Chapter – V

Emerging World Order
Introduction

The Conception of human rights presupposes that the individual himself is the ground of these rights. The realisation of such rights must depend on the actualisation of rights in individual relations. By recognizing them one recognizes the inherent value in individual.

The idea of moral personality is tied to the idea of ourselves as free and equal rational beings. Individualist theories of the freedom and equality of men have contributed to the development of civil society. Civil society is on the one hand the attitude of the individual in which he can think of his life apart from the whole, and on the other hand the attitude in which he sees his life determined and completed by others as parts of whole.

This chapter discusses how the governance is inseparable from global order. There can be no global order without governance. Global governance refers to all activities concerning human kind’s present and future fate. It implies that there are different ways in which individual and institutions manage to come together and work towards values such as equity, security and redistribution. It extends the boundaries of human rights beyond those set by state system. A new dimension added to the human rights that is full development of human beings which requires individual to act as effective agent. Though well-being aspect of agency aspect of persons are different, certain amount of well-being is required for individual to be an effective agent. Well-being is ultimately depends upon humane governance which is inseparable from global order.
This chapter is divided into three sub-chapters:

1. Order of Rights.
2. Responsibility to Otherness.
3. Agency Freedom and Humane Governance and World Order

**Order of Rights**

Freedom for Kant is prior to moral law. The moral law proves existence of freedom. The moral law imposes itself on the completely rational being in the form of a categorical imperative, that is an imperative which represents an action as objectively necessary --- as necessary in itself --- without regard for any purpose. In the view of Kant, the idea of highest good arises out of morality and is not its basis. He writes that though the highest good may be entire object of pure practical reason i.e. of a pure will, the moral law alone must be seen as the ground for making highest good and its realization or promotion the object of pure will. But as a norms the moral judgements, the highest good can be completely disregarded and set aside. In the view of John Charvet, the relation of equality is itself a good. There seems no alternative but to embrace in some form of the Kantian idea of dignity of the human person as the ground of the claims of person to be treated equals. He rejects the possibility of justifying equality in utilitarian terms because that is ethically unacceptable. In his view, the Kantian idea is the most plausible basis for contemporary western cosmopolitanism. It also seems to be the idea underlying the United Nations’ Universal Declaration of Human Right of 1948.

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The conception of human rights presupposes that the individual himself is the ground of these rights. The realisation of such rights must depend on the actualization of such rights in individual relations. One is not claiming that such rights exist in the world independently of their being recognized by men in communities. But this does not show that the ground of rights is something other than individual himself. By recognizing them, one recognizes the inherent value resides in individual. 4

In the view of Charvet, there are three levels at which one's existence for self and for other is to be understood. At the lowest level are the particular interests, particular ends or aims of individuals. These are to be performed and pursued by each individual as a value for self. The second level constitutes the relation of the particular interest of one individual to particular interest of another individual. The relation between the particular interest of the members of the whole is formed by the structure or rights and duties in the community. At the third level is the will of the individuals who constitute the community to make each other their ends. This creates their moral existence for each other as ends and justifies the substantive practices which form the structure of the community and through which the particular life of each member has a substantive value for each other as well as for self. 5

The moral attitude in such circumstances is not a matter of choice because it is already implicit in one's relation to the other. Hence in explicitly rejecting it, while continuing these relations, one put oneself in

explicitly rejecting it, while continuing these relations, one put oneself in contraction with oneself in the person of the otherbeing. Charvet claims that the moral attitude must be expressed in certain specific social forms, a civil society containing rights of persons to negative freedom and a self-governing political society with representative institutions.

Article 28 of the Universal Declaration of Human Rights (1948) provides that everyone is entitled to a social and international order in which the right and freedom set forth in the Declaration can be fully realized. Article 1 of the Universal Declaration of Human Rights (1948) provides that all human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood. These ideas are reflected in the following ideas of Kant. In the view of Kant, the formal conditions under which nature can alone attain its final design, is the arrangement of men's relations to one another by which lawful authority in a whole, which we call a civil community. He observes that the same problems that derive men together to realize the ideas of civil community that will propel state actors toward achieving what may be imagined as an international order. There will be an universal community where a violation of right in one part of the world is felt anywhere.

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6. Ibid.
7. Ibid.

The progress of a rational individual depends on the extent to which he is able to will the progress of others. Each individual must take into consideration that how he affects and influenced by other. It is for this reason, categorical imperative become necessary. This is the very doctrine of right.
Man is always the object and product of history. But with access to critical political knowledge, man can also be a subject, a producer, a contributor that is in a meaningful sense of the term, a citizen. But this affirmation of the freedom to question and to acquire critical political knowledge, in the context of participatory processes, must not be confused with the liberal affirmation of free expression as a human rights and still less with liberal indiscriminate freedom of association, for any and self-serving ends. The right to critical political knowledge is more limited, precisely defined right. It is a right to articulate concern with the public good and take part in discussions to define the public good and to assess priorities, as distinct from a right to the advancement of any all kinds of self-or group interests at others expense.10

Realism projects international realm as amoral and anarchic occupied by self-interested sovereign states which are driven by logic of desire for power and security. Unlike realist, the idealist assures that both domestic and inter-states politics can be understood in terms of some moral standards. Critics of realism are also unhappy with idealism because it imposes an abstract standard of judgement on history. It is the dissatisfaction with both realism and idealism that has led to emergence of critical voice within the theory of international relations.11 The very assumption of critical theory is that human beings are capable of reason and they are, therefore able to understand and change the unreasonable and inhuman character of society. It claims to lay the foundation for an international relations theory dedicated to truly universal emancipation of human species. 12 It implies the progress of

10 Christine Bay. 'Peace and Critical Political Knowledge as Human Rights'. 'Political Theory', Vol.8, No.3 August 1980, 293-318.
11 Kimberly Hutchings 'Kant, Critique and Politics', Routledge, London (C) 1996.
humanity as a species, overtake the progress of humanity as a citizen of state.\textsuperscript{13}

Despite the fact that critical critics consider the institution of the state itself as the most important impediment to human freedom, modern western states have been unable to prevent the diffusion of ideologies across the national boundaries. As a result of this particular development in the west, we are not really surprised to find at the end of the transformation to political community that the temporal three stage model also applies spatially. For the world can now be divided into three different spheres. The first one is a pluralist society of states made up of those who are still at the lowest level of moral learning and therefore, differ from each other in culture and morality. The second one is a solidarist society of states, made up of those who share a number of moral principles such as individual human rights, minority rights, consideration for environment etc. Finally, the third one is post-Westphalian framework made up of like minds to establish closer forms of political cooperation to integrate shared ethical norms into the structure of social and political life.\textsuperscript{14}

Human nature and history constitute the domain for the empirical application of the principles of morality and right. \textsuperscript{15} Linklater relies on Habermas to supply a conception of human history as a process of moral development which is driven not by pure practical reason but by capacity of a more advanced normative standard to overcome crisis within social systems. In the view of Linklater, one answer is suggested in Habermas’s

\textsuperscript{13} Kimberly Hutching 'Kant, Critique And Politics', Routledge, London, (C) 1996.
\textsuperscript{15} Wolfgang Kersting 'Politics, Freedom and Order: Kant's Political Philosophy' in The Cambridge Companion to Kant Edited by Paul Guyer. Cambridge University Press. Cambridge, (c) 1992
claim that advanced moral codes are committed to granting every human being an equal right to participate in an open dialogue about the configuration of society and politics. For him, it is the responsibility of the critical theorists of international relations to work to promote this alternative world order through the analysis of its possibilities.  

Habermas can be presented as the heir of the Marxist tradition which is now defined by two specific characteristics, namely the goal of universal emancipation on the one hand and the assumption that 'higher normative structure' develop out of the crisis and contradictions of existing societies on the other. The first element is the normative universalism which is committed to the emancipation of species --- this part we can already discern in Kant. And the second element in the assumption that the possibilities for change are already inherent in society --- this part we can already discern in Hegel.  

Kant ascribes normative validity to autonomy that will according to self imposed rules that are universal in character.  

