

Commentary on Part 3: International political and economic structures

Colin Farrelly

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[See table of contents](#)

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Article abstract

Mathias Risse's *On Global Justice* is a unique and important contribution to the growing literature on global justice. Risse's approach to a variety of topics, ranging from domestic justice and common ownership of the earth, to immigration, human rights, climate change, and labour rights, is one that conceives of global justice as a *philosophical* problem. In this commentary I focus on a number of reservations I have about approaching global justice as a philosophical rather than an inherently *practical* problem. To his credit Risse does acknowledge at various stages of the book that a good deal of the applied terrain he ventures into presupposes complex and contentious empirical assumptions. A greater emphasis on those points would, I believe, helpfully reveal the shortcomings of tackling intellectual property rights by appealing to Hugo Grotius's stance on the ownership of seas, or the shortcomings of tackling health by invoking the language of human rights without acknowledging and addressing the constraints and challenges of promoting health in an aging world.



COMMENTARY ON PART 3: INTERNATIONAL POLITICAL AND ECONOMIC STRUCTURES

COLIN FARRELLY
QUEEN'S UNIVERSITY

ABSTRACT

Mathias Risse's *On Global Justice* is a unique and important contribution to the growing literature on global justice. Risse's approach to a variety of topics, ranging from domestic justice and common ownership of the earth, to immigration, human rights, climate change, and labour rights, is one that conceives of global justice as a *philosophical* problem. In this commentary I focus on a number of reservations I have about approaching global justice as a philosophical rather than an inherently *practical* problem. To his credit Risse does acknowledge at various stages of the book that a good deal of the applied terrain he ventures into presupposes complex and contentious empirical assumptions. A greater emphasis on those points would, I believe, helpfully reveal the shortcomings of tackling intellectual property rights by appealing to Hugo Grotius's stance on the ownership of seas, or the shortcomings of tackling health by invoking the language of human rights without acknowledging and addressing the constraints and challenges of promoting health in an aging world.

RÉSUMÉ

La monographie de Mathias Risse, *On Global Justice*, représente une contribution originale et importante à la littérature croissante sur la justice mondiale. Risse conçoit la justice mondiale comme un problème *philosophique*, et applique cette perspective à une série de thématiques diverses incluant la justice nationale, la propriété commune de la terre, l'immigration, les droits de la personne, les changements climatiques et les droits des travailleurs. Dans ce commentaire, je souligne un certain nombre de réserves que j'ai à l'idée d'aborder la justice mondiale comme un problème philosophique plutôt que comme un problème fondamentalement *pratique*. Certes, Risse reconnaît à plusieurs reprises que les enjeux de justice appliquée qu'il traite touchent à des questions empiriques complexes et controversées. Un effort de prendre ces questions empiriques plus au sérieux révélerait, à mon sens, les faiblesses d'une approche qui vise à se prononcer sur les droits de propriété intellectuelle en se basant sur la théorie d'Hugo Grotius sur la propriété des océans, ou les faiblesses d'une approche à la santé qui a recours au langage des droits de la personne sans tenir compte des contraintes et des défis que représente la promotion de la santé dans un monde vieillissant.

INTRODUCTORY REMARKS

It would perhaps be an understatement to describe *On Global Justice*¹ as simply an *ambitious* book. The breadth of topics Mathias Risse addresses, and the bold aspirations of his account of *pluralist internationalism*, are certainly unique and important contributions to the growing literature on global justice. I cannot think of another work in contemporary political philosophy that has the reach and scope of *On Global Justice*. Risse covers themes as diverse as domestic justice, common ownership of the earth, immigration, human rights, agricultural subsidies, intellectual property rights, intergenerational justice, climate change, labour rights, and the World Trade Organization. Any one or two of these topics could be the focus of a book-length project in themselves.

Assessing a book with such expansive ambitions can be a challenge. To provide a charitable assessment, a reader cannot fault Risse for not providing a more detailed account of any one topic or defense of any proposed practical prescription because his project is not primarily motivated by the aspiration to provide an exhaustive and complete account of one specific ground of justice, or application of a principle of distributive justice. Rather, his project is motivated by a desire to transcend the traditional debates between those who limit the applicability of justice to states, on the one hand, and those who extend the demands of justice to all human beings, *qua human beings*, on the other hand. So his contribution is a welcome and valuable one.

