean towards conservatism. For instance, there can be women who, like Phyllis Schlafly, believe they should be granted the necessary resources to stay at home and fulfill what they see as their traditional female role. However, in the second part of the paper I have exposed some arguments that show in what sense the current distribution of moral burdens can be considered unfair. It is not simply a matter of granting the resources needed to fulfill one's (traditional) duties, but of recognizing the fact that some people have to carry heavier moral burdens than others due to their social identity and position; moreover, these people are often unable to influence relevant decisions that affect their ability to fulfill those very responsibilities. In other words, they have to carry responsibility for the consequences of other people's decisions. Thus, moral injustice can only be overcome through the implementation of democratic decision-making procedures in all kinds of societal organizations, from the family to the state level. This would also open up the possibility for a revision of the values governing the practices in which people participate, as moral burdens would be subject to negotiation. This is what the history of feminism shows. The participation of women to public democratic life has led to a redistribution of moral burdens, even though this is still an ongoing process.

The unfairness of the current division of moral labor also becomes clear if we look at the consequences of moral suffering at work, as described in the empirical literature. In fact, reiterated experiences of moral insecurity and/or moral failure can result in what is known in the literature on nursing as "moral distress", which can lead to self-blame, low self-esteem, as well physiological reactions such as crying, sleep disturbances, nightmares, loss of appetite, headaches, diarrhea, vomiting, palpitations, burnout, depression, numbness, etc. (McCarthy and Deady 2008; Campbell *et al*. 2016; Deschenes *et al*. 2020). The subject can resort to different coping strategies. As already mentioned, they can resist coercion, or quit the organization. However, these options come at

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[8] For a discussion of this possibility see Wiinikka-Lydon 2017.

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a cost that the subject is often unwilling to bear. Therefore, often the only available coping strategy is to repress one's guilt by projecting it onto others or by denying the reality of the conflict. In the former case, the subject becomes aggressive; in the latter, it becomes morally blind, i.e., indifferent to moral demands.[9] When the defense mechanism collapses, as a result of unexpected and undeniable events, moral suffering can lead to psychological breakdown, depression, alcoholism or even suicide (Dejours 1998, 177), or transform into a "reaction of desperate rebellion, which can extend to acts of violence, breakage, theft, revenge, sabotage, etc." (*ibidem*, 177-178). Thus, a further reason to consider the current division of moral labor within organizations unfair is that it has a considerable negative impact on the well-being of those people who are overexposed to moral insecurity and failure. Finally, and perhaps most importantly, moral injustice puts at serious risk the credibility, validity and viability of our shared moral values, and therefore our democratic life, by making it hard or even impossible for many people to act accordingly. Moreover, since the inability to act according to one's values leads to negative feelings such as guilt and shame, which people try to avoid by rationalizing their behavior, moral injustice also fosters a dangerous attitude of moral indifference, which in turn undermines people's ability to empathize and to act in solidarity with their fellow human beings.

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[9] On moral blindness, see Bauman and Donskis 2013.

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# L'idea di stato globale nella filosofia politica democratico-repubblicana: distopia o possibilità teorica?

*Abstract*
Many republican scholars reject the idea of a global state because they think that, even in an ideal scenario, it could not be democratic. This point, allegedly, is due either to the fact that in a global state there cannot be exit options, or to the fact that the possibility to identify the *demos* requires the existence of a plurality of legal subjects capable to recognize each other, or to the fact that a global polity would be "too big to be democratic". In this work, I propose a deconstruction of these arguments and, more generally, of the republican scepticism towards the cosmopolitan ideal. In particular, I claim that the function of exit options in democratic polities is overestimated; that the identification of the *demos* does not require an external other; and that, due to the complex relationship between sizes and democracy, deducing that a global state could not be democratic from its dimensions is simplistic. Thus, I conclude that the sole possible republican argument against the global state is the so-called "no-global *demos* argument", which, nonetheless, is in ambiguous relationships with nationalists positions. For republicans, the alternative to accepting this argument is taking the cosmopolitan ideal more seriously.

*Keywords*: republicanism, global state, democracy, nationalism

## Introduzione

Molti studiosi di ispirazione democratico-repubblicana esprimono scetticismo riguardo alla desiderabilità, anche nel migliore degli scenari possibili, dell'esistenza di uno stato globale. Ciò che si sostiene all'interno di questa tradizione teorica, infatti, è che uno stato globale non

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riuscirebbe a soddisfare requisiti di democraticità accettabili (Baubock 2018, 8; Benhabib 2006 [2004], 176-177; Honohan 2009, 95; Habermas 2007, 130; Bellamy 2019, 8-10). In questo lavoro intendo proporre una decostruzione di quelle che ritengo essere le principali ragioni portate a sostegno di questa tesi. In particolare, considererò tre argomenti: 1) il primo, legato all'assenza di *opzioni uscita*, secondo cui uno stato globale non potrebbe essere democratico, data l'assenza della possibilità di abbandonare la comunità (Baubock 2018, 8); 2) il secondo, legato all'identità del *demos*, secondo cui in assenza di un "altro" esterno non vi sarebbe possibilità di definire l'identità del *demos* che esercita i poteri democratici (Honohan 2007, 67); e 3) il terzo, legato alla relazione tra democrazia e dimensioni, secondo il quale uno stato globale sarebbe «troppo grande per essere democratico» (Laborde e Ronzoni 2016, 186; Urbinati 2007, 38-45). Nel lavoro cercherò di mostrare che tutti gli argomenti considerati risultano, a un'attenta analisi, problematici. In particolare, sosterrò che il primo è viziato da una sopravvalutazione del ruolo delle *opzioni uscita* all'interno dei sistemi democratici. Il secondo, per contro, si regge su una problematica analogia tra criteri d'identità per soggetti individuali e collettivi. Il terzo assume una lettura troppo unilaterale della relazione tra democrazia e dimensioni che non trova conferma negli studi empirici contemporanei sul tema.

Una volta dimostrata la debolezza delle posizioni citate, prenderò in analisi una quarta tesi contro lo stato globale, che talvolta viene offerta da studiosi democratico-repubblicani. Questa ha a che vedere con il problema dell'assenza di un *demos* globale, secondo il quale una democrazia planetaria non sarebbe sostenibile data l'assenza di un "senso di comunità" condiviso su scala globale (Bellamy 2013, 502-504). In questo contesto non prenderò posizione relativamente alla validità di quest'ultimo argomento. Piuttosto, mi limiterò a fare notare che esso sembra finire per far leva su considerazioni di carattere sostanzialmente identitario, e dunque per generare una sorta di commistione tra principi repubblicani e pensiero identitario, che nella letteratura contemporanea è spesso declinato all'interno di un paradigma nazionalista. Di conseguenza, suggerirò che, se si accetta la validità dell'argomento da un punto di vista repubblicano, allora occorre concludere che questa tradizione è più vicina a una cultura identitaria di quanto non si sia soliti pensare. Se, viceversa, esso venisse considerato incompatibile con le premesse

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repubblicane, allora ci avvicineremmo alla conclusione che le ragioni di scetticismo repubblicano verso lo stato globale non sono poi così fondate, e che quindi l'idea di uno stato globale, almeno come ideale limite, andrebbe presa maggiormente sul serio all'interno di questa tradizione.

Il lavoro è diviso in sei sezioni. Una prima sezione è dedicata alla chiarificazione di cosa qui si debba intendere per stato globale. Le tre successive sezioni sono dedicate all'analisi e decostruzione degli argomenti contro lo stato globale sopra menzionati. La quinta si focalizza sull'argomento legato all'assenza di un *demos* globale. Infine, segue una breve conclusione.

## 1. La *nozione di stato globale*

Una trattazione esaustiva di cosa si debba intendere con il concetto di stato globale richiederebbe probabilmente un articolo dedicato. È quindi beninteso che la definizione offerta di questo concetto può essere interpretata soltanto come una concettualizzazione semplificata e propedeutica allo sviluppo delle considerazioni che seguiranno nelle successive sezioni. A questo, va aggiunto che, sebbene la letteratura non offra concettualizzazioni rigorose della nozione, dibattiti recenti sul tema hanno prodotto chiarificazioni dell'idea di stato globale sulle quali in questo ambito potrebbe essere utile appoggiarsi. La definizione di stato globale che presento è il prodotto di una rielaborazione della caratterizzazione di questo concetto per come esso emerge nella letteratura citata.

Al fine di avvicinarci alla definizione desiderata, può essere utile esplicitare come l'idea di stato globale *non* deve essere intesa: quando si parla di stato globale non ci si riferisce all'idea di una struttura politica leviatanica, altamente centralizzata, e capace di interferire in modo pervasivo in ogni dimensione della vita di tutti gli individui che vi sono sottoposti. Questa idea di stato globale sarebbe facile da rigettare, ed esaurirebbe molto rapidamente il dibattito legato alla sua desiderabilità. Piuttosto, il concetto di stato globale va associato all'immagine di una forma di comunità politica maggiormente decentralizzata e caratterizzata da pluralismo istituzionale, come uno *stato federale globale* (Scheuerman 2014, 425-431; Wendt 2003, 506; Ulas 2016). Al fine di di-

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stinguere uno stato federale globale da altri tipi di associazione politica sovranazionale, potrebbe essere utile passare brevemente in rassegna le caratteristiche che questo stato dovrebbe possedere per definirsi come tale. A questo proposito, sei proprietà sembrano meritevoli di essere menzionate. Un federalismo globale dovrebbe prevedere l'esistenza di:

1. U*na costituzione globale*, da intendersi come un documento fondamentale avente la funzione di indicare i valori di riferimento della comunità che tutti i membri riconoscono, oltre alle regole che definiscono la struttura istituzionale della comunità, come le regole che disciplinano la divisione di poteri tra strutture locali e centrali.

2. I*stituzioni legislative globali*, come per esempio un parlamento globale avente la capacità di approvare norme vincolanti e applicabili sull'intera superficie terrestre. Ovviamente, l'esistenza di questa struttura istituzionale non impedirebbe di per sé l'esistenza di strutture legislative locali, con una divisione di competenze decisionali tra i due livelli di potere disciplinata da regole di sussidiarietà (Cabrera 2010, 521; Marchetti 2006, 299-300).

3. I*stituzioni esecutive globali*, intese in senso generico come istituzioni aventi le funzioni di applicare le norme approvate dal parlamento globale. Possono essere annoverate tra queste istituzioni sia enti giudiziari, come corti di giustizia globali, sia istituzioni esecutive *stricto sensu*, come un governo globale (Scheuerman 2008, 141; 2009, 56). Ovviamente, per essere effettive, le istituzioni esecutive globali immaginate dovrebbero avere accesso a un certo grado di potere coercitivo che, a sua volta, dovrebbe essere riconosciuto come legittimo dal sovrano democratico globale. Questa condizione, allo stesso tempo, non richiederebbe il conferimento del monopolio dell'uso legittimo della forza alle istituzioni globali. Si può per esempio immaginare che poteri coercitivi globali coesistano con forze armate locali (Scheuerman 2014, 435; 2009, 51; 2008, 141; Ulas 2016, 7; Tannsjo 2006, 269).