In the view of Rawls, in Justice as fairness, the fundamental idea of society as a fair system of cooperation over generations is developed in conjunction with two companion ideas. First, the idea of citizens as free and equal person. Second, the idea of well-ordered society as a society effectively regulated by a public political conception of justice.

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17 Ibid.


To say that a society is well ordered conveys three things. First, it is a society in which everyone accepts and knows that everyone else accepts the very same principle of justice, second, its basic structure --- that is its main political and social institutions and how they fit together as one system of cooperation is publicly known, or with good reason believed, to satisfy these principles. Third, its citizens have a normally effective sense of justice and so they generally comply with society's basic institutions, which they regard as just.

For present proposes, the most important of these are the liberal and Marxian perspectives. The former ground justice in quasi-Kantian assumptions about individuals and primary good and the latter ground its assumption about history and emancipation. Both Walzer and Lyotard define themselves in opposition to traditional theories of justice. Such theories are seen as being tied to meta-narratives that anchor them philosophically and give them a claim of universal validity. Lyotard and Walzer react against the totalizing effect of metanarrative of justice. Both seek a new account of pluralism that shows the illegitimacy of such a position. Pluralism, as it is traditionally understood in liberal thought, put a strong emphasis on the sovereign individual. The individual chooses his or her own goals or goods and then may join groups to pursue them. The new pluralists stress much greater degrees on the social dimensions. Walzer and Lyotard are both strongly committed to developing a notion of justice that is more open to otherness.

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20. Ibid, p.35
22. Ibid, p.118.
In the view of Rawls, Political liberalism addresses two fundamental questions. The first question is what is the most appropriate conception of justice for specifying the fair terms of social cooperation between citizens regarded as free and equal. The second question is what are the grounds of toleration understood in a general way, given the fact of reasonable pluralism as the inevitable result of the powers of human reason at work within enduring institutions.

The principle of toleration in the west emerged in the context of a mood of exhaustion with religious strife following the reformation and grudging acceptance of the reality of a morally plural world. In the mid-seventeenth century, when Locke in the 'Letter on Toleration' tried to make this principle part of any legitimate political order, this mood was still dominant. Even Locke could not fully extricate himself from it, as evidenced by his unwillingness to extend tolerance to atheists.

Liberals often think that diversity of belief and its expression should be tolerated if we are to respect either individuals or reasons and truth themselves. They hold that liberty for each to pursue his or her conception of the good in 'self-regarding' matter is required, and that practices of toleration are important aspects of this liberty. For Kant, the importance of toleration is connected with the very grounding of reason, and so in particular with the grounding of practical reason.

Doing nothing signals that what the other seeks to convey will be viewed as mere expression and not as a communication. Act of communication is viewed as act one type of act of expression.
Once we see acts of communication rather than acts of expression as the proper objects of toleration, we can see why toleration is a demanding requirement. A notion of public use of reason is defined in terms of the audience whom an acts of communication may reach. On Kant’s view, it is only the public use of reason in this sense that may, if tolerated, produce enlightened people. In the view of Kant, the maxim common human understanding is guided by three following maxims. First, is the maxim to think for one self (that is maxim of self-preservation of reason). Second, is to think form the stand point of others (that is maxim of enlarged thought). Third, is the maxim of consistent thought. In the view of Ronald Beiner, ‘this precedence accorded to public over private prerogatives may appear as something of an inversion of traditional liberal priorities on the part of one of the fountainheads of liberal thought’. However, the sources of this ‘inversion’ lie deep within Kant’s thinking. The priority that he assigns to the toleration of public uses of reason has its roots in central Kantian claims about the limits of theoritical reason, and the possiblity and grounds of practical reason, and the connection of both to the notion of a possible community.26

The division Kant makes between the natural emergence of some cognitive capacities and the dialectical development of others in human communication is fundamental to his picture. Communication in action, and hence atleast to some extent freely undertaken rather than a natural product. It takes place between beings who are atleast partially separated from one another, and atleast partically free and rational. Human communication is not

26. Ibid. pp.31-35.
a set of repertoires whose emergence reflects only the evolution of the species and the maturation of individual organisms, but has a history. 27

The aim of discussion or debate cannot reduce to victory, it can at best be victory by securing the other's agreement or understanding or conviction or perhaps 'agreement to differ'. However if these are the aims of discussion, communication must be guided by maxims that have some regard to others' being. It is only the public uses of reason that can converge toward a self-regulating and self-correcting system, and so provide conditions for development towards a just polity. 28

There is today a renewed interest in the idea of civil society. An explanation for this revival is the fact that many societies are now a days confronted with a similar fundamental political question that is how to balance the tension between the 'private' and 'public', between 'individual' and 'social' and between 'public ethics' and 'private interest'. Irrespective of many differences that devide these societies, they share a common perspective. Civil society is seen as a potential mediator between these opposing forces which are threats to social cohesion and stability. 29

Within a liberal constitutional democratic order, the idea of shared liberal political values are essential. Political liberalism defines the common good by means of a minimal moral conception. Fundamental political principles must express a (moral) conception that citizen can affirm together, despite their inevitable difference about (the worth of ) specific

27 Ibid. p. 43.
28 Ibid. pp. 44-49.
ways of life. The minimal moral conception of political liberalism include an account of certain political virtues, such as tolerance, reasonableness, civic friendship and sense of fairness.30

The difficulty of many post-modern thinkers have in combining a commitment to fostering with atleast some minimal criteria of normative constraint on what gets fostered. One of the often heard broadsides against post-modernism is that it amount to nothing more than an endorsement of 'anything goes'. White takes up the question of how the liberal notion of the neutral state must be modified in order to take into account adequately the problem of justice and otherness.31

The issue of constraint on plurality is opened up in Lyotard's account of justice. As with other post-modernist, his initial difficulty in regard to justice is how to defend principles however minimal necessary to provide some narrative guidance to ethical political life without thereby generating some illegitimate closure to otherness. Lyotard's effort are noteworthy because other post-modernist have a tendency to shy away from this difficulty.32 The issue of constraint can be desegregated into two levels.33 First, there must be some global principle of pluralism, giving it a basic normative shape; and Second, there must be some more specific procedural principles providing further normative guidelines for situation where plural forms of life come into conflict.

30. Ibid.
32. Ibid. pp.132,133.
33. Ibid. pp.133.
Ethics is a social discourse grounded in struggle that refuse to accept needless human suffering and exploitation. It is taken up as a struggle against inequality and as a discourse for expanding basic human rights. The enlightenment notion of reason needs to be reformulated within critical pedagogy. It is not enough to reject an essentialist or universalist defense of reason. Instead, the limit of reason must be extended to recognizing other ways in which people learn or to take up particular subject positions.\textsuperscript{34}

A global prescription to respect and foster diversity provides little guidance in specific situation in which different spheres or forms of life came into conflict. When such conflict actually arises, one need more direct normative guidance. In such cases, Walzer correctly suggest that justice requires that the society be faithful to the disagreements, providing institutional channels for their expression, adjudicative mechanism and alternative distributions. The general principle of respect for others provide some normative directions both hardly enough to warrant much confidence in the expectation that the various procedure Walzer mentions will result in some defensible mix constraint and fostering.\textsuperscript{35}

Habermas wants to move away from the idea of universally valid substantive principles of justice. His alternative is a universalist, discursive, procedural approach. He argues that there are certain universally valid procedural constraints implicit in our very idea of what coming to a rational agreement means. In disputes, these procedural principle legitimately constrain our arguments about the justness of given norm.\textsuperscript{36} The minimal

\textsuperscript{34} Henry A. Giroux 'Towards a Post-modernism Pedagogy' in From Modernism to Post-modernism, An Anthology By Lawrence Cahoone, Blackwell Publishers, (c) 1996.


