ESSAY

Constructing Universal Values? A Practical Approach

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How can there be universal values in a world of contested ethical, religious, and cultural traditions? Perhaps more importantly for scholars of international affairs, how can there be universal values when nation-states contest each other "under an empty sky"?[1] In this short essay, I make the case that universal values do not exist as settled ideals nor as clearly defined lists of rules or laws. Rather, universal values are constructed in particular times and spaces by particular institutions and groups and later become universal. The essay uses an initiative to combat corruption undertaken by the United Nations Office on Drugs and Crime (UNODC) as an example of how universal values can be constructed through an education process that has global reach. The initiative, in which I participated, focused on developing teaching materials for educators at all levels. I explore how two modules, which focus on universal values and normative pluralism, were developed and critiqued by a group of scholars and UN officials from around the world. The two modules provide evidence for how individuals and institutions can work together to construct and promote universal values. I conclude by suggesting that universal values are not an end point to be reached but a practical agenda with which scholars of international affairs can continuously engage in their research and teaching.

Universal Values in Global Politics

The idea that there is anything universally true in our world is highly contested, though it has been a concern of philosophers since the time of the ancients. Plato's theory of ideas and Aristotle's comparative efforts to identify the best political

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order testify to the effort to create universal ethical truths. At times, theologians and philosophers have gravitated toward universal truth, while at other times they have moved back toward more relativist claims.

The publisher of this journal, the Carnegie Council for Ethics in International Affairs, has, throughout its existence, sought to address this core problem particularly as it relates to international politics. In its origins as the Church Peace Union in the early twentieth century, the Council was an effort at interreligious dialogue, though limited to Protestant, Catholic, and Jewish participants. From that religious origin, it moved toward a more secular agenda, engaging not just with other religious traditions but with philosophical and cultural ideas. The very journal in which this essay appears, *Ethics & International Affairs*, originated, in part, as an effort to counter the contested nature of universal values in the realm of international affairs. Its early issues responded more to the realist critique of ethics; that is, the assumption that in a world of self-interested nation-states, ethical values have no real place. The first editor and then president of the Carnegie Council, Robert J. Myers, proposed that the journal would show "the concrete application of ethics to various key international problems from a variety of perspectives."[2] Some authors in the journal explored the problem of universal values; one early piece by Frances Harbour argued for a shared core of values that underpin seemingly diverse ethical positions.[3] Other articles have explored the problem of universality through the lens of human rights, democracy promotion, and environmental values.

To trace the history of the debate on universal values, either within the Carnegie Council or more widely, is far beyond the capacity of this short essay. Instead, I want to highlight some efforts to think about the nature of universal values that lend themselves to the pragmatic position I wish to take here. Before looking to those efforts, it is important to acknowledge the contested nature of the term "universal." First, many would assume that universality implies an empirical claim that all persons accept these values. Second, many would assume that universality implies a separate, though related, empirical claim that all persons feel obligated to live in accordance with such values. It is empirically impossible to verify either of these two claims, for we cannot have a global survey that gives us the necessary evidence, nor can any survey really capture feelings of obligation, as respondents on such surveys often shape their answers to sound more morally upright.[4]

Scholars working on global justice and human rights help to further clarify the concept of universality in light of these concerns. Simon Caney, a leading

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philosopher of global justice, provides some helpful thoughts on this.[5] He explains that moral universalism is, simply, the existence of moral values that are valid across the world. Importantly, validity here does not mean we need to trace the existence of such values in the minds of all persons; rather, this is a logical claim about the concept of universality. Caney distinguishes universalism of scope vs. universalism of justification. The former means that moral values exist in all contexts across the world, while the latter means that moral values will be justified in the same way across the world. This distinction is crucial, for it allows for what John Rawls called an "overlapping consensus" when it comes to justifying the existence of such values.[6] Caney defines universal values as including the following three elements: (1) the existence of valid moral principles; (2) moral principles applying to persons who share common morally relevant properties; and (3) all persons share some morally significant commonalities.[7]

The final point is key, for it assumes that persons are not identical, but that they share characteristics that are common and morally significant. These include needs and wants that define what it is to be a human person, such as physical integrity, food, shelter, clothing, education, healthcare, and so forth. Caney considers a number of claims for relativism, but counters these in different ways. For instance, he explores the argument of Michael Walzer, who makes a case for a communitarian standard in which moral norms emerge from particular cultural and national contexts.[8] In response, Caney argues that to take such a position assumes that individuals cannot be convinced through rational argument of the rightness of certain values over others.[9] That is to say, relativists would believe that no one can be convinced by arguments. Caney disputes this, arguing that people can be convinced to change their minds and accept new values on the basis of rational deliberation or educational initiatives.