4. *La supremazia della legge federale sopra quella locale*. Questa condizione richiederebbe che, in caso di antinomie tra norme approvate da soggetti locali e norme approvate da istituzioni globali, fossero le ultime a prevalere. Questa condizione avrebbe la funzione di garantire l'effettiva capacità delle istituzioni globali di coordinare le unità territoriali di cui la comunità nel suo insieme si compone,

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e dunque di imprimere una volontà comune sui temi rispetto ai quali è riconosciuta competenza decisionale alle istituzioni globali (Archibugi *et al.* 2011, 8; Koenig-Archibugi 2010, 522).

5. *Limitate possibilità di secessione.* Questa condizione richiede che la possibilità delle sotto-unità della comunità politica di acquisire indipendenza e di venire a costituire un soggetto politico autonomo e separato sia vincolata all'approvazione delle istituzioni globali. Secondo alcuni studiosi, questa condizione è richiesta affinché la cooperazione globale sia garantita laddove questa fosse necessaria (Wendt 2003, 525; Archibugi *et al.* 2011, 8).

6. *Una cittadinanza globale*, da intendersi sia come requisito formale di riconoscimento legale dello status di membro a ogni individuo soggetto al potere dello stato globale immaginato (e quindi sostanzialmente a ogni individuo sul pianeta), sia come requisito materiale/sostantivo, il cui presupposto è che i soggetti che compongono la comunità globale immaginata siano capaci di sviluppare un senso di lealtà nei confronti della comunità nella forma di un patriottismo civico globale, e una conseguente predisposizione a instaurare rapporti di cooperazione con le istituzioni (Ulas 2016, 6-8).

Come chiarito sopra, le proprietà qui elencate non hanno l'ambizione di offrire una definizione dettagliata del concetto di stato globale. Tuttavia, sembrano potere essere utili per facilitare almeno una comprensione intuitiva di cosa si sta attaccando o difendendo quando si attacca o si difende questa idea. Sulla base di questa concettualizzazione, è possibile ora introdurre la questione normativa che interessa questo lavoro: l'esistenza di una struttura legale-politica di questa sorta, al di là della sua effettiva realizzabilità nell'immediato, sarebbe desiderabile?

Tra coloro che risponderebbero negativamente a questa domanda, spesso si trovano studiosi di ispirazione democratico-repubblicana. Con questa espressione mi riferisco a quella famiglia di studiosi che, proponendo una delle tante possibili interpretazioni del sistema di valori liberal-democratico (genericamente inteso), pongono l'enfasi su:

7. L'importanza della cittadinanza attiva e dell'esercizio costante dei diritti politici da parte dei membri della comunità politica (Song 2012, 45-46; Honohan 2009, 119-120).

8. L'intrinseca correlazione tra i diritti di partecipazione politi-

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ca – che trovano espressione nelle istituzioni rappresentative e nel concetto di sovranità democratica – e l'insieme di diritti posti a garanzia di quelle che solitamente vengono considerate libertà individuali negative, quali per esempio la libertà di coscienza (Benhabib, 2006 [2004], 40-44).

9. L'importanza – per il buon funzionamento dei sistemi liberal-democratici – dell'esistenza di un diffuso senso di comunità tra concittadini, che si regga sull'identificazione degli stessi con i valori di libertà politica e autonomia che ispirano i sistemi politici contemporanei (Erez e Laborde 2020, 196).

10. L'aspettativa che, in base al senso di comunità appena descritto, i cittadini siano disposti, nel caso di decisioni di interesse pubblico, ad anteporre l'interesse della comunità presa nel suo insieme (quello che nei classici del pensiero repubblicano verrebbe definito "interesse generale"), al proprio interesse privato (Song 2012, 47).

Ebbene, gli studiosi che rientrano all'interno di questa famiglia sostengono che uno stato globale come quello descritto in questo paragrafo avrebbe limitate credenziali democratiche. Lo scopo delle seguenti sezioni è porre in evidenza come questa posizione, a dispetto della sua popolarità, risulti essere a un'attenta analisi piuttosto fragile. Questo scopo sarà perseguito tramite la proposizione di una decostruzione di quelli che sembrano essere i principali argomenti offerti a sostegno dello scetticismo democratico nei confronti dell'idea di stato globale. Il primo tra questi è l'argomento fondato sulla relazione tra democrazia e *opzioni uscita*.

## 2. Democrazia e opzioni uscita

Come accennato nell'introduzione di questo lavoro, il primo argomento considerato ha a che vedere con l'idea che uno stato globale presenterebbe un deficit democratico implicato dall'assenza di *opzioni uscita*. In questo frangente, per *opzione uscita* si intende la possibilità per i membri di una comunità di rinunciare alla propria appartenenza a detta comunità, allo scopo di ricollocarsi all'interno di un nuovo collettivo (Hirschman 2017 [1970], 39-46). Secondo alcuni studiosi, la possibilità di

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utilizzare *opzioni uscita* presenta uno svariato numero di vantaggi democratici. Anzitutto, questa permette di rafforzare la forza contrattuale dei cittadini nei confronti dello stato. Infatti, se questi hanno la possibilità di abbandonare la comunità quando non soddisfatti di come essa viene amministrata, l'autorità è incentivata a prestare maggiore attenzione al soddisfacimento delle loro esigenze, e ad ascoltare le loro istanze (Hirschman 1993, 175-178; Warren 2011, 694-697; Baubock 2018, 9). Allo stesso tempo, la presenza di *opzioni uscita* permette di utilizzare il tasso di emigrazione registrato in un dato paese come un indicatore del livello di soddisfazione dei membri nei confronti dell'amministrazione della comunità (von Hayek 1958, 255-257). Il vantaggio maggiore offerto dalla presenza di *opzioni uscita*, tuttavia, sembra essere legato al fatto che esse costituiscono uno strumento di protezione del cittadino in caso di derive autoritarie dello stato. Infatti, la possibilità di "fuggire" qualora lo stato assuma forme non democratiche consente, anzitutto, di garantire i cittadini dagli abusi del soggetto legale considerato e, allo stesso tempo, di organizzare forme di "resistenza democratica" allo stesso da posizioni maggiormente protette (Honohan 2007, 67).

Tuttavia, la tenuta dell'argomento considerato, in tutte le sue versioni qui brevemente riportate, appare discutibile. Infatti, occorre anzitutto notare che le *opzioni uscita*, anche in uno scenario caratterizzato dalla presenza di più stati, esistono più come diritti formali che non come effettive possibilità. Questo è determinato dal fatto che usare *opzioni uscita* ha dei costi intrinseci molto alti che, di fatto, costituiscono una barriera al concreto utilizzo delle stesse. Abbandonare la propria comunità, infatti, significa inevitabilmente affrontare il costo di dover ricostruire un nuovo schema di interazioni sociali all'interno della nuova comunità, di dover trovare un nuovo lavoro, una nuova abitazione, e così via. E queste sembrano essere implicazioni che molti rifiuterebbero. Pertanto, anche se in un mondo composto da una pluralità di stati i cittadini hanno la possibilità ideale di cambiare comunità, essi di fatto non sembrano essere più liberi di spostarsi di quanto lo sarebbero in uno scenario caratterizzato dall'esistenza di uno stato globale, con un conseguente annullamento della possibilità di cambiare comunità di appartenenza. Sulla base di questa considerazione, come sostenuto da altri (DuFord 2017, 28-30), appare problematico riconoscere alla possibilità di utilizzare *opzioni uscita* tutte le funzioni che l'argomento considerato le attribuisce.

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Il punto è tanto più evidente se si considera il caso di stati autoritari. Infatti, com'è noto, spesso gli stati autoritari negano anche la possibilità formale di uscire dal proprio territorio agli individui che vi sono soggetti (Hirschman 1993, 178-186). Pertanto, l'idea che in caso di degenerazioni autoritarie la presenza di *opzioni uscita* costituirebbe una garanzia democratica risulta problematica, in quanto non tiene nella giusta considerazione il fatto che i cittadini di uno stato autoritario si troverebbero in ogni modo nell'impossibilità di abbandonare la propria comunità, sia essa globale oppure no.

A questo punto, si potrebbe controbattere che, fermo restando quanto affermato fino a qui, la presenza di una pluralità di stati separati garantisce la possibilità che, in caso di degenerazioni autoritarie di uno di questi stati, siano gli altri stati che compongono il sistema internazionale a riconoscere ai cittadini dello stato degenerato i diritti che il soggetto legale cui sono sottoposti non riconosce loro, tra i quali anche il diritto di uscita. Cosa, questa, che non sarebbe possibile nell'ipotesi in cui esistesse un solo stato globale. Tuttavia, questo argomento, se utilizzato contro l'idea di stato globale, appare contraddittorio. Infatti, il fatto che altri stati abbiano la possibilità di riconoscere diritti ai cittadini di stati degenerati è di qualche rilevanza solo se si ammette che questi stati abbiano la possibilità di interferire tramite mezzi coercitivi con le azioni perseguite da soggetti legali autoritari. Tuttavia, immaginare che gli stati possano essere autorizzati a intervenire coercitivamente in frangenti simili presuppone l'esistenza di un'altra autorità che riconosce loro questa possibilità. Quest'ultima, a sua volta, dovrà necessariamente essere sovraordinata rispetto all'autorità degli stati e imparziale rispetto a essi, poiché solo in questo caso potrebbe svolgere il compito considerato. Allo stesso tempo, l'autorità immaginata dovrà essere operativa sull'intera superficie terrestre per essere effettiva. In questo modo, appare evidente che l'argomento qui analizzato non ci porterebbe a un rifiuto dell'idea di stato globale. Al contrario, esso ci porterebbe ad abbracciare l'immagine di un'autorità pubblica globale sovraordinata rispetto agli stati "locali" avente la capacità di autorizzare interventi coercitivi su scala globale. E questa, se non è l'immagine di uno stato globale, vi finisce molto vicina. In questo senso, l'argomento considerato sembra condurci ad accettare la tesi opposta a quella per la cui difesa esso viene usualmente pensato.