\textsuperscript{36} Ibid. p.138
procedural criteria of justice are part of the intuitive knowledge of modern speakers and this does indeed imply some sort of metanarrative about reason and modernity. Habermas's notion of normative justification is part of the culture of modernity. 37

It seems likely that one can not discuss justice and collective action in any sustain fashion without implying at least some elements of metanarrative. As critics have pointed out, Lyotard himself is entangled in metanarrative about modernity. White has shown why the theme of fostering otherness is important and why, when it is embedded in a perspective encompassing two senses of responsibility, it does not have to end up implying that 'anything goes' normatively, He likes to turn finally to the more direct institutional question of how the sphere of activity of the liberal state ought to be rethought if it is to engage in this fostering. 38

Walzer sketches a justification for a state that, on the one hand, violates the traditional liberal principles of neutrality toward social groups and yet on the other hand, is not identical to the straight forward communication view that the state must promote some strong sense of communitarian and the common good. His prescription is that we try to pay more attention to the 'intimations of community' within the constellation of liberal values.

In the view of Kant, the only constitution which has its origin in the idea of the original contract, upon which the lawful legislation of every nation must be based, is the republican. First, it is a constitution founded in

37 Ibid. p.140
38 Ibid. p.140-143.
accordance with the principle of the freedom of the members of society as human beings. Secondly, it is a constitution in accordance with the principle of the dependence of all subjects on a common legislation. Thirdly, it is a constitution in accordance with the law of equality of the members as citizens. It is then, looking at the question of right, the only constitution whose fundamental principle lies at the basis of every form of civil constitution. And the only question for us now is whether it is the one constitution which can lead to perpetual peace. For Kant, perpetual peace is an ideal not merely as a speculative utopian idea, but as a moral principle, which ought to be, and therefore can be realized. This idea is highlighted in the preamble of Universal Declaration of Human Rights (1948) which provides for the recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family as the foundation of freedom, justice and peace in the world.

A good political constitution, however, is not to be expected as a result of progress in morality, but rather the good moral condition of a nation is the result of such a constitution. Hence, the mechanism of nature may be used by reason as a means of making way for realization of her own purpose, the empire of right, and to promote and secure internal and external peace. We may say that it is the irresistible will of nature that right shall at least get the supremacy.

The moral politician will always act upon the following principles. If certain defects which could not have been avoided are found in the political

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constitution or foreign relations of a state, it is a duty of all, especially for the
rulers of the states to bring the constitution and political relations on these
points into conformity with the ‘law of nature’ as it is held up as a model
before us in the idea of reason. 42

The union of individuals will, if we proceed consistently in practice in
observance of the mechanical laws of nature, may be at the same time the
cause of bringing about the result intended and practically realizing the idea
of right. Hence, it is a principle of moral politics that a people should unite
into a state according to the only valid concepts of right, the ideas of
freedom and equality and this principle is not based on expediency but upon
duty. 43

In the view Kant, politics in the real sense can not take step forward
without first paying homage to the principles of morals. And although
politics is a difficult art, in its union with morals no art is required. Right
must be held sacred by men, however great the cost and sacrifice to the
ruling power. All politics must bend the knee to the principle of right and
may, in that way, hope to reach a level where it may shine upon men for all
time. 44

In the view of MacMillan, Kant provides a useful point of entry for
understanding the dynamic of reflectivity. For Arendt, implicit in Kant’s
appeal to a priori reason, is the consideration of the views of others.
Statements of truth retain ‘a peculiar opaqueness’ until the peculiar issue in
question is forced into the open that it may show itself from all sides, in

42. Ibid. p - 166
43. Ibid. p - 178.
44. Ibid. pp. 182-183.
every possible perspective until it is flooded and made transparent by the full light of human comprehension. Contemporary liberals such as Rawls have stated the notion of the 'reflective subject' and capacity for an enlarged mentality' in terms of the Kantian moral person, having the capacity for an interest in proposing principles and standards to establish fair terms of cooperation and to willingly abide by them. 45

Kant concept of peace between nations is notably different from Hobbes's model of peace. While Kant will attain peace by overcoming the natural condition among states by means of right, a Hobbesian seeks a strategy for merely managing the natural condition among states. His concept of peace is built on the same element that also support the individual occupant of the natural condition in his strategy for survival. Kant does not base the order of peace on a balance of terror, but on an order of right. Kant's version of peace is a secularized version of the traditional connection of peace and justice. Just as the subjection of politics to the idea of the republic is practically necessary, so the subject of politics to the idea of perpetual peace is also a duty. Both the internal political demand of eventual republicanization and the external political demand of the unremitting effort to establish peace, are grounded in one and the same innate human rights. 46

In the view of kant, political philosophy must, therefore, build the theory of the republic into a theory of international order of right. While Hobbes, Locke, Rousseau were satisfied with overcoming the interpersonal natural condition and allowed the authority of political philosophy to end at the border of state, Kant took political philosophy beyond the borders of state

and saw it foremost object in the 'highest political good' of a just order of world peace. Kant concept of human rights obviously goes far beyond the ideas of liberal theory of fundamental rights in so far as it comprises the conditions of a completely determinate and secure relation of rights. 47

Hobbes seeks to find a state in which only one narrative is possible, where concept and objects may find final agreement in the proper use of names. With both Kant and Hobbes, the sovereign makes history possible. Kant does not agree that a concept may easily be fixed to its object and certainly not in such a confined field of possible experience as the nation-state. Kant takes the productive power of reason far more seriously than does Hobbes keeping in mind the incommensurably division he identifies, in terms of the understanding between imagination and things in themselves. Kant strives for conditions in which concept and object may atleast come to possible agreement. In this fashion, while Hobbes seems satisfied with his focus inside the state, Kant is impelled to direct his attention both inside and outside. 48

It is with the rise of liberalism a sharp divorce occur between public and private realm, the state and the individual and thus by implication between state and society. The social realm never be able to enjoy complete and self-sufficient autonomy since the competitive drives of outomistic individual also necessitate some correction and control by state. Nevertheless, what is significant is that with the development of liberal

47 Ibid.
48 Mark F.N. Franke, 'Immanuel Kant and The (Im) possibility of International Relations Theory', Alternatives. (20) 1995.
political thought, the question to distinguish state from society acquires central importance. 49

An association in respect of enterprise mode is a 'relationship' in terms of the pursuit of some common purpose, some substantive condition of things to be jointly procured, or some common interest to be continuously satisfied. An association in respect of civil mode on the other hand is an association not defined by any common purpose or substantive aim but by moral conditions such that they do not prescribe any substantive outcome but only the terms on which relations between participant should be carried on. 50

Individualist theories of the freedom and equality of men have contributed to the development of civil society. So civil society is on the one hand the attitude of the individual in which he can think of his life apart from the whole, and on the other hand the attitude in which he see his life determined and completed by other as part of the whole. 51

Naturalistic notion is that certain rights inhere in human nature and should be respected by all organized societies. To the extent that human rights rest on moral imperative, their status is both prior and independent of their formal acceptance by a government. Where as statist logic accords primacy to jurisdictional principles, naturalistic logic accords primacy to normative standard. 52

Strengthening the naturalistic logic may be the most important emphasis at this point of this transition process. It helps to orient other ordering logic around emergent values, building a normative foundation and social consensus that will help to create the sort of community sentiments. 53 In the view of Falk, human rights as a focus of normative concern do not extend their reach to the wider structure of repression allegedly inherent in state power, (security versus self-determination, struggle for political leadership at state level). Human rights as a set of limits on the exercise of state power, associated with western liberal ideology, that is often suspected in third world. 54

When the question of progress and evolution was thought of as open ended, a reflection of individual life style as well as species needs, it was agreed that the stifling of such growth and maturation, could inflict considerable harm on individuals as well as impairing the prospects of their societies. 55

Griffin has posed the choice between rights as necessary for human status and necessary for human flourishing --- human life and good human life. The first would assume a static conception of human nature and could require rights to minimal political participation and freedom of conscience, the second is a developmental or evolutionary one, catering specifically for dynamic human attributes, such as the right to education or to nursing sustenance. 56

53. Ibid.
54. Ibid.
56. Ibid. p.66
The indeterminacy of rights apparently resulting from an extended version of necessary goods lead some theorists to complain that the concept of a right loses its discriminatory force altogether, as virtually all good that contribute to human flourishing may then be claimed as a rights. This is more of a practical than a theoretical objection. There is nothing in the logic of the concept of rights that will restrain it from covering an unknown quantity and unpredictable range of benefits that human beings will at some point think essential to their flourishing. 57