Jack Donnelly, a leading theorist of human rights, has also made a case for universalism, arguing for "the relative universality of human rights."[10] By combining "relative" and "universal," Donnelly also argues for something like Rawls's "overlapping consensus" idea and stretches out the understanding of the concept of universality. In making this argument in relation to rights, he counters the idea that universal human rights can be found in all cultures and religious traditions; the individualism and liberalism of the modern human rights regime makes this difficult to support. But, in claiming their relativity, Donnelly means that such rights might be found and applied in different ways around the world. He opposes an anthropologically or ontologically based universalism, which he believes cannot

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exist. Rather, his argument is for a "defensible" set of values, ones that can be found and argued for across different cultural and national contexts.

Caney and Donnelly are not making the same point, nor are they engaged in the same debates. From both of their efforts at exploring the nature of universal values and universal rights, however, we can draw the following point: The idea of universality requires ongoing efforts to develop and defend values. Universal values and rights are not timeless but rather exist at particular points in time and space. For Caney, this notion arises from the distinction between validity and justification. While values may be universally valid, they will be justified differently in different places at different times. This suggests, perhaps, that the process of justification itself might play a role in constructing the values themselves. For instance, the principle of anticorruption will be justified differently in a liberal democratic state than it will be in a postcommunist authoritarian state. This does not mean that the value is not valid, but that it might take shape differently as the result of which practice of justification is used. Donnelly's argument raises similar issues. To defend human rights in different political and cultural contexts will require different forms of justification, which might in some ways construct and reconstruct the values and rights under consideration; indeed, the formation of the Universal Declaration of Human Rights (UDHR) emerged from just such a form of deliberation.[11] In the next section, I turn to how the UNODC process demonstrates how these practices of defense and justification create and shape certain universal values relating to anticorruption.

Constructing Universal Values

UNODC focuses much of its work on anticorruption initiatives that are framed as being part of the rule of law.[12] In 2015, at a major UNODC intergovernmental meeting (the quinquennial UN Congress on Crime Prevention and Criminal Justice), the international community adopted the *Doha Declaration*, which seeks to integrate development and a global rule-of-law agenda.[13] With funding from the state of Qatar, UNODC initiated a global program aimed at implementing the *Doha Declaration*, which included an initiative called Education for Justice (E4J). This initiative, designed to create teaching materials for educators around the world at primary, secondary, and tertiary levels, focuses on a range of different crime prevention topics, including battling corruption.

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The idea that corruption is bad at all levels serves as a universal value that structures the work of the organization. Of course, there remains debate about how to define corruption and whether it is a hindrance to an economic system or an inevitable part of one. In addition, the dynamics of powerful developed states highlighting corruption in developing states without acknowledging their own political problems of dishonesty and corruption has made this a contested concept. Part of the agenda for the E4J initiative was to respond to these and other concerns. By bringing together scholars whose work focuses on ethics, business, politics, economics, and sociology, UNODC hoped that the resulting products would provide a response to some of these criticisms.

The process of writing, evaluating, and promoting the E4J tertiary educational modules provided me a small window into how a global educational program might construct universal values. I was involved as a consultant in writing some modules and evaluating others, which gave me an insight into how one might construct an educational program designed to reinforce an ethical universal. The project began for us consultants at a meeting held at the UNODC headquarters in Vienna in March 2017. Over the course of two days, partly in large plenary sessions and partly in small breakout groups, plans were made to develop several series of modules on different rule-of-law topics. The modules were designed to be portable so that they could be integrated into existing higher education courses or modules. Nine overall topics have been developed, ranging from anticorruption to the protection of wildlife.[14]

The theme in which I engaged most directly was titled "Integrity and Ethics," which focused on the wider ethical foundations that would support the anticorruption and rule-of-law agenda. This theme was further broken down into fourteen modules that included a wide variety of topics, some of which were "Ethics and Universal Values"; "Ethics and Leadership"; "Ethics, Diversity and Pluralism"; "Strategies for Ethical Action"; and "Gender Dimensions of Ethics."[15] UNODC hired scholars from around the world to support the development of the modules, which included background information, teaching plans and resources, and pedagogical exercises. The modules were then assessed at two different meetings in Greece, again including an international group of scholars. The final versions of the modules were put through a global peer review process and then published online.[16]

I was involved most directly with the two modules on the problem of universality and pluralism but had a role in evaluating and assessing many of the others as well. The work of the scholars invited by UNODC to work on these two

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modules brings out two key points that reflect the points drawn in the first section: values can be universally valid but may require different forms of justification and/or defense and, in the process of producing them, those values will evolve and develop as a result of the dialogue and engagement.

