Global Poverty as a Moral Problem: Thomas Pogge
On Global Justice and Human Rights

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Abstract

Global poverty is a pressing moral issue that necessitates serious moral reflection. It is inextricably connected with the issue of global justice. In today’s world where there are obvious extreme economic inequalities that impoverishes millions of people in many poor countries, the need for a sound principle of global justice is morally necessary. This thesis proposes Thomas Pogge’s idea of cosmopolitan justice as a feasible and relevant theory which can help and guide in alleviating severe worldwide poverty. Pogge emphasizes the stringent negative duty not to impose, sustain and profit from a global order that deprives the poor of their basic necessities necessary for them to lead a worthwhile human life. Many people are not aware that in participating in an unjust global order, they seriously harm the global poor more than their failure to provide assistance for the poor’s basic needs. So the greater responsibility of restructuring global order in order to meet the demands of global justice lies mainly in the hands of developed nations and their citizens who have profited from the present global arrangement and who have more than adequate means to help those who are deeply affected by extreme global economic inequalities. The stronger obligation not to harm the global poor must be performed by those who make decisions and policies at the global institutional level. They are the ones who decide the fate of the global poor and they are the ones who can easily change the rules underlying the present global order. The first step to poverty eradication and the overseeing that continuous efforts are exerted to realize this aim of helping the global poor are theirs to perform immediately. This task is not optional. It is urgent and a moral necessity.
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General Introduction

Social justice is one of the most important issues discussed in contemporary political philosophy. Discussions about the issue center on what principles of justice ought to govern social and political institutions so that individuals are treated fairly and their liberties guaranteed. Most of these discussions, however, confined justice to issues within national boundaries. Justice is seen as an underlying principle for the way the basic structure of society is to be designed so that no one’s fellow member or citizen, for example, will suffer from undeserved poverty or destitution due to arbitrary circumstances. But in today’s world characterized by economic globalization, the idea of justice confined within a national boundary faces an almost insurmountable challenge. The evident fact of extreme inequalities in terms of the standard of living between citizens of poor developing countries and citizens of developed countries reveals that there is global injustice. Such extreme inequalities deprive millions of impoverished people in many countries to have access to food, decent shelter, basic health care and education. This led one prominent political philosopher to remark that “We do not live in a just world” (Nagel 2005: 113). Indeed, there is injustice in the world and this unmistakable fact prompts many thinkers to reflect seriously about how justice ought to be applied globally.

This thesis is about global justice and global poverty. It aims to explain how a principle of global justice should be formulated and understood so that it can guide and help in addressing the problem of massive global poverty. Global poverty is not only an economic or political issue. It is also an issue that necessitates serious moral reflection. This explains why this thesis will also aim to give a moral account of persistent and widespread poverty in the world. It likewise examines what causal role and responsibility affluent citizens of developed nations have in supporting and imposing a global structure which causes this poverty. It then proposes that fulfilling and realizing basic human rights remedies or at least diminishes the occurrence of this deplorable worldwide phenomenon.

In achieving the aims of the thesis, Thomas Pogge’s thoughts on global justice and human rights will be relied upon. Pogge, born in 1953, is a political philosopher who had John Rawls (1921-2002) as an adviser for his doctoral dissertation at Harvard University. Though deeply influenced by Rawls’ thinking, Pogge independently works a theory of global justice that extended and at the same time departed from Rawls’. This resulted in a publication of his first major work, Realizing Rawls (1989). Since then, he published a series of journal articles
elaborating and expanding the ideas he first laid out in his first book. Many of these articles, written from 1990 to 2007, were gathered to form as chapters of his second important book, *World Poverty and Human Rights*, first published in 2002 and subsequently revised in 2008. The book received critical acclaim from many prominent scholars and its contents were widely discussed and applied to moral and political issues.


Pogge’s approach to global justice is groundbreaking because it emphasizes negative duty not to harm the global poor. His main thesis is that many affluent citizens in the different countries of the world have a stringent duty of justice towards the global poor because they have violated their negative duty not to support the imposition of an unjust global institutional structure that foreseeably and avoidably deprive many citizens of poor countries of their basic socioeconomic human rights. Pogge, who comes from a liberal egalitarian background, extends egalitarian principles to the global realm. As a proponent of moral cosmopolitanism, he views all human beings as moral equals, regardless of their nationality, citizenship, race, gender, social status and age. For him, the moral equality of human beings necessarily implies that each person’s interests must be given equal concern and consideration. But widespread poverty in the world today appears to be incoherent with the basic tenets of moral cosmopolitanism. It deprives many people of their basic necessities to live worthwhile and flourishing lives. This deprivation shows that these people’s interests are not treated with equal concern and consideration. Because this is so, there is then a moral imperative to overcome poverty in order to enhance these people’s prospects to lead worthwhile lives.

Like Rawls, Pogge is concerned with the moral assessment of social institutions based on and guided by sound principles of justice. He thinks that these social institutions have deep influence on the way individuals exercise their liberties and on the distribution of benefits and burdens in society. Unlike Rawls, however, Pogge believes that the impact of these social institutions is not only confined to its members. The impact also extends to non-members outside of its jurisdiction. This explains why a conception of justice is very important because it forms the basis for the proper design and framing of social and economic institutions. A conception of justice also helps regulate and govern the way individuals treat and deal with
each other. As Pogge says, “A conception of justice may affect what we ought to do in at least three ways: we ought to help reform existing social institutions so as to render them more just; we ought to mitigate and alleviate the plight of those deprived and disadvantaged by existing unjust institutions; and we ought to accept certain constraints upon our conduct and policies that anticipate the ideal of just ground rules towards which we are striving” (Pogge 1989: 8).

No one wants poverty for its own sake. It incapacitates human beings to pursue goods vital to their interests or well-being. Therefore, it must be avoided unless it can serve as a means to what one thinks as important to his flourishing as a human being. So for the purpose relevant to this thesis, the term poverty is here understood as involuntary poverty. It is poverty not chosen by a person but one which is caused by an individual or collective agent, rules, circumstances and social institutions.

Facts reveal that about 18 million people, most of them in poor countries, die annually because of poverty-related causes. Approximately 50,000 human lives perish every day, including the deaths of 29,000 children under the age of five. Because of widespread poverty an “estimated 830 million human beings are chronically undernourished, 1,100 million lack access to safe water, 2,600 million lack access to basic sanitation, 1,000 million lack adequate shelter, and 1,600 million lack electricity” (Pogge 2008: 2). In 2004, 39.7 percent of the world’s population or 2.533 billion live in severe poverty. This percentage of the world’s poor “accounted for only about 1.67 percent of all household consumption expenditure” based on 2004 market rates (Pogge 2008: 2-3). This is a glaring contrast to the comfortable life of 1.004 billion people in the developed world which accounts for 81 percent of that year’s total consumption expenditure.

Countless people worldwide suffer from these severe deprivations because “they are too poor to protect themselves against them” and this makes them “exceedingly vulnerable even to minor changes in natural and social conditions as well as to many forms of exploitation and abuse” (Pogge 2008: 2). Their crippling poverty dehumanizes them and violates their human rights to basic necessities such as food, shelter, health care and education.

The global poor’s extremely difficult condition and the inequality this indicates contradict the basic tenets of moral cosmopolitanism. No one likes poverty and the global poor do not deserve to suffer from it. They have as much right and freedom as the rich to attain the kind of decent and worthwhile life they want to live. The great disparity between today’s

1 All the data referred to here are from Pogge (2008) which he culled from various sources such as UNDP, UNICEF, ILO and WHO. See particularly the endnotes in pages 265-266. For Pogge’s discussion of the extent and trends of global poverty and inequality, see pages 103-106.
global rich and global poor reveals an injustice in the way underlying rules of the present
global order have been framed. It also shows how the citizens in many poor countries have
been disadvantaged by their historical and natural circumstances. This disparity must be
corrected based on the principles of global justice.

This thesis unfolds in the following manner. The first chapter addresses the question
“How should a principle of global justice be formulated?” This question is asked because a
sound principle of global justice can help correct extreme global inequalities that engender
severe global poverty. So, in order to answer the question, Rawls notion of “justice as
fairness” will first be discussed, relying mainly on his work *A Theory of Justice*. This will be
followed by an examination of his account of international relations in *The Law of Peoples*
in order to see how Rawls applies his theory of justice in the global arena. Pogge’s critique of
Rawls will then be presented and analyzed. The last part of the chapter will explicate the main
tenets of Pogge’s theory of global justice.

The second chapter deals with the question “How can global poverty be explained in
moral terms?” This thesis claims that the problem of global poverty is more than an economic
and political issue. Poverty is mainly a moral issue that reflects people’s thinking, attitude and
conduct towards other people. There is poverty because the way people think and act towards
others is unfair. People’s unjust ways become embodied in economic and political institutions
that somehow solidify and perpetuate the injustices. This explains why Pogge, like Rawls, is
concerned with the moral assessment of institutions. So this chapter will examine what Pogge
thinks are the biases, assumptions and defenses of people, mainly in the affluent countries,
regarding the problem of global poverty. It will also explain the relation of global institutions
to the incidence of severe poverty in the world.

The third chapter discusses the problem “How should basic human rights be conceived
so that it satisfies the basic requirements of global justice?” Pogge does not answer this
question by looking for the metaphysical basis of human rights. What he does is to explain
how a conception of human rights is necessary in order for a person to live a flourishing life.
Pogge then traces the development of the modern concept of human rights from natural law
and natural rights before claiming that human rights is widely recognized by many states and
their citizens. For Pogge, fulfilling human rights is a necessary, but not a sufficient condition
for global justice. He thinks that the task of fulfilling human rights is better accomplished if it
is understood as the primary responsibility of global social institutions and states. This is so
because social institutions and states are more effective in protecting and upholding human
rights. Social institutions and states also profoundly shape the way individuals, who are under
their care, strive to live worthwhile human lives. In order to reduce global poverty, the global poor must then have secure access to the objects of their human rights.

The last chapter applies Pogge’s theory of global justice to the case of Filipino migrant domestic workers. The purpose of this chapter is to highlight the importance, cogency and applicability of Pogge’s political philosophy to issues of global concern.

The conclusion of the thesis reviews Pogge’s main assertions and arguments regarding global justice, global poverty and human rights.

As to methodology, the thesis mainly makes use of interpretive analysis in order to examine Pogge’s thoughts on global justice, global poverty and human rights. It closely pays attention to Pogge’s arguments and assertions on these topics. This thesis, moreover, does not offer concrete solutions to global poverty nor claim that it provides the only answer to the problem. Its principal aim, as already noted, is to explain global poverty in moral terms as well as to examine how a principle of global justice should be formulated and understood so that it can serve as an effective guide in addressing global inequalities and global poverty.
Chapter One: Pogge on Global Justice

1.1 Introduction

This chapter discusses Pogge’s account of global justice. It begins with a section (sec. 1.2) on Rawls’s idea of justice as elaborated in *A Theory of Justice*, and then proceeds to another section (sec. 1.3) that discusses his conception of international justice in *The Law of Peoples*. These two sections on Rawls are necessary because it prepares the discussion on Pogge’s notion of cosmopolitan justice in section 1.4. Pogge’s deep philosophical debt to Rawls is discernible in many of his publications and so a brief excursion on the thoughts of the latter is important in order to understand and situate the thoughts of the former on global justice. Indeed, it can be argued that Pogge’s account of global justice is a critical engagement and development of Rawls’s idea of justice both in the domestic and international spheres.

1.2 Rawls 1: Justice as Fairness

John Rawls’s monumental work, *A Theory of Justice*, is a theory of social justice. Justice for him is primarily a property and “the first virtue of social institutions” (Rawls 1999a: 3). As he says, “the primary subject of justice is the basic structure of society, or more exactly, the way in which the major social institutions distribute fundamental rights and duties and determine the division of advantages from social cooperation” (Rawls 1999a: 6).

For Rawls, social and political institutions have profound effects on the lives of individual persons. He says that each individual person is “born into social positions … determined, in part, by the political system as well as by economic and social circumstances” that could “favor certain places over others” leading to “deep inequalities” and shaping every individual’s “initial chances in life” which could not “possibly be justified by an appeal to notions of merit or desert” (Rawls 1999a: 7). Because of these social inequalities, Rawls believes that there is then a need to evaluate whether the basic structure of society is just or unjust. He also thinks that there is also a moral imperative to reform or redesign basic social institutions if they are found to be unjust. Furthermore, he maintains that the basic functions of social institutions are to secure fundamental liberties and distribute resources equitably to all members of society. The protection of these liberties and the fair distribution of resources, according to Rawls, are necessary conditions for all members of any given society, as rational and moral agents, which enable them to pursue their conception of a good life.

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2. For a recent and an accessible Internet source as well as a lucid and brief account of Rawl’s political philosophy, see Wenar (2008).
Rawls rejects utilitarianism’s conception of equality. He argues that utilitarianism, despite its espousal of the egalitarian principle where the interests of every individual count equally, allows for the sacrifice of individual freedom in order to maximize the aggregate good of society. He thinks that this ideal is morally unacceptable because an individual “possesses an inviolability founded on justice that even the welfare of society as a whole cannot override” (Rawls 1999a: 3, 24-25). Hence, individuals’ basic liberties “are not subject to political bargaining or to the calculus of social interests” (Rawls 1999a: 25).

For Rawls, equal consideration of all preferences must only be upheld on the condition that all individuals must start out as having equal basic liberties and opportunities. Otherwise those who are born with special talents and into a wealthy family, for example, would have an advantage over those without those talents and who are born into a poor family. In order to correct the present social and economic imbalances in the society as a consequence of these contingencies of birth, talents and other arbitrary social circumstances, Rawls thus suggests: “All social values--liberty and opportunity, income and wealth, and the bases of self-respect are to be distributed equally unless an unequal distribution of any, or all, of these values is to everyone’s advantage” (Rawls 1999a: 54).

Rawls aims at justice by leveling the playing field. He “treat[s] people as equals not by removing all inequalities, but only those which disadvantage someone” (Kymlicka 2002: 55). What he seeks to accomplish is not really to equalize wealth but to eradicate inequalities insofar as these deprive individuals of opportunities and sufficient access to all purpose goods whereby they can make intelligent use of their freedoms to live worthwhile lives. He criticizes the present and unfair economic distribution of wealth and income because it results from disparities in abilities and opportunities. Therefore, those who have lesser abilities and talents will certainly lag behind those who have better talents and opportunities. And this will put them in a disadvantageous situation to compete for social positions with others in the society. For Rawls, it is an injustice to have people in the society whose lives are made worst off because of their undeserved disadvantages like lack of talents and opportunities. They do not deserve their lot just as the talented and those who have better opportunities do not deserve theirs. It is just by chance that nature endows some people with more talents, and circumstances afford them with more opportunities than others. Rawls believes that it is morally arbitrary that a person’s social and natural circumstances (like race, gender, intelligence, talent and wealth) determine the allocation of benefits or burdens that a person will have in life. This explains why Rawls calls for a redistribution of economic and social goods such as wealth and income so as to benefit the disadvantaged without depriving the
well-off of their rightful share. He aims to achieve this social restructuring through his conception of justice embedded and expressed in two principles. The first, known as the liberty principle, states that “each person is to have an equal right to the most extensive total system of equal basic liberties compatible with a similar system of liberty for all.” The second principle, which has two parts, expresses the idea that “Social and economic inequalities are to be arranged so that they are both: a) to the greatest benefit to the least advantage, and b) attached to offices and positions to all under conditions of fair equality of opportunity” (Rawls 1999a: 53). The first part of the second principle is known as the difference principle while the second part is known as the equality of opportunity principle.