Communitarian will bring into play a concept of social structure that regards individuals as essentially interacting rather than automatically discrete, so that forbearance right become neither absolute nor even prima­facie rights. This is not to argue that regard for individual ends is not central to liberal communitarians but to suggest that both forbearance and intervention may be used by them to promote such ends. Communitarianism will attach rights to the furtherance of those aspects of human nature they value most, aspects which will certainly benefit from access to all the reward of social life. Much communitarian thought is attached to the notion of welfare rights rather than choice rights. Although there is no exclusive connection between welfare rights and communitarianism, there are two explanations of possible links. First that the bounties of nature and society to which a full notion of welfare will lay only be produced and distributed by social cooperation. Second, if welfare is an end that includes liberty but extends beyond it, many of its aspects can only be catered for through intervention in the lives of individuals. 58

57. Ibid. p.67
58. Ibid. p.70
As the twentieth century begin to draw to close, Europe is undergoing a process of political transformation whose outcome cannot be predicted with confidence because the process is being driven by two powerful but conflicting tendencies. The first is the movement towards greater economic and political union among the countries of Eastern Europe. The second is the pressure in the aftermath of the collapse of the soviet Union for the countries of Eastern Europe to fragment along ethnic and communal lines. These conflicting tendencies may be resolved in practice, they pose a theoretical problem for contemporary liberalism, and many other political philosophies as well. The problem arises because contemporary liberalism like many other political philosophies tend to treat the individual society as the appropriate unit of justification, while tacitly assuming a one to one correspondence between individual societies and sovereign states. Thus the dominant focus of liberal thought is on the question of how the political institutions of an individual society are to be justified. It is taken for granted that the society in question, although undoubtedly comprising a population that is highly diverse in various aspects, will nevertheless be organized as a single nation state.59

It tends to be assumed that any adequate justification of such a society's institutions will be one that is addressed exclusively to the citizens of that society, and that the justice or injustice of the society will depend entirely on the way in which it adjudicates among the interests of its own citizens. John Rawls describes himself as working with 'the notion of a self-contained national community'. His primary aim, he says, is to develop principles for the basic structure of society conceived for the time being as a

closed system isolated from other societies. The significance of this special case, he adds, is obvious and needs no explanation. In Rawls view, investigation of ‘the principles of justice for the law of nations’ may appropriately be postponed until after principles for a single society have been derived.\(^6\) On the other hand, the growing economic and technological interdependence of the countries of the world, which has helped to produce the drive toward greater union in western Europe makes it natural to wonder whether one can in fact produce an adequate justification for the institutions of a single society by treating it as ‘a closed system isolated from other societies’. Perhaps societies are so economically interdependent that the justice for them essentially depends on the nature of its political and economic relations to others.\(^6\)

**Responsibility to Otherness**

Much of the modern – postmodern debate has centered on the tension created by two conflicting sense of responsibilities. Those are universalism of the modernist ethic of ‘the responsibility to act’ and post-modernism theory’s positive contribution of ‘responsibility to otherness’. They can also supplement each other. Now the issues is to create a dialogue between their respective advocates to show how the normal aesthetic sense of post-modernism can enrich liberal theory by (among other things) making the question of otherness central to the current debate concerning justice.\(^6\)

Kant’s interpretation of the transition from the natural condition to the civil condition of rights is the transition from a condition in which rights is

\(^6\) Ibid.
\(^6\) Ibid.
insecure and conceptually indeterminate and incomplete into one in which right is secured and completely determinate. Kant shares the conviction common to all variants of natural right theory that there is an objective timelessly valid and universally binding right. For humans to attain a completely rightful condition, they must not only give up the natural condition among individual but also overcome the international natural condition, the condition of external lawlessness between states.63

Article 29 (1) of the Universal Declaration of Human Rights (1948) proclaims that everyone has duties to the community in which alone the free and full development of his personality is possible. Article 2 (2) of the Declaration on Right to Development (1986) provides that all human beings have a responsibility for development, individually and collectively, taking into account the need for full respect for their human rights and fundamental freedom as well as their duties to the community, which alone can ensure the free and complete fulfillment of the human being, and they should therefore promote and protect an appropriate political, social and economic order for development.64

Different normative ethical theories may be seen as articulating different conceptions of individual responsibility. Within common-sense moral thought two doctrines about normative responsibility play a central role. First is the doctrine that individuals have a special responsibility for what they merely fail to prevent. This doctrine is sometimes expressed in the principle that negative duties are stricter than positive duties. The principle

that negative duties are stricter than positive duties itself has two sides. The first consists in the idea that the negatives duties ordinarily take priority over the positive in cases of conflict. Thus for example, one may not ordinarily harm one innocent person even in order to prevent harm from befalling two other innocent people, because her negative duty not to harm the one, is stronger than her positive duty to aid the two. The second side of the principle that negative duties are stricter than positive duties consists in the idea that the former constitute a greater constraint on one's pursuit of one's own goals projects and commitments. For example one may not be permitted to harm an innocent person in order to advance her career aims for to do so would violate her duty not to harm. Yet one may be permitted to advance her career aims in other ways, even if by so doing she will miss out on an opportunity to prevent a comparably serious harm from befalling a comparably innocent person.65

The other common-sense doctrine is that one has distinctive responsibilities (or special obligation) toward members of one's own family and others to whom one stands in certain significant sorts of relationships. The commonsense conception of responsibility may be described as a restrictive conception and limits the individuals normative responsibilities.66 There is no room within common sense morality for significant disagreement about the precise content of people's positive and negative duties. And also about the precise degree by which the strength of the latter exceeds that of the former.

66. Ibid.
Where as common-sense morality holds that one has distinctive responsibilities towards family members and other to whom one stands in certain special sorts of relationship, consequentialism maintains that the interest of all people, family members and strangers alike. Consequentialism neither assigns intrinsic moral significance to the distinction between doing and failing to prevent.\(^{67}\)

In the view of Scheffler, the limits placed by common-sense morality on individual normative responsibility seems natural to us, but the sense of naturalness does not exist in a vacuum. It arises instead within a context that is defined in part by a certain conception of social relations and by certain familiar features of the phenomenology of agency. At the same time, a variety of developments in the modern world have conspired to place that conception of social relations, as well as the image of ourselves that is implicit in the phenomenology of agency, under enormous pressure. These developments include, most notably, the remarkable advances in science and technology in the latter part of this century, the continuing revolutions in travel, communications, and information processing; the increased economic and political interdependence among the countries of the world; and the enormous growth in world population. The communication revolution that is itself one of those developments has meant that information about all of the developments has been disseminated widely and insistently. To the extent that those development cast doubt on ways of understanding ourselves and our social world that are congenial to the common sense conception, it is not surprising that the widespread awareness of them should serve to erode our confidence in that conception.\(^{68}\) Despite

\(^{67}\) Ibid.  
\(^{68}\) Ibid.
the decline in our confidence in the common-sense conception, and despite
the increasingly sophisticated articulation of alternative theoretical
approaches to some questions of responsibility, it is by no means clear that
any thoroughly non-restrictive conception of responsibility could meet these
conditions.69

It is one thing to acknowledge this and quite another thing to produce
a viable conception of individual responsibility that does not employ any
category like the category of special obligations or any distribution like the
distinction between negative and positive duties. The individual agent qua
individual agent will typically have only the most limited opportunities to
influence these global dynamics. The problem arises out of a perspective on
human action that seems increasingly to be forced upon us by a variety of
developments in modern life. Rather than providing straightforward support
for an alternative, non-restrictive conception of responsibility, however,
these same developments tend to raise a more fundamental question about the
availability of a suitable locus of normative responsibility in an increasingly
important range of cases. Thus the net effect of these developments may be,
not to encourage the substitution of non-restrictive conception of
responsibility for more restrictive ideas, but rather to leave our thinking
about responsibility in some disarray.70

Kant while writing about social virtues says that it is a duty to oneself
as well as to others to isolate oneself, but to use one’s moral perfection in
social intercourse. While making oneself the fixed center of one’s principle,
one ought to regard this circle drawn around one as also forming an all

69. Ibid.
70. Ibid.
inclusive circle around those who are citizens of the world. Good citizenship will be a part of moral virtue for the principled Kantian with virtuous cosmopolitan sentiment. Just as each principled person will not isolate himself from fellow citizen, so each principled nation will not isolate itself from other nations.  