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Prima di scartare l'argomento contro lo stato globale fondato sull'assenza di *opzioni uscita*, occorre considerare un'ultima possibile obiezione. Questa ha a che vedere con il fatto che, in un mondo abitato da più stati, i cittadini di uno stato autoritario avrebbero la possibilità (fisica) di tentare di uscire illegalmente dal territorio per cercare la protezione di altri stati. Una possibilità che lo scenario di uno stato globale ovviamente negherebbe. Secondo l'obiezione considerata, la possibilità di fuggire illegalmente in caso di degenerazioni autoritarie dello stato cui i cittadini sono soggetti costituirebbe un vantaggio che renderebbe una pluralità di stati preferibile all'esistenza di un solo stato globale. Tuttavia, l'obiezione non è convincente. Questo perché, seppur vero che in un mondo di più stati i cittadini avrebbero ancora la possibilità di fuggire illegalmente, è necessario considerare che questa possibilità non sarebbe priva di costi, dato che la fuga verrebbe ostacolata dal soggetto legale considerato. Se i costi dell'uscita sono, come è stato osservato in precedenza, già di per sé alti, l'opposizione dello stato all'esercizio di questa possibilità farebbe aumentare ulteriormente questi costi. Inoltre, va notato che forme di resistenza illegale – qualora si rendessero necessarie – sarebbero disponibili anche all'interno di uno stato globale. In caso di degenerazione autoritaria di quest'ultimo, infatti, i cittadini avrebbero la possibilità di organizzare ribellioni o rivolte, per esempio. Ovviamente l'organizzazione di forme di resistenza di questo tipo comporterebbe dei rischi per i cittadini che decidessero di esercitarle. In questo senso, la possibilità di ribellarsi può essere considerata solo una protezione imperfetta dal rischio di derive autoritarie dello stato globale immaginato. Tuttavia, in caso di derive autoritarie dello stato, tutte le forme di protezione a disposizione dei cittadini sembrano essere in qualche grado imperfette, e la possibilità di fuggire illegalmente dal territorio di uno stato autoritario non sembra esserlo meno. Infatti, è sì vero che in questo caso in cittadini cui riuscisse di fuggire potrebbero contare sulla difesa di un altro stato, ma è anche vero che questa difesa potrebbe essere effettiva solo nel caso in cui la fuga avvenisse con successo. Qualcosa che, per quanto detto sopra, non appare scontato.

In questo senso, la possibilità di fuggire non sembra essere una forma di protezione dei cittadini così chiaramente preferibile a quella rappresentata da altre forme di resistenza che sarebbero possibili all'interno di uno stato globale. Anche sotto questo aspetto, pertanto, un mondo

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abitato da una pluralità di stati non sembra godere di un vantaggio sullo scenario di uno stato globale così netto da decretare che il primo sistema politico sia indubitabilmente preferibile al secondo. Anche questa obiezione, pertanto, lascia quantomeno aperta a considerazioni ulteriori l'idea di stato globale come possibilità teorica. Sembra dunque necessario concludere che l'argomento basato sull'*opzione uscita* non riesce a giustificare il rifiuto di uno stato globale.

## 3. *Democrazia e identità del demos*

Un altro classico argomento offerto contro lo stato globale si basa sull'idea che, perché ci possa essere democrazia, è necessaria l'esistenza di un *demos*. Questa premessa, secondo alcuni, implica il requisito che la comunità sia contrassegnata dalla presenza di confini territoriali che distinguano i cittadini (membri del *demos*) dai non-cittadini (non-membri), perché la presenza di questi confini sarebbe ciò che la rende identificabile (Baubock 2018, 8; Benhabib 2006 [2004], 176; Honohan 2009, 95). Secondo la prospettiva considerata, infatti, la definizione dell'identità sarebbe un processo dialettico che richiede il coinvolgimento del soggetto e allo stesso tempo di altri esterni che, riconoscendo l'identità presentata dal soggetto considerato, permettono a quest'ultimo di riconoscere a sua volta la propria identità come tale (Taylor 1994, 32). Applicata al caso di un soggetto collettivo come il *demos*, detta posizione implica che, affinché questo possa riconoscersi come tale, è necessaria la presenza di un altro soggetto legale indipendente e separato dal primo. Questa premessa renderebbe di fatto concettualmente impossibile l'idea di uno stato globale – che per definizione escluderebbe la possibilità che esistano più *demoi* indipendenti e separati tra loro da confini.

Questa linea argomentativa, tuttavia, risulta problematica perché, come è stato già osservato (Abizadeh 2005, 48-49), essa manca di riconoscere la differenza concettuale tra l'identità di soggetti individuali (come, per esempio, l'identità personale) e l'identità di soggetti collettivi, come potrebbe essere un corpo politico. Infatti, mentre la definizione dell'identità individuale richiede necessariamente la presenza di un altro, in ragione del fatto che un soggetto individuale è un'unità atomica non divisibile, questo non sembra valere per entità aggregate come un gruppo che si

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compone di individui la cui identità è indipendente da quella del gruppo stesso. La stessa presenza di individui che compongono la comunità rende possibile che il processo di costruzione della sua identità si costituisca come un processo endogeno. In questo caso, il riconoscimento dell'identità del soggetto collettivo non proverrebbe da un altro soggetto collettivo separato, ma dalle sue sotto-unità, cioè i soggetti individuali stessi. La possibilità che il processo dialettico di definizione dell'identità possa prendere parte tra il *demos* e le sue sotto-unità esclude la necessità dell'esistenza di un altro soggetto collettivo esterno, e dunque riabilita l'idea di stato globale contro l'obiezione considerata.

Questa contro-obiezione lascia ovviamente aperta la possibilità di riformulare l'argomento fondato sull'identità contro lo stato globale. Alcuni studiosi, infatti, potrebbero riproporre l'argomento sostenendo che la presenza di più stati, in luogo di un singolo stato globale, non sia richiesta per identificare il *demos* in quanto tale, ma per identificare la politica come specifica sfera dell'agire umano. Secondo questo argomento, la presenza di più stati permette di distinguere i frangenti in cui il soggetto si relaziona con altri esseri umani nella sfera d'azione politica da altri tipi di interazione. Questo sarebbe il caso perché la presenza di confini che separano uno stato da un altro permette di distinguere tra coloro che sono membri della stessa comunità politica e coloro che non lo sono, con la conseguente possibilità di identificare quali interazioni contano come interazioni tra concittadini, e quindi come interazioni politiche, e quali no. Se si vuole, questa è l'idea che si trova espressa in una forma estrema nella critica che Carl Schmitt rivolge all'interpretazione liberale della democrazia. Secondo Schmitt, infatti, la democrazia liberale si regge su un'idea di uguaglianza universale che rende una «democrazia degli esseri umani» (Schmitt 1988, 11) – o una democrazia globale, con il nostro lessico – lo sbocco ideale del sistema di valori liberal-democratico. Tuttavia, Schmitt rigetta questo sistema di valori proprio perché all'interno di questo ideale non sarebbe più possibile distinguere la comune umanità dalla comune appartenenza a un corpo politico, con il conseguente collasso di quest'ultimo concetto sul primo. In opposizione a questa idea di appartenenza politica, Schmitt propugna, com'è noto, una nozione di comunità politica che trova la propria ragione d'essere, nonché principale risorsa di identità collettiva, proprio nella propria particolarità, e nell'opposizione ad altri soggetti collettivi (Schmitt 1988, 12).

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Anche questo modo di riproporre l'argomento, tuttavia, è problematico. Infatti, l'argomento non tiene in considerazione il fatto che, per così dire, altri tipi di confini possono svolgere la funzione di separare la sfera del politico dalle altre senza mettere fuorigioco l'idea di stato globale. Dopotutto, la capacità di porre limiti alla capacità d'azione del politico, e quindi di operare una distinzione tra gli spazi di questa sfera e le altre, è proprio la caratteristica che contraddistingue le comunità liberal-democratiche, a cui notoriamente Michael Walzer si riferisce con l'espressione *arte della separazione* (Walzer 2007a, 53-56). L'esempio più facile a questo proposito è rappresentato dalla tradizionale separazione tra sfera pubblica e sfera privata. Questa separazione, infatti, permette di isolare le sfere d'azione in cui l'ingerenza da parte dell'autorità pubblica non è permessa, o quantomeno fortemente limitata. E proprio perché questa separazione finisce per identificare sfere di scelta che non sono soggette al processo di negoziazione pubblica che avviene nell'arena politica, essa permette di definire queste come sfere di scelta separate dal politico, e quindi correlatamente di separare la sfera del politico da quest'ultime. Questo è solo un esempio per supportare l'idea che né l'identificazione del *demos*, né l'identificazione del politico come sfera dell'agire umano indipendente richiedano la presenza di quel tipo di confini che escluderebbero la possibilità di uno stato globale. Se è possibile tracciare altri tipi di confini per questi propositi, confini che sarebbero disponibili anche all'interno di una repubblica globale, allora si può concludere che anche questo argomento non riesce a rigettare in modo convincente l'idea di stato globale, che dunque risulta sopravvivere anche a questa seconda tradizionale obiezione.

## 4. *Democrazia e dimensioni della comunità*

L'ultimo argomento che intendo considerare concerne il fatto che uno stato globale sarebbe troppo grande per essere democratico (Erez e Laborde 2020, 197; Benhabib 2006, 176-177; Urbinati 2007, 38-45; Honohan 2007, 67; 2009, 95; Christiano 2006, 104; Barber 2013, 6). Questo rappresenta forse l'argomento più popolare adottato dalla cultura repubblicana contro l'idea di stato globale, tanto che una sua versione può essere rintracciata nei classici della tradizione considerata (Kant 2003 [1795], 77-78; Rousse-

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au 2005 [1762], 120-122). Solitamente, gli studiosi che difendono questa prospettiva sembrano pensare che la capacità degli individui di incidere sulle decisioni pubbliche è inversamente proporzionale alla dimensione della comunità, cosicché più la comunità cresce di dimensioni, meno incisiva diventa la partecipazione politica dei membri del *demos* (Song 2012, 54-58; Laborde e Ronzoni 2016, 286). Inoltre, la ridotta capacità di incidenza sugli affari pubblici ridurrebbe nei cittadini la percezione del valore della propria *membership* all'interno della comunità, con il rischio che questo induca a una diminuzione del senso di lealtà degli stessi nei confronti delle istituzioni pubbliche e allo sviluppo di forme di apatia politica. Evidentemente, queste condizioni favorirebbero allo stesso tempo una riduzione della qualità della partecipazione politica, con il conseguente degradarsi delle istituzioni democratiche. In questo senso, molti repubblicani sembrano essere preoccupati del fatto che una comunità politica globale potrebbe manifestarsi solo nella forma di una struttura tecnocratica in cui i membri della comunità non hanno voce, sono impossibilitati a sviluppare forme di partecipazione politica autentica, e dunque falliscono nello sviluppo di quella che molti repubblicani identificherebbero come la capacità umana più caratteristica, vale a dire la capacità di essere parte attiva di un corpo collettivo che è capace di autodeterminazione.

Al di là di questa presentazione generale, ragioni più dettagliate possono essere fornite per spiegare lo scetticismo repubblicano nei confronti delle potenzialità democratiche di stati di grossa dimensione. Qui se ne riportano alcune a titolo d'esempio, con la consapevolezza di fornire un resoconto non esaustivo. Anzitutto, la ridotta democraticità di comunità numerose può essere derivata dall'idea che dimensioni più grandi implicano minore rappresentatività delle istituzioni, come conseguenza del ridotto rapporto tra numero di rappresentanti e numero di rappresentati (Dahl e Tufte 1973, 80-84). Grosse dimensioni, inoltre, rendono più difficile per i cittadini interagire tra loro, ragione per la quale comunità molto estese richiedono, per funzionare democraticamente, la presenza di leader capaci di parlare – per mezzo dell'uso di tecnologie di comunicazione di massa – a molte persone contemporaneamente. La presenza di leader, tuttavia, implica *ipso facto* un'asimmetria di potere comunicativo tra questi ultimi e i cittadini (Dahl e Tufte 1973, 87) – un'asimmetria che in linea di principio sembra violare il principio di eguaglianza democratica.