Ethics and Universal Values

I wrote the first draft of the module on "Ethics and Universal Values."[17] In that module, I proposed that the UDHR could serve as a model for how a universal declaration of human values might be written and made prominent. The module suggests that some principles, such as human rights, can be both universal and particular at the same time, especially when they emerge from diverse intellectual and religious contexts. While I drafted the first version of this module, the final version was the result of a process in which scholars and activists from around the world read, evaluated, and challenged the assumptions and ideas found within the version I drafted. Both the language of the module and especially the process by which the final draft emerged reflect the point I am making here about how to negotiate universals in a world of contested political and ethical frameworks: "The overarching goal [of the module] is to demonstrate that it is possible to articulate universal values and yet to recognize that such standards are always open to contestation. One of the goals of this Module is to highlight this tension between the universal nature of values, ethics and morality and the particular contexts that create those values, ethics, and morals."[18] This general point was developed throughout the rest of the module and then made manifest in specific teaching exercises.

My first draft of the module relied on three figures: Aristotle, Hans Küng, and Jürgen Habermas. These three figures fall within the Western intellectual tradition. They are still discussed in the final version of the module, but over the course of the meetings and evaluations, it became clear that this narrow intellectual framework did not allow individuals from around the world to engage with or appreciate the universality of the issues being raised.

In response to the module having a largely Eurocentric approach, it was suggested by one of the participating scholars that an alternative figure on whom the module might instead focus is Mencius, the ancient Chinese philosopher. A follower of Confucius, Mencius argued for the importance of virtues, though his category of virtues differed from Aristotle's. As a result of this suggestion, the change in figures was made. One important difference between figures highlighted in the final module is that while Aristotle believed that participation in

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political life is a virtue, Mencius believed that recognizing authority and the rules of a society is a better virtue. Furthermore, Mencius looked for evidence of his virtue in the history and social context in which he lived, while Aristotle, who also looked to the social world, relied more on a naturalistic investigation; in other words, he tried to find evidence in scientific observation rather than historical tradition. The module notes that by comparing the two philosophers, "we can see how we might come to the same conclusions about universal values (the value of education and wisdom) and yet disagree about others (the value of participating directly in politics or being ruled by wise rulers). We can also see how the methods of the two philosophers differ in coming to their conclusions; Aristotle sought to observe the natural world to come to his conclusions while Mencius observed the social context to come to his conclusions."[19]

The module came to include philosophers from other traditions as well, along with a lengthy discussion of the dialectic involved in the drafting and adoption of the UDHR. These elements allow students to see very different political and ethical traditions, but only after a process of debate and dialogue took place in which key differences were worked out.[20] As one small example, there is no mention of God or even human nature in the UDHR because of the efforts of P. C. Chang, the Chinese representative to the drafting committee, who argued that such references would rule out those whose understanding of religion and philosophy differ in important ways. This led Jacques Maritain, one of the key figures in the process, to argue that the collaborators could all agree to the UDHR so long as no one asked them upon which foundations it relied.[21]

This module and the process by which it came into its final form demonstrate the point I am making here. The module's content illustrates how value orientations from different traditions can come to an "overlapping consensus" on the importance of morality. But, perhaps even more importantly, the process by which this module came into existence—drafted by a Western scholar (me) and then shaped into its final form by input from scholars from around the world—demonstrates how a value-based argument can be constructed. In other words, both the content and the creation of this module demonstrate how universal values can be constructed.

Ethics, Diversity, and Pluralism

A second E4J module that reveals something about the nature of universalism is entitled "Ethics, Diversity and Pluralism." A module focused on the question of

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pluralism and diversity might well be seen to stand in opposition to the idea of universal values. However, as noted above, the module on universal values opened up the question of pluralism and diversity by highlighting the tension between universalism and particularism. This module also resisted reliance on any one single historical tradition; so, while John Locke's defense of toleration figures prominently, so does the historical case of Cyrus the Great, the ancient Persian king who embraced a plurality of beliefs in his empire by encouraging the building of temples to gods other than his own. In fact, as the module suggests, the example of Cyrus may be a better one (at least from what we know) than that of Locke. Locke defended toleration, which can mean accepting the existence of others without acknowledging the benefits of diversity. Cyrus's policy, on the other hand, while perhaps driven by the need to protect his empire, relied on the idea of pluralism, which is not about grudging acceptance of difference but rather about an embrace of difference as a benefit to one's own person.[22]

The process of drafting this module raised some contested issues, particularly around sexual orientation. One consultant from an African state objected to some of the proposals concerning ethics and sexual orientation. According to this individual, to teach that material in an African university context would be more controversial than it would be to teach it at a European university. This individual would certainly know more about this than those of us teaching in North American or European contexts, where arguments about the ethics of sexual orientation or gender identity tend to rely on a liberal ethos in which the freedom to openly inhabit one's lived identity has become a dominant assumption.[23] This would seem, at first glance, to be an instance of the relativist position established by philosophers such as Michael Walzer; in the particular sphere of a community in which such norms are contested, outside institutions and frameworks should not be imposed on that community.