In ‘Metaphysics of Morals’, Kant writes that ownership is a concept correlative with that of a noumenal self – a property right is ‘possessio noumenon’. Kant speaks of right to external things, and like John Locke, he believes that such things, particularly land, were originally possessed in common. Rawls who invokes the idea of a common fund of human talent, may be adopting certain Kantian concept of common fund of at least some crucial components of life and human responsibility. Baier enquires whether Kant believes that there was a common fund of reason from which one’s reason derives or whether Kantian can take a social view of reason or whether Kant believe that the respect in each person is a derivative of some species – being that commands respect. But it is hard to see how essentially individual responsibility for action can be geared to essentially collective rights to goals and to essentially shared responsibility for the general will.  

Article 3 (3) of the Declaration on Right to Development (1986) provides that states have the duty to cooperate with each other in ensuring development and eliminating obstacles to development. States should realize their rights and fulfill their duties in such a manner as to promote a new international economic order based on sovereignty equality,  

interdependence, mutual interest and cooperation among all states as will as to encourage the observance and realization of human rights. Article 3 (1) of Declaration on Right to Development (1986) provides that states have the primary responsibility for the creation of national and international conditions favorable to the realization of the right to development. Article 22 of the Universal Declaration of Human Rights (1948) provides that everyone as a member of society has the right to social security and is entitled to realization, through national effort and international cooperation and in accordance with the organization and resources of each state, of the economic, social and cultural rights indispensable for his dignity and free development of his personality. Article 2 (2) of the Declaration on the Right to Development provides that all human beings have a responsibility to development, individually and collectively, taking into account, the need for full respect for their human rights and fundamental freedom as well as their duties to the community, which alone can ensure the free and complete fulfillment of the human being, and they should therefore promote and protect an appropriate political, social and economic order for development.

Justice was one of the cardinal virtue of antiquity; charity was the greatest of the theological virtue. Locke thinks in theological framework, and for him charity is obligatory. Modern liberals drop the theological framework. If liberalism is only about institutions that will justly mediate conflicting preferences, it will have nothing to say about character or virtue or about charity. For them, charity is not obligatory but supererogatory. This supererogation reflects no more than personal preference.
While utilitarian liberals urge us to maximize subjective good, deontological liberals marginalize charity. They seek principles for building institutions rather than characters. They have nothing to say about virtue. Welfare liberal think that boundaries of obligation are the boundaries of justice. Charity is indeed a matter of obligation not because charity is a matter of obligation, but because charity is more correctly seen as a matter of justice. 76

However, libertarian and welfare liberals agree that we can have only a theory of justice and no doctrine of virtue. Modern liberalism marginalizes the entire tradition of the virtue. Neo-Hegelian work depicts abstract liberal accounts of justice and rights as expressive of a social order. They insist that obligations can best be embodied in characters and traditions rather than institutions. Justice need not be abandoned, but must be domesticated. Justice too is specific to actual communities. International justice and human rights can not be vindicated --- except within circles where these have become the prevailing outlook. 77

The most striking theoretical difference between Lockean liberalism and contemporary deontological liberalism is not the loss of theological foundations. It is that for Locke, the obligations of natural law are fundamental where as for our contemporaries, human rights are fundamental and duties or obligation are the corollaries of rights. In the view of O’Neill, if rights and obligation were correlative, there would not be a fundamental difference. It would be rather a matter of looking at one set of ethical relationships from two perspective. One perspective would take the agent’s

76 Ibid. pp 219-222. 
77 Ibid p. 222.
view of the bearer of obligations and the other the recipient's view of the holders of right who could claim the performance of obligation from other. 78

It is a matter of general agreement that there are no rights that lack correlative obligations. Such 'rights' would be unclaimable, mere rhetorical gesture. However, the whole point about the obligations of charity, as traditionally conceived, is that these are meant to be obligations without correlative rights. Such obligations were traditionally said to be 'imperfect'. O'Neill argues that liberalism can be seen as part of theory of obligation rather than right. By beginning with obligations one might at least discover whether any imperfect obligation can be established. Since the debates that begin with human rights have not settled the central issues, it is worth seeing what can be done by approaching matter from another angle. 79

A well-trodden path into modern deontological liberalism is to construct an account of rights by taking seriously the equality and liberty of agent. Human rights are construed as those equal liberties that can consistently be assigned to all. Justice is a matter of securing the 'maximal' or 'best' set of liberties that can consistently enjoyed by all. O'Neill has claimed that there are good reasons for constructing a liberal account of justice in a ways that do not rule out imperfect obligations. 80

In constructing set of human rights, it was necessary to determine what the maximal set of equal copossible rights is. That turned out to be the weak link of the construction. In the view of O'Neill, in constructing an

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78. Ibid. p-224.
account of obligations, it is unnecessary to maximize. The aim is only to
determine whether any given principle can be acted on by all.\textsuperscript{81}

In the view of O'Neill, although the obligation to meet agency
threatening needs that can be established is only an imperfect obligation, it
provides grounds for thinking not that charity is marginal or optional, but
that it is urgent to see how such an obligation can be best embodied not only
in characters and traditions, but also in social relations that put the needy in a
position to direct claims to specified other.\textsuperscript{82}

Karl Jasper sees that human dignity can only be realized in partial,
limited ways in a world that we can never master. He retains Kant's
cosmopolitan ideal, but instead of grounding it upon rational necessity, he
bases it on the 'efforts' of feeling, thinking, speaking human beings.\textsuperscript{83} But
Arendt believes that the 'right to have rights' can only be secured by politics,
by the civic initiative of world politics and those in solidarity with them.\textsuperscript{84} As
she saw the nation state, far from being the vehicle of the self-determination
of individuals and peoples, is in many ways an obstacles to the dignity that
individuals and communities seek. She argues that the common vulnerability
of humans should lead to a new "global responsibility .... a process of
mutual understanding and progressing self-clarification on a gigantic scale.
She calls for the establishment of new regional and international forms of
cooperation that might override the centralizing tendencies of state forms
and might encourage new forms of regional and international identity and
moral responsibility. This vision of regional and global federation be viewed

\textsuperscript{81}. Ibid. p – 228.
\textsuperscript{82}. Ibid. p. 233
\textsuperscript{83}. Jeffrey C. Isaac 'A New Guarantee on Earth: Hannah Arendt on Human Dignity and the Politics of
as too 'idealistic', it is important to see that Arendt considered it anti-utopian in at least two senses. For her, it was precisely the existence of profound differences and antagonisms between and among individuals, community nations and states that made federation superior to world government. It is world government, a politics based upon a naïve vision of global citizenship and unmediated human identity, that is idealistic. 85

Agency Freedom, Human Governance and World Order

A new dimension is added to whole concept of human rights which requires person to act as effective agent for his full development of his personality. As human being we have goals and we make choice in the light of those goals. Being able to formulate goals define us as individually human. Competence in making choice makes us agents. Agency Freedom means in the view of Amartya Sen, the freedom individuals have to pursue whatever projects or value they may conceive. 86 Though well-being aspects and agency aspects are different, certain amount of well-being is required for individual to be an effective agent. Well-being is ultimately depend upon humane governance which is inseparable from global order.