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Questi argomenti sollevano certamente preoccupazioni di rilievo rispetto all'idea di una democrazia globale. Tuttavia, essi non sembrano decisivi per rigettarla. A sostegno di questa posizione va osservato, anzitutto, che gli argomenti riassunti contro le capacità democratiche di comunità di grandi dimensioni potrebbero essere applicati senza grossi problemi alle esistenti democrazie nazionali. Già in esse, infatti, è vero che la possibilità di interazione diretta per i cittadini non si dà, e che la partecipazione di questi ultimi alla vita pubblica può avvenire solamente in forme mediate. Pertanto, se volessimo trovare forme di comunità politica che non presentano queste problematiche, dovremmo guardare a unità di dimensione molto più piccola, come distretti municipali o piccoli paesi. Questo significa, in altre parole, che gli standard di democraticità che sembrano implicitamente adottati nelle tesi che mettono in discussione le potenzialità democratiche di un ipotetico stato globale metterebbero allo stesso tempo fuori gioco anche le esistenti democrazie nazionali, costringendoci a riconoscere come accettabilmente democratiche solo piccole unità territoriali in cui forme di vita democratica di carattere assembleare possano manifestarsi.

Questa conclusione, tuttavia, rende certamente problematici gli argomenti considerati, perché comunità di queste dimensioni presenterebbero sì livelli di partecipazione diretta elevata, ma anche ridotte capacità di sistema (Dahl e Tufte 1973, 13), vale a dire una ridotta capacità di *agency* della comunità presa nel suo insieme. È facile immaginare, infatti, che comunità eccessivamente piccole non sarebbero in grado di prendere decisioni davvero indipendenti su questioni che potrebbero incidere sul benessere dei propri membri. In questo senso, il prezzo da pagare per questi alti livelli di partecipazione diretta sarebbe una sostanziale mancanza di indipendenza del tipo di comunità immaginato nelle decisioni pubbliche più rilevanti, un prezzo che evidentemente svuoterebbe di significato il valore di queste forme partecipate di vita democratica.

A questo va aggiunto che, oltre tutto, l'idea che la democrazia richiede piccole dimensioni, malgrado la sua popolarità, lascia alcuni dubbi. Se si guarda da vicino la questione, infatti, ci si accorge facilmente che il rapporto tra democrazia e dimensioni è molto più sfaccettato di così, e da questo si evince che piccole e grandi dimensioni presentano vantaggi e svantaggi democratici. Cerchiamo di vedere cosa questo significhi.

Se piccole comunità presentano l'ovvio vantaggio di favorire forme di democrazia più partecipate, comunità più estese riescono a gestire

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meglio il conflitto politico, grazie al fatto che questo è mediato dalla presenza di leader – a riprova del fatto che, contrariamente a quanto gli argomenti sopra citati sembrano assumere, la presenza di leader non costituisce solo un pericolo per la tenuta di sistemi democratici. Inoltre, il fatto che in comunità di grandi dimensioni si trovino inevitabilmente più gruppi di interesse distinti tra loro rende più difficile per uno di questi gruppi costituire una maggioranza stabile e quindi esercitare un potere egemonico, rischio invece presente in comunità di piccole dimensioni che trovano al proprio interno minor grado di diversità (e quindi minore possibilità di alternanza democratica) (Dahl e Tufte 1973, 98-103; Koenig-Archibugi 2010, 529-530; Hamilton *et al.* 2020 [1788], 25). Inoltre, risulta che in comunità di piccole dimensioni il comportamento elettorale dei cittadini è maggiormente guidato da considerazioni personali relative alle caratteristiche dei candidati e, soprattutto, da calcoli di carattere clientelistico, a detrimento di considerazioni che, in una visione democratico-repubblicana, dovrebbero avere uno spazio molto più importante nelle scelte politiche dei cittadini, come quelle legate "all'interesse generale" e al "bene comune" (McDonnell 2020, 6; Newton 1982, 200-202; Rysavy e Bernard 2013, 6-9; Karlsson 2013, 15-17; Veenendaal 2016, 188-190; 2013, 247; 2020, 33).

Ovviamente quanto detto non cancella il fatto che piccole comunità possano presentare caratteristiche apprezzabili da un punto di vista democratico. Piuttosto, la sommaria ricostruzione dei vantaggi democratici forniti da grandi comunità ha la funzione di suggerire che l'idea che piccole comunità siano necessariamente più democratiche perché più partecipative è semplicistica. In luogo di questa visione, sembra corretto affermare che comunità piccole e grandi sono democratiche in modo diverso: le prime più partecipative ma più ostili alla diversità e meno indipendenti come soggetti collettivi, le seconde più adatte a forme di partecipazione mediata – più "fredde", se si vuole – ma maggiormente indipendenti e più ospitali nei confronti di posizioni politiche minoritarie. Le caratteristiche di grandi comunità appena citate non sono meno essenziali per il buon funzionamento di un sistema democratico, anche sulla base di un'interpretazione repubblicana della democrazia – come ben esemplificato dal diverso rapporto tra considerazioni di carattere personale e considerazioni orientate all'interesse comune che si dà nelle scelte politiche di soggetti appartenenti a comunità di piccole o grandi

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dimensioni. Sembra quindi possibile concludere che un sistema di valori democratico lasci quantomeno un certo margine di discrezione nella scelta tra piccole e grandi comunità, senza autorizzare l'esclusione della seconda alternativa in quanto meno democratica. In questo senso, il rifiuto di uno stato globale non può essere derivato da considerazioni relative alle dimensioni che questo stato presenterebbe.

Se quanto detto non bastasse, si aggiunga anche il fatto che ciò che in questo lavoro stiamo immaginando non è un'unità legale totalmente centralizzata, ma uno stato federale che presenta molteplici livelli di governo che dialogano tra loro, in cui quindi la dimensione locale – con i vantaggi di partecipazione democratica a essa annessi – non è soppressa. Questa precisazione indebolisce ulteriormente l'argomento basato sulle dimensioni, dato che il "pluralismo istituzionale" immaginato permetterebbe, all'apparenza, di salvare almeno parzialmente i vantaggi di entrambi i modi di concepire le pratiche democratiche che abbiamo considerato in questo paragrafo. Si potrebbe immaginare, per esempio, che l'autorità sia lasciata a sotto-unità locali su materie in cui esse possano essere davvero indipendenti, e che le altre decisioni siano di dominio dell'autorità federale-globale. Questo garantirebbe che forme di partecipazione più elevata siano possibili laddove essa possa avere una funzione autentica e non solo simbolica, e permetterebbe inoltre di preservare quanto di positivo possa esserci in questo modello di partecipazione democratica, senza che questo tolga legittimità teorica all'ideale politico di uno stato globale dal punto di vista di un pensiero democratico-repubblicano. Anche l'argomento basato sulle dimensioni, quindi, sembra neutralizzato.

## 5. L'*argomento fondato sull'assenza di un demos globale*: repubblicano o identitario?

Nelle sezioni precedenti è stata operata una decostruzione di alcuni tra i più tipici argomenti offerti dalla cultura repubblicana contro l'idea di uno stato globale. Questi argomenti sono molto popolari, tanto che spesso sembrano essere quasi assunti implicitamente piuttosto che apertamente difesi dagli studiosi che li sostengono. Come spero le sezioni precedenti abbiano mostrato, questa popolarità non sembra, a un'attenta analisi, giustificata da ragioni sufficientemente cogenti.

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A questo punto dell'analisi, è giusto chiedersi se quanto detto finora ora sia sufficiente per riabilitare l'idea di stato globale all'interno della tradizione repubblicana. Gli argomenti offerti permettono di concludere che l'idea di stato globale sia da considerarsi almeno una possibilità teorica cui il sistema di valori repubblicano, in una delle sue tante declinazioni possibili, può legittimamente tendere? A questa domanda alcuni risponderebbero ancora negativamente. Questo perché si potrebbe contestare che questo lavoro ha escluso dalla propria analisi il cosiddetto argomento fondato sull'assenza di un *demos* globale. Si tratta di un'altra risorsa argomentativa cui alcuni studiosi repubblicani attingono per rigettare l'ideale cosmopolitico. Ciò che si sostiene, in questo caso, è che la possibilità di uno stato democratico globale è negata dal fatto che manca un *demos* globale (Habermas 2007, 132; Bellamy 2013, 502-504; 2019, 43).

L'argomento considerato non va confuso con quello analizzato precedentemente, relativo alla presunta impossibilità concettuale di immaginare un *demos* globale. La tesi che è ora oggetto di nostro interesse, infatti, non sostiene che ci sia qualche tipo di contraddizione logica nell'idea di un soggetto collettivo globale. Piuttosto, il punto dell'argomento è che la costituzione di un soggetto di questo tipo richiederebbe la "creazione" di una coscienza collettiva condivisa che, a sua volta, passerebbe per il soddisfacimento di alcuni presupposti sostanzialmente di carattere culturale, come la presenza di una sfera pubblica comune, "un passato comune" (vale a dire una memoria storica collettiva condivisa globalmente), una lingua comune che renda più facile per i cittadini della comunità sentirsi parte dello stesso gruppo, e così via (Bellamy 2013, 504; Benhabib 2006 [2004], 111). In sintesi, questi studiosi mettono al centro delle proprie argomentazioni quello che nei paragrafi precedenti è stato indicato come il terzo punto caratterizzante la cultura repubblicana, aggiungendo a esso l'idea che la riuscita della costituzione di una cultura civica all'interno della comunità sia dipendente dal soddisfacimento di condizioni di carattere culturale.

Ora, coloro che difendono l'argomento basato sull'assenza di un *demos* globale sostengono che, come dato di fatto, un *demos* globale di tale sorta oggi non esiste (Habermas 2007, 119). In secondo luogo, essi sembrano intendere che una sua costituzione non sarebbe possibile nell'immediato futuro e non sarebbe desiderabile in condizioni ideali. Infatti, prosegue

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l'argomento, la costituzione di un "comune sentire" globale sufficiente-
mente solido per rappresentare la base di uno stato globale sarebbe osta-
colata nel qui e ora dall'ostinazione di identitarismi particolaristici di cui
i movimenti nazionalisti sono un ovvio esempio (Bellamy 2019, 70-75).
Allo stesso tempo, la costituzione di una cultura pubblica forte al livello
globale, in condizioni ideali, richiederebbe comunque, secondo alcuni, un
certo grado di livellamento della pluralità culturale, che esiste come pro-
dotto dell'esistenza di comunità territoriali distinte e dotate della propria
identità. Secondo i sostenitori di questo argomento, questo prezzo ren-
derebbe negativo il bilancio generale tra i costi e i benefici morali della
costituzione di un *demos* globale, essendo la pluralità di modi di vita parti-
colari espressi da specifiche comunità territoriali un valore da preservare
(Honohan 2009, 95; Bellamy 2019, 8-10).