The view Risse develops is one that recognizes *multiple* grounds of justice. He thus calls this approach “pluralist internationalism”. It “grants particular normative relevance to the state but qualifies this relevance by embedding the state into other grounds that are associated with their own principles of justice and that thus impose additional obligations on those who share membership in a state” (p.ix). While I am largely sympathetic to the project of steering a middle ground between the debates of nationalists and cosmopolitans, I will raise a number of questions about the general approach, and aspirations, of Risse’s account of global justice, with a particular focus on issues that arise in Part 3 of the book.

Before detailing those points I should perhaps say a few comments about the perspective from which I raise these issues. In the Preface to *On Global Justice* Risse makes it clear that this book is about “global justice as a *philosophical* problem, and about political problems on which principles of justice bear at the global level” (my italics) (p.x). I must admit that I am in many ways an outsider to philosophical debates about global justice. I see global justice as a (primarily) *practical*, rather than philosophical, problem. Like most authors who work on the topic of global justice, I am troubled by the fact that poverty still persists in the world, that health innovations are unequally accessible, that the development of novel medical interventions are stifled by inefficient public policies, etc. But I am sceptical about the function and value of developing a general theory of global distributive justice (indeed, I am sceptical about doing so even at the domestic level).

The problems of this world are extremely complex and disparate. And the philosopher's aspiration to construct a precise and determinate account of "the demands of justice in the world today", while arguably noble, must inevitably be very selective in a manner that risks eroding an understanding of how complex and disparate the problems of this world really are. To conceive of global justice as *primarily* a philosophical rather than practical problem means that an understanding of human history, or the empirical realities of our complex world do not necessarily play a foundational a role in the intellectual exercise. Instead, the abstract normative theories, concepts, and assumptions of the philosophical literature (much of which engages little with the empirical realities of the rapidly changing world) frame the questions, perspectives and conclusions of the global justice theorist. So while I think there is some room for philosophizing about global justice, I believe such an intellectual exercise must be extremely provisional and tentative, as well as contextual and sensitive to the empirical realities of that context. Some of the critical points I raise in this commentary on Part 3 of *On Global Justice* pertain to concerns I have about the general philosophical endeavor, they do not arise simply as a response to Risse's specific arguments.

Jeremy Waldron, in criticizing the philosopher's aspiration to construct grand theories of distributive justice, labels such an approach "I-expect-you'd-all-like-to-know-what-I-would-do-if-I-ruled-the-world"². As I read through Risse's account of domestic and then global justice I could not help but be reminded of Waldron's critique. Waldron argues that the justice approach is deficient because it fails to take seriously the "circumstances of politics". Theorizing about justice is only part of the task of the political philosopher, the second is to *theorize about politics*. And when the subject matter is global justice, this means theorizing about *global politics*. Tackling such an enormous challenge ought to give the normative theorist reason to pause, and, in my (perhaps too conservative) judgement, permit intellectual humility to win the day over the desire to derive a priority list of global principles of justice.

Many aspects of Risse's project avoid the central concerns I have about the limits of philosophical accounts of global justice. He adopts *pluralism*, for example, which I believe is a sensible and helpful way to approach the subject matter. A pluralistic normative framework helps guard against the worst elements of the "I-expect-you'd-all-like-to-know-what-I-would-do-if-I-ruled-the-world" approach to normative theorizing. And in his discussion of complex policies Risse often notes the feasibility constraints that are likely to arise and attempts to address them. So while his breadth of concern is expansive, Risse does make sensible concessions to intellectual humility when the political topics being addressed rely on complex and contentious empirical assumptions. However, my worries about Risse's overall project became most manifest in chapter 17, when he constructs, based on his own considered judgement, a list of prioritized principles to govern the life prospects of the world's population and all countries:

1. Within the state, each person has the same infeasible claim to an adequate scheme of equal basic liberties, which scheme is compatible with the same scheme of liberties for all.
2. (a) The distribution in the global population of the things to which human rights (understood as membership rights) generate entitlements is just only if everyone has enough of them for these rights to be realized. (b) The distribution of original resources and spaces of the earth among the global population is just only if everyone has the opportunity to use them to satisfy her or his basic needs, or otherwise lives under a property arrangement that provides the opportunity to satisfy basic needs. (principles 2(a) and 2(b) are at the same level of priority).
3. Within the state, each person has the same infeasible claim to a fully adequate scheme of equal basic liberties, which scheme is compatible with the same scheme of liberties for all.
4. Social and economic inequalities are to be arranged so that they are both (a) attached to offices and positions open to all under conditions of fair equality of opportunity, and (b) to the greatest benefit of the least advantaged. (4(a) has priority over 4(b)) (p. 331).

What follows are what I hope are some constructive comments from a philosopher who remains largely agnostic and sceptical about philosophical accounts of global justice and the aspiration to derive a priority list (like that above) of distributive principles of justice. My commentary is not motivated by a theoretical allegiance to a global application of Rawls's difference principle, or to a specific liberal nationalist theory committed to partiality for compatriots. I engage with Risse's book without any strong theoretical commitments to a specific theory of global justice. Instead, my commentary is motivated by the judgement that the problems of global justice are first and foremost practical and political, not philosophical, problems. And my worry is that approaching these topics as if they were, first and foremost, *philosophical* problems is inherently problematic. While I do not think this means there is no room for philosophy to play a role in helping us think about those problems (I believe there is an important, though limited, role), it does mean we should be cautious about deriving and endorsing the philosopher's construction of priority rules for principles that are to govern the life prospects of all 7 billion people in today's interconnected and rapidly changing world.

1. INTELLECTUAL PROPERTY RIGHTS

Part 3 of *On Global Justice* develops Risse's pluralist internationalism by considering what principles apply globally in virtue of specific relations and institutions of the globalized era. Expanding upon the conception of human rights developed in earlier chapters, Risse extends human rights to include a right to essential pharmaceuticals and work and leisure. The former is the focus of chapter 12, the latter chapter 13. I will focus my critical commentary on just these two substantive topics.

Risse argues that there is a human right to X, given the existence of certain global relations, when principles of the form “it is unjust if any member of the global order lacks X” hold. He begins his discussion of intellectual property by considering Hugo Grotius’s argument against private ownership of the seas, which Risse then applies to ideas. I believe this approach is deeply problematic because it mistakenly assumes that the bundle of rights at stake with private property is the same bundle of rights involved with intellectual property, like patents.

“Patents are time-bound monopoly rights”.³ The particular bundle of rights conferred by a patent is very different from the bundle of rights entailed by ownership of private property. If I own my house, this means I have *affirmative rights* to use, possess or sell my house. This bundle of property rights is very different from the bundle of rights conferred by a patent. The time-bound monopoly rights of patents do not provide the patentee with affirmative rights to do anything. The rights they do have are rights to *exclude* others from using, making, importing or selling patented items (for a set period of time, typically 20 years).

Is it helpful to approach the topic of intellectual property, and its relation to a human right to essential medicines, by invoking Grotius’s stance on the ownership of seas? I do not think it is. The good reasons for not permitting affirmative rights to use or possess seas do not necessarily apply to patents or copyright with respect to ideas. Consider, for example, the three reasons Grotius offers for why the seas should remain unappropriated:

Anybody’s use of the seas is consistent with everybody else’s similar use.
Everybody benefits from leaving the seas unappropriated.
The seas cannot be occupied. (p. 234)

Some of these reasons can be easily transferred from possession rights in property like the seas to exclusion rights in ideas. And this stems from the fact that seas and ideas are both *public goods*. Public goods, unlike private goods like my car or house, are *non-excludable* and *non-rivalrous*. Shakespeare’s *Hamlet*, like the Mediterranean sea, is non-excludable. Once it exists, you cannot stop people from enjoying or making use of either. *Hamlet* is also non-rivalrous. My enjoying *Hamlet* does not leave less of the play available for others to enjoy. Similarly, my enjoyment of the Mediterranean Sea does not require that there be less of that sea available for others to enjoy.

