International Distributive Justice

Consider the following five claims:

1. Every human has a right to equal consideration.
2. Existing boundaries separating political states have been drawn in a morally arbitrary fashion.
3. Political communities owe their membership neither to consent nor to any other voluntary transaction.
4. There is such great disparity in international wealth that many people’s life prospects are profoundly affected by the country in which they are born.
5. One’s country of birth is a matter of brute luck.

It is difficult to deny any of these five claims, and their combination has inspired an increasing number of theorists to espouse egalitarian cosmopolitanism, a view that revolves around the idea that it is unjust for a person’s life prospects to be substantially affected by the country into which he or she is born. Indeed, it might appear as though one has only two choices: become an egalitarian cosmopolitan or refute one of the five claims. This dichotomy poses something of a dilemma for the account of political self-determination that we have been developing and defending in the previous chapters of this book.

On the one hand, if we accept egalitarian cosmopolitanism, then our account of the right of self-determination becomes highly vitiated. The reason is that we would then be saying that justice requires an equalization of life prospects for all humans. Even if such an equalization were possible in a system of politically self-determining states, which is highly unlikely, the requirement would place very tight constraints on the exercise of self-determination: Legitimate states would still have a moral right to order their affairs, but only subject to the condition that their choices not result in any substantial inequality of life prospects for any humans anywhere. The implications of such a condition for economic policy, or even for any domestic policy that would have a substantial impact on productivity or efficiency, are not difficult to discern in broad outline: States would be hemmed in when it came to virtually any domestic policy,
under a duty to redistribute wealth if they adopted especially effective wealth-production policies and, presumably, a duty to avoid policies that would leave them with substantially less wealth than other states. Whatever the details of such duties, it seems clear that the right of political self-determination would need to be highly qualified in light of them. The right would consist of, as it were, the dominion that is left over once a state has discharged its egalitarian cosmopolitan duties, and our suspicion is that not much of significance would be left over.

On the other hand, the dichotomy says that if we reject egalitarian cosmopolitanism, then we must confront the task of refuting one of the five claims with which the chapter began. Yet, none of those claims appears vulnerable. So do we concede that the right of self-determination needs to be much more highly qualified than has been suggested in previous chapters? Our answer is "No," because, in this chapter, we reject the dichotomy. Without contesting any of the five claims, we eschew egalitarian cosmopolitanism. Despite resisting this increasingly popular position, however, we do not defend anything like the status quo. As we argue below, there are ample grounds on which to criticize the global economic landscape without resorting to egalitarian cosmopolitanism.

RAWLS AND EGALITARIAN COSMOPOLITANISM

What one says about the (in)justice of the current global distribution of wealth obviously depends upon one's theory of justice. It is not surprising, then, that one of the most popular arguments for egalitarian cosmopolitanism is simply to endorse John Rawls' highly acclaimed theory of domestic justice and then argue that it has egalitarian cosmopolitan implications. Given that Rawls' theory is the most sophisticated and celebrated account in the literature, this is a reasonable strategy. With this point in mind, let us review Rawls' theory of justice as fairness.

In A Theory of Justice, Rawls sought to develop an approach that was systematic and powerful like utilitarianism, but which still accommodated non-utilitarian notions like fairness. In building his account of "justice as fairness," he drew inspiration from a simple, paradigmatically fair distributive method. In particular, Rawls began by considering the fairest way for Jill and Jack to split a pie. One method, to which no one could object, would be to let Jill cut it into two pieces and then let Jack choose his piece first. Their pieces might not be exactly the same size, but neither could question the fairness of the distribution since Jill had the opportunity to cut the pie into equally desirable portions, and Jack could have chosen Jill's piece if he had so desired. In Rawls'
view, the key to developing an adequate theory of distributive justice was to devise an analogous method for the more complicated division of the costs and benefits of social cooperation.

To see how he attempted this, suppose that ten people need a fair way to split a pie. Presumably, the best strategy would be for one person to divide the pie into ten pieces with the understanding that she will get the last piece. Naturally, the pie-cutter will do her best to divide the pie into ten equal pieces since any inequalities will result in the biggest pieces being taken first and, ultimately, the smallest piece being left for her. A complication arises, however, because we cannot assume that the size of the pie is constant. If the pie is analogous to the costs and benefits of social cooperation, its size will depend on how society's basic institutions are organized. The reason is that different institutional arrangements will create different levels of incentive for productive activity. Accordingly, distributing products equally can inhibit the incentive to produce, since each person will be disinclined to produce when she gets to enjoy all of her leisure but only one-tenth of her production. Thus, dividing the communal pie into ten equal slices will lead to a smaller overall pie, and, because the pie-cutter would not insist upon equal-sized slices at the expense of the absolute size of her own slice unless she were exceptionally envious, the cutter would rationally prefer any inequalities which would result in the last piece of pie being bigger than it would be otherwise. After all, the person who arranges the sizes of the ten pieces chooses last, and she can reasonably expect that her nine companions will leave the smallest piece for her. Thus, once we transpose the pie-cutting model to a larger group and then add the observation that our method of distribution has an effect on the size of the pie as a whole, we end up with the following recommendation: The costs and benefits of social cooperation are to be arranged so that the worst-off person has the best-possible share.

Now that we have a sense of Rawls' overarching aim, let us examine his defense of justice as fairness. Rawls formulates his theory so that it includes two key principles, but because the second principle is two-pronged, his account may be understood in terms of three distinct principles: the Principle of Equal Basic Liberties, the Principle of Fair Equality of Opportunity, and the Difference Principle. The Principle of Equal Basic Liberties, which enjoys priority over the other two, specifies that "each person has an equal claim to a fully adequate scheme of equal basic rights and liberties, which scheme is compatible with the same scheme for all." In other words, each person is to have an equal right to as extensive a set of such liberties as the freedom of conscience, freedom of speech, freedom of political participation, the right to private property, etc., as is compatible with everyone else enjoying these freedoms to the same extent. The Principle of Fair Equality of Opportunity
requires that offices and positions be genuinely open to all under conditions of fair equality of opportunity. The idea here is simply that each person should be able to compete on a level playing field, so that those with the same talents and motivation enjoy equal opportunities to assume positions of economic reward, power, and prestige. And finally, the Difference Principle asserts that social and economic inequalities are to be arranged so that they are of the greatest benefit to the least advantaged. In other words, deviating from equality is permissible only when it is to the maximal advantage of those who end up as the worst-off.

It is apparent how these principles derive their inspiration from the pie-cutting scenario, but notice that Rawls also seeks to support his theory with the same reasons which inspire our confidence in the fairness of the pie-cutting procedure. To appreciate this point, recall that Jill and Jack will not necessarily get precisely equal pieces of pie. Thus, the method of division is not justified exclusively by the size of the portions; the distribution is also justified because it is the result of a procedure to which neither could sensibly object. Put simply, Jill and Jack would both rationally agree to this method of division. Similarly, Rawls seeks to defend his principles by showing that they too would be agreed to by rational bargainers in a suitable choice situation. The basic idea is to construct a thought experiment which demonstrates that, like Jill and Jack with their respective pieces of pie, no one living in a society whose basic institutions are in accord with the principles of justice as fairness could reasonably contest her lot. Thus, the description of the rational-choice situation, the "original position," is extremely important because Rawls seeks to justify his theory not only on the grounds that his principles square with our considered judgments of social justice, but also because they would be chosen by rational contractors in circumstances that we all agree are fair.

The first point to notice about the rational bargainers is that we cannot use actual people who are aware of their circumstances because white, male Christians are liable to lobby for rules which favor white, male Christians, for instance, while black, female Muslims might seek rules privileging black, female Muslims. Moreover, because the wealthy and powerful have greater bargaining power, the principles likely to emerge from any negotiations among actual contractors would reflect these power differentials. Such principles would not necessarily be fair, of course, since they stemmed from a morally arbitrary source. To derive principles to which no one could reasonably object, then, we must strip each contractor of any morally arbitrary advantages in bargaining power, and the best way to do this, Rawls suggests, is to put the contractors behind a "veil of ignorance" where they lack knowledge of their personal characteristics and station in society. If each contractor has no idea whether she is black or white, female or male, Muslim or Christian, for instance, then
she will not be concerned merely to protect people of her own description. In Rawls' view, the setup of the original position reflects the liberal idea that each individual is to be treated as a free and equal person and so the principles to which the contractors agree will establish a basic structure for their society that guarantees to all freedom and equality.

Rawls proposes that the bargainers would reason as follows. First and foremost, they would insist on the Principle of Equal Basic Liberties because each would want to ensure her freedom to live according to her own conscience. If a contractor knew that she was a Muslim, for instance, she might want a state which favors Muslims, but since the contractor knows neither her religious convictions nor which religion is dominant, her first priority will be to secure an arrangement wherein each person is at liberty to worship (or not) as she sees fit. Similarly, each rational bargainer would insist that all public offices and other positions of authority are effectively open to all. Again, unless one knows that one was a member of the privileged caste or class, one would want to make sure that everyone has an equal shot at all positions of consequence. Finally, when it comes to distributing the basic goods of society, the best way to ensure that one has sufficient means to live a rewarding life is to arrange things so that one's worst-case scenario is as good as possible. In other words, one would distribute equally what Rawls calls "social primary goods" (goods such as rights, liberties, wealth, power, and opportunities, which virtually everyone needs to pursue their goals and projects), unless departing from equality would improve the smallest portion. Given the rationality of this reasoning, Rawls concludes that the contractors would opt for his principles of justice. And because the rational preferences of bargainers behind the veil of ignorance lend support to whichever arrangements they endorse, Rawls sees this thought experiment as compelling support for his conception of justice as fairness.