In questo contesto, non è mia intenzione prendere in analisi questo
argomento e decretarne la validità o non-validità, poiché la complessità
della tesi qui succintamente ricostruita richiederebbe un articolo dedi-
cato. Ciò che vorrei sottolineare, piuttosto, è che l'argomento come qui
riportato, comunque lo si voglia intendere, fa leva su premesse di carat-
tere sostanzialmente identitario. In questo caso, uso il concetto di "pen-
siero identitario" come riferentesi a quelle teorie politiche secondo le
quali l'esistenza di identità collettive territoriali abbia valore, intrinseco
o strumentale, e secondo cui il principale canale di riconoscimento di
tale valore sia rappresentato dal conferimento a tali comunità di au-
tonomia politica, e dunque di sovranità. All'interno di questo schema
di pensiero, che oggi è perlopiù rappresentato dalle filosofie politiche
nazionaliste (Miller 1988, 649-650) e comunitariste (Walzer 2007b, 101-105),
la libertà politica di soggetti legali i cui perimetri di sovranità corrispon-
dano ai confini di specifiche comunità culturali completa e integra la
libertà culturale di queste ultime. Sulla base di queste premesse, gli stu-
diosi che si riferiscono a queste tradizioni finiscono inevitabilmente per
parteggiare per un mondo composto da una pluralità di stati reciproca-
mente indipendenti e corrispondenti a specifiche comunità territoriali.
Una posizione che, quando assume una declinazione nazionalista, è ben
sintetizzata dallo slogan "una nazione, uno stato".

Ora, sono tipicamente argomenti identitari (come, per esempio, ar-
gomenti nazionalisti) a sostenere che le identità particolari sono troppo
resistenti per essere superate o sussunte all'interno di un'identità so-

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vraordinata (Miller 2009, 208-209), oppure che la loro particolarità costituisce un valore la cui esistenza sarebbe messa a repentaglio dalla costituzione di soggetti politici di carattere globale (Walzer 1983, 5-6). In questo senso, gli studiosi repubblicani che vogliano attaccare l'ideale cosmopolita sulla base di questo argomento sembrano dover accettare una commistione tra il sistema di valori repubblicano e punti di vista identitari/nazionalisti. Ovviamente, gli studiosi repubblicani presi in analisi vorranno sottolineare che, all'interno di uno schema repubblicano, l'enfasi è posta in primo luogo sull'importanza dell'esistenza di una cultura civica, che in linea di principio non è vincolata all'esistenza di una identità culturale, e che fa riferimento a essa solo per ragioni strumentali. Tuttavia, è stato precisato sopra che pensatori identitari fanno uso anche di argomenti di natura strumentale. Di conseguenza, il fatto che, dal punto di vista dell'argomento basato sull'assenza di un *demos* globale, il riferimento all'importanza dell'esistenza di specifiche identità abbia solo una valenza strumentale non toglie forza alla tesi qui sostenuta. Infatti, quale che siano le ragioni per difendere l'importanza di queste identità, appare evidente che le premesse dell'argomento basato sull'assenza di un *demos* globale condurrebbero alla difesa di un'immagine del mondo in cui si trovano tanti stati quante sono le identità territoriali la cui preservazione è considerata un valore, strumentale o intrinseco. Questo rende ancora più evidente la somiglianza tra le conclusioni derivabili dall'argomento considerato in questo paragrafo e le posizioni identitarie. Da questa prospettiva, dietro l'argomento basato sull'assenza di un *demos* globale sembrerebbe trovarsi un'interpretazione dell'ideale repubblicano che declina lo stesso come una forma, per così dire, di nazionalismo democratico.

Sulla base di questa riflessione, sembra porsi una domanda che, a sua volta, genera un *aut aut*. Da un punto di vista democratico-repubblicano, è legittimo attingere a questo genere di argomenti per rifiutare l'idea di stato globale? Se la risposta è sì, allora occorre ammettere che il sistema di valori repubblicano e il punto di vista identitario non sono così distanti. Se la risposta è no, allora il numero di argomenti a disposizione degli studiosi repubblicani contro lo stato globale, considerato quanto detto in tutto questo lavoro, si riduce sensibilmente. E questo potrebbe essere il segno del fatto che la cultura repubblicana dovrebbe prendere maggiormente sul serio l'idea di stato globale.

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*Conclusione*

Spesso l'idea di stato globale è considerata essere incompatibile con il modello di partecipazione democratica propugnato dalla filosofia politica democratico-repubblicana. In questo lavoro ho cercato di operare una decostruzione degli argomenti che solitamente vengono offerti (o assunti) per giustificare questa presunta incompatibilità. Il mio lavoro, tuttavia, non conduce alla conclusione che gli studiosi repubblicani dovrebbero accettare lo stato globale. Infatti, come abbiamo visto, oltre che sulla base degli argomenti che sono stati analizzati, la tesi considerata viene talvolta difesa dalla prospettiva dell'argomento basato sull'assenza di un *demos* globale. Questo articolo lascia intenzionalmente aperta la conclusione relativa alla validità di questo argomento. Tuttavia, sembra almeno possibile rilevare la somiglianza di quest'ultimo argomento con i punti di vista identitari e nazionalisti sul tema. Se guardiamo ai classici del pensiero repubblicano, il fatto che esista una sorta di alleanza tra la repubblica e la nazione non sembra un fatto così sorprendente. Cionondimeno, di solito questa alleanza è interpretata come determinata da contingenze storiche (oggi superate) piuttosto che da un legame concettuale tra i due schemi di pensiero considerati.

In questo contesto, assume rilevanza la domanda posta in chiusura dell'ultima sezione di questo lavoro relativa a se il riferimento all'argomento basato sull'assenza di un *demos* globale sia legittimo da un punto di vista repubblicano. Se lo è, allora dobbiamo concludere che la relazione tra repubblicanesimo e pensiero identitario non è solo il frutto di una contingenza storica. E questa potrebbe essere una cattiva notizia per molti studiosi repubblicani, che potrebbero volere assegnare all'ideale repubblicano un'autonomia concettuale rispetto al sistema di valori identitario. Se, viceversa, volessimo escludere la possibilità di attingere all'argomento basato sull'assenza di un *demos* globale da un punto di vista repubblicano, allora sarebbe possibile per gli autori repubblicani evitare scomode associazioni con punti di vista identitari. Allo stesso tempo, però, si dovrebbe concludere che gli argomenti repubblicani contro lo stato globale non sono così solidi, e dunque ammettere lo stato globale quantomeno come una delle possibili forme che, da un punto di vista teorico, il modello repubblicano può assumere. Quale delle due strade debba essere percorsa è materia per un altro lavoro.

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# FRONTIERE LIBERALI

# Critical Exchange | Egalitarian Relations, Unequal Distributions, and Functioning Self-Respect

Giacomo Floris

*Introduction*

In recent decades, relational egalitarians have argued that a just society is not one where individuals hold an *equal* amount of certain valuable good(s) – e.g., resources or opportunities – but one in which they relate to each other as *equals*.[1]

Until recently, however, relational egalitarians have mainly focused on (i) criticising distributive views of equality[2] and (ii) identifying hierarchical relationships that are incompatible with the ideal of relational equality, whereas they have failed to offer a positive view of the demands of a society of equals. Christian Schemmel's recent book, *Justice and Egalitarian Relations*,[3] fixes this shortcoming by developing the first systematic and comprehensive theory of relational equality. Specifically, the aim of the book is to provide "a theory of how concern for egalitarian relations of non-domination and social status can be incorporated into a liberal conception of social justice" (3).

The book is divided into two parts. The first part (chapters 1-6) develops the normative requirements that are entailed by the ideal of relational equality. The second part works out the implications that this

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[1] Anderson 1999; Lippert-Rasmussen 2018; Scheffler 2003; Wolff 1998.

[2] For prominent theories of distributive equality, see Arneson 1989; Cohen 2009 and Dworkin 1981.

[3] All references without any indication of author and year of publication are to Schemmel (Oxford University Press, 2021).

relational view has for political equality (chapter 7), distributive equality (chapter 8), and health care (chapter 9). Drawing on a variety of different literatures, Schemmel develops a nuanced and compelling relational egalitarian view, and illustrates its implications for the main domains of social justice. The book is rich and ambitious. It is thorough, intricately argued, and defends a set of original and convincing conclusions.

This discussion note examines two aspects of Schemmel's theory: section 1 addresses Schemmel's critique of distributive views of equality. Section 2 discusses Schemmel's account of the role that self-respect should play in a theory of relational equality.

## 1. Egalitarian relations and unequal distributions

The main aim of chapter 2 is to motivate the search for a relational egalitarian conception of social justice (22). Specifically, Schemmel defends two claims. First, he argues that "distributive views of equality cannot account for the specific importance to justice of the *way* that social institutions create or maintain inequalities between individuals in society – how institutions *treat* individuals, as opposed to which patterns of distribution they bring about" (22; emphasis in the original). Call this, the *relational egalitarian claim*. Second, Schemmel rejects the "'Core Distributive Thesis': the distribution of non-relational goods has relation-independent significance from the point of view of justice" (Miklosi 2018, 113). Therefore, Schemmel argues not only *for* the intrinsic importance of relational equality but also *against* the intrinsic moral importance of distributive equality.[4]

In this section, I argue that what Schemmel says in chapter 2 is not sufficient to reject the "Core Distributive Thesis", and that rejecting the "Core Distributive Thesis" might be independently implausible anyway.

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[4] This emerges clearly when Schemmel addresses some possible answers to his criticism of distributive views. One possibility, which has been defended by G.A. Cohen (2009), is to maintain that "distribution and treatment [are] different spheres *within* justice" (30; emphasis in the original). Schemmel rejects this possibility, observing that pluralism about social justice has significant costs – such as balancing competing considerations on a case-by-case basis – which we have strong reasons to avoid (30-31).

Let us begin by reconstructing Schemmel's argument. To show that distributive views are unable to capture the way in which institutions treat individuals – and that this is something that a plausible theory of social justice should be able to account for – Schemmel considers the example of the "vital nutrient V":[5]

> [Distinguish five] different scenarios in which, owing to the arrangement of social institutions, a certain group of innocent persons is avoidably deprived of some vital nutrient V – the vitamins contained in fresh fruit, say, which are essential to good health. The [five] scenarios are arranged in order of their injustice, according to my preliminary intuitive judgment. In scenario 1, the shortfall is *officially mandated*, paradigmatically by the law: legal restrictions bar certain persons from buying foodstufs containing V. In scenario 2, the shortfall results from *legally authorized* conduct of private subjects: sellers of foodstufs containing V lawfully refuse to sell to certain persons. In scenario 3, social institutions *foreseeably and avoidably* engender (but do not specifically require or authorize) the shortfall through the conduct they stimulate: certain persons, suffering severe poverty within an ill-conceived economic order, cannot afford to buy foodstufs containing V. In scenario 4, the shortfall arises from private conduct that is *legally prohibited but barely deterred*: sellers of foodstufs containing V illegally refuse to sell to certain persons, but enforcement is lax and penalties are mild. In scenario 5, the shortfall arises from social institutions *avoidably leaving unmitigated the effects of a natural defect*: certain persons are unable to metabolize V owing to a treatable genetic defect, but they avoidably lack access to the treatment that would correct their handicap (27-28; emphasis in the original).