Yet, the case here is slightly more complex and actually reinforces some of the points about defending and justifying universal values. The individual who objected to this module's content taught at a religious university, and the objection being made was tied directly to the religious teachings of that tradition. In other words, this was not a relativist claim, or one grounded in an acceptance and acknowledgement of different ways of being in the world. Rather, it was an alternative universal position, one that relied on universal assumptions not just about ethical behavior but also about the human person more generally. In response to this concern, the UNODC leadership, based on advice from a number of

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consultants, worked to modify some of the language in the module so that it did not appear to promote any particular lifestyle. Rather, in the module on diversity and plurality, it argued for pluralism, which is the idea that there exists a range of different ways of being in the world.

The outcome is that the module does contain a defense of universal values, those of pluralism and acceptance of diversity. In including such a defense, however, the drafters of the module faced resistance from those who drew upon a tradition in which universal values are set in time and space and do not change, particularly when it comes to gender identity and sexual orientation and the human person. The religious position in which this particular resistance originated is not always closed to various forms of justification, but the advocates' understanding of this particular issue did not allow for any alternative understandings. The procedures developed by UNODC for drafting and then assessing this module, which involved dialogue with the individual who raised concerns about the module and a wider discussion among consultants and staff, suggests how alternatives can emerge from a more dialectical process—that is, how universal values can be carefully constructed, even when they are contested.[24]

Admittedly, those involved in assessing and deliberating about this particular module and the ethical claims being made may already have been inclined to find consensus. That is, they were seeking to find solutions to clashing universalist claims and so were already predisposed to find common ground. A harder case would certainly be one in which values need to be justified to those with much stronger religious or philosophical beliefs who do not see the need to change their views. This essay cannot resolve this issue, but it is important to acknowledge that the efforts described here will not necessarily change the world overnight. However, by constructing these modules and seeking to advance the claims contained in them through an educational process, some change is possible. To have these modules taught at those universities where rigid views on values exist might at least push some in those contexts to think carefully about alternatives.

Conclusion

This short essay cannot possibly address all the difficulties and tensions that arise when universal values are at stake. What it has done, I hope, is suggest how the process by which UNODC undertook this particular project demonstrates how scholars might play a role in constructing universal values. Moreover, because these modules

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are designed for university educators, they also reinforce the centrality of education, and the role of teaching for university academics, in the process of creating such values. Indeed, both Plato and Aristotle highlighted the importance of education when thinking about the intersection of ethics and politics. The work of UNODC provides one example of how a global effort along these lines might be possible.

NOTES

[1] The quote comes from Hans J. Morgenthau's *Politics among Nations: The Struggle for Power and Peace* (New York: Alfred A. Knopf, 1948), p. 249. Morgenthau is a more complicated figure on the question of ethics than this quote would allow, but it does capture a sentiment shared among many scholars of international relations.

[2] Robert J. Myers, "Introducing Ethics and International Affairs," *Ethics & International Affairs* 1 (March 1987), p. 1.

[3] Frances V. Harbour, "Basic Moral Values: A Shared Core," *Ethics & International Affairs* 9, no. 1 (March 1995), pp. 155–70.

[4] Thanks to Patrick T. Jackson for forcing me to clarify these points.

[5] Simon Caney, chap. 2 in *Justice beyond Borders: A Global Political Theory* (Oxford: Oxford University Press, 2005).

[6] John Rawls, "The Idea of an Overlapping Consensus," *Oxford Journal of Legal Studies* 7, no. 1 (Spring 1987), pp. 1–25.

[7] Caney, *Justice beyond Borders*, pp. 35–36.

[8] Michael Walzer, *Spheres of Justice: A Defense of Pluralism and Equality* (Oxford: Blackwell, 1983); and Michael Walzer, *Thick and Thin: Moral Argument at Home and Abroad* (Notre Dame: University of Notre Dame Press, 1994).

[9] Caney, *Justice beyond Borders*, p. 42.