Rawls emphasizes that he is concerned with the basic structure of a particular society, and not with private organizations within a society or with global justice, but he does speculate that "[w]ith suitable modifications [his] theory should provide the key for some of these other questions." And, despite Rawls' disclaimer about the applicability of the theory to matters beyond the state's borders, other philosophers have utilized it for precisely that purpose. Indeed, bearing in mind the five claims listed at the beginning of this chapter, justice as fairness seems quite straightforwardly to point in the direction of egalitarian cosmopolitanism. The basic idea is this: If it is unjust that someone should have worse prospects in life merely because she happened to have been born black rather than white, then it would equally seem unjust for someone to be disadvantaged merely because she happened to have been born in Chad rather than in Sweden. Accordingly, for the same reasons that Rawls requires that the bargainers behind the veil of ignorance not know their skin color, they ought
not to know their nationality. Thus, just as domestic contractors would select principles which insure that the basic structure of their society does not tolerate any inequalities among the races, international contractors would choose principles which insure that global arrangements do not privilege the citizens of some countries over others. In short, when we think of international distributive justice, there seems every reason to suspect that the contractors in a suitably modified original position would want to apply Rawls' principles globally. Thus, because one apparently need invoke only Rawls' theory of domestic justice and the five claims outlined above in order to defend egalitarian cosmopolitanism, it is not surprising that so many theorists are now coming to endorse this view.

CONTESTING Egalitarian Cosmopolitanism

There are two obvious ways to contest the foregoing case for egalitarian cosmopolitanism. One could challenge whether Rawls' theory genuinely has the international implications that many philosophers think it has, or one might question justice as fairness. Consider the prospects of each strategy.

In his last book, Law of Peoples, Rawls himself apparently denies that his theory of justice implies egalitarian cosmopolitanism. Using the term "peoples" to refer to politically organized societies, Rawls advances the following principle of international distributive justice: "Peoples have a duty to assist other peoples living under unfavorable conditions that prevent their having a just or decent political and social regime." A just regime is one that embodies some form of the liberal idea that justice requires each and every citizen to be treated as a free and equal person. A decent regime does not measure up to liberal justice. However, such a regime does at least embody a conception of justice that takes into account the interests of all its constituents and so, as Rawls sees it, decent regimes should be tolerated by liberal ones: Decent regimes should be free from all coercive efforts by liberal ones to make them more like the liberal ones. Political societies that are operating under such unfavorable economic and social circumstances that they cannot achieve the level of a decent regime, much less a liberal one, are called "burdened societies" in Rawls' terminology. His principle of international distributive justice requires that liberal and decent regimes render such assistance to burdened societies so that they can become liberal or decent themselves.

Egalitarian cosmopolitans are doubly dissatisfied with this principle of international distributive justice: Not only does it conceive of this duty as obtaining among societies rather than individual persons, it demands too little redistribution from the haves to the have-nots. First, conceiving of the
duty of assistance as obtaining among peoples, that is, among collectivities, is problematic because it renders one incapable of ensuring that each individual receive what justice requires. The reason is that, even if the haves as a people give all that can legitimately be asked of them to the have-nots as a people, there is no guarantee that the have-nots will subsequently ensure that all among them have enough to satisfy even their most basic needs. Second, even if Rawls were right to insist that international redistribution should occur between groups, it is not clear why he believes that the better-off societies must give burdened societies only as much as they need to become minimally decent. Put another way, why think that an inequality is unobjectionable as long as no society is so poor as to be burdened? It seems more natural to think that the same reasons Rawls invokes in defense of the difference principle at the domestic level would apply equally, mutatis mutandis, to international inequalities, and that the least-advantaged political societies should be raised as high as possible on the scale of economic well-being.

In addition, some criticize Rawls for inexplicably failing to acknowledge the existence of a global basic structure and (as a consequence) misconceiving global distributive justice as a matter of redistribution. In *Theory*, Rawls writes:

The basic structure is the primary subject of justice because its effects are so profound and present from the start. The intuitive notion here is that this structure contains various social positions and that men born into different positions have different expectations of life determined, in part, by the political system as well as by economic and social circumstances. In this way the institutions of society favor certain starting places over others. These are especially deep inequalities.\(^\text{9}\)

But if it is true that each society has a basic structure that "favor[s] certain starting places over others," then it is all the more true that in international society certain starting places are favored over others. And if domestic justice includes the Difference Principle, which demands that society raise as high as possible the least-advantaged within it, then it would seem that international justice should include a Global Difference Principle, demanding that we raise as high as possible the least-advantaged within global society.

*Law of Peoples* appears seriously flawed, then, because Rawls commits either the empirical error of failing to recognize that a global basic structure exists or the normative mistake of thinking that the international basic structure is not as morally significant as its domestic counterpart. Either way, this oversight is thought to be a grave one because the existence of a morally significant global basic structure appears to have profound implications for whatever duties of international assistance one should posit. Not only would justice demand an international arrangement in which the have-nots get much more of the global economic pie than Rawls suggests, the establishment of such an
arrangement would be a matter of distribution, not redistribution. As Thomas Pogge, explains:

the tenor of [Rawls's] remarks throughout is that a global difference principle is too strong for the international case.... This suggests a view of the difference principle as a principle of redistribution, which takes from some to give to others: The more it redistributes, the more demanding is the principle. But this view of the difference principle loses an insight that is crucial to understanding Rawls's own domestic difference principle: There is no prior distribution, no natural baseline or neutral way of arranging the economy, relative to which the difference principle could be seen to make redistributive modifications. Rather, there are countless ways of designing economic institutions, none initially privileged, of which one and only one will be implemented. The difference principle selects the scheme that ought to be chosen. The selected economic ground rules, whatever their content, do not redistribute, but rather govern how economic benefits and burdens get distributed in the first place.9

In sum, this criticism alleges that Rawls fails to acknowledge the presence of a global basic structure and therefore mistakenly advances an overly cautious principle of redistribution instead of an appropriately ambitious theory of international distribution.

In our view, these objections to Rawls' principle in Law of Peoples are compelling. If one accepts that justice requires correcting for any significant distributive effects of morally arbitrary factors, as Rawls seems to accept in his design of the original position, then stopping short of a Global Difference Principle cannot be justified. Accordingly, we think that a successful challenge to egalitarian cosmopolitanism must rest on an argument that justice as fairness should be rejected in favor of some alternative account of justice. Indeed, we have serious reservations about a key element of justice as fairness. In particular, without questioning the premise that there is a human right to equality, we hold that realizing equality does not require that no one's life prospects be substantially affected by morally arbitrary matters of luck, such as where one is born.

To appreciate our concerns, notice that by relying on a certain conception of fairness, Rawls incorporates a distinctive understanding of equality into his theory of justice. In particular, insofar as he begins with the conviction that it is unfair for people to have divergent life prospects because of some characteristic which is merely a matter of brute luck (like one's color of skin), Rawls thereby appears to embrace what has come to be known as "luck egalitarianism": the view that injustice occurs whenever one's life prospects are affected by matters of luck.10 This view is also central to egalitarian cosmopolitanism. However, we will argue that the most compelling understanding of equality does not require insulating the life prospects of individuals from the effects of
luck; instead, justice demands that national and international society address, not all inequalities deriving from luck, but rather those inequalities that render people vulnerable to oppressive relationships.\textsuperscript{11}

We do not deny the obvious appeal of luck egalitarianism. It seems patently unfair that some people's life prospects are dramatically worse than others when neither the poorly-off nor the well-off did anything to deserve their initial starting points, and it is hard to deny that the world would be better if, \textit{ceteris paribus}, everyone enjoyed roughly equal prospects for a rewarding life. It is important to recognize, though, that luck egalitarianism has competitors, and we are choosing among the alternatives for a \textit{theory of justice}, not merely to describe our ideal world. This latter point is important because we are not omnipotent beings charged with creating a perfect world from scratch; we are selecting principles which can plausibly be coercively imposed upon others. Given this task, we judge that one of luck egalitarianism's competitors, relational egalitarianism, is superior.\textsuperscript{12}

Elizabeth Anderson provides an especially lucid explanation and defense of relational egalitarianism. Her account takes as its point of departure the question: "What is the point of equality?" In Anderson's view, answering this question reveals most clearly why relational theories are preferable to those which fixate on luck. The crucial point is that we should care about inequality principally to the extent that subordinates are dominated in oppressive relationships. For this reason, Anderson insists that we should be "fundamentally concerned with the relationships within which the goods are distributed, not only the distribution of goods themselves."\textsuperscript{13}