E*x hypothesi*, the distributive inequality – i.e., the deprivation of the vital nutrient V – is equal across the five scenarios; hence, the five scenarios are equally wrong from the standpoint of distributive views. This, however, is not a convincing conclusion: even if we hold other relevant factors – such as "number of victims, foreseeability and avoidability of outcome, and costs of remedy" (38) – fixed, we still find it intuitive plausible to maintain that the five scenarios are not equally wrong. This, Schemmel

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[5] This example was originally proposed by Thomas Pogge (2008, 47-48).

argues, is explained by the different *attitudes expressed* by social and political institutions. For example, in scenario 1, where the deprivation of a certain social group is officially mandated, social institutions express an attitude of *hostility* towards that social group. In scenario 2, instead, where the deprivation is the result of the legally authorized conduct of private citizens, the attitude is one of *contempt* (38). But treating people with hostility is more unjust than treating people with contempt, other things being equal. Therefore, the kind of disrespect expressed by social actions provides a principled way to rank the degree of injustice in the different scenarios.

The example of the "vital nutrient V" illustrates why the different modes of institutional treatment matter from the standpoint of justice. Thus, it offers a compelling justification for the relational egalitarian claim. However, accepting the relational egalitarian claim does not entail rejecting the "Core Distributive Thesis": from the fact that distributive views fail to capture *an* important dimension of justice, it does not follow that they are unable to capture *any* dimension of justice that has intrinsic moral importance. Hence, Schemmel's expressive analysis of the "vital nutrient V" example does not rule out the possibility that the most plausible theory of social justice is pluralist, including distribution and treatment as two distinct and intrinsically important dimensions of social justice.

This point can be further strengthened by analysing whether it is indeed plausible to maintain that all distributive aspects can be reduced to and explained by relational considerations. To illustrate this, consider an example, which is modelled after the "vital nutrient V" example but where the relational wrong is kept constant while the distributive shortfall varies across the scenarios.

Distinguish three different scenarios in which, owing to the state's official mandate, a group of innocent persons is avoidably deprived of vitamin D, the lack of which causes severe migraine headaches. In scenario 1, the only way of getting vitamin D is by purchasing foodstuffs containing vitamin D from local shops. Accordingly, the group of people who are prohibited from buying foodstuffs containing vitamin D suffer from severe and frequent migraine headaches. In scenario 2, although the legal restrictions barring certain people from buying foodstuffs containing vitamin D, they can still take a limited

amount of vitamin D, thanks to some limited natural resources they have access to. As a result, they suffer from less severe and less frequent migraine headaches than in scenario 1. Finally, in scenario 3, there are plenty of natural resources available. This allows individuals who are banned from buying foodstuffs containing vitamin D to get an almost adequate daily intake of vitamin D. Hence, they suffer from very rare and mild episodes of headache migraines.

In the "vitamin D" example, the relational wrong is equal across the three scenarios: the attitude(s) expressed by the state's social action is the same. Furthermore, *ex hypothesi*, different degrees of health deficit do not impact the quality of the relations between the members of society. Hence, scenarios 1-3 are equally unjust from the standpoint of relational equality.

However, some might think that this is not a convincing conclusion. On the contrary, it seems plausible to maintain that scenarios 1-3 are arranged according to the degree of their injustice. For example, some might hold that the degree of injustice is explained by an appeal to a particular conception of fairness, whereby it is unfair if someone is worse off than others through no fault of their own. Others might maintain that persons have a right to an adequate daily intake of vitamin D, regardless of whether this is essential to stand in relations of equality. If so, the innocent people in scenarios 1-3, who are deprived of vitamin D, not only have a legitimate *relational* complaint against being considered and treated as inferiors by the social institutions, but they also have an additional independent *distributive* complaint that they do not have (equal or adequate) access to a distributive good. This distributive claim offers a principled way to rank the different degrees of wrongness of scenarios 1-3.

Schemmel might object that even if his view is unable to capture the different degrees of wrongness of scenarios 1-3, this is not a problem because such scenarios do not involve claims of justice. If true, whatever we may think of the "vitamin D" example does not undermine the claim of relational equality to be a comprehensive theory of social justice.

But it is hard to see on what grounds this claim can be defended. First, the health deficits in scenarios 1-3 are socially caused; therefore, according to relational egalitarians, they fall within the domain of the responsibility of social institutions (33-35). One might then deny that

"distributive fairness" generates claims of justice. However, even if "distributive fairness" were the *only* value that could account for the intrinsic moral importance of distributive justice, it is unclear what independent reason relational egalitarians can offer to rule it out as a plausible basis for why distributive justice matters in and of itself.

Schemmel's example of the "vital nutrient V" is meant to elicit the intuition that even if we hold the distributive shortfall equal across a number of scenarios, they are not equally unjust. Hence, there is more to social justice than distributive outcomes. The "vitamin D" example is meant to elicit the intuition that even if we hold the degree of relational wrongness constant across a number of scenarios, they are not equally unjust. Hence, there is more to social justice than the quality of social relations. In each case, the intrinsic moral importance of the relational and the distributive dimension is therefore justified in an intuitive way. This might then be a case of reasonable disagreement about fundamental values that cannot be resolved by further substantive arguments.

To conclude, in this section, I have argued that (i) even if we accept Schemmel's expressive analysis of the intrinsic moral importance of the quality of social relations, this alone does not entail denying that the distributive dimension has relation-independent significance from the point of view of justice, and (ii) that it is unclear that we have compelling independent reasons to deny the "Core Distributive Thesis". Like the quality of relations matters independently of its distributive effects, so the quality of distributions might matter independently of its relational effects.


## 2. I*negalitarian relations and functioning self-respect*

One of the main contentions of Schemmel's theory of relational equality is that the avoidance of domination is the most pressing, but not the *only*, concern of social justice. Accordingly, in chapter 6 Schemmel examines what other inegalitarian relations – besides unequal relations of power and domination – are wrong from the standpoint of relational equality. In this section, I address Schemmel's original and interesting argument for why an appeal to self-respect is unable to condemn *all* kinds of inegalitarian relations.

Relational egalitarians typically argue that egalitarian relations are a fundamental social base of self-respect. The argument unfolds as follows:

1. Persons' sense of self-respect is crucial to maintain, develop, and exercise their basic moral powers – i.e., the capacity for a conception of the good and the capacity of a sense of justice.
2. Persons' sense of self-respect depends on how they are considered and treated by others.
3. Therefore, unequal relations are wrong because they undermine persons' sense of self-respect, thereby preventing them from developing, maintaining, and exercising their basic moral powers.[6]

Schemmel argues that a proper understanding of self-respect reveals that (2) should be rejected. Hence, an appeal to self-respect cannot explain the wrongness of *all* inegalitarian relations. To assess Schemmel's argument, it will be helpful to explain it in more detail.

Schemmel distinguishes between *standing* self-respect and *standards* self-respect. The former corresponds to one's conviction of their own worth and the kind of consideration and treatment that they are entitled to. The latter consists in an individual's conviction that they are capable of formulating and carrying out valuable projects (179). Accordingly, "functioning self-respect assures us that we are effective authors of our own actions, that these are worth it, and that we are responsible for them; therefore, it plays a crucial role in enabling, and shoring up, personal autonomy" (180). Hence, a liberal egalitarian society ought to ensure that individuals have access to the social conditions necessary to develop and maintain a functioning self-respect.[7]

Schemmel observes that some inegalitarian relations – such as domination and pervasive inegalitarian norms of social status – clearly undermine both dimensions of self-respect. However, "for both the dimensions of standing and standards self-respect, it is problematic to hold that *all* domination, and *all* norms of social esteem instituting some inequalities, are such threats to self-respect" (181; emphasis in the original). This is because having a *functioning* sense of self-respect consists in having a

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[6] See, for example, Rawls 1971.

[7] See also Schemmel 2019.

*robust* awareness of one's worth and one's talents: a person who has a proper sense of self-respect can retain it even in the face of adversity. Therefore, there are at least some inegalitarian relations that ought not to undermine a person's sense of self-respect. Hence, not all inegalitarian relations are wrong *qua* violations of a person's sense of self-respect.

In what follows, I raise two challenges to Schemmel's account of self-respect. The first challenge concerns how inegalitarian relationships that undermine self-respect can be distinguished from those that do not in a non-arbitrary way. To illustrate, consider the following cases.

First, consider the case of a person of colour, Lebron, who is stopped and searched by the police while he is in a white upper-middle-class neighbourhood. Following Schemmel, this injustice should not weaken Lebron's sense of self-respect. On the contrary, Lebron's standing self-respect allows him to react with indignation to this injustice, protesting that it is an unacceptable form of discrimination.

However, whether or not an injustice is a threat to a person's self-respect does not depend on its content alone. For example, suppose that the injustice Lebron is a victim of is part of a systemic practice of racial profiling. Lebron knows that the police – not just these police officers – stop and search people "like him" for no legitimate reason, simply because society perceives them as threats especially when they are in areas they are deemed not to belong. If the practice of racial profiling is pervasive enough, then it is plausible to maintain that this injustice does wound Lebron's sense of self-respect, for he is aware that social institutions do not consider and treat him as an equal in some basic sense. If this is true, then the following question arises: how pervasive must an inegalitarian practice be to undermine individuals' sense of self-respect? What is the threshold level of moral significance of the pervasiveness of a social inegalitarian practice? It is very difficult to see how we can answer this question in a non-arbitrary way.

Consider another case. Katie is part of the board of directors of a company. During a board meeting, the board chair paid attention to the other directors' opinions and praised them for their brilliant ideas, while ignoring Katie. Presumably, this inequality of social esteem should not undermine Katie's standards self-respect. On the contrary, her robust sense of self-respect allows her to maintain a strong conviction about her abilities to do the job as well as her peers.

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But while this assessment of this inegalitarian relation is plausible from a synchronic perspective, it is unclear whether the same assessment is plausible from a diachronic perspective. To see this, suppose that Katie was not only ignored during this board meeting, but she has been systematically ignored during board meetings over the course of a long period. This prolonged inequality of social esteem between Katie and her peers does seem to be a threat to Katie's self-esteem: seeing her colleagues praised for their contributions, while being constantly ignored, makes Katie lose confidence in her capacity as a director of the company. More generally, the length of an inegalitarian relationship seems a relevant factor in the assessment of whether it ought to weaken people's sense of self-respect or not. Hence, this raises the question of what the sufficient length for an inegalitarian relation to undermine people's sense of self-respect is. In other words, what is the threshold level of the moral significance of time in the assessment of inegalitarian relations? This, again, is a question that can hardly be answered in a non-arbitrary way.

The general implication of this analysis is that even assuming that some inegalitarian relations ought not to undermine people's sense of self-respect, it is often very difficult to distinguish them from those inegalitarian relations that do violate individuals' sense of self-respect. The reason for this is that there are several relevant factors to be taken into account when assessing the wrongness of an inegalitarian relation, such as its pervasiveness and its length. For this reason, Schemmel's theory of self-respect runs the risk of arbitrarily excluding some inegalitarian relations from the scope of those relations that undermine people's sense of self-respect.