In the view of Nicholas Onuf, the difference between government and governance is, while the former invokes a 'sovereign' and the later invokes a 'social order', 87 The difference between governance and government is not one of nature but solely one of scope. Governance in other words, in a more

84. Ibid.
85. Ibid.
encompassing phenomenon than government. Like regime, governance refers to a set of rules, principles and procedures that come into play in the regulation of overlapping activities. According to James Rosenau, regimes exist only in a quite well-defined areas. Where as governance is inseparable from global order and is not confined to a single sphere of endeavor, There can be no global order without governance. 88

In the view of James Rosenau, global governance is conceived to include a systems of rule at all levels of human activity form the family to the international organization in which the pursuit of goals through the exercise of control has transnational repercussions and even comprises the vast number of rule systems that have been caught up in the proliferating network of an more interdependent world.89 Lawrence S. Finkelstein observed that Rosenau's definition of governance included just about everything, elucidated nothing and in no way facilitated research. He suggests that governance be regarded as an 'activity' and not as a system of rules, for which the regime theory already existed and quite sufficed. Convincing on this point, he is less so when he advances his own proposals declaring that 'global governance is governing, without sovereign authority relationships that transcend national frontiers. 90

Globalization is an on-going process (or sometimes set of on-going practices) depending upon the 'path' by which that process evolves. The present 'phase' of globalization is thus just one of its many possible forms.

89 Ibid.
90 Ibid.
In the view of Thompson, all processes tend towards some ‘end’ even if they never reach it. If not, the notion of ‘process becomes almost meaningless.’

The existence of global governance is even less recognized if the word 'global' refers to all activities concerning humankind's present and future fate. It implies that different ways in which individuals and institutions manage to come together and work towards values such as equity, security and redistribution.

In the view of Richard Falk, the world order should include these following rights. Those are basic needs, basic decencies, participatory rights, security rights (both national and ecology) and humane governance. Humane governance is a kind of world order imperative that implies an ability to achieve other four categories of above mentioned human rights without transforming the political order that now exists, as such it extends the boundaries of human rights beyond those set by the state system with its operative code of sovereignty which limits attention to carefully depicted national territorial limits.

Chesterman seeks to move beyond the sterile philosophical extremes of universalism and cultural relativism; His theoretical trajectory is directed towards establishing the conditions for meaningful concession about human rights. This more than any philosophical insight, is the ultimate preconditions for their recognition. The preamble of Universal Declaration of Human Rights proclaims that recognition of the inherent dignity and of the

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equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world. In many ways, the opening words of the Universal Declaration of Human Rights capture the tensions outlined in the preceding sub-sections. It is not inherent dignity and rights of human beings that are the foundation of freedom, justice and peace, but the act of recognition.94

Human rights neither exist nor have meaning in the absence of a community within which to articulate them and a political function with which to attributed them. This is not to say that unenforced human rights are not 'rights' rather, it is to affirm that right cannot be divorced from their social and political contexts. This was reflected also in transposition of human for natural rights.95

For Bobbio, the starting point is the validation of the individual as an economic agent. First, established the individual (as holder of right over property) entitled to certain rights in respect of other economic agents who, in turn, enjoyed the same rights. The turning point came when this economic relation was extended to the power relation between the sovereign and his subjects, with the creation of the so-called subjective public rights which typify the constitutional state. It is within the constitutional state, he argues that the individual is reborn as citizen.96 In recent years, thinkers in the liberal tradition have come to view economic justice as an essential component to individual rights of the more traditional kind. What we should look for in comparing alternative social arrangements, from the view point of

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95 Ibid.
96 Ibid.
many liberals in the twentieth century, is whether individual's rights are adequately protected and whether they have the material resources to make worthwhile use of those rights.

By conceiving human rights as a historically specific discourse, it may be possible to carve out a space for action that relies not on a verifiable nature, or abstract reason, but participation in a conversation that spans and crosses cultures. More and more voices are joining in this conversation. In addition to the traditional opposition of labour against capital, protest movements have began focusing on other categories such as ethnicity, ecology, gender, and personal liberation. These new social movements, it is argued, is a kind of international public sphere. Nevertheless, opening up dialogue on any basis other than the unilateral assertion of rights demand that oneself be implicated in that conversation --- this means that the 'universal' stands that are argued on must be recognized as contingent as well as necessary, 'necessarily contingent' and open themselves to interrogation. Chesterman has sought to explain an alternative grounding of human rights standard; in the fact of their recognition. Conceiving human rights as a discourse founded on an evolving relation to self abandoned the search for an 'absolute principle' and sought to move beyond universalism and cultural relativism. He argued that such a methodology (as opposed to foundation) has two advantages over the prevailing approaches to this question. First, it becomes possible to incorporate the conversion between and within cultures (as distinct from states) as a crucial theme in the emergence of broadly accepted standards of human rights. Often, this plurality of voices is lost in the fray of polemic concerning the universality of the principles at stake.

97. Ibid.
98. Ibid.
Secondly, it more accurately locates change at the level of the subject of the rights in question. The psychoanalytic approach of Kristeva was considered here as an example of the utility of seeing the human rights discourse as a discourse of subjectivity. This suggests that meaningful transformation also demands that we look beyond the traditional actors and mechanisms of the international system. 99

In Chesterman's view, human rights is not about origins but about change. In an obvious sense, this refers to change in the circumstances of human existence. It is also change in the conception of the self that legitimates and perpetuates these abuses of standards --- the capacity to deny the other as less than human, less than citizen. However, for a fully reflective human rights regime is sensitive to (but not obsessed with) difference. It must finally be about change in the way that these standards come to be formed a necessarily contingent approach to the emergence of norms. 100

In the view of Rorty, from Plato to Nietzsche, philosophers have argued over what it is that makes us special as human beings, what the essential element of humanity is. He maintains that we should leave the question 'what is our nature' behind us, and rather to go on to discover what it is that we can make of ourselves. Rorty has rejected 'righteousness or truth' as the foundation for this restraint, because of the way it has been theorized from Plato to Nietzsche. The consequent dismissal of truth as a useful concept, indicates not that one has escaped Plato and Nietzsche, but that they are still so powerful as to dominate our thinking through being rejected. 101

99. Ibid.
100. Ibid.
Today, we are functioning in a world that is fundamentally characterized by object in motion. These objects include ideas and ideologies, people and goods, images and messages, technologies and techniques. This is a world of flows. It is also of course a world of structures, organizations and other stable social forms. But the apparent stabilities that we see, are our devices for handling objects characterized by motion.\textsuperscript{102}

Human rights, as a tool which we use to talk about right behaviour towards one another, needs the strength and conviction of truth. It is not a foundationalist 'truth' as theorized by Plato and others. We need to be able to stand outside the acceptance and the rejection of Plato - Nietzsche tradition and be enabled to see and work toward what Richard Campbell has called 'truth in action', truth as a matter of being and doing, rather than as an account of 'what is out there'. By doing this one might find non-foundationalist and non-relativist account of truth; truth seen in and through dynamic human relationships, which is able to provide the capacity for conviction about right and behaviour.\textsuperscript{103}

Panarin argues that contemporary civil societies are characterised by inordinate demands and unreasonable egoism, which go beyond any realistic possibilities. He argues that the project of modernisation itself has gone through a metamorphosis in the course of our century. The contemporary modernists no longer believes in universal history, but he sees that consumer society as a product of western civilization. Consequently, they noticed that the western technical, constitutional and consumer-society model, which


\textsuperscript{103} Ibid.
they had considered universal before, was not culturally neutral but instead could be thought a specific product of unique historical and cultural experience. In his view, post-modernism strives to deconstruct the modernist self-confidence and its causes. A genuine post-modern society is one where nobody believes in the 'higher necessity'.

As David Held puts it, without a politics of coercion or hegemony, the only basis for nurturing and protecting cultural pluralism and a diversity of identities is through the implementation of cosmopolitan democratic law; the constructive basis for a plurality of identities to flourish with a structure of mutual toleration, development and accountability.

Hedly Bull presented his concept of a new medievalism as an alternative to the existing state system. This conceives as a modern and secular counterpart to the universal organization which existed in western Christendom. Such a system could involve political communities sharing authority and loyalties with regional and world organizations on the one hand and with sub-state and sub-national institutions on the other. Bull sees the new medievalism as a structure of overlapping authorities and criss-crossing loyalties that hold people together in a universal society, while avoiding the concentration of power inherent in the notion of world government as a state.