The liberty principle is inviolable unless the reason for its breach is another liberty (Rawls 1999a: 266). The basic liberties (i.e. right to vote, to run for office, due process, free speech, mobility, freedom of conscience, etc.) must be preserved; otherwise the person would be deprived of his ability to determine and shape his own life or fulfill his rational preferences. This principle has lexical and overriding priority over the difference principle and the difference principle is lexically prior to the principle of efficiency and to that of maximizing aggregate benefits. Also, fair opportunity is prior to the difference principle (Rawls 1999a: 266). What this notion of lexical priority means is that equal liberties must precede equal opportunities and equality in opportunities should take precedence over equality in resources. On the basis of this scheme of lexical priorities, Rawls allows for inequalities in resources on the condition that everyone starts out as having equal opportunities and does not prejudice the equality of liberties. It is permissible, for example, that a lawyer has a bigger income than a blue-collar laborer as long as both were given equal liberties and opportunities in the pursuit of their preferences in life within a given social structure. Rawls consents to a redistribution of resources where, for instance, a slice of the lawyer’s salary is apportioned (in the form of taxes, for example) to augment the economic status of the laborer on condition that the lawyer is not deprived of his rightful share of the income he deserves. Another condition for redistribution is that the laborer’s exercise of his liberties and access to opportunities are hampered by the present unjust social structure. Economic inequalities, in other words, are allowed only if such were to the advantage of everyone in the society, most especially the worst-off members of society.

It must be reiterated and emphasized however that in Rawls’s difference principle, unequal distribution of resources is only allowed to the extent that it benefits the disadvantaged. This means for example that the talented will earn higher income than those who are less talented. Though here there is certainly an unequal distribution of income, it can
be justified because this scheme will give the talented an incentive to work harder and thus produce more resources for redistribution, which ultimately benefits the least well off members of the society. Otherwise, if unequal distribution of resources is not allowed, the skilled and the talented will be discouraged to maximize the full use of their abilities, and thus less wealth will be produced for redistribution. The reason why those who have more skills and talents will not be motivated to work hard is that resources will just be distributed equally anyway without due consideration and reward of their talents and of the efforts they exerted (See Fabre 2007: 5-6).

In order to arrive at the two principles under which human beings are viewed and treated as moral equals, Rawls makes use of a conceptual device, a hypothetical contract, which he calls the ‘original position’. In the original position, parties representing individual persons in the society are placed behind the ‘veil of ignorance’ to decide on the principles of justice. Rawls imagines in the veil of ignorance an initial situation where people who are similarly situated do not know their social background, status, natural capacities, conception of the good, special psychological propensities, sex, race, age, education, interests, etc. In this situation, these people will come up with a rational decision under uncertain circumstances about a set of principles that would best give them a fair chance to flourish and fare better in the society. Thus, the veil of ignorance “ensures that no one is advantaged or disadvantaged in the choice of principles by the outcome of natural chance or the contingency of social circumstances” and it guarantees that the agreement reached in the original position is fair (Rawls 1999a: 11).

How, then, do parties in the hypothetical contract choose the principles of justice? Rawls supposes that individuals are mainly self-interested in the pursuit of their own good. They are primarily concerned in maximizing whatever benefits they can get hold of in the society. But since their prospects and successes in life largely depend on social cooperation and they do not know what status they would end up occupying in society, these individuals will have to adopt a strategy which enables them to get the maximum benefits and avoid the minimum risks from the kind of social arrangements they design for themselves. Rawls calls this, borrowing from economics, the maximin rule. “The maximin rule”, Rawls writes, “tells us to rank alternatives by their worst alternative outcomes: we are to adopt the alternative the worst outcome of which is superior to the worst outcomes of the others” (Rawls 1999a: 133). In other words, the maximin rule demands that individuals under the veil of ignorance should “maximize the outcome for the person in the worst position since this person can be oneself in the real world” (Collste 2005: 60). So putting people behind the veil of ignorance enables
them to choose principles of justice that provide the best scenario where all of them have equal and better chances of pursuing worthwhile lives.

To illustrate the maximin rule, consider this example. Suppose the following social schemes with corresponding amount of goods are the prospects one could end up with in life in a three-person world: A) 10:7:1, B) 9:6:3 C) 6:5:4. According to Rawls, social scheme C is the rational choice based on the maximin rule. This is so because such a scheme gives one a better prospect despite the fact that schemes A and B have higher average amount of goods. Even if one gets the lowest amount of goods in scheme C, this would be better than the lowest of the two other schemes. (See Rawls 1999a: 133, n. 19; Kymlicka 2002: 66).

Rawls maintains that the fulfillment of a person’s conception of a good life, apart from his choices, largely depends upon how fairly society initially arranges and allocates both the primary social and natural goods. The distribution of such social goods must be fair so that no one's life is made worst off as a consequence of the ‘natural lottery’. Primary social goods, which are directly distributed by social institutions, include income, wealth, opportunities, power, rights and liberties (Rawls 1999a: 54). Primary natural goods, which are not distributed but affected by social institutions, refer to health, intelligence, vigor, imagination, etc. (Rawls 1999a: 54). The ideal society Rawls envisions in his hypothetical contract is one where everyone starts out as having equal liberties and opportunities. In Kymlicka’s language (borrowing from Dworkin), the basic structure of any society must initially (and also subsequently) be “endowment-insensitive”, meaning, people are not disadvantaged by their natural and social circumstances or brute luck; and “ambition-sensitive”, that is, society has to leave room for people to flourish and where their choices, efforts, hard work and ambitions are rewarded (Kymlicka 2002: 74).

Rawls disagrees with the common and prevailing notion that inequalities in income and resources are justifiable if prior to the inequalities “there was fair competition in the awarding of the offices and positions that yield those benefits” (Kymlicka 2002: 57). In other words, disparities in the distribution of economic goods are morally tolerable if people were given equal opportunities in society to apply and compete for jobs and positions. This prevailing notion of equal opportunity appears attractive because it exhibits that an individual’s fate is determined by his choice and not by his social circumstances like class, gender, age, race and so on. But for Rawls, this notion does not see what lies behind equal opportunity and does not probe deeper into the source of inequalities. It only recognizes disadvantages based on social inequalities but overlooks disadvantages following from natural abilities. For Rawls, it is not too fair to conclude that the least advantaged individuals in the
society quite deserve their present sorry condition just because they were given social equal opportunities to improve their lives. Giving them this kind of opportunities, according to Rawls, are not enough. What is the use of setting up equal opportunities in the society if some people still cannot compete with others because of their lack of natural endowments like intelligence, talents, character and health? Some people’s worse condition must not only be looked at in terms of their undeserved social circumstances but also in terms of their undeserved lack of natural endowments. Talented people do not deserve their abilities just as the less talented do not deserve theirs. And if, according to Rawls, social injustice is to be overcome, both social and natural inequalities are to be corrected. Thus, Rawls difference principle is superior to and supplants the prevailing notion of equality where equality is understood only in terms of equality in social circumstances or positions.

1.3 Rawls 2: The Law of Peoples

Rawls makes a sketch in his *A Theory of Justice* of the plausibility and applicability of his political conception of justice to international relations (See Rawls 1999a: 331-335). In his sketch, Rawls develops a second original position where the participants are no longer individuals but “parties as representatives of different nations who must choose together the fundamental principles to adjudicate conflicting claims among the states” (Rawls 1999a: 331). The representatives of the different nations “know that they represent different nations each living under the normal circumstances of human life” but “they know nothing about the particular circumstances of their own society, its power and strength in comparison with other nations, nor do they know their place in their own society” (Rawls 1999a: 331-332). The second original position aims at nullifying “the contingencies and biases of historical fate” of the contracting parties representing the different nations (Rawls 1999a: 32). The basic principle agreed to by the parties in this contract is the principle of the equality of nations. This basic principle implies that each nation is sovereign, that is, each of them has a right to determine its own affairs without foreign intervention. Another implication is that each nation has the right to self-defense and to form alliances with other nations to safeguard this right. Keeping treatises consistent with the basic principle that governs the relations among nations is also another principle that follows from the contract.

However, Rawls’s full treatment of an account of justice in the international realm is found in his book *The Law of Peoples*. In this book, the social contract forged in the original position is analogous to the social contract in the domestic society. This contract is extended to the “Society of Peoples” out of which international principles are derived by and agreed to by
representatives of each member of the Society of Peoples. Aside from principles respecting the independence and equality of other peoples, observing treaties and undertakings, upholding the right to self-defense and the duty of non-intervention, which are found in his initial and brief treatment of international relations in his *A Theory of Justice*, Rawls added in *The Law of Peoples* the notion of honoring basic human rights and assisting other peoples burdened by unfavorable conditions (See Rawls 1999b: 37).

In the Society of Peoples, Rawls includes as members not only the so-called liberal peoples but also those whom he calls non-liberal but decent peoples. The inclusion of non-liberal decent peoples in the Society of Peoples can be explained by what Rawls calls “the fact of reasonable pluralism” where, in a well-ordered constitutional democratic society, there is a diversity of “reasonable peoples with different cultures and traditions of thought, both religious and nonreligious” (Rawls 1999b: 11). The fact of reasonable pluralism, which for Rawls is “a basic feature of liberal democracy” and “the normal result of the culture of its free institutions”, is a condition where different and conflicting comprehensive doctrines peacefully co-exist (Rawls 1999b: 124). Their peaceful co-existence is based on Rawls notion of political liberalism, a concept he develops to protect the basic liberties of individuals or groups by not subsuming their different comprehensive doctrines into one unifying comprehensive doctrine or favoring one of the comprehensive doctrines. In spite of disagreements in fundamental beliefs, Rawls thinks that individuals or groups can still agree to respect each other’s freedom of conscience. Thus for Rawls, consistent with his idea of political liberalism and extending this idea to international relations, any country can be a member of the Society of Peoples provided that it is “ready to recognize certain basic principles of political justice”, which “constitute the charter of the Law of Peoples”, “as governing [its] conduct” (Rawls 1999b: 37).

Non-liberal societies, according to Rawls, “do not endorse the standard range of liberal democratic rights, like the freedoms of expression and association, religious equality, the right to political participation, and so on”, in the sense that individuals who reside in those societies are “not regarded as free and equal citizens, nor as separate individuals deserving equal representation” (Rawls 1999b: 71-75). These societies are accepted as members of the Society of Peoples because they still recognize basic human rights (e.g. right to life and security, and subsistence) and are respectful of other peoples, both of which are considered requirements to the membership of the Society of Peoples (Rawls 1999b: 64-7). Moreover, Rawls says that since these societies adhere to the Law of Peoples, then they must be tolerated by liberal peoples. By toleration, Rawls means that liberal peoples must “not only refrain from
exercising political sanctions military, economic, or diplomatic to make a people change its ways” but also “to recognize these non-liberal societies as equal participating members in good standing of the Society of Peoples” (Rawls 1999b: 59). Thus the peaceful relations of these two types of societies in the Society of Peoples do not reflect that of a “modus vivendi, a stable balance of forces only for the time being” (Rawls 1999b: 45).

As stated above, liberal societies and nonliberal but decent societies constitute the Society of Peoples. But how does, according to Rawls, the Society of Peoples deal with “outlaw societies” those that do not subscribe to the Law of Peoples and with societies burdened by unfavorable conditions those “whose historical, social, and economic circumstances make their achieving a well-ordered regime, whether liberal or decent, difficult if not impossible” (Rawls 1999b: 5)?

As to “outlaw societies”, Rawls says that the Society of Peoples has the right to war in self-defense. When the Society of Peoples (or well-ordered peoples as Rawls describes it) exercises its right in self-defense, “it does so to protect and preserve the basic freedoms of its citizens and its constitutionally democratic political institutions”, in the case of a liberal society, or to safeguard the basic human rights of individuals and the political institutions, in the case of a decent nonliberal society (Rawls 1999b: 91-92). Moreover, well-ordered peoples “cannot justly require its citizens to fight in order to gain economic wealth or to acquire natural resources, much less to win power and empire” (Rawls 1999b: 91). Rawls further states that self-defense is the Society’s only first and urgent task but the long term goal is to make outlaw societies “eventually to honor the Law of Peoples and to become full members in good standing of the society of well-ordered peoples” (Rawls 1999b: 93).

As to burdened societies, the Society of Peoples also has the duty to assist them so that eventually they will also become well-ordered (Rawls 1999b: 106). Wealthy societies “have a duty of assistance towards burdened societies in order to help them achieve the requisite level of economic and social development to become well ordered”, that is, help burdened societies meet the basic needs of their citizens and “their collective capacity for sustaining decent institutions” (Tan 2004: 65). This duty of assistance is consistent with one of the precepts of the Law of Peoples which is to honor basic human rights, which, among other things, include the right to subsistence, freedom from torture and slavery, and freedom of conscience. But it

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3 According to Pogge, the participants in a modus vivendi are mainly concerned with their own self-interests and care less about the other participants’ interests. They only comply with the conditions of their agreement insofar as their compliance would best serve their own respective interests. But when one participant gains more power and leverage, the stability engendered by the agreement is threatened because that participant will tend to shape
must be noted that for Rawls, this duty of assistance does not entail the application of and the commitment to the principle of distributive justice. This is where Rawls departs from his position on justice in the domestic realm. He thinks that distributive justice, particularly his difference principle, is not applicable to the global context.

There are several reasons why Rawls thinks that distributive justice – the redistribution of wealth and resources – does not apply to the global arena. First, there is no existing global basic structure. A basic structure is one which is “more or less self-sufficient”, “closed-system” and “self-contained” (See Rawls 1999a: 4, 7, 401), where members of the society engage in social cooperation for mutual advantage. But since no such structure and cooperative scheme exist globally, then it is not feasible to apply distributive principles of justice in the international realm. Here, Rawls already assumes that the member societies of the Society of Peoples are already self-sufficient and organized.

Rawls also claims, taking cue from Kant’s *Perpetual Peace* (1795), that to require the existence of a world-state, just to meet the condition that a global basic structure has to be in place for distributive justice to be operative, would either lead to “a global despotism or else would rule over a fragile empire torn by frequent civil strife as various regions and peoples tried to gain their political freedom and autonomy” (Rawls 1999b: 36).

Second, a country’s sovereignty must be respected because “national self-determination matters” and (See Fabre 2007: 103). It is every society’s primary responsibility to steer its own fate and establish just institutions. Rawls reasons that it is surely a good for individuals and associations to be attached to their particular culture and to take part in its common public and civic life. In this way belonging to a particular society, and being at home in its civic and social world, gains expression and fulfillment. This is no small thing. It argues for preserving significant room for the idea of a people’s self-determination and for some kind of loose or confederative form of a Society of Peoples, provided the divisive hostilities of different cultures can be tamed, as it seems they can be, by a society of well-ordered regimes (Rawls 1999b: 111).