To appreciate the force of this point, compare two possible inequalities. The first exists between two societies, A and B. Assume that everyone in A is equally well-off; everyone in B is doing equally poorly; and no one in either A or B knows anything of the other society's existence, since they are on opposite sides of the earth and have never had any contact. The second inequality mirrors the disparity between the As and Bs, except that it exists \textit{within} a single society C. And because the Cs share a single political community, they are not only aware that others are faring considerably better/worse, they occupy relationships that are affected by these inequalities. We take it as uncontroversial that the inequality among the Cs is much more worrisome than the same inequality between the As and Bs. In other words, even if it would be better if, \textit{ceteris paribus}, there were no inequality between the As and Bs, we should, as a matter of justice, be much more concerned to eliminate the inequality among the Cs. Based in part upon reasoning like this, Anderson concludes that "[n]egatively, people are entitled to whatever capabilities are necessary to enable them to avoid or escape entanglement in oppressive relationships."
Positively, they are entitled to the capabilities necessary for functioning as an equal citizen in a democratic state.\footnote{14}

Michael Walzer provides another version of relational egalitarianism, well capturing its key insights:

It's not the fact that there are rich and poor that generates egalitarian politics but the fact that the rich "grind the faces of the poor," impose their policies upon them, command their deferential behavior. Similarly, it's not the existence of aristocrats and commoners or of officeholders and ordinary citizens that produces popular demand for the abolition of social and political difference; it's what the aristocrats do to commoners, what office holders do to ordinary citizens, what people with power do to those without it. The experience of subordination — of personal subordination, above all — lies behind the vision of equality.\footnote{15}

Walzer and Anderson present different versions of relational egalitarianism. What is common to them, however, is the idea that the kinds of inequality that are of greatest moral concern are those that involve an asymmetry that empowers the better-off to systematically treat the worse-off in ways that seriously wrong them. The wrong is variously identified as oppression or domination.\footnote{16} In whatever way one thinks that the wrong is best explained, the key point is that the focus of moral concern should not be on inequality as such but rather on what the wealthy or the politically powerful or the socially privileged can do, with impunity, to those below them. And what the better-off can do to those below them is a function of the kind of relationship in which they find themselves. If there is no relationship — as with the As and the Bs — then, even if there is a large inequality, the most important egalitarian concern has no foothold.

The views of Anderson and Walzer convince us that equality, as a demand of justice, must be understood in a way that is sensitive to the relationships within which social goods are distributed. We would eliminate the inequality between the As and Bs if it could be done by waiving a magic wand that would alter the historical trajectories of both societies so as to bring them smoothly to something approximating the current mean level of wealth between them. However, their current inequality is not sufficiently worrisome that justice licenses interference in the internal affairs of the As in order to eliminate the inequality between them and the Bs. Because the inequality among the Cs is much more troubling from the standpoint of justice, on the other hand, it might be permissible in principle for other states to demand, on pain of sanction, that the wealthy Cs take measures to ensure that the less well-off Cs are not entangled in oppressive relationships.\footnote{17}

At this point, a critic might counter that the moral importance of an inequality cannot be a function of the relationship within which the goods are distributed unless one's being in this relationship is a matter of brute luck (as
is presumably the case with one's being born a citizen of a wealthy society). But this objection fails to appreciate the extent to which relational equality is a genuine alternative to luck equality. According to the brand of relational egalitarianism we favor, the key issue concerns which inequalities facilitate oppressive relationships, not which ones owe their existence to mere luck. Because it is the existence of oppression which is morally crucial, and because not all inequalities leave those with less vulnerable to oppression, justice is not concerned with all inequalities, or even with those inequalities which have no source other than luck. As a consequence, even if a world with no inequality between the As and the Bs would be preferable, eliminating this inequality is not important enough to justify coercively requiring the As to transfer some of their wealth to the Bs. To recapitulate: Given that the moral importance of any particular inequality is mainly a function of the relationship in which the goods are distributed, the lack of a robust relationship between the constituents of a wealthy state and the citizens of a poorer country implies that this inequality does not obligate those in the relatively wealthy state to share their assets with those in the relatively poor country, even though the location of a person's birth is a matter of luck.

Others might worry that relational egalitarianism implausibly treats duties to realize equality as merely conditional duties. Richard Arneson, for instance, has objected that "[i]f there is a norm that a male should take off his hat if he is in church, then so far as this norm is concerned, a male who is in church and wants to avoid the obligation to keep his hat on can simply leave the church. For my part, I find it counterintuitive to regard social justice obligations as optional or avoidable in that way." We suspect that part of what makes this objection seem cogent is the fact that wearing hats in church is of no consequence to the lives of others. If it were true that a man's wearing a hat in church caused innocent people to die, on the other hand, then there would be nothing mysterious about saying that justice does not require men to stay out of church, nor does it prohibit men from ever wearing hats, but it does require men to refrain from wearing hats in church. Similarly, if it is true that some inequalities render people vulnerable to oppression only in the context of certain types of relationships, there is nothing curious about saying that justice does not require the elimination of all inequality, nor does it require that people stay out of these types of relationships, but it does require that people avoid specified inequalities within the context of certain relationships.

Yet, Arneson still might worry that, on a relational egalitarian theory, one party to a relationship can escape all obligations of justice to the other party simply by ending the relationship. But history matters morally, and ending a relationship does not produce a situation that is the moral equivalent of never
having been in the relationship in the first place. In a divorce, for example, the parties will often have post-divorce obligations that stem from their having been married. One could say that such obligations mean that the relationship has not ended entirely but continues in an attenuated form. We would not object to that description. But the description simply shows that, contrary to Arneson’s worry, neither of the parties in such a relationship have the moral power to extinguish willy-nilly all ties between them, because there are certain obligations of justice that survive the termination of the marriage and cannot be unilaterally willed away by one of the parties. Similarly, when it comes to political relationships, some obligations of justice between the parties might survive even as one of the parties terminates the current form of the relationship.

One more concern about relational egalitarianism worth mentioning here is the criticism that it wrongly prohibits some changes that are Pareto superior. To see this, recall the inequality between the As and Bs which relational egalitarianism allows. Now imagine that one of the people from B is willing to endure a second-class status among the As because she can earn more working among the As than if she remained among the Bs. Relational egalitarianism would object to this person’s move even if both this person and the As would thereby be made better-off. But if everyone is benefited by the move, surely it cannot be morally problematic. Our response to this is twofold. First, the idea that all Pareto improvements must be morally permissible presumes that consequences are all that matter morally. If one believes things other than consequences (like fairness, for instance) can be independently morally significant, on the other hand, then one cannot assume that all moves which are Pareto superior must be morally permissible. Moreover, it is important to note that relational egalitarians need not insist that equality is the only moral consideration. Thus, a relational egalitarian might specify that the person’s move from B to A is in one way a moral improvement (insofar as it improves everyone’s circumstances), but in another way is morally problematic (insofar as it renders the person from B vulnerable to oppression in a way that she was not before). Clearly there is room for relational egalitarians to disagree among themselves as to how these competing considerations should be weighed, and of course any given relational egalitarian may or may not find the person’s move from B to A all things considered objectionable depending upon the specifics of the case.

Even if one shares our preference for relational over luck egalitarianism, however, one might think that the history of colonization and the current levels of international trade (among other things) illustrate that it is simply not the case that the world’s wealthy and poor are unconnected and unaware of each other (as we stipulate in our example of the As and Bs). On the contrary,
one consequence of the emerging global basic structure is that virtually all
the world's people now share some type of relationship, so presumably even
relational egalitarians cannot dismiss the moral significance of global inequality. In other words, just as theorists like Pogge have cited the emerging global
basic structure to undermine Rawls' views on international justice, one might
invoke this global basic structure against a relational egalitarian to show that
the world's wealthy and poor are substantially related to one another.

We acknowledge that the emerging global basic structure entails that virtually all of us have increasingly substantial relationships with people all over the
world. And from relational egalitarianism, it follows that the more robust these
relationships become, the more concern there should be about the inequalities
within them. But we can concede all of this without committing ourselves to
egalitarian cosmopolitanism because our account has never relied upon the
claim that being compatriots is the only morally relevant relationship. On the
contrary, our account requires only the less ambitious (and more plausible)
claim that the relationship among compatriots is one relationship with morally relevant implications for inequality. To appreciate the significance of this
point, consider the question of who was morally responsible for the crimes
committed in apartheid South Africa.

In the late 1980s, activists argued that average Americans were partly to blame
for the injustices being perpetrated in South Africa. The idea was that, insofar as American corporations were investing in South African companies and
American politicians were recognizing the apartheid government as legitimate,
Americans were financially and socially supporting the South African system
in its oppression of blacks. As such, Americans were complicit in the injustice
and thereby had a special obligation to divest themselves of all South African
companies and to put political pressure on the South African government to
reform. We accept this argument, but we would also emphasize that, whatever
responsibility the average American had to work for the elimination of injustice
in South Africa, it was clearly less than that of the average white South African.
The idea here is straightforward enough: Even if it is true that the average
American was related to the injustices being perpetrated in South Africa (insofar as she voted and paid taxes in support of a government which continued
its diplomatic relations with the South African government, for instance), the
average South African was more intimately related to these injustices (insofar as
she voted and paid taxes in support of the government which actually imposed
the system of racial apartheid). Thus, just as we can find an accomplice guilty
of being an accessory to murder without necessarily suggesting that she is just
as responsible as the murderer, we can hold average Americans morally respons-
ible for injustices in South Africa without supposing that they must be just as
responsible as the white South Africans themselves.
This discussion of the relative levels of moral responsibility for political injustice in South Africa is relevant to our inquiry into international justice because it illustrates that, even if it is true that people around the globe are becoming increasingly related, this in no way shows that foreigners are currently as closely related to one another as compatriots. Even though robust international relationships are emerging all over the globe, the inequalities among foreigners are in most cases not nearly as morally significant as the same inequalities would be when experienced between two citizens of the same country. In sum, if there is something to be said for relational theories of equality (as we have argued above), and if being a compatriot is a particularly close relationship (which the apartheid discussion is intended to show), then it is not necessarily unjust for a person’s life prospects to be substantially affected by the country into which he or she is born. In other words, one can concede all five of the claims listed at the outset of this chapter without thereby committing oneself to egalitarian cosmopolitanism.