However, I believe there is a problem with transferring Grotius’s second reason, which presumes everyone is better off in a situation where seas are unappropriated, to the realm of ideas. Risse claims “Not only does use of ideas not subtract from their usefulness for others, it adds to it, by stimulating intellectual activities that inspire yet more such activities. *Everybody* benefits from a situation where ideas are unappropriated” (p. 235). But intellectual property rights like patents do not entail appropriating ideas like one might land or the seas. No affirmative rights are conferred by a patent. Patents are time-bound monopoly

rights that permit the patentee to *exclude* others. Is it true that everybody benefits from a situation where no one can be excluded from making, using, selling or importing patented items? To answer “yes” is to make an enormous empirical assumption, and one that sharply divides defenders and critics of intellectual property.

The central rationale for granting patents to inventors is precisely because they help disseminate knowledge (patents are published) and stimulate innovation. Risse goes on to note the importance of the latter, so I was puzzled as to why he applies Grotius’s discussion of possession of the seas to patents, especially when the former do not involve the affirmative rights which Risse appears to be concerned about. Patents involve exclusionary rights. And the interest behind granting exclusionary rights is that it will deter inventors from keeping their research a secret, which is *inefficient*. So no one is better off in a situation where ideas are kept a secret and innovation is stifled.

It is because of the inefficiency of an “Intellectual Commons” that patents are thought to be necessary and justified. When researchers can expect to profit, in addition to recoup the costs of their research, then investment in research and development (R&D) increases and innovation can be accelerated.

So while the idea of an “Intellectual Commons” might be more consistent with Grotius’s account of possession of the seas, I do not see this as a compelling ground of justice, at least as it pertains to intellectual property because intellectual property involves a different bundle of rights from those involved with the affirmative rights of private property. A more sound ground for justifying intellectual property, in my opinion, would be a *purposeful* approach which emphasizes the potential *utility* or efficiency of intellectual property rights. A contextual normative analysis which focused more on the fact that ideas are *public goods*, rather than the argument a 17th century theologian and philosopher made against the possession of the seas, would make these points more central to the analysis. Because ideas are non-excludable and non-rivalrous, researchers will tend to keep their findings a secret or simply not undertake their research in the first place. Patents can help stimulate research and innovation because they provide the financial incentives needed to spur investment in medical research.

If, and it is an empirical question, granting intellectual property rights stimulates more innovation than a system without such rights, then there is a ground (in justice) for granting such rights. The devil is really in the details then concerning how stringent the regulation of such rights will be. For example, how to interpret the requirements that the patent be “novel, useful and not obvious”. And my sense is that there is still a great deal of uncertainty about the potential pros and cons of granting intellectual property rights. Is the 20 year time period too long, not long enough, or just right? Adopting a Grotiusian account of “Intellectual Commons” obstructs, rather than highlights, the importance of these empirical questions.

Another element of the “Intellectual Commons” argument that Risse considers, though he does not rely on it, (nor does he rely on the Intellectual Commons argument,) is *ontological realism* about objects of intellectual property. He explains:

Such realism denies that scientific, musical and other artistic works are “products” of the mind. Instead, they exist outside the realm of either material or mental objects. They belong to a (Fregean) “third realm” of nonmental, super-sensible entities, distinct from both the sensible external world and the internal world of consciousness. There is, then, no invention, refinement, or any other human *contribution* to these entities. By assumption, objects in that realm exist prior to human activities. Nobody has as a claim to them that draws on her contributions to their existence (p. 236).

Once again I find the introduction of a philosophical treatment of intellectual property rights to be unhelpful and obscures the realities of the stakes involved with research and development (at least as it pertains to the development of new medicines). Suppose, for example, that ontological realism is in fact true.⁴ In this “third realm” let us suppose there exists a vaccine for HIV. We can thus say that no human researcher “creates” the HIV vaccine. However, there is still the problem of determining if such a vaccine actually exists in this Fregean realm, and what, precisely, it is. Humans have no way of knowing what exists in this third realm before we undertake research. So we do not know if a viable HIV vaccine exists. Countless attempts to develop an HIV vaccine have failed. Basic scientific research, and the clinical trials needed to test the safety and efficacy of a new drug, are extremely expensive.