Third, Rawls thinks that each society has the potential to become well-ordered and this does not depend on its wealth or natural resources. As he says, “a well-ordered society need not be a wealthy society”, because a country “with few natural resources and little wealth can be well-ordered if its political traditions, law, and property and class structure with their underlying religious and moral beliefs and culture are such as to sustain a liberal or decent the terms of the agreement more in its favor. Pogge concludes that international relations under a *modus vivendi* will likely not be peaceful or just (Pogge 1989: 221).
society” (Rawls 1999b: 106). Moreover, “every society has in its population a sufficient array of human capabilities, each in sufficient number so that the society has enough potential human resources to realize just institutions” (Rawls 1999b: 119). Rawls reasoning is premised on his belief that the ‘political culture, the political virtues and civic society of the country, its member’s probity and industriousness, their capacity for innovation, and much else” are telling factors which affect a people’s political and economic progress (Rawls 1999b: 108).

Population policy is also another significant factor. A country “must take care that it does not overburden its lands and economy with a larger population than it can sustain” (Rawls 1999b: 108). So, and this is the fourth reason, it would not be fair for rich countries, for example, which have “increase[d] their wealth by industrialization or by significantly decreasing their expenditures” (Zanetti 2005: 203) to “subsidize for the irresponsible policies of the consumerist and high population country” (Fabre 2007: 104) because they would be punished by wealth redistribution.

The fifth reason is that, for Rawls, distributive justice “do not have a defined goal, aim or cut-off point, beyond which aid may cease” (Rawls 1999b: 106), whereas the duty of assistance is only up to a point where burdened societies have attained the economic and social level sufficient for them to be able to establish decent institutions. Zanetti aptly explains that, “What disadvantaged societies need, in Rawls’s view, is to be assisted at certain points in creating suitable political institutions and thereby joining the international community. Thus the principle of assistance is not intended to decrease differences in gross domestic product between rich and poor countries by adjusting the level of affluence in disadvantaged societies” (Zanetti 2005: 2003). If distributive justice has no target or cut-off point, then this would mean that the resource-transfer from a wealthy country to a poor one would still continue so long as inequalities between them persist, even “after the duty of assistance is fully satisfied” and the poor “domestic society has achieved internally just institutions” (Rawls 1999b: 117, 120). But Rawls finds this unacceptable because justice requires that only inequalities due to a society’s undeserved circumstance must be compensated and not those which follow from its collective choices (See Tan 2004: 70). Furthermore, if distributive justice has no cut-off point, then it cultivates “relations of dependency” that weakens a poor country’s right to self-determination as well as its potential to become well-ordered (See Zanetti 2005: 203).

Finally, since well-ordered societies have a duty of assistance to help burdened societies, distributive justice would no longer be necessary and hence superfluous. Tan calls it the “redundancy argument” (Tan 2004: 66). Rawls maintains that the goals distributive justice seeks to accomplish like “attaining liberal or decent institutions, securing human rights, and
meeting basic needs” are already “covered by the duty of assistance” (Rawls 1999a: 116). Here he seems to argue that if the need for basic subsistence can be satisfied by the duty of assistance, global redistribution of resources is morally inessential.

1.4 Pogge’s Cosmopolitan Justice

Pogge is not convinced of Rawls’s reluctance to apply distributive principles of justice to the global context. As was discussed in the preceding section, Rawls confines distributive justice to the domestic realm, particularly to the basic structure of a “more or less self-sufficient”, “closed-system” and “self-contained” society, and considers the obligation of well-ordered societies to burdened societies as mere duty of assistance. Though Pogge disagrees with Rawls’s account of international justice, he remains indebted to him. Pogge even thinks that this duty of assistance can even be used to support the critique of the failure of many affluent countries today to help substantially in meeting subsistence needs of poor societies. He, however, is quick to point out that the most important insight is not that rich countries “are not merely helping too little, but also harming too much: by imposing a global institutional order under which, foreseeably and avoidably, nearly half of humankind continue to live in abject poverty and some 300 million have died from poverty related causes since the end of the Cold War” (Pogge 2006: 223).

This section is divided into two sub-sections. The first discusses Pogge’s critique of Rawls’s account of international justice and explains why this account is incompatible with the principles of justice Rawls first laid out in his *A Theory of Justice*, particularly his moral individualism. The second sub-section develops the framework of Pogge’s theory of global justice. This framework serves as a basis for the main aim of this thesis which is to give a moral explanation as to why there is severe global poverty and the possible steps needed to taken in order to eradicate, or at least alleviate, the dehumanizing poverty of the global poor.

1.4.1 Critique of Rawl’s Account of International Justice

As was already noted, there are differences in Rawls’s account of domestic and international justice. Pogge particularly points out that in the international scene, Rawls used his “thought experiment of the original position” differently as he used it in the domestic realm. There are four differing features. First, “the rational deliberators are conceived as representing *peoples* rather than persons, and the international original position is thus said to model the freedom and equality of *peoples*” (Pogge 2006: 207). Here Rawls departs from his moral individualism in *A Theory of Justice* where individuals, and not states, people or any collectivity, are considered as the ultimate units of moral concern. It also not clear, as Pogge
observes, what Rawls means by ‘peoples’ as the rational deliberators of the international original position. Does it refer to a group of persons living in a state? Or in a nation that goes beyond state boundaries like “the Kurds, the Jews, the Chechens, the Maori, the Sami, and hundreds of other traditional and aboriginal nations” (Pogge 2006: 211)?

Second, in the international original position, the rational deliberators are selectively chosen in the sense that they only come from and represent well-ordered peoples “having either a liberal or a decent domestic institutional order”. Societies which are not well-ordered such as what Rawls calls as “outlaw states”, “societies burdened by unfavorable conditions”, and “benevolent despotisms” (See Rawls 1999b: 4) are not considered as members and therefore, they are not acknowledged as “equals” and are “denied equal respect and tolerance” (Pogge 2006: 207).

Third, Rawls uses a thinner concept of the veil of ignorance because it allows “the parties to know whether they are representing a liberal or a decent people; and he therefore conducts his international thought experiment twice to show separately that representatives of liberal peoples and representatives of decent peoples would independently join the same agreement” (Pogge 2006: 207).

Lastly, the deliberators in the Society of Peoples are not “charged with agreeing on a public criterion for the assessment, design, and reform of global institutional order”; rather, they are to decide on what “set of rules of good conduct that cooperating peoples should (expect one another) to obey” (Pogge 2006: 207). So Rawls here is not really concerned with global distributive justice; rather, his main concern is “to work out the ideals and principles of the foreign policy of a reasonably just liberal people (Rawls 1999b: 10).

It was discussed above that Rawls specifically confined his conception of justice to the basic structure of a self-contained domestic society. Because there is no basic structure which is global in scope, Rawls thinks that the extension of his principles of justice to international realm seems improbable. And besides, according to Rawls, to establish a world-state where the domestic principles of justice would apply will either likely result to world despotism or an empire ripped by incessant civil strife. Here Rawls is following Kant’s reasoned opinion in Perpetual Peace. Pogge, however, is not completely satisfied by this explanation for three reasons. First, he thinks that this appeal to Kant is questionable because Kant, though strongly unconvinced by “a universal monarchy achieved by conquest” that would eventually lapse into anarchy, preferred “a plurality of independent states”. As Pogge explains, “Kant does not, here or elsewhere, express such reservations about a liberal world republic achieved through a peaceful merger of republics though he realized, of course, that such a transition might well be
opposed by existing rulers” (Pogge 2006: 207).

Second, Pogge says that even if Kant presumes that “any world state would invariably lead to despotism or civil strife”, it does not follow that “a just world government” is not possible “in the twenty-first century and beyond.” This is so because “the last two hundred years have greatly expanded our historical experience relevant to this question”, and the sophisticated and enormous development in social and political theory makes plausible the existence of a federalist world-state, as exemplified by the federalist systems of the United States and the European Union. Such a federalist world-state, where there is “a genuine division of powers, even in the vertical dimension, is workable and no obstacle to stability and justice” (Pogge 2006: 208).

Lastly, the infeasibility of a just world-state does not nullify the applicability of Rawls’s criterion of social justice globally because this criterion “does not prescribe a specific institutional design”; rather, it is intended to provide a comparable moral assessment of institutional designs, to reform them if unjust and to establish new ones if need be. Thus, when this criterion is applied globally, it morally requires the establishment of global institutions “that would secure the basic liberties of human beings as far as possible and to design the global economic order so that fair equality of opportunity is realized worldwide as far as possible and so that it engenders socioeconomic inequalities among persons only insofar as this raises the socioeconomic floor” (Pogge 2006: 208). As Pogge further explains:

The applicability of this criterion is not refuted, but rather confirmed by Rawls’s empirical speculation: If world government would lead to despotism or civil strife, then the public criterion would correctly reject this institutional option for its failure to secure the basic liberties of human beings worldwide. This criterion would then favor another global institutional design perhaps a global federation on the model of the European Union, or a loose league of nations as Kant had described, or Rawls’s similar Society of Peoples, or a states system like that existing now (Pogge 2006: 208).

The existence of a global basic structure, seems to Pogge, is not necessary in order for the distributive principles of justice to operate. For him it is sufficient that there is existing interconnection between states, like international trade agreements and diplomatic activities (Pogge 1989: 262-263). And this interconnection does not have to be a cooperative one or mutually beneficial to the states themselves. Pogge’s position here is similar to Charles Beitz. For Beitz, international economic interdependence warrants the application of distributive justice globally because the consequences of such interdependence “produce significant aggregate benefits and costs that would not exist if states were economically autarkic” (Beitz 1999: 152). Since states are deeply affected by their economic interactions which may lead to
an uneven and unfair worldwide distribution of costs and benefits, Beitz argues for an international resource distribution so that no country is disadvantaged by an international economic scheme.

For Tan, however, the claim that the prior existence of a global cooperative scheme as a necessary condition for justice is to “misconstrue and pervert the purpose of justice” (Tan 2004: 34). This, according to him, puts the cart before the horse because it “inverts the relation between justice and institutions” (Tan 2004: 34). Justice is supposed to regulate existing institutions and if necessary, demands the creation of new ones. As he further explains,

Justice constrains and informs our institutional arrangements, not the other way around. . . . In a time in which individual’s economic decisions and policies are felt worldwide it has become all the more crucial for there to be some governing principles to fairly regulate our basic global structure. The fact of globalization underscores the importance of adopting a justice-based approach to global poverty – the shared global economic space we are all moving towards, like our domestic economic sphere, needs to be regulated by certain distributive principles (Tan 2004: 34-35).

There is another reason why Pogge thinks that Rawls is adamant in not extending the principles of domestic justice to the global sphere. He says that, “Rawls could point out that it would be wrong to impose a global order designed according to a liberal criterion of social justice upon decent peoples who may reject the normative individualism of this criterion as well as its emphasis on basic liberties” (Pogge 2006: 208).

The rationale behind this is that Rawls needs to accommodate non-liberal decent peoples whom liberal peoples must tolerate and treat as equal members of the Society of Peoples.

Pogge is not convinced of Rawls’s second reason discussed in the preceding paragraph regarding the infeasibility of the global application of the principles of justice. He thinks that Rawls fails to explain why this principle of toleration is only applicable to the interaction of peoples in the international realm where the values of opponents of liberalism (i.e. hierarchical decent societies) are accommodated and not in his domestic theory, particularly to the design of national institutions. Rawls admits that decent hierarchical societies, though they uphold basic human rights, do not treat their members as free and equal citizens. But Pogge contends that this poses a problem to liberal societies. Accommodating and tolerating decent hierarchical societies will jeopardize liberal values “by rejecting normative individualism, by disregarding the basic liberties of persons outside well-ordered societies, by truncating the basic liberties of persons in decent societies, and by tolerating poverty and huge inequalities worldwide” (Pogge 2006: 209). Pogge is aware that his criticism on this regard can be
answered by alluding to Rawls’s notion of reasonable pluralism and “political conception of justice” where the principles upon which hospitality shown by liberal societies to decent ones are based depend not on any comprehensive doctrine (i.e. religious, philosophical or moral) but on general principles which can be agreed to by people holding different views about the good life. But Pogge thinks that this defense can be undermined. While Rawls’ basis for accommodating diverse comprehensive doctrines in a domestic society is their legitimacy and modifiability (when judicious reason warrants its revision), Pogge thinks, however, that this assertion cannot be used to support the accommodation of decent non-liberal societies because Rawls already deems these societies “morally inferior” and “hopes that all human beings will eventually live under liberal institutions” (Pogge 2006: 210).

1.4.2 Cosmopolitan Justice

Pogge is an advocate of moral cosmopolitanism. Moral cosmopolitanism is based on the fundamental idea that “each person affected by an institutional arrangement should be given equal consideration” (Jones 1999: 15). Pogge claims that moral cosmopolitanism exhibits the following essential features: individualism, universality, and generality. Individualism means that persons or human beings are the ultimate units of moral concern. Families, tribes, ethnic, cultural or religious communities, and nations or states may indirectly become units of moral concern only insofar as these groups are constituted by individuals or citizens (Pogge 2008, 175). Universality implies that the moral concern bestowed on individuals applies to all of them equally and “not merely to some subset, such as men, aristocrats, Aryans, whites or Muslims” (Pogge, 2008, 175). This means that individuals are entitled to equal moral worth and consideration irrespective of their class, race, gender or age or nationality. Lastly, generality connotes that the moral status conferred on persons “has global force” and that “persons are ultimate units of concern for everyone not only for their compatriots, fellow religionists, or such like” (Pogge 2008, 175). To summarize then, moral cosmopolitanism is the view which considers persons as ultimate units of moral concern whose interests should be given equal worth and consideration and whose moral status gives rise to obligations binding to all people in the world (See Caney 2005: 4; Jones 1999: 15).

National boundaries, according to Pogge, do not preclude a person from complying with his moral duties to other persons. Citizenship and national boundary are as morally arbitrary as race, gender, natural endowments, social status, etc. and so should not be used as

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4 “Normative individualism”, Pogge explains, “is the view that, in settling moral questions, only the interest of individual human beings should count” (2006: n4, 244).
criteria in the application of moral duties as well as in the distribution of benefits and burdens in the world (See Pogge 1989: 247). Pogge’s basic premise for this claim is his moral cosmopolitan view. His moral cosmopolitanism’s central thesis is that “the moral assessment of persons and their conduct, of social rules and state of affairs, must be based on fundamental principles that hold for all persons equally” and that it should not discriminate arbitrarily against particular persons and groups (Pogge 2008: 108).

Pogge is critical of Rawls’s theory of international relations in *The Law of Peoples* because Rawls seems to undermine his commitment to moral individualism in *A Theory of Justice*. Moral individualism, as already defined, is the view that individuals are ultimate units of moral concern. But instead of taking individuals as the ultimate units of moral concern or “self-originating sources of valid claims” (Rawls 1980: 543, quoted in Tan 2004: 9) in the international original position, Rawls replaces it with peoples. In other words, Rawls models his international hypothetical contract according to the equality of peoples and not according to the moral equality of persons. A commitment to moral individualism, however, requires that the welfare of the worst off members of the world and not the worst off members of each society should be the baseline of distributive justice. This means that if there are global inequalities, then the well-being of the worst off members of the world and not that those in domestic level should be the basis for the justification of such inequalities. Otherwise, if this is not the case, the worst off members in rich countries would still be better off than the worst off members of poor countries. And this does not seem fair from the perspective of moral individualism.