It is important to recognize, however, that while we do reject egalitarian cosmopolitanism, we are not defending the status quo. One need not be an egalitarian cosmopolitan to find grounds for condemning the current global distribution of economic well-being as an outrageous injustice. Perhaps most obviously, while our support for a relational theory of equality precludes us from automatically condemning the relative poverty which currently exists internationally, it does not stop us from criticizing the staggering amount of avoidable absolute poverty which so much of the world’s population presently endures. Moreover, the relational account does help explain why certain inequalities are morally unacceptable for both relative and absolute reasons. Thus consider the well-documented inequalities between men and women. Martha Nussbaum refers to some of the key ones: Women “are less well nourished than men, less healthy, more vulnerable to physical violence and sexual abuse.”

She goes on to say that in much of the world, women “lack essential support for leading lives that are fully human. This lack of support is frequently caused by their being women.” Nussbaum is noting that women suffer from both relative deprivation, that is, they have less than men, and absolute deprivation, that is, they are frequently unable to live fully human lives because they are women. The absolute deprivation is a straightforward violation of the human rights of women: they are not protected by their states against the standard threats to leading a decent life. But, if our theory does not automatically judge relative inequality as morally unacceptable, are we not then unable to condemn women’s deprivation relative to men?

The answer is that we can and do condemn such relative deprivation, for the reason that it renders women vulnerable to oppression. For the fact is that women and men live side by side in the same society, inextricably enmeshed in
many sorts of relations with one another and, thus, any systematic and substantial gender inequalities will be especially prone to bring with it vulnerability to oppression. Accordingly, a relational theory of equality is especially sensitive to such inequalities and can help explain not only why the absolute deprivation of women is morally unacceptable, but also why their relative deprivation merits severe moral criticism.

**ABSOLUTE POVERTY: SINGER, SAMARITANISM, AND THE PARTICULARITY PROBLEM**

In the previous section we argued that economic inequality is not necessarily problematic, even if it stems from nothing more than luck. The basic idea was that in cases where having less does not leave one vulnerable to oppression, the mere fact that others have more need not in itself be a grave moral matter. Absolute poverty, however, is a different matter. Regardless of whether others have more or less, one endures absolute poverty when one is too poor to live a recognizably decent human life. Given that half of the world’s population survives on only $2 a day, and 20 percent has only half of that amount, absolute poverty unquestionably poses a moral problem daunting in its magnitude. The profoundly degrading conditions of life for those in absolute poverty create reasons of justice for wealthy people to offer assistance when doing so is not unreasonably costly. No one has defended this position more cogently than Peter Singer, and so in this section we first pursue a roughly Singerian line of argument before confronting a problem that requires some modification of the position.23

Singer defends two possible versions of the duty to attend to those who are impoverished. The more minimal position requires only that one help others when one can do so without sacrificing anything morally significant; the more ambitious stance demands that one must give until one is sacrificing something morally comparable.24 Although Singer prefers the more demanding version, we believe that any moral theory that requires one ceaselessly to sacrifice for the good of others should be rejected as too demanding. In our view, a person need not apologize for devoting the lion’s share of her time and resources to her self-regarding projects and loved ones. However, if another person is gravely imperiled and one can rescue her at no unreasonable cost to oneself, then one has a moral duty to do so. Following Singer, we believe that the best way to defend this principle is with a simple thought experiment.

Imagine, for instance, that you are reading this book and enjoying a cocktail by the pool at the Hard Rock Hotel and Casino in Las Vegas. Ordinarily, of
course, philosophical musings about a liberal theory of global justice would hold your undivided attention. On this occasion, however, you lift your head and notice that an unattended infant has just fallen into the shallow end of the pool and will surely drown unless someone immediately saves her. Are you morally required to rescue the baby? Does it matter that she is not your child and that you have no preexisting or special relationship with her?

We presume that almost everyone would agree that one ought to rescue the child, even if doing so would involve spilling one's drink and ruining the book. Perhaps one would not be obligated to help if the baby were not imperiled (one need not come to the infant's aid if she merely needed another coat of sunscreen or a long-overdue diaper change, for instance) or if the assistance would be unreasonably costly (as it would be if rescuing it were to trigger a life-threatening allergic reaction from the chemicals in the pool). Nevertheless, because the baby is sufficiently imperiled and you could save her without sacrificing anything significant, it does not matter that you are in no way related to, or especially responsible for, the child. Thus, it would be beside the point to protest: "It's not my baby" or "I never agreed to babysit that kid." These defenses might be relevant in some instances (if someone questioned why you had not changed the baby's diaper, for instance), but they are not germane in this case, because all of us have Samaritan duties to rescue even anonymous strangers when they are sufficiently imperiled and we can do so without significant cost to ourselves.

We take the preceding analysis to be commonsensical and thus presume that most readers will not seriously object to anything at this early stage. The strength of Singer's argument, though, is his recognition that surprising conclusions regarding international distributive justice follow from granting that we have moral duties to rescue others when they are sufficiently imperiled and we can assist them at no unreasonable cost. This is because there are currently masses of children starving to death, and virtually everyone reading this book is wealthy enough to save some of them without sacrificing anything significant. Thus, for the very same reasons that you would be morally required to save the drowning infant at the Hard Rock pool, you are morally required to contribute a modest amount, say $100, to saving the lives of a few children who are currently starving to death.

At this point, one might object that there is a huge difference between saving a drowning child in your immediate presence and sending money to help anonymous foreign children who are starving in some unfamiliar place, thousands of miles away. We appreciate that these two scenarios are likely to feel different to many of us, but Singer argues cogently that there is no morally relevant difference between them. In other words, whatever effect the difference in nationality, the physical distance, or the use of mediating devices might
make in motivating us to rescue someone else, the moral relations between you and the starving distant foreigner are the same as those between you and the drowning infant.

To see that shared nationality is not necessary to ground a duty to rescue, think again of the drowning infant at the pool. Does it matter whether the infant is your compatriot? Presumably not. Imagine, for instance, if an American who sat and watched the infant drown defended herself in the following fashion: "Ordinarily I would have leapt in to save the child, but I did not do so in this case because I knew she was Australian." One would be rightly appalled by this response. As long as the infant is sufficiently imperiled and one can rescue her without sacrificing anything significant, it makes no difference what nationality the two parties are because samaritan duties are owed to fellow human beings, not just to compatriots. (Notice, for instance, that the biblical story from which samaritan duties derive their name involves a gentleman from Samaria saving an imperiled stranger, not a fellow Samaritan.)

For similar reasons, it is irrelevant whether the rescuer and the imperiled person are on the same country's soil. Imagine, for instance, that the pool in question was not in Las Vegas but on a desert resort that straddles the United States–Mexico border. Suppose that in order to create a "Swim to Mexico" gimmick, the resort designed the small pool so that one side was in the United States and the other in Mexico. Would it make a difference whether the infant fell in the American or the Mexican portion of the pool? Presumably not. Combining these two points, a Canadian tourist lounging on the American side of the pool who saw an Australian infant fall in the Mexican portion of the pool would be just as morally obligated to perform the rescue as an American tourist on the American side of the pool who saw an American infant drowning in the American portion of the pool. In short, both the citizenship of the parties and the country in which the rescue must be performed are morally irrelevant. What is crucial is whether the rescue is sufficiently imperiled and can be saved at no unreasonable cost to the rescuer. Where both of these conditions obtain, neither nationality nor national location makes a difference.

At this point, one might object that while the national location of the two parties is irrelevant, their spatial location can make a difference because one is bound only to assist those in one's close proximity. To appreciate the moral relevance of distance, this critic might ask us to imagine that one is lounging beside the ocean rather than a pool. Suppose that one sees (perhaps through binoculars) an infant fall off the back of a boat ten miles offshore and that those on the boat did not notice the infant's fall. Additionally, there is no one else on the beach at the time. Under these circumstances, when the imperiled person is no longer right under one's nose, so to speak, it is not so clear that
one has a moral duty. And this apparent absence of a duty is explained, the skeptic suggests, by the distance between one and the infant.

We concede that there may be no samaritan duty in this case, but we deny that the lack of a duty is due merely to the physical distance separating the two parties. If one has no duty to rescue a drowning infant ten miles offshore, it is either because one is unable to do so (since the infant would no doubt drown before one could swim out to her) or because doing so would be unreasonably costly (since the rescuer might reasonably fear drowning or being attacked by sharks). To see that the distance itself is morally irrelevant, imagine that one has freakishly long arms that enable one to pull the baby out of the ocean without even getting out of one's chair on the beach. Or, if such long arms are too fanciful to consider, imagine that one has a speedboat, a jetpack, or even a giant crane that would enable one safely to retrieve the infant in a matter of seconds. Under these circumstances, we suspect that most would agree that one has a duty to save the drowning infant. Thus, once we strip this scenario of the features that undermine one's capacity to perform the rescue at no unreasonable cost, it becomes apparent that the issue of distance is not in itself morally relevant.