Let us now turn to the second challenge. As we have seen, Schemmel argues that *robustness* is a constitutive feature of a functioning self-respect. A person has a functioning sense of self-respect when (i) they are aware that they are entitled to be considered and treated as an equal (standing self-respect) and able to formulate and carry out valuable projects (standards self-respect), and (ii) they are capable of retaining a sense of self-respect even under adversity. (i) and (ii) are two distinct dimensions: a person can have a high degree of self-respect, whereby they are convinced that they are entitled to equal treatment and that their talents and projects are valuable, yet their self-respect can be frail – it can be lost at the first injustice they are victims of.

Now, a person's sense of self-respect can be more or less robust. The degree of robustness, in turn, depends, *inter alia*, on the number of inegalitarian relationships an individual is part of. To see this, let us return to Katie. Assume that the inequality of social esteem in the workplace, taken individually, ought not undermine Katie's sense of self-respect. Having a functioning sense of self-respect, Katie retains confidence in her agential abilities even though she is ignored by the chair board and her colleagues. This, however, is compatible with holding that, as a result of the inequality of self-esteem in the workplace, Katie has a *less robust* sense of self-respect: this is because she would lose it – or at least it would be diminished – should she be a victim of other inegalitarian relations in other social contexts. For instance, imagine that Katie is not only ignored in the workplace, but that her husband also does not take her opinion seriously when discussing important issues (e.g., how to manage their finances). Being treated as unequal in different social contexts, Katie loses her sense of self-respect.

More generally, then, a person might stand in several inegalitarian relationships, each of which individually requires a significant effort to retain one's sense of self-respect; their cumulative effect is therefore to diminish the robustness of one's sense of self-respect by raising the probability of losing it. Put another way, it can be simultaneously true that (i) each individual inegalitarian relationship is fully resistible by a person without losing their sense of self-respect, and that (ii) a person's overall ability to retain their sense of self-respect is greatly diminished.

If this is true, we might still have some self-respect-based reasons to condemn those inegalitarian relations that, taken individually, ought not to weaken persons' sense of self-respect. First, one might hold that persons are entitled to an equal degree of robustness of self-respect, other things being equal. But, as we have seen, the more injustices one is a victim of, the less robust their sense of self-respect is. Hence, the wrongness of unequal relations consists in causing inequality of robustness of self-respect.

Second, one might note that inegalitarian relations render certain people especially vulnerable to losing their sense of self-respect. Thus, the wrongness of treating Katie as unequal in the workplace does not consist in undermining her sense of self-respect (which, *ex hypothesi*, is not diminished by this inequality of social esteem). Rather, it consists

in making Katie particularly vulnerable to losing it. This is because if Katie is also treated as unequal in other social contexts (e.g., within the family), then she might lose her sense of self-respect, or at least it might be reduced. Hence, the inegalitarian relation in the workplace increases the range of circumstances in which Katie will be unable to retain her sense of self-respect. And, a relational egalitarian society has compelling reasons not only to refrain from undermining a person's sense of self-respect but also to avoid rendering them particularly vulnerable to losing it.

To conclude, in this section, I have analysed Schemmel's theory of self-respect. First, I have suggested that it is not clear how such a theory can distinguish inegalitarian relations that undermine persons' sense of self-respect from those that do not in a non-arbitrary way. Second, I have argued that even if individual instances of inegalitarian relations ought not to weaken people's sense of self-respect, their cumulative effect might undermine their degree of robustness. This then generates self-respect-based reasons to condemn such relations.

## Conclusion

In this discussion note, I have analysed two aspects of Schemmel's theory of relational equality: his critique of distributive views of equality and his account of self-respect. But *Justice and Egalitarian Relations* offers much more than this. It puts forward a coherent and compelling case for the ideal of relational equality: specifically, it elaborates a comprehensive and persuasive theory of justice that explains what it means to relate as equals and shows why this is of intrinsic and fundamental moral importance. Anyone working on egalitarian justice, in particular, and political philosophy, more generally, will greatly benefit from reading *Justice and Egalitarian Relations*.

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**Critical Exchange**

**Response to Giacomo Floris**

# On Egalitarian Pluralism and the Fragility of Self-Respect

Christian Schemmel

*Introduction*

I would like to thank Giacomo Floris for his thoughtful and interesting comment on *Justice and Egalitarian Relations* (henceforth JER), and the editors of *Biblioteca della Libertà* for the opportunity to respond to them. Floris' comment raises two important issues. The first is whether JER contains, in addition to an argument for the significance of relational inequality for social justice, an argument *against* distributive inequality alone being of such significance. The second concerns the impact of inegalitarian relations on individuals' self-respect. It asks whether there is any non-arbitrary criterion for distinguishing those inegalitarian relations that are unjust (also) because of the threat that they pose to self-respect from those that are not unjust on these grounds.

This response addresses these issues in turn. Section 1 clarifies that chapter 2 of JER, on which Floris' comment focuses, indeed contains no argument against the significance to justice of 'pure' distributive inequality. However, other parts of JER deliver reasons for why relational equality matters *more* than distributive equality, and point to further reasons why 'pure' distributive inequality might not matter at all. In fact, this is what Floris' main intended counterexample, rightly interpreted, also suggests. Section 2 recaps, and adds to, the argument of JER for why not all unjust unequal relations are unjust on grounds of threatening self-respect. It accepts Floris' claim that there is no general, hard and fast criterion distinguishing relations, taken individually or as bundles, that objectionably threaten self-respect from those that do not. However, it argues that this

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is not a reason to re-classify all unjust unequal relations as such threats. Instead, we should partly readjust our focus, from analysing the threats that any social relation might (or might not) pose, to requiring the positive epistemic and motivational resources that individuals need to develop robust self-respect enabling them to resist threats.

## 1. E*galitarian pluralism*

Chapter 2 of JER argues for an expressive perspective on social justice: according to it, the justice or injustice of how individuals are treated – by institutions, or individuals – is not reducible to the distributive outcomes such treatment brings about, but also depends on the attitude expressed in it.[1] Floris recaps the different scenarios used in JER to illustrate this view (in this volume, 75). Here, we only need a comparison between two: an institutional order allowing holders of scarce, necessary resources, such as, for example, vital nutrients, to discriminate freely against other individuals by barring their access to the resource expresses a more unjust attitude towards the latter than an order that merely avoidably fails to guarantee the resource to all, for example because it manages overall production somewhat inefficiently. In the former case, we might say that the order expresses a form of *contempt* towards the victims, while in the latter it expresses only a form of *neglect*. However, nothing, at this point, hinges on how we call the respective attitudes, and the example does not aim at delivering any kind of systematic injustice ordering, but merely at teasing out differences and their relevance. The remainder of the chapter aims to show that distributive egalitarian views cannot satisfactorily account for these.

Floris accepts this relevance, and that, in this case, it has to do with relational inequality (in this volume, 76). In the first scenario, the order

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[1] Chapter 2 of JER focuses much more on the expression of institutional attitudes than on the expression of individual ones, but this is not because the expressive perspective is somehow supposed to be uniquely applicable to the former. It is because institutional attitudes are evidently the harder case, regarding both whether institutions have attitudes at all, and why these should have special moral significance.

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in question sees no problem with victims being subject to the arbitrary power of resource holders (domination). However, he argues that the chapter does not show that distributive inequality alone – that some have this resource and others do not, or that the former have more of it - is of *no* relevance to justice. It does not yield reasons to reject the "'Core Distributive Thesis': the distribution of non-relational goods has relation-independent significance from the point of view of justice" (Miklosi 2018, 113; Floris, in this volume, 74). That is correct: the argument does not have this aim (as Miklosi recognises, *ibidem*, 117).[2] Its aim within JER is to show what distributive egalitarianism misses, in order to motivate the development of a relational egalitarian conception of justice; one that will supply normative substance for making less preliminary and merely intuitive – more informed, better ordered and justified – expressive assessments. JER privileges this constructive enterprise over any attempt to refute rival theories for the reason mentioned by Floris (in this volume, 73): in the current literature, there is no shortage of objections to distributive egalitarianism, but a shortage of worked-out conceptions of relational egalitarianism. Consequently, throughout JER, there is no attempt to refute distributive egalitarianism at all; for all it says, pluralism about justice of the kind Floris advocates remains a possibility.[3]

However, the main aim of JER is to show that relational equality is the most stringently and demandingly egalitarian dimension of a liberal conception of social justice. That does require showing more than that relational equality *also* matters for justice; it requires an argument that it matters more than other kinds of equality (if those matter at all). Chapter 2 of JER puts the expressive perspective on justice in place in order to show that, within it, such arguments are available: later chapters then work these out. An institutional order giving concrete others superior and arbitrary power over the fulfilment of your claims and interests expresses that you are not their equal, but their inferior

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[2] He refers to the article on which chapter 2 of JER is based, not the chapter, but that argument remains unchanged.

[3] Schouten (2022) also notices this possibility, and explores its implications. Floris (in this volume, 74, n. 4) claims that chapter 2 of JER (30-31) "rejects" pluralism; but the passage referred to merely argues that it would be theoretically and practically better if we could do without it.

(chapters 3, 4). Other things being equal, it does so in a worse, more clear-cut way ('is more contemptuous') than if it merely allocates more of some relevant good to them than to you (especially if your share would, otherwise, be adequate in absolute terms). Similarly, a society failing to counteract inegalitarian social norms, which devalue some personal traits of yours (such as your working class accent and vocabulary), and coordinate the behaviour of norm-followers to deprive you of some important social opportunity (chapter 6) – such as acquiring an abode in a quarter that you like – instantiates an unjust social inequality (while lacking the same opportunity for other reasons might not be unjust). It does so even if none of the individuals participating in norm enactment, taken alone, has superior power over you.

Compared to that, 'simple' distributive inequality in relevant goods, such as resources, matters less than distributive inequality produced through relations of domination or status inequality, or leading to these; but any inequality in socially produced good and bads does require justification (chapters 8, 9). That does suggest that some distributive inequality in relevant goods – inequality lacking any social pedigree *or* relational consequences – does not matter at all for justice; such as, to use a worn-out, hypothetical example, perhaps inequality of wealth between two societies that up to now have been completely isolated from each other, and will hardly interact in the future.[4] That is, in fact, my view; however, strictly speaking, JER only contains an argument for the expressive perspective and an argument that, if one adopts it, relational egalitarian demands have a certain priority over distributive demands.[5] Pluralist arguments could thus dispute that the expressive perspective is (uniquely) the right one to adopt, or mount an internal challenge showing that 'simple' distributive inequality has greater expressive significance than JER contends – and always has such significance, irrespective of social context.

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[4] For some (inconclusive) remarks on relational equality in matters of international, supranational, and global justice, see the Conclusion of JER.

[5] Not lexical priority: a societal order producing massive inequality of income and wealth is more unjust, for that reason alone, than one permitting some slight domination over minor matters (of course, massive inequality of income and wealth will itself engender sizeable domination).