Pogge’s brand of moral cosmopolitanism, which he calls intermediate cosmopolitanism, straddles between what is known as weak cosmopolitanism and strong cosmopolitanism. Weak cosmopolitanism is the view that treats individuals as having equal moral worth. It is weak because the equal respect it accords to individuals is attained “by ensuring that individuals are able to live minimally adequate lives” (Tan 2004: 11). Rawls conception of international justice can be considered as a weak form of cosmopolitanism since duties of justices in the international realm is confined to duty of assistance. It must be remembered that for Rawls, duty of assistance is only up to a certain point where the beneficiary country will be able to attain a threshold level of economic and political development necessary for its becoming a well-ordered society. In contrast to weak cosmopolitanism, strong cosmopolitanism still recognizes the equal moral worth of individuals but this ideal of equal moral worth requires “a commitment to some form of global distributive equality, and will aim to regulate inequalities between persons, even above the threshold of
minimum adequacy, against some appropriate distributive principle” (Tan 2004: 11). Singer’s version of cosmopolitanism can be considered to belong to this definition of strong cosmopolitanism. For Singer, rich citizens of affluent countries are morally obliged to extend humanitarian assistance and relief to the global poor if doing so does not entail the sacrifice of “something morally significant” on the part of the rich (Singer 1972: 411 cited in Tan 2004: 42).

Pogge somehow rejects strong cosmopolitanism because it does not make a clear distinction between what moral obligation one owes to compatriots or fellow nationals and to foreigners. It seems to him that this view does not recognize a person’s special ties and relationships to his compatriots. Pogge also rejects weak cosmopolitanism because it seems to favor a person’s special obligations to his fellow nationals at the expense of foreigners. He does not discount, however, the fact that a person’s special ties or associative relationships to his fellow nationals give him more reason and motivation to help. This is analogous to saying that one has more moral reason to help one’s child than another’s. So in order to reconcile this seeming contradiction between weak cosmopolitanism, on one hand, and strong cosmopolitanism, on the other hand, Pogge introduces the notion of negative duty not to harm and the positive duty to help. What this means is that, in negative duty, one has an obligation not to harm another whether the person is a fellow national or foreigner. But with regard to the positive duty to help, one has a stronger obligation to someone with whom one has a special relationship than to an outsider or foreigner. To illustrate this, consider for example a country which has poor individuals among its citizens. Consider also that there are other poor individuals in other countries. According to Pogge, this country has obligations not to subject both its citizens and foreigners to harm. In the case of its negative duty not harm its citizens, it has an obligation not to impose unjust institutions which would curtail their freedoms and right to subsistence, say, condoning torture and collecting unreasonably high taxes. In the case of its negative duty not to harm foreigners, it has an obligation not to support, impose and perpetuate unjust global structures that avoidably and foreseeably result to severe widespread global poverty, for instance, tolerating unfair trade and giving loans to countries which have a corrupt leader through the mechanism of international borrowing privileges.

Regarding positive duty to help, a country has stronger obligation to give aid to its poor citizens in order to alleviate their poverty compared to the obligation it has to alleviate the poverty of poor foreign nationals. It must secure first the basic needs of its own people before others; otherwise it is like feeding other children first when one’s own child is starving. So the apparent contradiction between strong cosmopolitanism and weak cosmopolitanism
could be evaded if it is to be argued that though they differ in their treatment as regards to compatriots and foreigners in terms of positive duty, they cannot deny that both must uphold the negative duty not to harm them.

Pogge’s point is that “special relationships can increase what we owe our associates, but they cannot decrease what we owe everyone else” (Pogge 2003: 90-91). Giving priority to the treatment of one’s “near and dear” is limited by the basic standards of justice and fairness (Pogge 2008: 16) Applying his point globally, Pogge says that “by living together in a political community” fellow nationals “increase what they owe one another” but it does not “decrease what they owe to foreigners” (Pogge 2003: 91). “If intermediate cosmopolitanism is correct”, he continues, “then, though we owe foreigners less than compatriots, we owe them something. We owe them various negative duties, undiluted. One of these is the fundamental negative duty not to impose an unjust global institutional order upon them” (Pogge 2003: 91). The fulfillment of this duty is not so burdensome to affluent countries and to its people. “Yet it would prevent a few million child deaths annually from poverty related causes and much other suffering besides” (Pogge 2003: 91)

The distinction between positive duty and negative duty is important in understanding Pogge’s notion of moral cosmopolitanism. The distinction between these two kinds of duties can be found in Immanuel Kant’s (1724-1804) moral philosophy. According to Kant, positive moral duties are imperfect duties because moral agents are not always required to perform them. Moral agents do not also have the obligation to perform them to the fullest possible extent (See Kant 1994, 50-51). Negative duties, by contrast, are perfect duties because moral agents are strictly required to perform them. These duties require absolute compliance (See Kant 1994: 48-49). This distinction made by Kant implies that negative duty is morally weightier and stringent than positive duty. One’s duty not to torture, for example, is stronger than when one is not able to prevent someone from torturing another. Though one still has the moral duty to prevent others or not to condone their act of torturing someone, but in this case, one has lesser responsibility in the sense that he is not actually torturing another. The reason for this is that duty implies the existence of a duty bearer, the one who must perform the duty, and a recipient of the duty, the one to whom the duty is owed. In the case of negative duty not to torture, for example, it is clear that everybody (agent or duty bearer) must refrain from doing it to the victim (the recipient of the duty), whoever he is and whatever nationality, gender, race, etc. he possesses. This duty is unconditional and absolute because everyone is required to fulfill such duty. But in the case of positive duty, say helping a child who is drowning in a pool, it is not so clear who the duty bearer is because it could be anybody who
happens to be near and see the child drowning. So this is somehow conditional and relative. So the distinction between positive duty and negative duty is that the former lacks a clear identifiable duty-bearer which the latter does not. Also, the latter is absolute and unconditional while the former is somehow conditional and relative.

Pogge distinguishes between an interactional approach and institutional approach to justice (See Follesdal and Pogge 2005: 2-3). In the interactional approach, the agents are individuals, groups, collectivities and corporations. The responsibility of these agents largely depends on the causal relation and relevance of their actions to other people. In the institutional approach, the agents are states or social organizations. Pogge agrees with Rawls with regard to the institutional approach to justice. The institutional approach to justice means that justice is primarily meant to evaluate the morality of social and political institutions. This is so because these institutions, also known as the basic structure, exert a strong influence on the lives of people in the sense that they play a major role in the distribution of benefits, roles and burden to these individuals. But unlike Rawls, he refuses to confine this approach to the domestic level. As already mentioned, though there is no existing world sovereign state which meets the requirement of Rawls’s notion of social justice, Pogge thinks that this is not a necessary condition for the application of justice to the world as a whole. He thinks that in today’s highly globalized world there is an existing economic interdependence that affects people’s lives, especially those lives in poor countries that warrant the application of justice (See Pogge 2008, 18-19, 39). There are international institutional schemes that set the terms of economic trade between countries [such as World Trade Organizations (WTO)], oversee and manage the stability of political international relations [such as North Atlantic Treaty Organization (NATO), United Nations (UN), Group 7 (G7)], control the markets in many countries [such as Multi-National Corporations (MNC’s)] and run international finance [such as World Bank (WB) and International Monetary Fund (IMF)]. Coupled with the influence of this global institutions is the regrettable reality of avoidable and foreseeable extreme poverty suffered by many people in poor countries. This scenario necessitates the moral assessment of these global institutions so that better alternatives can be found which eradicates, if not at least reduces, extreme poverty in the world.

There are limitations though to a “wholly institutional approach to justice” (See Caney: 2007: 281-286). One of the limitations of this approach, according to Simon Caney, is its failure to give an account of one’s responsibility to persons who do not belong to an institutional scheme. Pogge maintains that persons have a negative duty not to impose, participate and profit from social and political institutions that impoverishes others. This duty
then arises as a consequence of an individual’s membership in an institution. Institutional membership is morally relevant because it obliges a person to perform his “negative duty not to participate in any unjust social order” (Caney 2005: 113). But according Caney, this negative duty not to participate in an unjust social structure “does not entail that these are the only duties of justice that one has” and this also does not imply that one has no positive duties “to all persons one can affect regardless of whether one has causal links with them (Caney 2005: 113-114). Moreover, the institutional approach cannot offer people adequate protection from deprivations where such deprivations are due, for example, to other variables such as “a lack of natural resources or disease or isolation” and not to one’s failure to perform the negative duty not to support an unjust social order (Caney 2005: 114). As Caney further explains:

To restrict our duties of justice to the negative duty of our not imposing unjust global economic frameworks on others, as Pogge suggests, would then allow there to be poverty, malnutrition, and misery stemming from these other variables. It would also mean that we have no duty of justice to assist those whose deprivation stems not from our imposition on them of an unfair global economic system but from the oppression and injustice of their own government (Caney 2005: 114).

So for Caney, institutional membership is not necessary in order for there to have a duty of justice whether that duty is negative or positive. It can be said then that duty of justice both applies to interactional as well as to institutional relations.
Chapter Two: Pogge’s Moral Account of Global Poverty

2.1 Introduction

This chapter discusses Pogge’s explanation for the existence of severe and persisting global poverty. Pogge’s main argument is that there is global poverty because developed nations avoidably and foreseeably continue to support, participate and impose unjust global structures that actively harm the global poor. Pogge likewise contends that the historical process of Western colonialization and enslavement of poor countries also contributes to global poverty.

The developed states may think that they are not actively causing global poverty because there is nothing seriously wrong in their conduct, policies and the global institutions they make, and that the persistence of this deplorable condition is regrettable and a failure on their part to give more humanitarian assistance. But they do not see that in not doing something to reform these global institutions when there are morally better alternative global designs, they are nonetheless causing this severe global poverty.

The chapter begins with a discussion on moral prejudices that exhibits moral indifference or which undermines the moral seriousness of the problem of global poverty. This is discussed in section 2.2. Section 2.3 discusses the superficial assumptions for ignoring global poverty and how Pogge refuted the arguments underlying these assumptions. The next section (sec. 2.4), discusses the skillful defenses that support the bias that developed states are not harming the global poor in their conduct, policies and the global economic institutions they designed. It is followed by Pogge’s arguments questioning the tenability of the skillful defenses. The chapter ends by analyzing the role global institutions play in the existence of severe global poverty (sec. 2.5).

2.2 Moral Prejudices Against Global Poverty

Pogge presents an ironical scenario wherein there is a rising material affluence in the West, in one hand, and the glaring reality of extreme poverty, notably existent in third world countries, on the other hand. In spite of the fact that the West has achieved a level of mature morality and enlightened civilization, it seems doubtful whether this achievement can really meet the criteria of justice since there is so much deplorable suffering and extreme poverty in the world. Pogge raises two questions with regard to this:

How can the severe poverty for half of humanity continue despite enormous economic and technological progress and despite the enlightened moral norms and values of our heavily dominant Western civilization?
Why do we citizens of the affluent Western states not find it morally troubling, at least, that a world heavily dominated by us burdens so many people with such deficient and inferior starting points? (Pogge 2008: 3)

Many affluent countries and their citizens do not find the eradication of severe widespread poverty “morally compelling” and “its persistence and the relentless rise in global inequality troubling enough to warrant serious moral reflection” because they “know only the bare outlines of the problem” (Pogge 2008: 3). The explanation for this, according to Pogge, is that “those who know more economists and other academics, journalists, politicians do not find it morally disturbing enough to highlight, publicize, and discuss” and thus, they “do not see global poverty and inequality as morally important issues” that affluent people should be concerned with (Pogge 2008: 3).

Why, then, do the people who are supposed to know more and who are expected to inform other people about the existence and persistence of dehumanizing poverty find this problem relatively morally unimportant? Before answering this question, Pogge discusses the role of causal factors such as a person’s interests, situation and background that shape and influence that person’s notions of justice and ethics. He says, for example, that a rich person may less likely find a poor man’s predicament to have access to basic health on account of the poor’s inability to pay morally important. This rich man’s apparent moral indifference to the poor man’s lot may be reinforced if both “live in mutual isolation and lack vivid awareness of one another’s circumstances, experiences, and perspectives on the world” (Pogge 2008: 4). Relating this sort of bias to the problem of world poverty, Pogge gives a striking remark, perhaps appealing to the conscience of affluent countries and their citizens:

We live in extreme isolation from severe poverty. We do not know anyone learning less than $30 for a 72-hour week of hard, monotonous labor. The one-third of human beings who die from poverty-related causes includes no one we have ever spent time with. Nor do we know anyone who knows and cares about these deceased someone scarred by the experience of losing a child to hunger, diarrhea, or measles, for example. If we had such people as friends or neighbors, we would think harder about world poverty and work harder to help end this ongoing catastrophe (Pogge 2008: 4).

Moreover, Pogge continues, a person’s concrete judgments derived from his moral values are also shaped by his interests and situation. There are people who unconsciously “interpret their moral values in their own favor and tend to select, represent, and connect the facts so as to facilitate the desired concrete judgments” (Pogge 2008: 4-5). This prejudice tends to be more effective if a person’s values and judgments are supported by another person or group whose values and interests are similar to his own.

The causal factors just explained somehow provide an answer to the second question
above that Pogge raised. It also helps explain the answer to the first question. And these factors, according to Pogge, contribute to two common moral prejudices against world poverty: (1) *that the appalling global poverty does not merit the moral attention of the affluent*, and (2) *that their conduct, policies and the global economic institutions they make are not seriously wrong vis-à-vis world poverty* (Pogge 2008: 5).

As an answer to the first question, Pogge gives another set of causal factors. He says that moral norms meant to uphold and protect the welfare of the weak and the poor are burdensome to the strong and the wealthy. The latter group will only comply if such norms are compelling enough. But the rich and the strong will also try to circumvent and avoid, consciously or unconsciously, the moral norms if they can in order to lessen or shield themselves from the burdens of responsibility and “still enjoy the advantage of their dominance” (Pogge 2008: 5). Pogge applies this scenario to the present global scheme and thinks that the development in Western moral norms has “mostly produced cosmetic rearrangements” (Pogge 2008: 6). He says, for example, that in spite of the fact that colonization, slavery and genocide are no longer practiced in compliance of the so-called “moral norms”, the rich countries still dominate trades and international agreements, leaving millions of people in poor countries to suffer from extreme poverty. As Pogge says, “Many people there are still desperately poor and oppressed, and we still get the natural resources we need. But we now pay native rulers and ‘elites’ for such imports and therefore are or at least feel morally disconnected from the misery of the locals” (Pogge 2008: 6).