Finally, notice that it makes no moral difference whether one's rescue is mediated by devices or other people. Imagine, for instance, that after spending a couple of hours by the Hard Rock pool, you return to your hotel room to avoid getting sunburned. Fortunately, the hotel has closed-circuit television coverage of the pool, so you can continue to check out the lively scene from the comfort of your air-conditioned room. While watching on your room's television, you notice the infant fall into the pool. Because you are staying on the thirtieth floor, there is no way that you could make it down to the pool in time to save her yourself. Without getting out of your chair, however, you could pick up your cell phone and call the bartender at the poolside bar, who - once alerted - could easily rescue the infant herself. It seems to us that you are just as obligated to make that call, even if there would be a $100 roaming charge on your cell bill, as you would be to dive into the pool yourself. It makes no difference, in other words, whether one can personally rescue the drowning child or whether one can merely play a part in the rescue by calling others who, once informed, can complete the rescue.

Once one recognizes that neither nationality nor distance, nor the use of mediating devices and people in any way diminishes one's duty to rescue imperiled strangers, it is clear that one's duty to rescue starving infants in another part of the planet is just as pressing as the initial poolside rescue with which we began. Indeed, the last scenario of using one's cell phone to initiate a rescue of someone one sees drowning on a television monitor is very much like a situation that many of us routinely experience: We are watching some-
thing entertaining on television when a commercial alerts us that children suffering in absolute poverty desperately need our help. If it is clear that we have a duty to jump in the pool to save the infant, and we have a duty to make an expensive cellular phone call to the poolside bar, then it is equally clear that we have a duty to use our cell phone to make a modest donation (say, $100) to the institution saving the starving children. If the fact that the children are citizens of another country is irrelevant; if the physical distance between you and them makes no difference; if – like the loss of one’s cocktail and the damage to one’s book – the loss of $100 is not an unreasonable sacrifice; and if the use of mediating devices like cell phones, credit cards, and international relief agencies is not important; then it is difficult to avoid the conclusion that one’s moral duty to send money to those in absolute poverty is just as strong as one’s duty to jump in the pool to save a drowning child.

At this point one might protest that there remains a big difference between saving a single drowning infant and sending money to help masses of starving children: the number of people imperiled. Numbers might be thought to matter because when there is only one imperiled person, his or her peril becomes salient in a way that explains why you as a potential rescuer have no discretion but to help him or her. When there are numerous imperiled people (so many, in fact, that you could not possibly rescue all of them), no single individual’s peril is salient, and thus one retains the discretion as to whether or not to help.

We agree that numbers can matter morally, but we do not think they can make the type of difference that this objection supposes. More specifically, we acknowledge that one enjoys some discretion when there are more imperiled people than one could possibly save, but it is not the discretion to choose whether or not to perform the rescue; it is merely the choice of whom to rescue.

As a utilitarian, Singer does not couch his arguments in the language of rights, but we would explain this discretion in terms of the correlative rights to assistance. Thus, to return to our initial example, we would say that the drowning infant in the Hard Rock pool has a samicran right that you rescue her. If the situation were altered slightly so that there were two drowning babies, and it was impossible to save both, then it would be implausible for you to say that you no longer had any duty to rescue. You must still rescue one of the babies, although you may choose which one to rescue. In terms of the infant’s rights, obviously, neither of the two drowning babies has a right that you save her in particular, but we would say that each has a right that you save one of them.” Thus, just as a lounge by the Hard Rock pool could not justify rescuing neither of the infants with the lame excuse that “once the second child fell in, I resumed my reading because I knew that I could not
save both," the fact that an individual cannot save all the world’s people from absolute poverty provides no justification for rescuing none. In short, while the world’s current situation is admittedly much more messy and heartbreaking than our imagined situation of a single drowning baby who is seen by a single sunbather, the complexity of the actual world’s crises in no way makes our duty to rescue any less stringent.

However, there is a problem that requires some modification of the Singerian position that the wealthy among us are morally obligated to donate some appropriate amount to famine relief. We can call it “the particularity problem.” Because there are so many people in the world imperiled by such a variety of evils and serious injustices, it seems wrong to claim that wealthy folks must perform the particular chore of sending money to help those in absolute poverty. Instead, well-off individuals may spend their time and money addressing other evils and injustices which are arguably as bad (or worse) for human beings, such as genocide, the use of rape as a weapon of war, and the torture of political prisoners. One might reply that absolute poverty is morally unique on account of the sheer number of persons who live in such conditions, a number far greater than those suffering from any of the other evils and injustices. However, as was just noted, no individual can do anything to eradicate absolute poverty. If your actions can rescue 100 persons from absolute poverty or 100 from torture – but cannot rescue both sets of persons – then it is not clear that there would be anything wrong in rescuing the torture victims. Additionally, even if someone seeks to address the particular problem of absolute poverty, it is not clear why assistance must come in the form of a monetary contribution. Other kinds of action could be more effective and seem to be permissible alternatives, for example, lobbying political leaders or business executives.

Thus, there appears to be a particularity problem for Singer’s samaritanism: Even if we take for granted that the indecent conditions of others morally obligate us to help them, the Singerian arguments fail to establish that one’s samaritan energies must be focused on the particular problem of absolute poverty or the particular method of contributing money to relieve poverty. However, we do think that the arguments point to a more general and persuasive position, namely, the view that, although well-off individuals have a great deal of discretion as to how to address the most serious injustices of the world, they also have a duty of justice to take action to mitigate such injustices. Thus, while we may not be specifically morally obligated to contribute money to help save the lives of starving children, it is hard to see why there is any difference, morally speaking, between those of us who do nothing to reduce global suffering and a lounging by the Hard Rock pool who cannot be bothered to put down his or her book to save the drowning infant.
RESPONSIBILITY FOR WORLD POVERTY: 
POGGE AND THE POOR

A popular objection to the idea that well-off individuals have a duty to send money to the masses of people suffering in eviscerating poverty is that the dire circumstances of the masses are brought on by their own governments. The thought behind this objection is that the members of wealthy states are not responsible for the corruption and inefficiency of those governments. According to the objection, it is this corruption and inefficiency, not anything done by individuals in wealthy states, that is to blame for the existence of absolute poverty.

The most direct answer to this objection is that the members of wealthy countries do act in ways that make them responsible for the dire conditions of persons in impoverished states. Moreover, this responsibility, the argument goes, is not solely a matter of the obvious injustices connected with imperialist domination and exploitation of which Western powers were guilty in the past. Rather, wealthy states are actively perpetuating absolute poverty in the current era of globalization. Acknowledging the role of wealthy states in perpetuating poverty does not absolve the corrupt governments in impoverished states of their share of responsibility. Nonetheless, the argument holds, it is a shared responsibility, and the members of wealthy states can plausibly be said to bear a substantial share.

The strongest version of the foregoing argument pinning responsibility on the wealthy is found in Thomas Pogge's account of global poverty. Pogge argues that the governments and members of wealthy states are imposing a "coercive global order that perpetuates severe poverty." He writes that, in virtue of this imposition, the wealthy "participate in depriving [the impoverished] of the objects of their most basic rights." Accordingly, the wealthy have obligations to the impoverished that go well beyond mere samaritan duties.

In the remainder of this section, we examine Pogge's account of world poverty. The discussion proceeds in two parts. First, we examine the key moral duty that grounds the account. Then we turn to his causal explanation of the persistence of absolute poverty in the world today. Our focus throughout this section is on the moral duties that the individual members of wealthy states have to those in absolute poverty. We leave to the next section the question of what duties the states themselves, as collectives entities, may have.

Much of the appeal of Pogge's approach comes from its apparently modest moral premises. In particular, he presumes merely that we have a "negative duty...not to contribute to or profit from the unjust impoverishment of others." The basic idea behind this claim is that, just as we have a duty not to directly treat another in a way that is wrong or unjust, we also have a duty to
refuse to support, or profit from, someone else treating another in such a way. However, a critic might argue that this apparently unobjectionable negative duty is too demanding, at least in our complex modern world. It would seem extremely difficult or even impossible for an individual to avoid supporting or profiting from institutions that routinely commit wrongful harms, without withdrawing almost entirely from modern social and political life. Vegetarians often go to admirable lengths to avoid supporting factory farming, but factory farms are not the only perpetrators of moral wrong. Consider multinational banks, pharmaceutical corporations, health maintenance organizations, oil companies, “big” agriculture, the US government, and so on. The reader can supply his or her own list, if necessary. The point is that a demand to avoid complicity with institutions committing serious injustice is tantamount to a demand to withdraw in Thoreau-like fashion from modern life. So Pogge’s seemingly innocuous negative duty is actually an unreasonable demand for moral purity. Or so the criticism goes.