In the United States, for example, the estimated cost of developing and bringing a new drug to market is approximately 800 million dollars.⁵ R&D in pharmaceuticals is an extremely expensive endeavour and risky investment. Ontological realism provides little help in terms of understanding how we should address these realities. We do not have a crystal ball to know which new inventions actually exist in this “third realm” and await our discovery and which do not. And to find out which do and do not exist requires enormous human efforts and an investment of billions of dollars. And that discovery process, of bridging the divide between the “realm of the human mind” and the “Fregean realm”, could itself be the grounds for granting intellectual property to those who discover these truths (by investing the time, talent, energy and money). So even if ontological realism is true, discovering truths could be *analogous* to “producing something new”. I do not see how invoking ontological realism helps us in determining the merits of the grounds either in favour of, or against, intellectual property.

Risse does touch on what I think are the really pertinent issues with respect to intellectual property, namely, compensation and incentives. These are complex and tricky issues to assess at the domestic and global levels, which pluralist internationalism adopts. Consider, for example, that the United States has

approximately 41% of the pharmaceutical patents filed under the PCT (Patent Cooperation Treaty).⁶ Hearing a statistic like this might lead us to conclude that it is grossly unjust that one country in the world should have such an expansive array of intellectual property. But what this statistic also tells us is that the United States also makes the largest investment in the research and development of new drugs. The United States has 6, 213 biotechnology firms, by far the largest among OECD countries.⁷ France is second with 1, 359 firms and Spain third with 1, 095 firms. Why would the share holders and investors of large pharmaceutical firms like Pfizer or GlaxoSmithKline be willing to invest billions of dollars on research and development for the possibility of developing a new drug that is safe and more effective than existing interventions without the 20 year exclusivity rights? How much compensation and incentive setting is sufficient for such large investments on uncertain returns? Risse suggests that vital pharmaceuticals not be regulated by far-reaching private rights (beyond what is justifiable in terms of incentives and fair compensation). But determining what constitutes fair compensation and incentives is precisely the difficult issue. Is a 20 year patent too much time or too little? Suggesting that people in poorer countries ought to be free to make generic drugs (pp. 243-244) in a globally interconnected world could have unintended adverse consequences on drug development and innovation. Why would drug companies be willing to spend billions of dollars on drug development in the United States when generic brands of their products can be mass produced in poor countries? Perhaps, as Risse suggests, this would not put a serious dent in their likely profits, in which case it might not hamper innovation. But if it did diminish R&D investment then the complaint that the domestic priority of improving innovation (which also creates jobs) should take priority over potential global duties could arise. This is a particular problem in an aging world.

Life expectancy at birth for the global population is 68 years and is expected to rise to age 81 by the end of this century.⁸ “Globally, the number of persons aged 60 or over is expected to more than triple by 2100, increasing from 784 million in 2011 to 2 billion in 2050 and 2.8 billion in 2100”.⁹ Asia has 55% of the world’s older persons. Chronic conditions like cancer, heart disease and stroke have replaced infectious diseases as the leading causes of death. And age is a major risk factor for chronic disease. 62% of Americans over age 65 have multiple chronic conditions.¹⁰ The chronic conditions of late life are also manifest in developing countries that have made significant progress with reducing early life mortality. Many poorer regions of the world face the challenges of both infectious and chronic disease. Managing the multiple chronic conditions of late life by providing pharmaceuticals can place significant strain on the economy of even the richest countries of the world. What does a human right to health entail in an aging world where the richest of countries face ballooning debts and increasing strains on healthcare? Invoking the language of human rights, while offering the potential for emancipation, can also obstruct the constraints and challenges of promoting health in an aging world. This is perhaps a further limitation of seeing global justice as primarily a philosophical problem best addressed by appeal to the collective ownership of the earth.

If health is a primary concern of an account of global justice then why the focus on access to pharmaceuticals? Public health measures like sanitation and smoking cessation are a matter of importance to the affected agents' immediate environment, and have global urgency. Perhaps Risse would also add these things to the list of human rights, but I suspect they are ignored or bracketed in part because they do not naturally align with, or follow from, Grotius's principle of collective ownership of the earth (which is a nice illustration of why I think seeing global justice as, first and foremost, a *philosophical* problem is misguided).