Pogge admits though that the development of Western moral norms that tends to avoid moral obligations owed to the poor did not come about deliberately but is a result of a kind of “invisible hand” or “the uncoordinated activities of many influential players each seeking its own advantage, learning from its set-backs, processing new information, and strategically adjusting itself to compelling moral norms by seeking to find and exploit moral loopholes and other methods of moral avoidance” (Pogge 2008: 6). But still this does not hide the fact, in spite of great moral progress, that the rich countries “enjoy crushing economic, political, and military dominance over a world in which effective enslavement and genocide continue unabated” (Pogge 2008: 6).

There are still other causal factors that Pogge would like citizens of developed countries to give attention to in order to avoid embracing the moral prejudices against global poverty. He says that how people in developed countries assess themselves should depend on both objective features: on the structure of the human world and the person’s role within it, and subjective features: on how a person direct his moral attention, his views on justice and
ethics and how he applies his views to the human world and to his role within it (Pogge 2008: 6).

In showing how these causal factors affect a person’s moral judgments on global poverty, Pogge invites citizens of rich countries to examine their moral views carefully and urges them to consider the problem of global poverty seriously.

2.3 Assumptions for Ignoring Global Poverty

According to Pogge, there are four possible and superficial assumptions people from the developed West are inclined to have in ignoring global poverty. The four assumptions argue for the following claims: 1) futility, 2) jeopardy, 3) perversity, and 4) the optimism that world poverty is declining.

The proponents of the first assumption could argue that the problem of world poverty is so overwhelming that it is useless for the rich countries to waste their resources in trying to eradicate it. This is supported by “the history of failed attempts at development assistance” (Pogge 2008: 7). But Pogge thinks that this assumption do not see the fact that the global poor is not “one vast homogeneous mass” and that even if many people go hungry despite efforts in feeding them, still it would make real and significant difference if at least some of them are fed rather than just leaving them to die from starvation.

Granting that it is true that development efforts to solve the issue of global poverty have not been successful because of the magnitude of the problem, still this is not evidence to ignore global poverty. This is so because, according to Pogge, most aids extended to poor countries are not really aimed at poverty reduction. Instead, they go to exports firms and political elites of poor countries who can strategically reciprocate the benefit extended. Also, after the end of the Cold War, the official development assistance (ODA) of rich donor countries, particularly of the United States, has been “sharply reduced” because their “need for political support from less developed states declined (while need among the global poor and [their] capacity to protect them increased)” (Pogge 2008: 8).

Pogge also argues that failure to eradicate global poverty should not be a cause for pessimism and withdrawal but instead “a reason to think harder about world poverty and ways of attacking it” (Pogge 2008: 8).

As to the second assumption, the proponents could claim that eradicating global poverty jeopardizes the interests of the citizens of the rich countries. It “would sap [their] arts and culture and [their] capacity to achieve social justice at home”, and “greatly damage [their] lives and communities and thus clearly is politically unfeasible” (Pogge 2008: 10). Pogge
debunks this assumption by pointing to the fact that the aggregate shortfall of 2.5 billion poor people in the world is approximately $300 billion annually and this is just a little below one percent of the total yearly gross national incomes of rich countries. Shifting just one percent of this income to poor countries in order to eradicate poverty involves very little costs and risks on the part of affluent nations. Sharing an insignificant amount of the wealthy countries’ income to the poor ones will save thousands of the latter citizens’ lives and this may lead to the enhancement of the life and culture of rich nations, instead of being damaged.

The third assumption presupposes that “preventing poverty deaths is counterproductive – perverse – because it will lead to overpopulation and hence to more poverty deaths in the future” (Pogge 2008: 10). Pogge maintains that this assumption runs contrary to facts. Evidence indicates that increased food production in the last few decades has decreased the prices of food stuffs by 45% since 1980 and this has balanced and regulated the adverse effects of increasing population (See Pogge 2008: 10). Pogge also adds that further evidence shows that birth rates diminishes “wherever poverty is alleviated and women gain better economic opportunities, more control within their households, and better access to reproductive information and contraceptives” (Pogge 2008: 10).

The last assumption, unlike the first three, expresses not pessimism but optimism about the fight against global poverty. Since global poverty is disappearing, adherents of this assumption conclude that there is no need to work further for the alleviation of poverty and so it does not require any serious attention. This somehow leads to complacency and eventually to moral indifference to the global problem. Pogge thinks that this assumption does not cohere with actual trends. Analyzing data from various sources like United Nations Food and Agriculture Organization (UN-FAO), and United Nations Development Program (UNDP), Pogge infers that UN’s millennium development goal of reducing poverty by half in the year 2015 is unlikely to be achieved (See Pogge 2008: 11-13).

From factual evidences which he gathered and through his careful analyses of reliable data to counter the four assumptions of ignoring world poverty, Pogge cautions that people from developed countries ought not to rely on their “unreflective moral judgments” as regards their low appraisal of the moral seriousness of the problem of global poverty.

2.4 Skillful Defenses in Passively Consenting to World Poverty

Though Pogge thinks that some people can have superficial reasons in ignoring world poverty, there are also skillful and formidable defenses or arguments that favor the second moral prejudice that the conduct and policies of developed countries as well as the global
economic structures they design are not morally illegitimate and hence they are not actively and actually harming the global poor.

Adherents of the second moral prejudice is willing to concede that world poverty could be more prevented “through more foreign aid or other redistributive mechanisms” (Pogge 2008: 14). But they are not convinced that the affluent Western states are actively causing poverty. They instead acknowledge that rich countries fail to contribute enough to poverty eradication. The assumption here is that the difference between failing to prevent global poverty and actively causing it is morally significant because the former is not as blameworthy as the latter. As Pogge says, “To be sure, it is morally better to do more. But if we do less or even nothing, we are not therefore responsible for any poverty deaths we might have prevented” (Pogge 2008: 14). Pogge also claims that this assumption could be viewed as working in the global economic order, saying that affluent Western states could design this order to be more poverty avoiding (perhaps by including some redistributive tax scheme like the Tobin Tax). It would be good of us [affluent Western states] to do so. But a global order that includes no such effective redistributive mechanism is not therefore causally or morally responsible for any poverty such mechanism might have prevented (Pogge 2008: 14).

Skillful defenses may also draw support from the view that affluent states are not harming the global poor because of the common belief that compatriots have priority over foreigners, “especially in the context of a system of competing states” (Pogge 2008: 14). Adherents of this view allow wealthy states through their political representatives to prioritize the interests of their citizens in adversarial international relations since other states are also pursuing the interests of their own citizens. So states are not really doing any wrong if they care less for foreigners than they would their citizens because their primary duty is owed to their own inhabitants. Giving priority to foreigners will in fact be construed as morally wrong because the interest of the citizens are not adequately satisfied by the state which is supposed to prioritize its own people.

The defense forwarded above, according to Pogge, assumes two debatable claims: 1) it is wrong for wealthy states to harm foreigners by actively causing their poverty, but failing to benefit them by not preventing as much poverty as they might is not seriously wrong; 2) the wealthy states are not actively causing severe poverty abroad but they are merely failing to prevent as much of it as they might (Pogge 2008: 14-15).

The first claim is the position held by libertarians and Pogge somehow agrees with them. There is a significant moral difference between actively causing poverty and failing to prevent it. The consequentialist thinkers, however, will dispute this claim arguing that
“Allowing hunger to kill people whom one could easily save, even mere foreigners, is morally on par with killing them, or at any rate little better” (Pogge 2008: 15). This consequentialist argument is quite questionable because it assumes that what matters in the end regarding the moral quality of a person’s conduct are the results or consequences. The intention or the motive of the agent also plays an important role in assessing moral responsibility or culpability. So a person who purposely kills another is more liable than the one who fails to stop a murderer from killing another person.

With regard to the second claim, especially when seen within the context of global institutional schemes, Pogge rejects its argument because for him “the existence of an adversarial system can justify prioritizing fellow-members and group interests only if the institutional framework structuring the competition is minimally fair” (Pogge 2008: 15). He further explains that “when groups competitively pursue their own interests within a framework of rules, these rules themselves and their adjudication typically become objects of the competition and may then be deformed by stronger parties to the point where the framework becomes manifestly unfair” (Pogge 2008: 15).

Pogge also points to the fact that the priority accorded by the states to their compatriots is limited by the “basic standards of justice and fairness” even in situations of competition such as the global adversarial system (Pogge 2008: 16). The asymmetry in the treatment of interests by the state favoring its compatriots over foreigners is only in terms of positive duty of assistance but not in terms of the negative duty not to harm by participating in and imposing unjust global structures.

For Pogge, debates on the cause of persistent global poverty lies mainly whether the present global institutional order is unjust and the rich countries’ participation and imposition of such an order causes harm to the global poor. Those who claimed that there is nothing seriously and morally wrong about the current global institutional designs argue that poverty is mainly due to domestic or local factors. Pogge thinks that this view is false and that it floats the idea that citizens of rich countries as merely “potential” helpers. As was already discussed, Rawls adhered to this view and it makes the political and economic fate of states largely dependent on the culture of their people, the moral probity of their political leaders, the industriousness of their citizens and the size of their population. Pogge calls this argument “explanatory nationalism” or “purely domestic poverty thesis” (PDPT). He gives four reasons for the popularity of this thesis. The four reasons are as follows:

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5 Pogge says that Peter Singer and Peter Unger are proponents of this argument (See Pogge 2008: n20, 267).
1. Subscribing to this thesis is comfortable to people in the developed world. The prevalence of severe global poverty is morally disturbing to citizens of developed countries so that they are so reluctant to see or perhaps ignore the fact that severe deprivations suffered by the global poor is largely due to a global institutional order that also sustains their “comparatively lavish lifestyles and by securing [their] resources and economic dominance” (Pogge 2004: 265-266).

2. Many are aware “of the great differences among developing countries’ economic performance” (Pogge 2004: 266). Some countries which were once considered poor have attained a level of economic development and political maturity comparable to developed countries. This leads many to think that poverty is domestically caused. Pogge rejects this reasoning because it commits the “some-all” fallacy. It does not follow that if some poor countries have become economically and politically developed, then all poor countries will also become economically and politically developed. The conclusion is hardly realistically possible. Pogge illustrates his point by alluding to the case of the Asian tigers (i.e. Hong Kong, Taiwan, Singapore and South Korea). He says that these once poor countries have achieved “impressive economic growths” because their states sponsored industries “that mass produce low-tech consumer products”, used cheap labor “to beat competitors in the developed countries” and trained their workforce to have advantage over their competitors in the developing countries. Now, if all developing poor countries “adopted this same developmental strategy, competition among them would have rendered it much less profitable. Pogge then remarks that it not correct to conclude “that the existing global economic order, though less favorable to the poor countries than it might be, is still favorable enough for all them to do as well as the Asian tigers have done in fact” (Pogge 2004: 266-267).

3. There is a prevailing research among social scientists who emphasize “the differences among national and regional developmental trajectories than to the overall evolution of poverty and inequality worldwide”. Social scientists give more focus in their studies on causal roles of such factors as “local climate, natural environment, resources, food habits, diseases, history, culture, social institutions, economic policies, leadership personalities, and much else” to national and regional developmental trajectories and to “the design of national economic institutions and policies”. Pogge cites as examples the researches and recommendations of libertarian economists who argue for economic growth and “free enterprise with a minimum in taxes, regulations, and red tape” in order to prevent poverty and human misery. Another example he cites is the developmental economist Amartya Sen whose view is “that poverty persists because poor countries have too little government: public

Pogge also points out to the “good methodological reason for the research bias toward national and local causes: There being only this one world to observe, it is hard to obtain solid evidence about how the overall incidence of poverty would have evolved differently if this or that global factor had been different” (Pogge 2004: 268; 2008: 17).

4. There is the prevalent fact that there are many governments in poor countries ruled by corrupt, incompetent leaders. This leads many to say that ‘reforms that would make the global order fairer to the poor countries” should be deferred “until they will have put their house in order by making their national political and economic order fairer to the domestic poor” (Pogge 2004: 268)

Pogge, however, thinks that the present global order is itself a causal explanation for “the prevalence of existence of corruption and oppression in the poor countries”. He gives as reasons the existing international resource and borrowing privileges which grant corrupt leaders in poor countries the legitimate power as representatives of their governments to dispose of their country’s natural resources or to borrow money from international financial institutions such as WB and IMF. These privileges, Pogge contends, will just allow these corrupt leaders to perpetuate themselves in power by buy buying arms and bribing the military. And wealthy countries in turn tend to support these corrupt and tyrannical regimes because they benefit from this unjust global institutional set-up (See Pogge 2004: 268-272).

One of the important weaknesses of explanatory nationalism, according to Pogge, is its failure to consider historical process “pervaded by enslavement, colonialism, even genocide” that “have left a legacy of great inequalities which would be unacceptable even if peoples were now masters of their own development” (Pogge 2004: 262; 2007b: 31; See also 2008: 209; 2005b: 38). It is difficult for poor countries to recover from their economic and political woes because of the traumatic effects of their violent histories (See Pogge 2005b: 38). It is also difficult for them to compete fairly and deal with rich countries in economic and political terms because both they and their rich counterpart do not have the same social starting positions. As Pogge explains, “The social starting positions of the worse-off and the better-off have emerged from a single historical process that was pervaded by massive, grievous

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6 Collste (2005: 62-63) also presents a similar argument. World poverty, according to him, is not merely caused by the bad choices and political culture of poor countries. The history of colonialism and imperialism which led poor countries economically and politically dependent on wealthy and powerful countries could be pointed out as one probable cause. Another is that poverty should not be explained in terms of the collective choices of citizens because, most of the time, the bad decisions are made only by a few elites and corrupt leaders. Finally, poverty can also be explained by a lack of natural resources or the political culture which the citizens have inherited rather than chosen.
wrongs” (Pogge 2008: 209).

Pogge does not discount the contribution of local causal factors to global poverty but he maintains that the present global institutional scheme still plays a central and dominant role. As he explains,

There is considerable international economic interaction regulated by an elaborate system of treaties and conventions about trade, investments, loans, patents, copyrights, trademarks, double taxation, labor standards, environmental protection, use of seabed resources and much else. In many ways, such rules can be shaped to be more or less favorable to various affected parties such as, for instance, the poor or rich societies. Had these been shaped to be more favorable to the poor societies, much of the great poverty in them today would have been avoided (Pogge 2004: 263-264; 2008: 18).

For example, Pogge mentions WTO and how it has helped engender global poverty. Against the critics of WTO and those who oppose free markets, free trade and globalization, Pogge says, “I do not complain that the WTO regime opens markets too much, but that it has open our markets too little and has thereby gained for us the benefits of free trade while withholding these benefits from the global poor” (Pogge 2008: 18). Many poor countries are barred from exporting their products to developed countries because of the imposition of high duties and tariffs, anti-dumping laws and agricultural subsidies, etc. Moreover patents for generic versions of advanced medicines vital to the health of many poor people have also been restricted in poor countries.