There is much that is cogent in the criticism, but we believe that, despite being quite modest, Pogge’s demand gets him everything he is seeking. To appreciate the power of Pogge’s moral premise, consider the following hypothetical. Imagine that Sally’s parents own a company that makes profits from prison labor. In her country, it is publicly known that prisoners are coerced into working and that the criminal justice system is corrupt, failing to meet minimum standards of due process and decent treatment. But Sally and her parents are emotionally close, and, with the money they earn, Sally’s parents pay her college tuition and otherwise provide her with a comfortable life. Is it wrong for Sally to accept this money from them? Suppose she defends accepting the money by saying, “I agree that forced prison labor and the failure to provide due process are terrible wrongs, but that provides no reason to criticize my conduct because I am not coercing anyone or depriving them of due process. In fact, I don’t have any dealings whatsoever with prisoners or the criminal justice system.”

Such a response would be wholly unreasonable. Sally may not directly benefit from the unjust system of criminal punishment, as do her parents, but she does accept from her parents the benefits generated by that system. It is understandable why someone might contend that an adult child in this situation should not accept any financial assistance from her parents and even that she should have nothing to do with them. However, it would be a great sacrifice for Sally to have nothing to do with her parents and (let us assume) a very substantial sacrifice for her to accept no financial support from them. The level of “moral purity” that would be demanded by an insistence that Sally cut ties to her parents or even simply to refuse her parents’ help seems to us to be excessive. The lives of very few human beings would sustain scrutiny if
they were assessed by such a demanding standard. Accordingly, we suggest a more modest requirement: If accepting money from her parents is to be permissible, then Sally must assist in some substantial way efforts to establish due process and eliminate forced prison labor. More generally, the relevant moral principle is this: If one accepts the benefits of seriously unjust social arrangements, then one is required to contribute to efforts to eliminate (or, at least, ameliorate) those arrangements and, if feasible, one's contribution must be such that it does more to weaken the arrangements than one's acceptance of the benefits does to perpetuate them. This principle gives us a way of understanding Pogge's negative duty as imposing a reasonable demand on individuals. One does have a duty to neither support nor profit from institutions that wrongly harm others, but it is a duty that does not demand moral purity. Rather, it demands a course of action that, on balance and over time, is reasonably calculated to do more to undermine the injustices with which one is complicit than to perpetuate them.

A critic might point out that, given our interpretation of Pogge's negative duty, the duty requires individuals to act in a practically inconsistent manner: the individual is both to accept benefits from the offending institution and also to work to undermine the very same institution. How can that sort of practical irrationality be defended? In response, the first point to note is that the duty does not prohibit an individual from refusing all benefits offered by an offending institution and cutting all her ties to the institution. Second, there is indeed a kind of practical inconsistency in continuing to accept the benefits of an offending institution and, at the same time, doing as the duty demands when one continues to accept the benefits, namely, working to undermine that very institution. Thus, one is required to work at cross-purposes to what one is doing in continuing to accept the benefits, because an institution that is (sufficiently) undermined will no longer be able to offer benefits. But we do not think that this kind of inconsistency is a problem here. Rather, it represents a reasonable way of accommodating the (presumed) truth that humans are entangled in a web of unjust institutions, by taking advantage of the fact that human lives are stretched out over time: if a person is not "pure" enough to disentangle herself all at once from that web, then she may instead work over time to weaken the web.

To illustrate how our understanding of Pogge's negative duty might be applied to international distributive justice, recall the case of apartheid South Africa mentioned earlier in this chapter. Many governments and corporations effectively buttressed the whites' privileged position, and implicated themselves in the injustice of apartheid, by investing in White South African businesses and recognizing the apartheid government as legitimate. This created a situation in which a very large number of individuals, including many citizens of
liberal democracies, would have found it costly to divorce themselves from any and every institution that was complicit in apartheid. Nonetheless, such divorce was not morally required. Rather, what was required was something less onerous, namely, to join in the efforts of activists who were lobbying the relevant political and economic leaders to divest of all South African holdings. And many individuals did just that, helping to secure the eventual demise of apartheid. This example illustrates the relatively modest nature of the demands imposed by Pogge’s negative duty to avoid supporting or profiting from unjust institutions. If there is a problem with Pogge’s account of global poverty, then it does not seem to be in his moral premises.

Let us proceed, then, to Pogge’s causal explanation of the persistence of poverty. The world’s poorest, he claims, are suffering not simply because we are doing little to help; they are being actively and wrongly harmed by a system of global political and economic arrangements that is disproportionately shaped by and for wealthy Western societies.

To motivate our examination of Pogge’s claim, recall the objection voiced at the beginning of this section: “Why should I have to bail out the impoverished when their own corrupt governments are responsible for their condition?” Recent research does indeed confirm that there is a connection between the quality of one’s government and the degree to which one is protected from famine, for instance. In particular, evidence indicates that effective democratic governance virtually insures that a country will not be ravaged by a widespread famine with which it cannot internally cope. And Pogge agrees that “[i]n any governments of the developing countries are autocratic, corrupt, brutal, and unresponsive to the interests of the poor majority.” But the analysis of the causes of poverty should not stop there. Pogge writes that the poor “can surely point out... that they did not authorize the clique that rules them and that their interests can be sold out by this clique only because we [i.e., the wealthy] treat it as entitled to consent on behalf of the people it manages to subjugate.” Elaborating on the crucial last point, he explains that autocratic and corrupt rulers “are internationally recognized as entitled to sell natural resources and borrow money in the name of the country and its people.”

In Pogge’s analysis, these resource and borrowing privileges that international society extends to oppressive rulers of impoverished states play a crucial causal role in the perpetuation of massive absolute poverty. Pogge maintains that these privileges are no accident; they exist because they are in the interest of the wealthy states. The resource privileges help guarantee a reliable supply of raw materials for the goods enjoyed by the members of wealthy states, and the wealthy states have set up a global order that extends the privileges to tyrannical and corrupt states precisely because doing so serves to maintain a
reliable supply of such materials. The borrowing privilege allows the financial institutions of wealthy states to issue lucrative loans and is extended for that reason. It may seem that such loans are good for developing states too, but Pogge argues that, in practice, the loans work quite to the contrary:

Local elites can afford to be oppressive and corrupt, because, with foreign loans and military aid, they can stay in power even without popular support. And they are often so oppressive and corrupt, because it is, in light of the prevailing extreme international inequalities, far more lucrative for them to cater to the interests of foreign governments and firms than to those of their impoverished compatriots.  

Additionally, the privileges “greatly strengthen the incentives to attempt to take power by force, thereby fostering coups, civil wars, and interstate wars in the poor countries and regions.”

If the foregoing causal analysis is right, what are the implications for the average citizen in a wealthy country? What does Pogge’s account imply about those of us who enjoy our clothes from A&F, our coffee from Starbucks, our dinners from Domino’s, our cell phones from Sprint, and our MTV on cable television? The account implies that we can enjoy these luxuries (in large part) because we benefit from a global economic system that provides us with natural resources bought very cheaply from foreign political leaders who benefit from a global political order that gives them the privilege of controlling those resources and financing the military power they need to suppress their own compatriots. Thus, those of us in wealthy Western societies profit from an overall global system that plays a prominent role in propelling up dictators who in turn create the political conditions that make it nearly impossible for hundreds of millions of people to escape absolute poverty. Most of us do not directly oppress the impoverished individuals of developing states in that we do not work for the multinational corporations and other institutions that impose that order on the world. But we do accept the benefits of dealing with such institutions: cheaper goods, less expensive services, and so on.

If Pogge’s causal analysis is right, then we are like Sally accepting benefits from her parents. Just as it would have been extremely costly for Sally to refuse financial help from her parents, virtually none of us would be willing to entirely divorce herself from the existing international economic system. But if we are going to continue helping ourselves to the spoils of an unjust political and economic global order that we ourselves help to impose, then we have a duty to work to make this system a more just one. It is not enough for Sally to say, “Don’t blame me; I don’t employ any prison labor.” Neither would it be enough for any of us to say, “Don’t blame me. I didn’t give resource and borrowing privileges to any corrupt and autocratic government.”
Thus, if Pogge is right about the causal contribution that wealthy states and their members make to the perpetuation of absolute poverty in developing states, then even those who deny both egalitarian cosmopolitanism and the samaritan duties we endorse above would have ample grounds to criticize the status quo. Put simply, Pogge’s work seems to show that one need posit only a negative duty not to contribute to injustice in order to object to today’s global distributive order.

Before discussing the ways in which Pogge’s analysis might be challenged, let us turn to its implications, not for the individuals of wealthy states, but for those states themselves as collective entities plausibly claiming legitimacy. It turns out that there are some startling implications for the account of political legitimacy that we have defended in this book and for the arguments that we have built on that account.

INTERNATIONAL DISTRIBUTIVE JUSTICE AND POLITICAL LEGITIMACY

To begin, recall that, in order to be legitimate, a state must be able and willing to perform the requisite political functions. We have not specified exhaustively which political functions are requisite, but we have argued that a state must adequately protect and respect human rights. And while we also have not fully specified what the threshold level of adequacy is, we have presumed that many liberal democratic states (like the members of the European Union, for instance) clearly qualify as legitimate, whereas those which are either manifestly unable (such as Somalia) or woefully unwilling (such as Myanmar) are equally clearly illegitimate. We would now like to revisit this issue of state legitimacy, however, in light of Pogge’s views on international distributive justice. In particular, we want to examine whether the profound injustice of the existing international economic order renders wealthy liberal democratic states illegitimate.