[10] Jack Donnelly, "The Relative Universality of Human Rights," *Human Rights Quarterly* 29, no. 2 (May 2007), pp. 281–306.

[11] For a description of how the UDHR came into existence on the basis of an effort to bring together a range of different traditions of thought, see Johannes Morsink, *The Universal Declaration of Human Rights: Origins, Drafting, Intent* (Philadelphia: University of Pennsylvania Press, 1999).

[12] Parts of this section are drawn from a forthcoming chapter, "Practical Constitutionalism: Reflections on Friedrich Kratochwil's Praxis: On Acting and Knowing," in Gunter Helmann and Jens Steffek, eds., *Praxis as a Perspective on International Relations and Law: Friedrich Kratochwil and His Critics* (unpublished manuscript).

[13] United Nations Office on Drug and Crime, *Doha Declaration: On Integrating Crime Prevention and Criminal Justice into the Wider United Nations Agenda to Address Social and Economic Challenges and to Promote the Rule of Law at the National and International Levels, and Public Participation* (paper adopted at the Thirteenth UN Congress on Crime Prevention and Criminal Justice, Doha, April 12–19, 2015; New York: United Nations, 2015), www.unodc.org/documents/congress//Declaration/V1504151_English.pdf.

[14] The project is ongoing, and so not all nine topics emerged at the initial meeting in 2017.

[15] The full list of modules is as follows: "Introduction"; "Ethics and Universal Values"; "Ethics and Society"; "Ethics and Leadership"; "Ethics, Diversity and Pluralism"; "Challenges to Ethical Living"; "Strategies for Ethical Action"; "Behavioural Ethics"; "Gender Dimensions of Ethics"; "Media Integrity and Ethics"; "Business Integrity and Ethics"; "Integrity, Ethics and Law"; "Public Integrity and Ethics"; and "Professional Ethics."

[16] "University Module Series: Integrity and Ethics; Module Series: Overview," The Doha Declaration: Promoting a Culture of Lawfulness, UNODC, n.d., www.unodc.org/e4j/en/tertiary/integrity-ethics.html.

[17] "University Module Series: Integrity and Ethics; Module 2: Ethics and Universal Values," The Doha Declaration: Promoting a Culture of Lawfulness, UNODC, n.d., www.unodc.org/e4j/en/integrity-ethics/module-2/index.html.

[18] "University Module Series: Integrity and Ethics; Module 2: Ethics and Universal Values; Key Issues," The Doha Declaration: Promoting a Culture of Lawfulness, UNODC, n.d., www.unodc.org/e4j/en/integrity-ethics/module-2/key-issues.html.

[19] Ibid.

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[20] "University Module Series: Integrity and Ethics; Module 2: Ethics and Universal Values," The Doha Declaration.

[21] Brooke Ackerly, "Interpreting the Political Theory in the Practice of Human Rights," *Law and Philosophy* 36, no. 2 (January 2017), pp. 135–53.

[22] For defenses of pluralism in a deep sense, see William E. Connolly, *Pluralism* (Durham, N.C.: Duke University Press, 2005); and Richard E. Flathman, *Pluralism and Liberal Democracy* (Baltimore: Johns Hopkins University Press, 2005). For a discussion of how these two theorists can be seen as contributing to an ethos of pluralism at the international level, see Anthony F. Lang Jr., *International Political Theory: An Introduction* (London: Palgrave, 2014), pp. 180–97.

[23] Admittedly, African countries are not the only place where such matters of identity are questioned; the United States has also seen heated debate on such questions both in universities and more widely. The point here is that among those participating in this project it was a scholar from an African country who raised this concern. Moreover, I have chosen not to identify the country or university from which the scholar came, not in order to generalize the relevance of this point across all of Africa, but to ensure the anonymity of the individual who raised it.

[24] For one effort to think about how values and norms can develop through a process of contestation, see Antje Wiener, *Contestation and Constitution of Norms in Global International Relations* (Cambridge, U.K.: Cambridge University Press, 2017).

Abstract: This essay explores the possibility of universal values. Universal values do not exist as Platonic ideals nor do they exist in clearly defined lists of rules or laws. Rather, universal ethical claims are constructed through the actions of individual political leaders, scholars, and activists. This essay explores how such normative constructions take place. It uses an initiative undertaken by the UN Office of Drugs and Crime to further education around corruption as an example of how such universal values come into existence. The initiative focused on developing teaching materials for higher education. The essay focuses on two particular modules, both their content and the process by which they were written.

Keywords: universal values, United Nations Office of Drugs and Crime, UNODC, Aristotle, Mencius, anticorruption, tolerance, pluralism

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