Defenders of the current world order in general and of WTO in particular could not argue that the global poor are better off now compared to the previous world order prior to the existence of WTO. If the argument favoring WTO maintains that the number of global poor has diminished since the transition to the present global order, then this cannot be true. The decline in the number of global poor, according to Pogge, is interestingly concentrated in China while the number reportedly remains stagnant in the rest of the world. “It is also disturbing that the number of severely poor is reportedly increasing even when China is included”. Even the data released by WB showing that poverty is declining worldwide cannot be taken on its face value. Pogge’s reasoning is that WB’s chosen poverty line level “seems too low” that is why it “yields a ‘better’ trend” (Pogge 2008: 20). Pogge, however, admits that “it is hard to dismiss a decline in extreme poverty, even a small one, as morally insignificant” (Pogge 2008: 19).

Granting that poverty worldwide is declining because of the present global order, this does not imply that world poverty is not really getting worse. Pogge says, “Even if the decline is real, it might be occurring despite, rather than because of, the new WTO regime. That you
are getting closer to your destination does not show that the winds are in your favor you may be making headway against headwinds” (Pogge 2008: 20). Moreover, even if it is admitted that world poverty has declined in the present global order compared to the previous global scheme, it does not follow that the former is benefiting the global poor. One cannot say, for instance, that a family with an abusive father is better off now just because the father is beating up family members less often compared to the beatings he inflicted on them in the past (See Pogge 2008: 23). As Pogge, equating severe global poverty with human rights under-fulfillment or violation, says:

> Just as the claim that the Nazis violated human rights of those they killed cannot be refuted by showing that the number of such killings declined, so the claim that the imposition of the present global order violates the human rights of those who live in and all too often die from severe poverty cannot be refuted by showing that their numbers are falling (Pogge 2007b: 40).

What Pogge means is that any comparative baseline that shows that global poverty is declining or that the global poor is better off under the present global regime, whether this baseline is historical or a hypothetical one, would be irrelevant to the claim that the present global institutional order still considerably contributes to severe global poverty which can be reasonably avoided by feasible global alternative schemes (See Pogge 2008: 19-26; 2007b: 39-41).

Another argument that may be invoked by those who maintain the view that the present global institutional order is not harming the global poor is that there is no injustice done to the global poor if they have consented to the existence of such an institutional order. Pogge rejects this view on the following grounds: First, since severe poverty is a violation of a human right to basic necessities and this right is inalienable, it therefore follows that it cannot be waived by consent; second, granting that this human right to basic necessities can be waived, this still cannot justify the despicable poverty-related annual deaths of approximately 18 million children who cannot consent, even if there is somebody who is entitled to give consent in their behalf; third, the global poor generally belongs to undemocratic or flawed democratic regimes and therefore it is doubtful whether their ruler’s consent to the present global order is truly reflective of their consent; finally, assuming that the global poor has given their consent through genuine political participation in their respective governments, the justificatory force of their consent would be weakened if each of their government is compelled to accept the unjust global scheme because in not participating in such a scheme would only increase the threat to their survival as a people (Pogge 2007b: 41-44; see also Follesdal & Pogge 2005a: 8-9).
2.5 Global Institutions vis-à-vis the Persistence of Global Poverty

Recent discussions on social justice give emphasis on the moral assessment of social institutions. These institutions are deemed just if they promote individual rights and the moral equality of persons. Rawls’s *A Theory of Justice* exemplifies this institutional conception of social justice. As Pogge succinctly describes it:

Its currently most prominent use is in the moral assessment of social institutions, understood not as organized collective agents such as the US government or the World Bank, but rather as a social system’s practice or “rules of the game,” which govern interactions among individuals and collective agents as well as their access to material resources. Such institutions define and regulate property, the division of labor, sexual and kinship relations, as well as political and economic competition, for example, and also govern how collective projects are adopted and executed, how conflicts are settled, and how social institutions themselves are created, revised, interpreted, and enforced. The totality of the more fundamental and pervasive institutions of a social system has been called its institutional order or basic structure (Rawls). Prominent within our political discourse is, then, the goal of formulating and justifying a criterion of justice, which assesses the degree to which the institutions of a social system are treating the persons and groups they affect in a morally appropriate and, in a particular, even-handed way (Pogge 2008: 37).

Social institutions do not only affect the lives and relations of the people that they circumscribe. They also affect the lives of non-participants, that is, those who live outside of their margins. In this era of globalization, the living conditions of persons worldwide are shaped and affected by the intermingling and intertwining of social institutions across the globe. Considering the fact of massive global poverty, the issue of the moral impact as well as how these global institutions are to be designed and reformed according to principles of global justice is therefore of utmost and urgent moral concern. As an example, Pogge mentions how the “political and economic institutions of the US, . . . through their impact on foreign investment trade flows, world market prices, interest rates, and the distribution of military power greatly affect the lives of many persons who are neither citizens nor residents of this country” (Pogge 2008: 38). Social institutions “also affect the flourishing of past and future persons through their impact on pollution, resource depletion, and the development of religions, ways of life, and the arts, for example” (Pogge 2008: 38). That the lives of future persons are affected by how these institutions are framed has increasingly drawn the attention of many contemporary political thinkers. This is the subject matter of what is known as intergenerational justice.8

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7 This is also claimed, for instance, by Beitz (1999), Singer (2002), and Mandle (2006).
8 For an introduction on this topic, see, for instance, Meyer 2008 and Fabre: 2007: 28-50.
But how can social institutions affect the lives of past persons? Pogge says that it may be important for a person that his choices and plans will be carried out and fulfilled in the future. “It may thus be in a person’s interest that his last will be followed, that her creative productions remain available, or that her projects be continued by others (Pogge 2008: 38). So it will be unjust for social institutions not to consider the interests of past persons.

According to Pogge, rules in international economic transactions “are the most important causal determinants of the incidence and depth of poverty” (Pogge 2007b: 26). He gives three reasons why this is so. First, there is the great impact that these rules have on the economic distribution worldwide. People claims that “even small changes in rules governing international trade, lending investment, resource use, or intellectual property can have huge impact on the global incidence of life-threatening poverty” (Pogge 2007b: 26). Second, these international rules have greater visibility and its unintended and unforeseeable effects are easier to diagnose and correct. The consequences, however, of the actions of individual and collective agents (like corporations for example) to other people in the world, unlike the international rules in economic transactions, are unknowable and difficult to trace and estimate because they get lost in the vast traffic of consequences of the actions of the billions of other individual and collective agents all over the world (Pogge 2007b: 17). This explains why Pogge emphasizes the moral assessment of institutions (institutional approach) rather than those of individuals and collective agents (interactional approach). Lastly, the reason why rules that regulates international transactions are determining factors for the existence of global poverty “is because morally successful rules are so much easier to sustain than morally successful conduct” (Pogge 2007b: 26). These rules serve as “counter-moral pressures” not only to the conduct of individual and collective agents, “but also from their completive situation as well as from considerations of fairness” (Pogge 2007b: 26). To illustrate, international corporations, for example, will not be encouraged to practice morally unacceptable conduct that harms their employees and customers because such a practice would put them in “an unfair competitive disadvantage vis-à-vis [their] less scrupulous competitors” (Pogge 2007b: 26-27).

If global rules of economic transactions are those which exert a strong influence in the incidence of global poverty, then reform of these rules is morally necessary. Pogge thinks that “the path of global institutional reform is far more realistic and sustainable” (Pogge 2007b: 29). He has three reasons for maintaining this view. First, the costs and the sacrifices to be borne by affluent citizens in supporting institutional reform “is extremely small relative to the contribution this reform makes to avoiding severe poverty” (Pogge 2007b: 29). Second, this
kind of reform guarantees affluent citizens that the costs and sacrifices they made are fairly shared and distributed among themselves. And lastly, ‘structural reform, once in place, need not be repeated, year after year, through painful personal decisions” (Pogge 2007b: 29). What Pogge means by this is that if continual poverty-eradication is left to the personal decisions and efforts of affluent citizens rather than through institutional reform, they might eventually experience “fatigue, aversion, even contempt of it” (Pogge 2007b: 29). As he further explains,

It requires affluent citizens to rally to the cause again and again while knowing full well that most others similarly situated contribute nothing or very little, that their own contributions are legally optional and that, no matter how much they give, they could for just a little more always save yet further children from sickness or starvation. Today, such fatigue, aversion and contempt are widespread attitudes among citizens and officials of affluent countries toward the ‘aid’ they dispense and its recipients (Pogge 2007b: 29).
Chapter Three: Human Rights and Global Poverty

3.1 Introduction

This chapter discusses Pogge’s moral account of alleviating global poverty. Pogge argues that since today’s global poverty is mainly caused by unjust global structures, there is then a need to reform them in such a way that the global poor are not deprived of their basic needs. Severe global poverty in the world is avoidable and foreseeable and there are alternative institutional schemes where the global poor are not unduly harmed. So what Pogge proposes is to redesign the global order where human rights are respected and realized. He draws support from Article 28 of the Universal Declaration of Human Rights (UDHR) which states that “everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized”. For Pogge, upholding and realizing human rights is a necessary, although not a sufficient, condition of global justice. This does not, however, suggest that if institutional designs fulfill human rights, then they are necessarily just. What he really means is that “an institutional design is unjust if it fails to realize human rights insofar as is reasonably possible” (Pogge 2008: 25). For Pogge, fulfilling human rights then represents the “universal core criterion of basic justice”.

3.2 The Concept of Human Rights

In his discussion of human rights, Pogge is mainly concerned with the explication of the moral notion of human rights. He does not “address the ontological status of human rights” nor does he engage in “the work of selection, specification, and justification that goes into formulating a full list of conception of human rights” (Pogge 2008: 59). He does not give emphasis on the content of human rights because he believes that their content is best left to the decisions of a particular country relative to its values and culture. Also, “The content of these rights and of any corresponding legal obligations and burdens depends on the legislative, judicial and executive bodies that maintain and interpret the laws in question” (Pogge 2008:

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9 Pogge’s reasoning goes this way: “All institutional designs that fail to realize human rights insofar as is reasonably possible are unjust”. The converse is: “Some unjust institutional designs are those which fail to realize human rights insofar as is reasonably possible”. The converse can be stated in this way (which is actually the obverse of the converse): “Some unjust institutional designs are not those which realize human rights insofar as is reasonably possible”. If this obverse is true, then its sub-contrary may also be true, which is the statement: “Some unjust institutional designs are those which realize human rights insofar as is reasonably possible”. So Pogge is right, logically speaking, because there could indeed be “some institutional designs that realize human rights insofar as is reasonably possible but may not necessarily be just”.

10 Pogge maintains that a weaker assertion of this formulation would suffice to constitute injustice. The weaker version runs as follows: “Any institutional design is unjust if it foreseeably produces massive avoidable human rights deficits. Such an institutional order, and participation in its creation or imposition, harms those whose human rights avoidably remain unfulfilled” (2008: 25).
What is important for him is that people everywhere as well as all nations recognize and respect human rights and they can agree to a certain extent what these human rights are. How people can agree on the content of human rights will be discussed later in this chapter.

What Pogge aims to answer in his discussion of human rights are the following questions: “How should human rights be conceived?” and “What does the assertion of a human right assert, especially in regard to correlative responsibilities?” (Pogge 2008: 59).

Human rights are independent of any governmental bodies that enforce them. In fact, these bodies have legitimacy only if human rights are protected. As Pogge says, “Only if they respect moral human rights do any governmental bodies have legitimacy, that is, the capacity to create moral obligations to comply with, and the moral authority to enforce, their laws and orders” (Pogge 2008: 58). What this implies is that human rights are moral rights and they exist independently of themselves. Hence, they pre-exist legal human rights. Governments cannot legislate and oblige people to respect human rights out of nowhere. They can only legislate these rights based on what is morally given and recognized as human rights. “In fact”, Pogge writes, “this acknowledgment seems implicit in the common phrase ‘internationally recognized human rights’”. “It is clearly expressed in the Preamble of the UDHR, which presents this Declaration as stating moral human rights that exist independently of itself” (Pogge 2008: 58). Legal rules enforcing human rights merely facilitate and contribute to the realization of such rights.

The moral notion of human rights, according to Pogge, has evolved from and developed out of the earlier notions of natural law and natural rights. Pogge asserts that the concepts natural law, natural rights and human rights share common features that “express a special class of moral concerns, namely ones that are among the most weighty of all as well as unrestricted and broadly sharable” (Pogge 2008: 60).

Natural law, natural rights and human rights are weighty moral demands in the sense that they “ought to play an important role in our thinking and discourse about, and ought to be reflected and respected, in our social institutions and conduct”. Moreover, they should take precedence as well as priority over other moral and nonmoral considerations (Pogge 2008: 60). As unrestricted moral demands, the respect persons ought to accord to the three notions depend not on their particular epoch, culture, religion, moral tradition or philosophy. The moral demands these three notions suggest are “relevant to persons of all times and places and therefore should be understood and appreciated by all” (Pogge 2008: 60). This also explains why the moral demands of the three notions are broadly sharable. They are “capable of being understood and appreciated by persons from different epochs and cultures as well as by
adherents of a variety of different religions, moral traditions and philosophies” (Pogge 2008: 61).

The conceptual evolution of the concept of natural law to natural rights is a secularization process that involves the limitation of the content of moral demands. From the moral demand of respecting the divinely ordained order in the world (natural law), the emphasis is now focused on the moral demand to respect persons the right holders, who are “sources of moral claims and thereby recognized as having a certain moral standing and value” (Pogge 2008: 61). Syse, in reflecting on Pogge’s notion of human rights, explains this conceptual evolution in the following words:

This turn from law to rights contributes to a secularization of the natural-law idea, toning down individual commitment to the harmonious order of the cosmos as created by God which had been so central to most earlier natural-law thinkers and focusing instead on certain moral demands human beings have against one another, these demands being understood to be natural (Syse 2005: 232).

The natural law idiom, according to Pogge, does not quite imply the moral demand to respect persons. Such idiom “need not involve demands on one’s conduct toward other subjects at all and, even if it does, need not involve the idea that by violating such demands one has wronged these subjects one may rather have wronged God, for example, or have disturbed the harmonious order of the cosmos” (Pogge 2008: 61).

Pogge points out that this shift from natural law to natural rights idiom has also threatened three historically prominent categories of moral demands, namely religious duties, duties toward oneself, and one’s obligation towards animals. Duties towards God is imperiled because one no longer “thinks[s] of him as having vital interests that are vulnerable to human encroachment” (Pogge 2008: 62). The notion of one’s duties to oneself is problematic because it is somehow absurd to engage in claiming and defending one’s rights and at the same time protest against and punish one’s self for violating his own duties. Lastly, one’s duties towards animals are also threatened because animals cannot claim against, defend, protest and punish those who violate their interests.

To assert that only persons have the ability to claim their natural rights against others, does not imply that dead persons or infants possess no such rights for the simple reason that they have no ability to make such claims. One could still argue that it would still matter for dead persons and infants whether their rights are respected or not because one could still imagine how they would protest if they knew that their rights or wishes were violated by people now (Pogge 2008: 62).

According to Syse, the exclusion of human beings from the cosmic order within which
they exist as rational entities in the natural rights idiom is both a strength and a weakness. Its strength lies in the idea that “it sets human beings free from obedience to more or less arbitrary conceptions of hierarchies and natural or divine lordship and clearly gives each human being access to equal, rightful claims that forcefully gainsay the reduction of individuals to defenseless beings whose low status is naturally or divinely instituted” (Syse 2005: 233). The weakness, however, is that such thinking may spare human beings “from responsibilities toward the larger context and environment on which these individuals to a large extent depend, since all legal and moral responsibilities seem to be reduced to relationships among human beings” (Syse 2005: 23).