To qualify as legitimate, a state must satisfactorily protect the human rights of its constituents and adequately respect the human rights of everyone else. One must guard against underestimating the importance of the italicized portion of the preceding sentence. While it is common to place the greatest emphasis on how states treat their own citizens, a state cannot be legitimate unless it also respects the rights of foreigners. Even if Saddam Hussein’s regime in the early 1990s had flawlessly treated all Iraqis as free and equal citizens, for instance, it would still have become illegitimate for having invaded Kuwait. And, as a consequence, this counterfactual Iraq would not have had an irreducible moral right to political self-determination. It is important to appreciate, however,
that while waging an aggressive war might be the most obvious and widely discussed injustice that an internally just country might commit against international society, it is not the only way for a country to violate the human rights of foreigners. If outsiders have human rights to some base level of economic resources, for instance, then an otherwise just state might be rendered illegitimate solely for violating these rights. With this in mind, it is worth considering what implications Pogge's scathing criticisms of the international status quo have for the (il)legitimacy of the wealthy Western countries.

The flip side of our account of the right of political self-determination is that legitimate states have an irreducible collective duty to protect and respect human rights. But if Pogge's account of the causal mechanisms for the reproduction of poverty is accurate, then wealthy states egregiously violate that duty. For wealthy states are then the agents that extend the privileges that empower the corrupt and tyrannical regimes of impoverished states to govern in the interests of the rulers and their allies and with indifference to the interests of the impoverished masses over whom they rule, and wealthy states are the agents that neglect to institute the reforms that would eliminate global poverty.

Notice that, given our account of political self-determination, which sees it as an irreducibly collective activity, the perpetuation of poverty via the mechanisms identified by Pogge cannot be dismissed as a simple matter of the moral failure of the individual members of wealthy states. There is, of course, individual moral failure involved in the process. But individual citizens cannot extend the privileges that are central to the mechanisms; only states can do so. Accordingly, the combination of Pogge's analysis of the mechanisms that reproduce absolute poverty and our account of the irreducibly collective nature of political self-determination leads to the conclusion that there is a profound, collective moral failure of each wealthy state that contributes to the construction and maintenance of the current rules of the world economy. As Pogge puts it, "we are preserving our great economic advantages by imposing a global economic order that is unjust in view of the massive and avoidable deprivations it foreseeably reproduces." And the moral failure involved in perpetrating such an injustice would seem to destroy the possibility that any wealthy state is legitimate. According to Pogge's analysis, the injustice here is not one that can be dismissed as relatively insignificant. To the contrary, because of the millions of deaths each year due to poverty-related causes, it would amount to "the largest crime against humanity ever committed, the death toll of which exceeds...every three years, that of World War II, the concentration camps and gulags included."

It seems, then, that a standard presumption about state legitimacy would need to be effectively turned on its head; those states commonly thought most
clearly to qualify for legitimacy (i.e., wealthy Western liberal democracies like Canada, the United States, and the members of the European Union) would turn out to be the furthest removed from legitimacy. And states such as Chad and Belarus that clearly mistreat their own population but have relatively little influence over nonmembers would be less egregious violators of the conditions of legitimacy. In the end, then, the world would be populated more or less by two types of states: those countries which lack legitimacy because of how they treat their constituents; and wealthy liberal democratic states which are illegitimate because of how they violate the human rights of outsiders.

If this analysis is accurate, then it follows that even if every one of the arguments in this book is sound, many of those arguments would not apply to the real world. More specifically, because most of our arguments concern the rights to political self-determination to which legitimate states are entitled, the world's current lack of legitimate states would mean that no state in the real world has any of the rights to self-determination we outline. Even if we are correct that legitimate states have a right to design their own systems of criminal law, for instance, this conclusion says nothing about how actual states may behave, since no existing state meets the criteria that we require to qualify for this right.

Having posed this challenge to our account of political self-determination, let us explore how we might respond to it. There are at least four possible responses. The first and most obvious would be to deny Pogge's claim that the existing global order harms the world's poor. Matthias Risse, for instance, has argued that the existing order of sovereign states has actually done a remarkably good job of eliminating poverty, when judged relative to historical standards. A second potential response would be to concede that the wealthy states harm the world's poor but to deny that the former violate the rights of the latter. The basic idea here is that, even if a gun seller who sells a gun to a murderer indirectly harms the murderer's victim, it is the murderer - not the gun seller - who actually violates the right of the victim. Similarly, even if wealthy states indirectly harm the world's poor by empowering tyrants, it is the tyrants - not the liberal democratic regimes who trade with them - who violate the rights of their subjects. A third possible rejoinder derives from our previous analysis of the hypothetical situation of Sally, the woman whose parents owned a company that made profits using forced prison labor in a thoroughly corrupt criminal justice system. We said that Sally faced a choice: she had a moral obligation either to refuse all financial benefits from her parents, notwithstanding her close emotional ties to them, or to take action reasonably calculated to make a significant contribution to the reform of the system. Our idea here is that an analogous situation holds with states, whose withdrawal from the global economic system is even less feasible than Sally's financial or
emotional disentanglement from her parents. In order to maintain legitimacy, states do not need to withdraw from the global system, but, if they do not withdraw, then they are obligated to pursue policies reasonably calculated to mitigate significantly the severe human rights deficits of the system. Fourth and finally, one might concede that wealthy Western states are in an important sense illegitimate but insist that legitimacy can be unbundled in such a way that leaves these states with much of their legitimacy intact. While we think that it would be worth exploring each of these four possibilities, we will pursue only the last option here.

We believe that political legitimacy can be disaggregated and thus need not be treated like a single on/off switch, whereby states are entitled either to complete sovereignty or none at all. If this is right, then states which are illegitimate for having disrespected the human rights of outsiders can nonetheless retain a portion of their rights to group autonomy. To appreciate the motivation behind this account, notice what one commonly thinks about the way an individual’s behavior generally affects her right to self-determination. In particular, although a duly convicted criminal has forfeited some of her rights, no one supposes that criminals have forfeited all rights and thus can be treated in any fashion whatsoever. On the contrary, most contend that the type and number of rights a criminal has forfeited depends upon, among other things, the particular crime that she has committed. This fact accounts for our understanding that different criminals deserve different punishments. With this in mind, imagine that Andrea and Barbara are both mothers who drive, but whereas Andrea is a conscientious mother and reckless driver, Barbara is a negligent mother but a careful driver. Assuming further that Andrea’s driving and Barbara’s parenting are both sufficiently bad, it might be justifiable for society to take action. The important point to notice for our purposes here, though, is that society would justifiably respond very differently to these two women. Specifically, while it might revoke Andrea’s driver’s license, society would never take her children away from her, because there is nothing about her poor driving which indicates that she is an unfit mother. And while society might well take Barbara’s children from her, it would never suspend her driving privileges because there is nothing about her poor parenting which would lead anyone to question her driving. Put plainly, people often forfeit rights over certain, localized areas of their lives, and thus there is no reason to suppose that even one’s deliberate misconduct requires one to surrender all of one’s autonomy.

It has not been uncommon to apply the preceding type of reasoning to states, arguing that a state can forfeit a portion of its legitimacy without necessarily forfeiting all of it. Indeed, consider some of the commentary on Nazi Germany. Given the ways in which the Nazi government horribly trampled
on the human rights of both German nationals and foreigners, it is hard to imagine a state doing more to forfeit its sovereignty. And yet even in this case people have suggested that at least pockets of the German state’s legitimacy remained. Imagine, for instance, a couple that had been married by a justice of the peace during the Third Reich. Would one consider these people legally married? Of particular importance here is that the ceremony culminated with the justice of peace proclaiming, “With the power vested in me by the authority of the government of the Third Reich, I now pronounce you husband and wife.” It would seem strained to reason that because the German government was illegitimate, it had no authority whatsoever to vest in its officials, and thus the putative official was no more empowered to marry the couple than some random individual who merely pretended to be a justice of the peace. More plausible is the idea that even though Germany forfeited a great deal of its sovereignty, it still retained the right to conduct matters such as issuing marriage licenses and performing wedding ceremonies.63

In light of the preceding reflections, it would seem neither ad hoc nor unprincipled to suppose that, even if the wealthy Western states have a horrible record of human rights violations when it comes to global poverty, such states have forfeited only elements of their sovereignty and not the entirety of it. In particular, these states would retain their right to make coercively enforced rules for their own members and otherwise to regulate conduct within their territories, insofar as the rules and regulations did not involve imposing an unjust global economic and political order. Wealthy states would also retain rights to make treaties and agreements with other states, again, as long as such agreements did not involve the imposition of an unjust global order.