If we can add all public health measures (like sanitation), along with essential medicines, to the list of human rights this raises some tricky problems if the account of human rights is not merely aspirational. The theorist can just stipulate that everything necessary for living a minimally decent life can be characterized as a human right.

But pluralist internationalism demands this be more than a mere aspiration. Specific duties arise because of common ownership of the earth, membership in the global order and subjection to the global trading system. But, when Risse later details the priority of principles (p. 331) of global justice, we see principle 2, which demands that the human rights of the global population be met before attention turns to domestic concerns (for example, the difference principle (the fourth principle)). Such a rigid priority of principles does not help with the task of prioritizing among those human rights. Risse suggests that richer states should shoulder a broad range of duties of justice (p. 331). But if human rights include measures not only related to health, but also to work and leisure, they run the risk of imposing overly stringent duties on developed countries, ones they cannot (or at least have not) fulfilled even in the domestic sphere, let alone, globally. So let us turn now to chapter 13, which focuses on labour rights as human rights.

2. LABOUR RIGHTS: WHY NOT A UNIVERSAL BASIC INCOME?

In chapter 13 Risse argues that common ownership, enlightened self-interest and interconnectedness converge to recognize a right to work as a human right understood as a right against the state obstructing labour markets, a right to minimum wages, and a right not to be fired for frivolous reasons. Addressing Onora O'Neill's argument that human rights can be aspirational, Risse responds that there are relevant duties to do what one can to bring about their satisfaction. And yet, even if one agrees that a right to work is a human right, by prioritizing it in the same principle that addresses measures pertaining to public health and essential medicines, this means that the richest countries are to be just as concerned about preventing workers in China from being fired for frivolous reasons as they are providing malnourished children in Africa with access to sanitation, antibiotics and micronutrient supplements.

Risse anticipates this type of objection (p. 250) when he addresses the *inferior urgency objection*. He concedes that social and economic rights might not, in Cranston's terminology, pass the test of "paramount importance", but he does not

believe a list of human rights should be limited to only those rights that are of paramount importance. However, I believe this move does become problematic when a theory prioritizes a principle of satisfying those demands over considerations of domestic justice (beyond the protection of basic liberties).

The more expansive the list of human rights, especially when it is given priority over partiality concerns for domestic justice, the more inert a pluralist theory will be as it simply ignores, rather than tackles, the difficult issue of tradeoffs. The latter is inevitable given that all the things that need to be done to ensure 7 billion people can live a minimally decent life on this planet cannot be done simultaneously, nor is any one country or region of the world (which itself may come up short with respect to some of these human rights in the domestic sphere) going to shoulder the responsibility of satisfying such a stringent principle.

One alternative proposal to extending the human right to work in the way Risse proposes is to argue instead in favour of an *unconditional basic income* (UBI). Indeed, such a proposal would seem to follow from Risse's commitment to common ownership, which he extends to ownership of the earth and ideas. Risse dismisses social security as a form of satisfying basic needs because he believes it would expose people to the government's whims and woes. He claims "it is preferable to impose obligations on governments to make sure people have jobs rather than merely provide social security" (p. 255). But full employment is a significant challenge for even the richest of countries, and also subject to the government's whims and woes. Indeed, some might argue that full employment in today's highly complex and interconnected world is simply an impossible task for any domestic government to realize.

Given that Risse does not extend the right to work to include a right to employment, one might argue that UBI could offer a more effective protection against the risks of a market society. Indeed the most prominent philosophical defence of UBI, from the Belgian philosopher Philippe Van Parijs¹¹ could fit nicely with Risse's assumption of common ownership. Assuming we live in a world where 100% full employment is simply untenable, then why not extend the right to collective ownership of the earth to include ownership of the world's limited jobs? Just as no person has a prior entitlement to the earth's resources, no one has a prior entitlement to the world's limited job opportunities. So the institutional arrangements and public policies governing employment must be justified to all, including those who will, inevitably, fail to find employment.