The shift from the natural rights to the human rights language in the twentieth century is a further development of the secularization process mentioned earlier. Pogge mentions four significant implications of this shift. First, the shift marks a continuous departure of the idea of moral rights from its medieval Christian underpinnings. Second, it reorients the meaning of moral rights from “metaphysical” to “political”. In this way, the term human rights “does not suggest an ontological status independent of any and all human efforts, decisions, (re)cognition” (Pogge 2008: 63). Such a political conception of human rights accommodates and makes possible the convergence of various metaphysical views on human rights which different people hold. This explains why Pogge claims that human rights are broadly sharable and hence universal and have a “global normative reach” (See Pogge 2005a: 17-30). The third implication of the shift is that only human beings are entitled to have human rights and “the special moral status associated therewith” (Pogge 2008: 63). This would then entail the moral equality of all human beings because of their possession of those rights. The moral equality of human beings mean two things: first, they possess exactly the same rights; second, “the moral significance of human rights and human-rights violations does not vary with whose human rights are at stake; as far as human rights are concerned, all human beings matter equally” (Pogge 2008: 63). Finally, the shift to human rights language has in a way confined the claim of these moral rights primarily against governments and their officials. Human rights can also be considered as claims against armies, “leaders of a guerilla movement or of a large corporation” (Pogge 2008: 63-63). This significant shift means that human rights violations are somehow official violations.

There is, however, one significant implication of the shift from natural rights to human

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rights language which, according to Syse, Pogge has failed to explicitly discuss. This implication is that, in the natural law language, rights have their origin in nature. “They are donated not by any human act or agent, but by nature or God, and are as such an integral part of who I am as a natural being” (Syse 2005: 235). Since these rights are natural endowments, then they are inalienable. But such a conception of rights is not implied in the new idiom of human rights. This would then “open up the possibility that the origin of these rights is human, and that they therefore have all the instability, uncertainty, and limitedness that characterize human affairs in general” (Syse 2005: 235). This means that human rights can be revoked since they are merely conferred by humans.

The possibility that the modern notion of human rights can be revoked since they are merely conferred by humans can be addressed by alluding to Pogge’s notion of human rights as moral concerns which are weighty moral demands, unrestricted and as having broad shareability. This means that human rights for many people from different cultural and national backgrounds matter to them and they are committed to fulfilling it through the mediation of their social institutions. Though the possibility of cancellation remains, their commitment to respect and fulfill human rights reduces that possibility.

### 3.3 The Institutional Approach to Human Rights

For Pogge, human rights are primarily “claims on coercive social institutions and secondarily as claims against those who uphold such institutions” (Pogge 2008: 50-51). He differentiates this institutional conception of human rights from an interactional one where the claims of human rights are directed against persons and collective agents. The institutional approach is based on certain fundamental principles of social justice. These principles then are applied to the moral assessment of institutional schemes. These principles are “standards for assessing the ground rules and practices that regulate human interactions” (Pogge 2008: 176).

The interactional approach, by contrast, is based on certain fundamental principles of ethics. These principles serve as norms for the moral assessment of the conduct of individuals and groups. To further differentiate the distinction between these two approaches in relation to human rights, Pogge writes:

Interactional cosmopolitanism assigns direct responsibility for the fulfillment of human rights to other individual and collective agents, whereas institutional cosmopolitanism assigns such responsibility to institutional schemes. On the latter view, the responsibility of persons is, then, indirect a shared responsibility for the justice of any practices one helps to impose: one ought not to cooperate in the imposition of a coercive institutional order that avoidably leaves human rights unfulfilled without making reasonable efforts to protect its victims and to promote institutional
reform (Pogge 2008: 176).

Fulfilling human rights is the primary responsibility of domestic social institutions. Governments and their citizens should uphold human rights. But since in today’s world globalization has made different social institutions dependent on one another, it is then implausible to limit the responsibility of realizing human rights as purely isolated efforts on the part of each government and their citizens. There is an existing global structure that affects people’s lives everywhere. It is then morally proper that the moral obligation for the fulfillment of human rights should rest in these global social structures and those persons who have a strong influence in the design of such structures.

What this institutional understanding of human rights means is that for persons to have a right to X, “any coercive social institutions”, “insofar as reasonably possible”, must “be so designed that all human beings affected by them have secure access to X” (Pogge 2008: 52). By secure access to X (the objects of human rights), Pogge means that as long as threats to human rights do not fall below a certain threshold, human rights are secured. Security of access to the object of human rights denotes that it is “sensitive to persons’ risk of being denied X or deprived of X officially: by the government or its agents or officials” (Pogge 2008: 70). The absence or denial of these security to access to the object of human right, “beyond certain plausibly attainable thresholds, constitutes official disrespect and stains the society’s human-rights record” (Pogge 2008: 70). Therefore, this implies that human rights are primarily moral claims on social institutions. But citizens who actively cooperate or participate in the design of such institutions are also collectively responsible for the moral impact of these institutions. They also “share responsibility for official disrespect of human rights within any coercive institutional order they are involved in upholding” (Pogge 2008: 70). As Pogge declares, “A human right is a moral claim on any coercive social institutions imposed upon oneself and therefore a moral claim against anyone involved in their design or imposition” (Pogge 2008: 52).

It is relevant at this point to clarify what Pogge means when he asserts that the global social institutions harm the global poor. Pogge defines his notion of harm in a restrictive manner in the following respects: first, the global poor are harmed if their basic human rights are unfulfilled; second, this harm is “causally traceable to social institutions”; third, moral responsibility is borne by those persons who “actively cooperate” in the design and imposition of relevant social institutions and only such persons have “compensatory obligations to do their share toward reforming these social institutions or toward protecting its victims”; fourth, there is active cooperation in harming the global poor when this harm is “foreseeable” and that
the global design results to “substantial human rights deficits”; fifth, these human rights deficits must be “reasonably avoidable” because there is “a feasible alternative design of the relevant institutional order” that yields no “comparable human rights deficits or other ills of comparable magnitude; lastly, this alternative design must be “knowable” in the sense that it fares better in fulfilling the basic human rights of the participants (Pogge 2008: 26). The compensatory duties for the harm done on the global poor, as pointed out above, are confined to those who have actively participated in the design of the global institutional order and are commensurate to their share in that harm (Pogge 2008: 26).

In conceiving human rights as a moral claim against coercive institutions, Pogge then says that they can only be undermined or disrespected officially. Threats and occasional violations of human rights do not constitute official disrespect as long as persons have secure access to the objects of these rights. To illustrate this, take for example the right not to be tortured. A person may be a victim of torture but it does not mean that he has no secure access to the object of such a right. It could be that his government has necessary and adequate means to protect him and his fellow citizens from such violence. This could be contrasted with another example. A person may not be actually be a victim of torture but his government does not have the adequate protection to secure the physical integrity of its citizens and hence, these people are always threatened by this kind of violence. According to Pogge, only the latter example constitutes official disrespect.

Pogge’s institutional approach to human rights appears to be problematic in one sense. According to Wenar, Pogge’s conception of human rights rests on a probability that the persons have secure access to the objects of their rights. He thinks that this is implausible because it could be that a government secures the human rights of its citizens but still violates the rights of some of its citizens for official purposes. Imagine, for example, a certain government provides its citizens secure access to the objects of their human rights but orders the kidnapping and torture of ten of its citizens “either for official’s own entertainment or to complete some secret medical experiment” (Wenar 2005: 289). When viewed according to Pogge’s definition of human rights, this scenario will not be considered as an official violation because of the fact that it is officially sanctioned. The example shows that some persons are kidnapped and tortured and yet officially, no one’s right to physical integrity is allegedly violated. Wenar finds this quite absurd. So in order to avoid this absurdity, he suggests that “we can take probabilities into account where they are relevant and leave them aside when they are not” (Wenar 2005: 289). To illustrate his point, he says,

Officials must never under in any circumstances take into account that they
could further their personal or political goals through torture, and if they act on such a consideration they will each instance violate a human right. . . . Officials must act so as to keep all citizens above some probabilistic threshold of being safe from violent assault in the streets. We can say that some human rights are violated by discrete official actions, and that others are violated if officials fail to create the social conditions where access to some good is reasonably secure. This characterization allows for the important feature in Pogge’s account, while not permitting it to consume the whole definition (Wenar 2005: 289-290).

In saying that human rights are primarily moral claims against social institutions, Pogge is implying that it is sufficient that these institutions provide secure access to the objects of human rights of all persons who support such institutions. The claims need not be legalized. This is so because, according to Pogge, society may be so organized and so effective in securing a person’s access to the objects of his human rights that it renders its legalization superfluous. In other words, human rights may be fulfilled even without the legal rules that correspondingly uphold these rights. To illustrate, take for example the right to adequate nutrition. This right could be fulfilled through “some other legal mechanisms that keep land ownership widely dispersed, ban usury or speculative hoarding of basic staples, or provide childcare, education, retraining subsidies, unemployment benefits or start-up loans”. Other non-legal mechanisms can also help fulfill this right to nutrition “such as a culture of solidarity among friends, relatives, neighbors, compatriots” (Pogge 2008: 52-53; 2005a: 27) Another reason why Pogge thinks that human rights need not be codified into laws is that it is possible that there are laws protecting human rights and yet persons do not have secure access to the objects of their human rights because the government is not doing enough or anything to curb human rights violations (See Pogge 2008: 51)

Pogge does not deny the interactional view of human rights. For him it is difficult to commit to the institutional view and yet at the same time disregard the notion that some moral agents, whether individual or collective, are treating others in inhumane and degrading ways (Pogge 2008: 71). And besides, individual moral agents participate in the social systems they create. As participants, they have moral duties to design social institution that fulfill human rights insofar as is reasonably possible and reform these institutions if they fulfill otherwise.

In Pogge’s institutional view of human rights, agents have the negative duty not to harm individuals. This view also generates positive duties. But these positive duties do not correspond to a specific need or object of human rights. What these positive duties entail is that it should support and advocate programs that help persons to have secure access to the objects of their human rights. (Pogge 2008: 72). This combination of negative and positive duties within the institutional approach to human rights resolves the conflict between
libertarians and utilitarians regarding what duties one owes to the global poor. As Pogge says:

The institutional understanding thus occupies an appealing middle ground: it goes beyond (minimalist interactional) libertarianism, which disconnects us from any deprivations, we do not directly bring about, without falling into a (maximalist interactional) utilitarianism of rights, which holds each of us responsible for all deprivations whatever, regardless of the nature of our causal relation to them” (Pogge 2008: 72).

The human rights Pogge mentioned are those that support his thin concept of human flourishing, that is respecting individual autonomy and allowing persons to live, at least, a minimally worthwhile life. His thin concept of human flourishing accommodates a plurality of ethical world views or variety of ways in which persons would like to live their lives in a meaningful and worthwhile way (See Pogge 2008: 54) Pogge’s position regarding a less specific notion of human flourishing which is met by a general notion of human rights leaves room for other societies to provide additional rights which they deem necessary for a better human life.

Among the important human rights Pogge mentioned are liberty of conscience, political participation, physical integrity, subsistence supplies, freedom of movement and action, basic education and economic participation (Pogge 2008: 54-55). For human rights to be fulfilled, human beings must have “secure access to a minimally adequate share of all these goods” (Pogge 2008: 55).

Since human rights violations are primarily official violations, then these violations are graver violations because states and governments are supposed to be protectors of human rights and justice rather than act as violators. The state has coercive legitimate control over their citizens or subjects. Upholding human rights is an effective way of protecting citizens from illegitimate control and abuses by their states or governments. As Weinar writes:

Officials who fail to fulfill the human rights of the citizens of their state forfeit the mantle of legitimacy for their actions. Such officials fail to attend sufficiently to the dignity of the individuals whose good they have been entrusted with, and insofar as they fail can be seen only as agencies of might, not of right. Human rights thus set the most basic standards of normative recognition for state action, drawing a line that separates the legitimate exercise of power from official crimes of violence, coercion, and neglect” (Wenar 2005: 288).

Pogge explication of the concept of human rights can now be sum up in the following words:

A commitment to human rights involves one in recognizing that human persons with a past or potential future ability to engage in moral conversation and practice have certain basic needs. The object of each of these basic needs is the object of a human right. Recognizing these basic needs as giving rise to human rights involves a commitment to oppose
official disrespect of these needs on the part of one’s society (and other comparable social systems in which one is a participant) (Pogge 2008: 64).

3.4 Freedom from Poverty as a Human Right

In claiming that the global poor have the right to basic necessities, Pogge refers to the very poor or those who suffer from severe poverty. “This includes”, Pogge writes and quoting from UNDP Report (1996: 222), “those living in so-called extreme poverty, for whom ‘a minimum, nutritionally adequate diet plus essential non-food requirements are not affordable” (Pogge 2007a: 2). Moreover, those who are slightly above this extreme threshold of poverty but whose lives are constantly threatened because of their inability to meet their basic needs also have this right to basic necessities.

The right to basic necessities in order to be free from poverty is controversial. From the libertarian perspective, this appears to be implausible in Pogge’s interpretation. Libertarians claim that an individual’s primary obligation towards other people is basically the negative duty not to harm them. The libertarians think that the right to basic necessities is implausible because rights necessitate duties but since it is not possible to hold anyone responsible for supplying basic necessities to all human beings, then it follows that these rights have no correlative duties. Unlike in negative duties, it is clear who the obligor is. Everyone has the obligation not to harm.

There are countless people, especially in the third world, who suffer and die from poverty. The fate of these poverty stricken people is deplorable. But a libertarian may argue that failing to help these people is not a serious wrong. Many of the affluent in the developed world are not doing enough (and some are not even aware of the seriousness of the problem) to alleviate poverty worldwide. It is not seriously wrong, for example, for a person to spend an extra of his income on books when he could have used the money to help in poverty reduction efforts. And so it would not be fair to accused them of violating human rights just because they are not doing something or doing little to help the global poor (See Pogge 2007: 14).

Utilitarians, however, argue that if the individual has an ability to help someone in need and that it does not significantly cost him in doing so, then that individual has the positive duty to help. This is based on the utilitarian premise that individuals must promote the general happiness of all human beings. But this utilitarian reasoning may be challenged in the sense that the obligation it requires is too demanding and that it is always difficult to comply with this moral duty because people have special ties and relationships that may favor some
over others and thus hamper the imperative to maximize the general happiness.

Pogge dispels the argument that the right to basic necessities is plausible only if it has a correlative duty. He thinks that the proponent of this argument assumes that he “already know[s] what the right in question is a right to” (Pogge 2007: 14). Rights, in general, lacks specificity with regard to the conduct agents must perform in order to uphold the rights of the right holder. Though the right in question here is the right to basic necessities, this right is, first and foremost, addressed to agents who must act and protect these rights. Rights, therefore, “are in the final analysis rights to particular conduct (actions and/or omissions)” (Pogge 2007: 14). They obligate agents to perform or omit a course of action necessary to aid a person or protect him from harm.