Changes brought about by globalisation have led to extended consumer choices; they have also brought about insecurity related to local

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105 Ibid.
cultural values. There will obviously be differences in the way cultural policies respond to the new challenge of market place. In this context Alan Touraine calls to affirm the rights of all human being to combine equality and difference.\textsuperscript{107}

The initial priority of humane governance is to reaffirm the wisdom of secularism in relation to all structures of authority. The rediscovery of our spiritual roots may be indispensable to the realization of human governance and the fulfillment of the overall potential of human species. To the extent that rise of secularism (and the modern idea of governance) was associated with the ascendancy of an anti-religious mode of scientific thought, there is a need for rethinking and reconciliation.\textsuperscript{108}

In the view of Bertrand Russel, change is scientific, while progress is ethical.\textsuperscript{109} Indeed humane governance may depend on the curbing of secular absolutism (including consumerism) as much as it does on the deterrence and control of religion. This stage of human history is to find the institutional and ideational forms that allow difference to flourish yet to ground the affirmation of unity and an appreciation of shared destiny for the human species on spiritual foundation.\textsuperscript{110}

The term 'evolution', development and modernization were used interchangeably. Evolution refers to material-biological underpinnings. Development refers to economic and political growth, and modernization refers to changes in socio-cultural beliefs. Typically, the various levels were

\textsuperscript{107} Sumita Mehta, 'Cultural Policy in the Global Village', The Times of India. April, 17, 1999.
\textsuperscript{109} Federico Mayor, 'Change and Progress', The Times of India. June 28, 1999.
treated as complementary with material and economic advances and were seen as primary requisites for political, social and cultural innovations.\textsuperscript{111}

Critics pointed out serious shortcomings in the dominant modernization model, especially the weakness of its philosophical premises. Empirical or positivist in orientation and inspired by evolutionary paradigms of the last century, the model was theoretically vulnerable and unable to withstand rigorous philosophical scrutiny. There is ascendency of various post-empiricist or post-behavioural modes of theorizing. This perspective shifts the level of analysis from contingent occurrences to the transcendental or quasi-transcendental 'condition of possibility'. Whereas previously modernity had functioned simply as an unquestioned yardstick for developing societies, now this yardstick became itself a focus of critical attention.\textsuperscript{112} Habermas's 'Theory of Communicative Action' depicted modernization as a tension-laden movement occurring simultaneously in the fields of instrumental-technical and communicative-cultural rationality. The motor of development was located in the process of 'rationalization', seen as the advancement of rational reflection or 'reflective learning' levated to a normative principle.\textsuperscript{113}

Sundara Rajan portrayed development as moving alone three axes of growing steering efficiency, cultural communication and self-reflection or self-expression. Every society has to face three basic tasks. Those are task of survival, task of maintaining the structure and normative order of the group,

\textsuperscript{111} Fred Dallmayr, 'Modernization and Post-Modernisation: Wither India?', Alternatives, 17, 1992.
\textsuperscript{112} Ibid.
and the task of making possible for individual members a tolerable degree of personal fulfillment and happiness.\textsuperscript{114}

Ashis Nandy at one point defined progress or development as 'expansion of the awareness ... in society. Resistance must challenge mystification for new form of violence and injustice. He links the search for political alternatives and a humane world order with resistance to western global hegemony. \textsuperscript{115} Rajni Kothari links the search for political alternatives and properly 'humane world order' with resistance to a global hegemony. He locates the core of genuine development in transformation that has to do with the problem of freedom in human affairs and democracy and institution that sustain it. Honoring liberal -humanist impulses, Kothari's work subscribes to open ended engagement among cultures and to an agonal 'dialogue among people' an engagement that alone can pave the way to equal respect among religious and cultural groups and to an alternative world order.\textsuperscript{116}

Post-modern trends carry important and largely salutary implication for the issue of development. In opposition to universal categories derived from western modes of discourse, post-modern anti-holism seeks to give voice to local or vernacular idioms and thus to empower the marginalized, in particular the poor masses in third world countries to resist western global control. Again, to counter the danger of cultural narcissism, post-modern localism or particularism must be constructed in a open-ended manner, that encourages multiple types of engagement and interaction, both between marginalized groups and ethnic communities and between traditional culture

\textsuperscript{114} Sundara Rajan, 'Towards a Critique of Cultural Reasons'. Oxford University Press, Delhi, \textcopyright 1987, pp. ix,x, 20-24.
\textsuperscript{115} Ashis Nandy, 'Cultural Frames for Social Transformation : A Credo', Alternatives 12, 1987, pp.113-117.
What has been celebrated as a revival of political philosophy in the last decade is in fact a mere extension of moral philosophy. To recover the normative aspect of politics, moral concerns about impartiality and unanimity are introduced into political argumentation. The result is a public morality for liberal societies, a morality which is deemed to be 'political' because it is 'minimal' and avoids engaging with controversial conceptions of the goods and it provides the cement for social cohesion.  

The insistence on universalism and individualism can be harmful because it masks the real challenge that a reflection on pluralism faces today. In the view of Mouffe, divisive issues can not be confined to the sphere of the private, and it is an illusion to believe that it is possible to create a non-exclusive public sphere of rational argument where a non-coercive consensus could be attained. It can not be envisaged only in terms of already existing subjects and restricted to their conceptions of the good. What must be addressed is the very process of constitution of the subjects of pluralism. This is indeed where the more crucial issues lie today. And this is where the limitations of the current liberal approach can have really damaging political consequences for democratic politics. 

Liberty and equality, which constitute the political principles of liberal democratic regime, can be interpreted in different ways and ranked according to priorities. This accounts for the multiple possible forms of

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118 Chantal Mouffe, 'The Return of the Political,' London: Published by Verso © 1993. p-147
liberal democracy. The ‘liberal’ privilege the value of liberty and individual rights, while the ‘democrats’ insist on equality and participation. But as long as neither side attempts to suppress the other, we are witnessing a struggle inside liberal democracy over its priorities. A recurrent concern of liberal has been how to put individual rights outside the reach of majoritarianism. Mouffe considers that the specificity of modern democracy as a new political form of society, as a new ‘regime’ lays precisely in the tension between democratic logic of equality and liberal logic of liberty. It is a tension that we should value and protect, rather than try to resolve, because it is constitutive of pluralist democracy.\textsuperscript{120}

A liberal democratic regime, while fostering pluralism, cannot equate all values, since its very existence as a political form of society requires a specific ordering of values which precludes a total pluralism. A political regime is always a case of ‘undecidable decided’ and this is why it can not exist without a ‘constitutive outside’\textsuperscript{121}

Cosmopolitanism posits the existence of a (latent) single community of human kind and urge that people accord their highest respect and loyalty to this universal community above any other social collectivity. For cosmopolitanism the social cohesion that devides humanity are acceptable only so far as they do not inhibit the actualization of the universal community. For cosmopolitanism with religious approach, the basis for universal solidarity lies in devotion to a common God. Secularists derive cosmopolitanism from human nature. Thus all people belong together before they belong apart. Both religious and secular cosmopolitanisms believe in a

\textsuperscript{119} Ibid. pp. 147-149.  
\textsuperscript{120} Ibid. p-150.  
\textsuperscript{121} Ibid. p-152.
universally shared understanding of the world. From a secular perspective, Kantian arguments have defined cosmopolitanism in terms of (i) a world order founded on a federation of republican state and (ii) a duty of all persons to accord hospitality to stranger. However, at the present junction, cosmopolitan notions of a universal community of human kind have several major problems. Cosmopolitan projects are unworkable unless a consensus exists on epistemological point. Again, lacking a basis in negotiations of difference, modern cosmopolitan projects have easily become acts of domination. For example, the leader of poor and vulnerable countries have often adopted a universal model of development when grants, credits, supplies and equipment from the North are attached.