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One putative reason for pluralism is a worry that relational egalitarianism alone fastens only onto a narrow set of social concerns. Floris shares this worry. In order to substantiate it he devises the following example:

> Distinguish three different scenarios in which, owing to state's official mandate, a group of innocent persons is avoidably deprived of vitamin D, the lack of which contributes to severe migraine headaches. In scenario 1, the only way of getting vitamin D is by purchasing foodstuffs containing vitamin D from local shops. Accordingly, the group of people who are prohibited from buying foodstuffs containing vitamin D suffer from severe and frequent migraine headaches. In scenario 2, although […] legal restrictions bar […] certain people from buying foodstuffs containing vitamin D, they can still take a limited amount of vitamin D, thanks to some limited natural resources they have access to. As a result, they suffer from less severe and less frequent migraine headaches than in scenario 1. Finally, in scenario 3, there are plenty of natural resources available. This allows individuals who are banned from buying foodstuffs containing vitamin D to get an almost adequate daily intake of vitamin D. Hence, they suffer from very rare and mild episodes of headache […] (in this volume, 76-77).

The example is supposed to illustrate the need for a pluralism that accounts for how distributive inequality – here, in health – matters in its own right, because, intuitively, injustice decreases from scenario 1 to 3, even if, Floris maintains, "the relational wrong is equal across the three scenarios" (in this volume, 77).

Three points need to be made in response. First, in all three scenarios the social order in question causes the health deprivation through a ban on acquiring the relevant foodstuffs. A capacious, distribution-friendly view such as the one advocated in JER (chapters 8, 9) holds that other things being equal, an order that brings about greater distributive inequality is more unjust, and therefore agrees that injustice decreases from scenario 1 to 3. Second, even narrower relational egalitarian views fastening *only* on the quality of social relations between individuals (here, between officials, or shopkeepers, who have the relevant foodstuffs, and those denied their purchase) have no difficulty locating a relevant difference, which leads to the same ranking: other things being equal, the more you can make others suffer, the more power over them you have. In the absence of justification for that power and tight constraints on how

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it can be used (or matching counter-power of your own), this amounts to domination; so, domination decreases from 1 to 3.

Third, a case can be made that it is in fact *only* relational egalitarian views that can account for there being injustice in scenario 3 *at all*. For example, on one view of health, what is unjust about health deprivation is that it deprives you of the ability to function normally. That might not to be the case in scenario 3. Justice might not require that all be equally free from mild headaches that do not impede functioning – even if those headaches could be avoided by directing some resources towards the sufferers (resources that will then not be spent on meeting other social goals).[6] Against that, the ability of some to make others suffer might well be a problem of justice even if the sufferers remain above some relevant health-threshold. Having the power to deprive others of non-essential goods, or rather, having more such power than others, can be unjust even if simply lacking the good, or some lacking it while others do not, is not. Thus, from a relational egalitarian perspective, it is not harder, but easier to see than from a purely distributive perspective what unjust inequality (if any) is present in scenario 3. JER does not rule out pluralism about social justice incorporating concern about pure distributive inequality; but Floris' comment does not show that it is needed.

## 2. *Self-respect*

The second part of Floris' comment engages with the argument of chapter 6 of JER. This chapter investigates why status norms of the kind mentioned in section 1 above are unjust, even if they do not involve domination, or deprive those subject to them of goods to which they already have an independent right. One reason could be that they undermine appropriate self-respect (and/or self-esteem)[7], which, in order to be appropriate, needs to incorporate the firm conviction that one is the moral equal of others, and therefore also entitled to equal social and political standing. In fact,

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[6] To some extent, Floris seems to agree: he leaves open whether justice requires "equal" or only "adequate" access to the good in question (in this volume, 77).

[7] For different dimensions of self-respect in play, see Floris (in this volume, 79-80); here, it is not necessary to go into these differences.

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sweeping appeals to self-respect are common in the relational egalitarian literature (see the references in chapters 5 and 6 of JER).

However, chapter 6 argues that for liberals at least, not all unjust unequal relations can be classified as unjust threats to self-respect. The reason for this, as Floris explains (in this volume, 79-80), is that self-respect performs a crucial orientation function for agents, enabling their autonomy. An important part of autonomy is to be able to react appropriately when not everything goes well for the agent: not to lose orientation about one's value and one's options when dealing with threats, including threats to one's conviction of one's worth. In that sense, persons' convictions of their own worth do not only need to be appropriate in content, but *robust*. The broader our appeal to self-respect when objecting to unequal relations, the more are we committed to viewing agents as dependent on (all) others' appreciation – as capable of orientation only when everything goes well for them, including being subject to no injustice at all.[8] That fails to give autonomy its due, and therefore leads away from a *liberal* conception of relational equality.

This, however, gives rise to the important challenge now raised by Floris (in this volume, 80): there seems to be no non-arbitrary way to sort those relations that we should classify as unjust threats to self-respect from those we should not (even if they are unjust for other reasons). He makes suggestive examples to bolster this challenge, such as the case of Katie, a company director who is ignored in board meetings by the chair, while the chair does pay attention to and praises the interventions of all other members (in this volume, 81). This may well give rise to self-doubt in Katie, but Floris surmises that, based on this description alone, the position taken in JER would not judge her to be subject to injustice on grounds of self-respect. Intuitively, that seems right. One reason is that Katie, presumably, as a privileged person – a company director – otherwise possesses quite strong social bases of self-respect.

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[8] Floris reconstructs the argument as denying that "[p]ersons' sense of self-respect depends on how they are considered and treated by others" (in this volume, 79). However, only an implausibly extreme Stoic position denies this. Humans are social animals. What the argument denies is that *all* (unjust) "unequal relations are wrong [also] because they undermine persons' […] self-respect" (*ibidem*), as Floris makes clear in the remainder of his comment.

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However, what if she is being ignored *all the time* (in this volume, 81)? JER merely offers some remarks about what can help us judge the quality of the threat in question, noting that certainly those unjust unequal relations that bar "epistemic access to correct convictions" (JER, 182) classify as relevant threats. That helps deal with cases of norms and individual treatment that fasten onto, and are justified by, pervasively reigning inegalitarian ideologies, such as racist and sexist ones. To know whether these are in play in Katie's case, we would need to know more: is she the only woman on the board? If not, how does the chair treat the others? If there are others, who receive respect and attention, might it be that Katie is being ignored because, when called upon, she tends to go on forever, speaking over others, and tolerating no criticism of her views (if so, that might suggest she was already suffering from low self-esteem before)? In every single case, knowing whether being treated in a problematic – including unjust – way is apt to relevantly undermine the resilience of one's self-respect in requires knowing a fair amount about both the type of person involved and the social context. However, unless we are in possession of firm, reasonably general criteria on these two fronts, this observation simply bolsters Floris' challenge.

Still, we should not give up on the idea of having to draw a line, even if we cannot always say with precision where it is. The cost to autonomy of classifying *all* unjust relations as threats to self-respect is too high. Instead, we can turn our focus to the positive – epistemic and motivational – resources that agents need to withstand at least some threats. Chapter 6 of JER does not focus on these, because the aim of its discussion of self-respect is merely to show that it is not the most general reason to object to inegalitarian norms of social status – that is, instead, their impact on opportunities (see section 1 above). The positive argument is developed at more length elsewhere (Schemmel 2019; 2022). Supplying agents with the epistemic and motivational resources to reliably deal with some threats requires special paying attention to education, whose focus needs to be on developing unconditional basic self-love while discouraging expectations that others will always react to one's traits and actions with praise – or always treat one fairly (Schemmel 2019). It also requires significant support for a free and rich civil society, where agents can find support networks, including resistance networks. These can help them come to terms with, and standing up against, injustice

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even if its elimination at source is not yet imminent. Importantly, these networks need not be construed merely as *causal* factors shoring up one's resilience, seen as an exclusively internal, psychological characteristic.[9] We can even regard access to them as (co-)*constituting* the robustness of one's self-respect itself, and still do not have to accept that self-respect is dependent on comprehensive justice (Schemmel 2022).

The reason for this approach is not that seeking to rule out all potentially threatening relations as unjust on grounds of self-respect is too demanding: after all, effectively providing these positive resources *to all* – including the victims of significant injustice – will also be very demanding. The reason is simply that this approach, if successful, provides people with better self-respect. Floris' comment rests on an essentially 'subtractive' picture, where every inegalitarian relation or instance of treatment somehow chips away at one's self-respect, or is at least apt to (in this volume, 82). If that is so, any of them could, in principle, become the straw that finally breaks the camel's back. However, there is no reason to think that this is generally the right picture: self-respect need not be, in all respects, like an armour that is worn out by blows until it eventually breaks. It can also be like a rubber wall, where insults and indignities bounce off, without making any crack at all: if the agent notices them, she will protest the injustice. She might be annoyed, sad, resigned, or even angry – but she will genuinely not perceive them as threatening her worth. Of course, for almost everybody, there will be some critical threshold. We should not indulge in Stoic fantasies about the impregnability of the inner citadel. However, it is worth directing our collective efforts at providing everybody with resources to cultivate this resilience, so understood, and prioritising that effort over avoiding offense to others at all costs, out of fear for their self-respect. It is then not a problem if the question of where exactly to draw the respective lines - between unjust threats to self-respect and 'mere' injustice, or blows to self-esteem that agents have to deal with and those that others should avoid dealing – is, in part, an empirical, socio-psychological one, with answers varying with context.

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[9] For relevant criticism of Schemmel (2019) on this point, see Stoljar and Voigt 2022.

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# Biographical Notes

**Gianluca Cavallo** holds a PhD in Social Philosophy from the Goethe University of Frankfurt and is currently research fellow at the Department of Cultures, Politics and Society of the University of Turin. His main research interests are critical theory, moral and political philosophy, and moral psychology. He has written a dissertation on guilt and is the author of a book on the political philosophy of Charles Taylor and Alasdair MacIntyre.

**Francesca Cesarano** is currently pursuing her PhD in Political Philosophy at San Raffaele University in Milan. Her research focuses on oppressive gender socialization and feminist theories of autonomy. She was a visiting doctoral fellow at Vrije Universiteit (Amsterdam) in 2022 and at CUNY (New York) in 2023. She is expected to defend her PhD thesis in the Spring Semester of 2024. Before starting her PhD program, Francesca earned her master's degree in Political Theory from the University of Sheffield and her bachelor's degree in Philosophy from the University of Pavia.

**Giacomo Floris** is a British Academy Postdoctoral Fellow in Philosophy at the University of York. His main areas of research are in contemporary moral and political philosophy, with a particular interest in theories of moral status and basic equality, and theories of relational equality and distributive justice. His work has appeared in various journals, including *Philosophical Studies*, *Journal of Ethic*, *European Journal of Political Theory*, and *Ethical Theory and Moral Practice*.

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**Marco Miglino** recently earned his PhD in Philosophy at the University of Eastern Piedmont (within the FINO Consortium) with a dissertation focused on the legitimacy of border controls, where he tried to defend a position alternative to both open borders accounts and positions in defence of national sovereignty. His main research interests are the ethics of migration, democratic theory, the democratic boundary problem and, more broadly, theories of post-national democracy. He published "A Proposed Solution to the Democratic Boundary Problem: The Relevant Coercion Account" in 2021 for B*iblioteca della Libertà*.

**Christian Schemmel** is Senior Lecturer in Political Theory at MANCEPT, University of Manchester. His research focuses on theories of social justice and equality, liberalism, republicanism, self-respect and other self-evaluative attitudes, international and global justice, the intersection of political theory and political economy (welfare state regimes, workplace democracy, wage policy), and social class.

*bdl*