Van Parijs suggests that equal ownership of jobs entails imposing *employment rents*. Those who do not work thus receive compensation, in the form of an unconditional basic income, for the fact that they let others utilize the collective resource of employment. The UBI proposal certainly aligns well with some of the theoretical premises of pluralist internationalism, especially common ownership of the earth, membership in the global order and subjection to the global trading system. The attraction of UBI, for its proponents,¹² is that it provides the material resources people need to live a minimally decent live. And if common

ownership of the earth is a tenable starting assumption for a theory of global justice (I myself do not believe it is), there would appear to be a strong presumption in favour of a global unconditional basic income. A more detailed comparison of what is gained and what is lost by endorsing a global UBI could be an interesting issue for Risse to consider further.

CONCLUSION

Global justice is the most prominent topic of debate in political philosophy today. In many respects I believe this is a welcome development. But at the same time I also find the prominence of global justice a potentially worrisome development for political philosophy. Political philosophers have long employed armchair theorizing when tackling domestic justice, and extending this same approach to the global scale runs the risk of tempting them to simply magnify the size of the philosopher's armchair.

The world is a complex and interconnected place, and the life prospects of humanity are influenced by diverse domestic and global institutions and cultural practices. Risse's *pluralist internationalism* is a valuable contribution to the philosophical debates on global justice. Immigration, agricultural subsidies, intellectual property rights, climate change, labour rights – these are all important issues which Risse's book engages with and so I believe the book will have broad appeal and lead to many stimulating discussions of more detailed aspects of global justice.

However, I do have serious reservations about Risse's (and the field's) assumption that global justice should be treated, first and foremost, as a *philosophical* (rather than practical) problem. In this commentary I have expressed reservations about the philosopher prioritizing principles to govern the life prospects of the world's population or invoking "ontological realism" to help address the myriad of complex and difficult issues that arise with respect to intellectual property rights. To his credit Risse does acknowledge at various stages of the book that a good deal of the applied terrain he ventures into presupposes complex and contentious empirical assumptions. I suppose I would have liked to see such points factor into the discussion of global justice at a more fundamental level, as *crucial considerations* that shape the normative analyses he develops. Doing so could helpfully reveal the shortcomings of tackling intellectual property rights by appealing to Grotius's stance on the ownership of seas, or the shortcomings of tackling health by invoking the language of human rights without acknowledging and addressing the constraints and challenges of promoting health in an aging world.

NOTES

- ¹ Mathias Risse, *On Global Justice* (Princeton: Princeton University Press, 2012). All references to the book will be made using brackets inside the text.
- ² Jeremy Waldron, *Law and Disagreement* (Oxford: Oxford University Press, 1999), p. 1.
- ³ Philippe Cullet, “Patents and Medicines: The Relationship between TRIPS and the Human Right to Health” *International Affairs* 79(1) (2003):139-160, 140.
- ⁴ Though I confess I do not know how we could ever know that it is true or false.
- ⁵ Joseph A. DiMasi, Ronald W. Hansen, Henry G. Grabowski “The Price of Innovation: New Estimates of Drug Development Costs” *Journal of Health Economics* 22 (2003): 151–185.
- ⁶ Key Biotechnology Indicators, available at: <http://www.oecd.org/science/innovationin-sciencetechnologyandindustry/49303992.pdf>
- ⁷ *Ibid.*
- ⁸ United Nations, Department of Economic and Social Affairs, Population Division (2011). *World Population Prospects: The 2010 Revision, Highlights and Advance Tables*. Working Paper No. ESA/P/WP.220; xviii.
- ⁹ *Ibid.*, xvi.
- ¹⁰ Christine Vogeli et al. “Multiple Chronic Conditions: Prevalence, Health Consequences, and Implications for Quality, Care Management, and Costs”, *Journal of General Internal Medicine* 22(3) (2007): 391–5, 392.
- ¹¹ Philippe Van Parijs, *Real Freedom for All* (Oxford: Oxford University Press 1995)
- ¹² Elsewhere I have critiqued the UBI proposal, see “Justice and a Citizens’ Basic Income” *Journal of Applied Philosophy*, Vol. 16(3) (1999): 283- 296.