For communitarians, heterogeneity comes before homogeneity. Fundamental differences between peoples are more important in producing social cohesion than an underlying commonality of humankind as a whole. Communitarianism has often consolidated the solidarity of ‘we’ through a denigration of them. Communitarians define social solidarity primarily in terms of division of humanity and entertain appeals to a transcendent community of humankind only in so far as such proposition do not compromise the interest of a given group.

Social cohesion can be approached in terms of a connection points rather than deviding lines. Community is made from hybridity, not myths of self-contained groups. Community will advance circumstances of security when parties have a sense of responsibility for one another. It requires

123: Ibid.
124: Ibid.
concrete acts of solidarity particularly towards the needy and vulnerable. Still, constructive inter-culturality requires critical responsibility, an ethic of care, a will among all partners in a community to advance one another's welfare in a mutually acceptable ways. Even the best constructed and operated local entity is inadequate on its own as a formula for community. Most people in contemporary society can not fulfill all their material and affective needs within the confines of their immediate environs. Many services can not be provided locally and most persons reach out to a wider world to develop various dimensions of their identity. Hence an effective design of community must incorporate multiple context besides the local.\textsuperscript{125}

Kantian equality commit us to recognize the equal rights of persons. This would appear to excludes a person's interests as a member of a particular culture from the sphere of rights when a right to the enjoyment of one's culture is one of the rights specified in the international covenants on human rights. However, we can include cultural rights within the sphere of human rights if we think of being a member of a particular culture as one of the basic interests of persons as such.\textsuperscript{126}

Institutional cosmopolitanism is of the view that humanity should be organized in a world state or at the very least, in a world confederation of states with substantially diminished authority for the state units and a greatly increased authority for supra-national institutions. It may be that the proper way to realize the ideals of moral cosmopolitanism lies in organizing humanity in a society of states that retains their separate statehood while

\textsuperscript{125} Ibid.
subjecting them all to the requirements of the international covenants on human rights or some such universal principles.\(^\text{127}\)

In the view of Charvet, good examples of declarations of human duties are the ‘Ten Commandments’ of God in the old Testament or the similar list in the Muslim Sharia. If we treat these commands as in principle addressed to all human beings, then they constitute at least the basic elements in a universally valid moral order which imposes duties on human beings. Such conceptions of moral order, in his view, are not conceptions of human rights. The idea seems to be that we cannot truly speak of person’s rights unless the whole moral scheme is based on a conception of the claims of individuals. Individuals are clearly beneficiaries of the duties but they are said to have no rights unless the valid claims they can make within the scheme are expressed in their own name. To have a real right is for the individual herself to be the value creating source of the valid claim. We should distinguish between the idea of valid claim constituted by such an order and the ground for recognizing the order as binding one.

Although freedom is the central issue, one can not characterize the difference between western and non-western conception of human rights simply in terms of the individualism of the former and the emphasis on community in the latter. But all schemes have a fundamental communal element that restricts individual freedom. Non-western conception of universal order on the other hand, are not primarily concerned with freedom at all but with condition of order. The very reason is that freedom is not a direct concern of the moral conception. Even the liberal conception of moral order is in itself quite empty or indeterminate and that the substantive

\(^{127}\text{Ibid.}\)
content necessary for an actual order of rights and duties has to be supplied by a conception of the communal bonds that unite people independently of the abstract idea of equal freedom. In the view of Charvet, communism is essentially illiberal and its illiberal character consists in its rejection of the distinction between civil society and polity and its treatment to all life as collective. 128

To understand the particular character of human rights we must start with the fact that ‘right’ has two principal moral and political senses, those are rectitude and entitlement. In the sense of rectitude it implies ‘the right things to do’ and to say something is right or wrong. Right in the sense of entitlement are special subclass of rights which means ‘having a right’. The emphasis on human rights in contemporary international relations thus implies selecting certain types of rights and wrongs for special attention and thereby indirectly de-emphasizing or devaluing others. It also means selecting a particular mechanism – right entitlement – for advancing those (in the sense of rectitude) and remedying those wrongs. 129

Human rights are not just abstract values, but a set of particular social practices to realize those values. There is much of moral importance in international relations that fall outside the domain of human right (entitlement). Question of international distributive justice, whether understood in cosmopolitan or statist terms, come most prominently to mind. Nonetheless, the increasing prominence of human rights in international

128 Ibid.
relations over the past half-century has given at least some questions of right and wrong an unprecedented place on international agenda.  

In recent years, the liberal tradition has come to view economic justice as an essential complement to individual rights. What we should look for in comparing alternative social arrangements is whether individual’s rights are adequately protected and whether they have the material resources to make worthwhile use of those rights. Rawls began his first major work by asserting, justice is the first virtue of society. So if international society is to be genuinely ethically governed society, it must be organized around common conception of justice. 

In the view of Prof. Aswini Ray, the guiding principle of international relations have been stability, predictability and order at the cost of justice. Empirically, it seems that states generally abiding by such elementary principles of justice such as equality before law in their domestic politics tend to be less scrupulous about principles in their international conduct. We need to explore the possible reasons for the continuing operational disjunction between the concern for justice at the national plane and concern for justice at the international plane, even by democratic states with established tradition of justice at the guiding principle of orderly governance.

In addition to the traditional opposition of labour against capital, protest movements have began focusing on other categories such as

130 Ibid.
131 Ibid.
ethnicity, ecology, gender and personal liberation. These new social movements it is argued may herald the formation of a kind of international public sphere. Before, the state is considered the chief agent of change in liberal society and agent of recognition. But through human rights, individual can constitute herself as effective agent and recognizes each other in a community. It locates change at the level of the subject of the rights in question. In the view Fukuyama, history is driven by two basic forces in recent time. First is the unfolding of modern natural science and technology which lays basis for economic modernization. Second, the struggle for recognition which ultimately demands a political system that recognizes universal human rights.  

In the view of Richard Falk, virtually any cultural heritage is morally rich enough that it can, if appropriately constructed, under some circumstances make inspirational contribution to the struggle for human rights, democracy and social justice. He concludes that the prospects of such development of human rights depends on an 'open process of communication, free from dogmatic interference.'

Conclusion:

A liberal democratic regime while fostering pluralism, cannot equate all values, since its very existence as a political form of society requires a specific ordering of values which precludes a total pluralism. A political regime is always a cause of 'undecidable decided' and it can not exist without a constitutive outside.

133 Francis Fukuyama, *After ‘End of History’ Mankind’s End?* Times of India, June 17, 1999 (Eastern India Special)

All processes tend towards certain 'end' even if they never reach it. If not, the notion of processes becomes almost meaningless. It is not enough to reject an essentialist or universalist defense of reason. Instead, the limit of reason must be extended to recognizing other ways in which people learn to take up particular subjects positions.

Before the state in liberal society is considered as chief agent of change and agent of recognition in liberal society. But through human rights, they recognize each other in a community. It locates change at the level of the subject of the rights in question. Being able to formulate goal defines individuals as human, competence in making choice make them agents. As an effective agent, we human beings have a generalizable interest in having the means necessary to pursue the projects we formulate and try to realize the value we conceive.

Human governance is a form of world order which is normative. Humane governance is an activity, not a rule. It is matter of being and doing rather than an account of what is there. By doing this, we can find non-foundationalist and non-relativist account of development.

The minimal procedural criteria of justice are part of the intuitive knowledge of modern speakers and this does indeed imply some sort of metanarrative about reason and modernity. Post - modernism initial difficulty in regard to justice is how to defend principles, however minimal necessary to provide some narrative guidance to ethical political life without thereby generating illegitimate closure to otherness. The question is whether the 'responsibility to otherness' can be defined as toleration or fostering or
both. Again it takes interest in how to create a dialogue between both and to show how post-modernism enrich liberal theory (among other things) central to the current debate concerning justice in the context of rights and development in an interdependent world.

We can include cultural rights within the sphere of human rights if we think of being a member of a particular culture as one of the basis of the interest of the person as such. Constructive inter-culturality requires critical responsibility, an ethic of care, a will among all partners in a community to advance one another’s welfare in a mutually acceptable ways. Even the best constructed and operated local entity is inadequate on its own as a formula for community and many persons reach out to a wider world to develop various dimensions of their identity.