However, wealthy states would have no right to make loans to regimes that oppress and impoverish their own people, nor to sell such regimes military equipment used to bolster their power. More radically, wealthy states would have no right against interference by a group — call it the “poverty army” — that was willing and able to stop the wealthy states from imposing their unjust global order, as long as the poverty army could succeed without imposing unreasonable costs of its own. It does not matter whether such an army is composed of rebellious constituents of the wealthy states or of outsiders. Wealthy states would have no claim — right to invoke against the “interference” of the army. Moreover, if one accepts Pogge’s estimate of the scale of rights violations that results from the current global order, then it is difficult to escape the conclusion that the poverty army would be at liberty to use armed force, subject to certain restrictions.64

In reality, of course, there is no poverty army, and it seems unlikely that there will ever be one. One can imagine some advocates of the poor being willing to use armed force against existing states to put an end to the current
global order, but it is doubtful that they would ever be able to accomplish their goals in such a manner. More likely is that they would create a backlash that would only further entrench the existing order. At least, that is how events would likely unfold unless there is some radical change in international affairs. Accordingly, the portion of legitimacy that wealthy states forfeit, given the accuracy of Pogge's causal account of poverty, is very substantial in theory but less so in practice.

**OUTSOURCING**

The issue of international distributive justice raises a host of abstract and concrete questions. We have focused thus far on the abstract, but, before closing the chapter, let us turn to a more concrete question: *Does outsourcing labor wrongly exploit the world's poor?* This question is especially pressing for those who endorse a relational theory of equality as we do because, while relational egalitarians are well positioned to explain the impermissibility of importing guest workers who endure relatively poor compensation and a subordinate political status in their host country, we seem incapable of consistently objecting to exporting these jobs. What is more, given the vast disparities in international wealth, we apparently cannot object to foreign workers being subjected to considerably less pay and worse conditions than the guest worker positions we prohibit in wealthy societies. Even with the difference in pay and working conditions, foreign workers are not vulnerable to the same oppressive relations as guest workers are.

We acknowledge that our theory provides no grounds for objecting, in principle, to outsourcing jobs at relatively low levels of pay and in relatively poor working conditions. If the moral (im)permissibility of any given inequality is in part a function of the relationship between the unequals, then whether or not a person's wage, working conditions, and political status are oppressive will depend upon their relative standing in society. And because societies vary in their average wealth, this means that a wage which might be objectionably low in the United States may not be in, say, India.

There are three chief reasons for the conclusion that outsourcing jobs to foreign workers who will accept less pay is, in principle, acceptable. First, the relatively poor-paying jobs being exported are often enthusiastically embraced by the individuals in poor countries. It is not just that those employed have so few viable alternatives; it is also significant that these job-holders are often able to take care of their entire family with the wages. If one family member has a job in a Nike plant, say, this may literally mean not only that she need not go into prostitution but also that her younger sisters do not feel compelled to either.
Second, capitalism in some form seems essential to the kind of sustained economic growth needed to eradicate poverty, and outsourcing labor from wealthy to poor states is one of the most important ways to help spread capitalism to regions that most desperately need it. Recognizing the productive power of capitalism does not require one to think that such a system always operates in a benign manner. Indeed, one can acknowledge that capitalism has generated great injustices on the domestic and international levels. But the domestic histories of liberal and social democratic states suggest that the bad effects of capitalism can be substantially mitigated by appropriate political arrangements. Eliminating political tyranny, for instance, would likely have a very salubrious effect on the way capitalism operates in many states, and reordering the UN, the WTO, and other international institutions to increase the bargaining leverage of developing states could also have a similarly healthy effect.

Finally, a third reason for thinking that outsourcing is, in principle, an acceptable economic practice is that it helps establish interdependence among states and that such interdependence creates economic bargaining chips that make resort to war or to threats of war less likely as a way to settle problems. If the Western powers had closer economic relations with Iran and were prepared to use the leverage that comes from those relations, for instance, then they would likely have a much greater chance of peacefully influencing Iran’s nuclear agenda.

With the proper political arrangements in place, then, there should be much less concern about firms moving their jobs to foreign countries where prospective employees are eager to work for considerably less. At the same time, it is important to acknowledge that many companies are wrongly exploiting victims of injustice and/or those who are suffering in absolute poverty. To get a better sense of when and why a firm should be criticized for impermissibly exploiting prospective employees, consider a number of scenarios in which Nike might move a factory from the United States to India.

If there were no absolute poverty in India and its relative poverty compared to the United States were in no way the result of injustice, then there should be no objection to Nike moving a factory to India, even assuming that it were to pay employees there one-tenth of what it would have to pay its American employees for doing comparable work. But if prospective employees in India are imperiled by absolute poverty, then Nike’s wages might not be permissible. There is nothing necessarily wrong with offering a job to people in absolute poverty, but we consider it objectionable to offer wages which the imperiled would not accept if they were not so impoverished. Employers would be wrong to take advantage of the fact that prospective employees are living in conditions of absolute poverty, because absolute (rather than relative) poverty is the line at which people obtain samaritan rights to assistance.
There is a big difference, for instance, between Jude Law offering Charlize Theron a leading role in one of his films if she will have sex with him, and his offering a starving person a sandwich in return for sex. Both offers may be suberogatory, but we submit that only the latter unjustly exploits the person to whom the offer is made. The problem with offering to help people out of absolute poverty only if they will make sneakers for you to sell in United States, then, is that people in absolute poverty have samaritan rights which entitle them to assistance without this condition. We do not allege that the Nike company is specifically responsible for offering this samaritan assistance, but the samaritan right to be freed from the perils of absolute poverty explains why those in absolute poverty are entitled to wages above those which they would accept only because they are suffering absolute poverty. To the extent that various international companies currently take advantage of the fact that prospective employees are enduring absolute poverty, then, the status quo is morally objectionable.

Taking advantage of a prospective employee's relative poverty (even when he or she is not in absolute poverty) can also be problematic if this prospective employee's relative poverty is the result of injustice. To appreciate this point, imagine a number of scenarios in which a taxicab company might offer to give people rides from Jericho to Jerusalem. In the first instance, imagine that masses of people walk the road from Jericho to Jerusalem, and that many of them get so tired by the midway point that they would gladly pay handsomely to be driven the rest of the way. There is no objection to a taxi company capitalizing on this fact, even if it charged very high rates for its service. The morality of these prices would be very different, however, if the desire for rides sprang from a different source. Imagine that the owner of the company set up a taxi stand halfway between Jericho and Jerusalem only because she knew that there was a gang of hoodlums who routinely attacked and broke the legs of people on that road. Under these circumstances, it would be impermissibly exploitative for the taxi company to charge the victims of the gang exorbitant prices for its services. The central idea here is that it is wrong to gain from charging prices which others accept only because they are the victims of injustice. If sound, this principle is relevant to Nike's decision to build a factory in India because part of the explanation for the relative poverty in India is that it has been treated unjustly. Thus, while there is nothing wrong with Nike offering jobs to people into India, it would be objectionable for Nike to pay its employees wages which people in India would never have accepted were it not for the history of injustice which India has endured. Thus, to the extent that various international companies currently take advantage of the fact that prospective employees have been unjustly placed in positions of relative poverty, the status quo is morally objectionable.
There may be other reasons why the hiring practices of existing international companies are morally problematic, but if the arguments in this section are on target, then we can confidently stand by our twofold contention that (a) there is nothing inherently objectionable about utilizing foreign labor markets, but (b) accepting this conclusion does not require one to endorse anything like the world's current distribution of economic resources and well-being.

CONCLUSION

In this chapter, we have argued that there is no necessary injustice in the fact that countries have very different levels of average wealth. A reasonable egalitarian principle of distributive justice would not demand that we eliminate the effects of brute luck on the lives of individuals. Rather, it would demand that we eliminate conditions, whatever their origin, that make the less advantaged vulnerable to exploitation and oppression at the hands of the more advantaged. In today's increasingly globalized world, big differences in wealth can be more readily translated into international exploitation than they could in much of the past. However, it is still perfectly possible for two states to have very different levels of average wealth, without the less wealthy one being vulnerable to oppression by the more wealthy one. Ireland and Denmark have per capita GDP levels that are more than ten times that of Bulgaria and nearly that many times greater than that of Romania. Yet, it is difficult to see that the two wealthier states pose any threat of oppression to the two, much poorer ones. Indeed, far from fearing oppression, Bulgaria and Romania have rationally sought closer economic and political ties with Ireland and Denmark (and other wealthy states) by joining them as member states of the European Union.

If our relational egalitarianism is right, then citizens of relatively wealthy states need not transfer resources until no foreigners are less well-off. Instead, different states will have different duties of distributive justice and, as a consequence, their distributive responsibilities must be counted among the things influenced by a state's political self-determination. This is because the duties that any given wealthy country has to a poorer state will depend not only upon their historical ties, but also on their current relationship. For example, it would be significant not only if the poorer country was a former colony or military victim of the wealthy state, but it could also make a difference if the two states are now part of a regional union. Thus, by admitting Bulgaria and Romania into the EU, the other EU states placed themselves in a special relationship with the two poorer countries, a relationship that could entail additional distributive duties. A country cannot change its history, of course,
but it can determine with whom it will associate and how it will conduct itself on the international stage in the future. And since the nature and extent of its international responsibilities will be a function of this conduct, states at least have some control over whom they owe what. What is more, even if we hold constant how much is owed to foreign states, each country will enjoy a degree of discretion as to how this debt is paid (e.g., whether duties of assistance are discharged via exporting resources or through admitting greater number of immigrants, for instance). Thus, while this chapter aims principally to offer an alternative to egalitarian cosmopolitanism, it also confirms the book's central thesis that legitimate states enjoy a right to a meaningful degree of political self-determination.