Pogge also rejects the argument that the right to basic necessities is implausible just because it is absurd to hold anyone responsible to supply the basic needs of people who arguably are deemed to have such a right. This argument, according to Pogge, involves a false inference. As Pogge explains: “It is true that human rights to basic necessities, on some specifications of them, entail implausible duties. It follows that we should reject human rights to basic necessities so understood. But the argument draws a stronger conclusion, namely that there is no (plausible specification of any) human right to basic necessities. This stronger conclusion is unwarranted, because there may be other formulations of such a human right that do not entail the duties shown to be implausible” (Pogge 2007: 14).

The debate whether the citizens of affluent countries have the obligation to alleviate global poverty by fulfilling the rights of the poor to basic necessities can be resolved, according to Pogge, through his institutional approach to human rights. Everyone has the negative duty not to cooperate in the imposition of an unjust global order. And since the present global order is avoidably and foreseeably harming the global poor, then everyone has also the positive duty to redesign and reorganize this order in such a way that the global poor will not be unduly harmed. Such positive duty does not even require the affluent citizens to directly supply the basic needs of poor citizens in poverty-stricken countries. What this duty requires is that they help reform the global institutional systems so as the not to deprive the global poor of their basic human rights.
Chapter Four: Global Justice and The Case of Filipino Domestic Migrant Workers

This chapter examines the case of Filipino domestic migrant workers (FDMW’s) within the context of global justice using the lenses of Pogge’s political philosophy. It will particularly analyze the problems such a case raises employing Pogge’s idea of institutional moral analysis or institutional moral diagnostics. In this kind of analysis, social phenomena are seen as effects of how the social world is organized in terms of “laws, conventions, practices and social institutions” (Follesdal and Pogge 2005: 2). Rawls’s work in A Theory of Justice sets the tone of analyzing society in this way. Through Rawls, the moral assessment of social institutions has now become an important domain of political philosophy and this has been associated with the notion of social justice. Pogge contrasts institutional moral analysis with what he calls interactional moral analysis or interactional moral diagnostics. In this manner of analysis, the moral conduct and character of individuals or collective agents are assessed. The “actions and the effects of actions performed by individual and collective agents” are seen as those which determine and shape social phenomena (Follesdal and Pogge 2005: 2).

The purpose of applying Pogge’s political philosophy to the case of FDMW’s is to help underscore the importance, value and cogency of his thoughts to recent discussions in global justice. Pogge’s idea on global justice is drawing attention from scholars coming from different fields and this thesis hopes to make a modest contribution to this direction.

The reason why the case of FDMW’s are chosen where Pogge’s thoughts on global justice are applied rather than other cases which matter to Philippine interests is that FDW’s have a visible global presence. There is a diaspora of FDMW’s in all seven continents of the world. They are “part of the low-wage service workforce of the economic bloc of postindustrial nations” (Parrenas 2001: 10). In fact, one author calls them “servants of globalization” (Parrenas 2001). Their work is considered as low-status and sometimes demeaning because many of them are educated and have college degrees. What they do is not as personally fulfilling as what other overseas Filipino workers (OFW’s) do as engineers, nurses, teachers and construction workers, caregivers, cooks, etc. They are somehow forced to go into domestic work abroad because had they been given a choice to work in their own country that is commensurate to their education and training and with a decent pay, they would have stayed and not leave their families. They are somehow victims of a kind of globalization that has gone awry.
Another reason for using the case of FDMW’s as a way to highlight the importance of Pogge’s approach to global justice is that their plight has drawn the attention of many concerned scholars, feminist groups and NGO’s. In applying Pogge’s idea on global justice to the case of FDMW’s, this thesis also hopes to understand better their situation in a wider context.

Before Pogge’s institutional moral analysis will be applied to the case of FDMW’s, some relevant facts about the Philippines will be cited. This will be followed by a brief description of the plight and problems experienced by FDMW’s. The reason for this is to provide a context within which the case will be examined.

Poverty drives many Filipinos to seek gainful employment abroad. Political instability and armed conflict in the predominantly Muslim far south region of the country are also contributory factors to labor migration. As of the year 2006, 27.6 million Filipinos are poor or 33 out of 100 of them live in poverty. This is 3.8 million higher compared to the number of poor in the year 2003. In order to meet the minimum basic food needs, a family of five needs to have a monthly salary of 4,177 pesos. To satisfy food and nonfood basic requirements, a family of five needs 6,274 pesos. But these numbers are mere approximations. They may not reflect the grim reality of many Filipino families. The current food crisis and the exorbitant prices of crude oil add misery to the growing number of many poor Filipinos. The country has an estimated population of 88.6 million as of August 2007. The projected population for 2008 is 90.4 million. In January 2008, unemployment and underemployment rates are 7.4% and 18.9 %, respectively. Inflation rate as of April 2008 is 8.3%. These figures are telling signs that many Filipinos still suffer from crippling poverty.

The Philippines is one of the major suppliers of labor exports in the world. Its economy has somehow become dependent on this kind of labor trade. (Bach and Hof 2008: 2). This explains why the government is aggressively promoting labor export to other countries as this significantly helps in stabilizing its volatile economy through the remittances of its overseas foreign workers (OFW’s). Because of the economic contribution of these migrant workers, the government hailed them as modern day heroes or “mga bagong bayani” (See Bell and Piper 2005: 212).

At present, there are two existing government agencies which are specifically

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14 The Central Bank of the Philippines has reported that the remittances of OFW’s have amounted to 14.4 billion dollars. See its website at: [http://www.bsp.gov.ph](http://www.bsp.gov.ph)
established in order to promote overseas work and ensure the welfare and benefits of migrant workers. The Philippine Overseas Employment Agency (POEA) was created through Executive Order No. 797 for two main tasks: to promote and develop overseas employment, and to protect migrant workers’ rights. The former aim has been more than emphasized and promoted rather than the latter. The other agency is known as Overseas Workers Welfare Administration whose main function is the delivery of services and benefits (e.g. insurance, health care services, education, training and family assistance programs) to overseas workers and their dependents.

Of the more than 8 million Filipinos who work abroad, many of them are domestic workers. In 2006, domestic work rank first in terms of the number of persons deployed for that purpose. It constitutes 29.7% (91,451 out of 308,142) of the total labor exports.\(^\text{15}\) This indicates that this kind of service is in demand in the world labor market.

By definition, domestic workers are “employees paid by individuals or families to provide elderly care, childcare, and/or housecleaning in private homes” (Parrenas 2001: 1). A majority of them are women. Quite a number of them are married who left their families in order to find work just to be able to support them and provide education for their children. Although majority of them come from a poor economic background, there are others who are professionals and have earned college or university degrees. Some of them have jobs in the country and yet they still seek employment abroad as domestic workers to seek a higher pay. The salaries they received from work abroad are comparatively higher than those that they receive in the Philippines. A significant number of these migrant domestic workers are found in Singapore and Hong Kong while others are hired in Taiwan, Brunei, Malaysia, Japan and South Korea. Some of them are also scattered in the Middle East (e.g. Kuwait, Saudi Arabia, United Arab Emirates, Lebanon, Qatar, Jordan and Oman) and in some parts of Europe (e.g. Italy, Netherlands, United Kingdom), The United States, Canada, Australia and New Zealand. These countries received domestic workers in order to meet the growing demand of its dual income families who need people to take care of their homes and watch over their children (Oishi 2005: 2). And they hire Filipinas because most of these Filipinas are educated and they can speak and understand English.\(^\text{16}\)

Filipino domestic workers live precarious lives abroad. They have difficult working


\(^{16}\) Although in some countries like Taiwan, the employers would now prefer domestic workers from Indonesia and Vietnam than from the Philippines because the latter, since they are more educated, are more aware of their rights and therefore less compliant to their employers. See Bell and Piper 2005: n, 23, 209.
conditions and are vulnerable to violence, exploitation and other abuses by their employers. Their basic human rights are not oftentimes respected. Their vulnerability to unfair treatment can be explained in terms of the nature of their work and situation. Domestic work is invisible and isolating and therefore outside of the public domain. Domestic workers work mainly in private households and far from public and government scrutiny (Bell and Piper 2005: 198).

The following are some of the problems domestic workers face in Europe: absence of written contract between family employers and FDW’s; no social benefits like access to health care and education; the option to terminate employment is employer-dependent; multiple part time jobs for those who are ‘live-out’; those who live with the employer are expected to be always available anytime; ‘no work-no pay’ applies when the employer is on holiday or when the worker is sick; cannot be excused from work when the worker has a legitimate reason such as illness or personal/family emergency, difficulty in negotiating a change in working conditions, living in cramped conditions, ‘live-out’ workers often have to face subletting, high rents and unscrupulous landlords; many of them suffer fatigue and stress (Bach and Hof 2008: 6).

The problems domestic workers encounter in Singapore, for example, are as follows: there is no minimum wage and the domestic workers’ average salary is about half of the minimum wage in Hong Kong, domestic workers have only one day off per month, their employers rarely provide them with medical insurance, they have to undergo pregnancy test every six months since they not allowed to be pregnant while in the receiving country and they are bound by law on death penalty (Bell and Piper 2005: 198-199). Domestic workers in Hong Kong have better working and living conditions compared to those domestic workers in Singapore in the sense that some of the problems in the latter seldom occurs in the former. The Hong Kong government has installed some measures to promote and protect the welfare of its domestic workers. In both Singapore and Hong Kong, however, domestic migrant workers are not entitled to receive citizenship rights after a long stay in these territories.

As already noted above, many Filipinos work abroad because of the poor economic condition in their country. The Philippine government does not afford its citizens sufficient employment opportunities within the territory. Apart from poverty and unemployment problems, the country is saddled by other pressing predicaments such as political instability, graft and corruption, bribery, armed conflict, high population rate, cheating and rampant vote-buying during elections, environmental concerns, etc. The Economist Intelligence Unit has even characterized the Philippines as having a flawed democracy (Kekic 2007: 4). In the Unit’s democracy index, the Philippines is ranked number sixty three out of 167 countries.
The Economic Intelligence Unit measures democracy in a country according to the following criteria: electoral process and pluralism, functioning of government, political participation, political culture and civil liberties. If one examines how the Unit evaluated the Philippines according to the above criteria, it is in political culture where the country scored the lowest. Perhaps, the reason why the Philippines is poor could be attributed to its political culture. The country’s increasing population and its citizens’ industriousness and moral probity could also be factors. So from the many problems that the Philippines is facing, one might be inclined to conclude that the cause of all these is purely internal and domestic. But if one looks at the bigger picture, one cannot say that the poor economic condition of the country is purely caused by domestic factors, as what Rawls in *The Law of Peoples* would say. The economic and political woes the Philippines has been and is going through right now is reflective of what is happening in many different poor countries in this era of globalization.

Rawls believes that each country is self-sufficient and can provide the basic needs of its people. So if the Philippines is to improve politically and economically and promote the welfare of its citizens, it must be able to address graft and corruption in the government, hold clean and honest elections, curb its population growth, fully implement agrarian reform, protect and conserve its natural resources, promote education, etc.

But can the Philippines be completely faulted for its difficult situation? Can it be fully held accountable for promoting labor migration so that it can help its citizens provide better living conditions for themselves and their families whom they will leave behind? Can it also be blamed for using its migrant domestic workers, for example, as a means to sustain its economic growth, even if by law this is explicitly denied?\(^\text{17}\) Pogge’s notion of institutional moral analysis applied globally would shed light in answering the above questions. Using this kind of analysis, Pogge would perhaps say that the current global order can also be blamed why there is poverty in the Philippines. Explanatory nationalism is not sufficient to determine the cause of poverty in the country. In fact, many Filipinos, for example, will not be encouraged to work abroad if only they can find a decent job in the country. Incidence of poverty and unemployment are mere symptoms of a cause which is global in nature. And for Pogge, the cause is the existence of unjust global institutions imposed and supported by rich nations.

One can also argue with Pogge that a country’s chances to attain economic and political progress “can be significantly shaped by a dramatic period of conquest and

\(^\text{17}\) See Migrant Workers and Overseas Filipinos Act of 1995 (RA No. 8042), Section 2c.
colonization, with severe oppression, enslavement, even genocide, through which the native institutions and cultures . . . were destroyed or severely traumatized” (Pogge 2008; 209). If Pogge is right, then the Philippine’s economic and social problems can partly be explained by its colonial past. Philippine colonial history, which spanned more than three centuries and characterized by oppression, abuse, force labor and resource exploitation, can also be pointed out as a contributory factor that affects the country’s effort to overcome its economic and social troubles.

A good example illustrating the way global institutions may cause the incidence of poverty in developing countries like the Philippines would be the structural adjustment programs (SAP’s) of IMF/WB. The Philippines, just like other poor countries, has been subjected to structural adjustment programs (SAP’s) imposed by IMF/WB. In order for it to receive loans from these financial institutions, it has to institute economic reforms and adopt stringent policies like increasing taxes and balancing its national budget to avoid deficits. Such reforms and policies adversely affect the delivery of basic welfare services to the people such as health care and education. All these stringent measures are meant to increase the government’s revenue so that it can service its ever increasing foreign debts.

IMF/WB wants Third World countries to adopt SAP’s because it will benefit them eventually. These “reforms, which in the short run might imply a lower standard of living (due, for example, to fees for education and health care), will in the long run bring about economic development” (Collste 2007: 112). But what does sacrificing and lowering the standard “in the short run” and economic development “in the long run mean”? What does the term “development” denotes and connotes? Goran Collste thinks that the reasoning behind SAP “has [moral] implications both for the welfare of individuals and for how welfare is distributed” (Collste 2007: 113). Lowering a standard could mean, for example, sacrificing the lives of some and of the present generation in order to benefit many and the future generation. If this is so, then it is using the lives of some as a means to benefit others. But will this not violate Kant’s categorical imperative?

The meaning of “short/long run” also implies many things. Collste questions their meanings. He asks: “For how long will the lowering of the living standard last? When will the economic development begin in five years, ten years or fifty years?” (Collste 2007: 12). As to the meaning of “development” it is not clear whether it means “a higher standard for everyone” or “only for those who already have a relatively high standard” (Collste 2007: 113).

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18 For an informative account of how IMF/WB through SAP has destroyed the economies of many Third World countries and caused the poverty of many of their citizens, see Stiglitz 2002.
It is also unclear whether this also means “a higher standard particularly for those who were hit by the previous lowering” (Collste 2007: 117).

Collste also thinks that SAP can be viewed “as a kind of social experiment: one acts under conditions of certainty, the outcome is difficult to predict, and the programme will yield new information about the effects of the economic reforms” (Collste 2007: 114). He thinks that WB/IMF, in introducing SAP to countries plagued by economic crisis, imposed threat-like conditions conveying that unless the program is adopted, no loan will be granted. He further maintains that WB/IMF has somehow not secured the consent of poor nations which are mostly ruled by elites who care less about the well-being of their subjects, (Collste 2007: 114).

Collste’s opinion regarding the implied threat of the conditions for granting loans is similar to Pogge’s view. According to Pogge, the threat that loans will not be granted to a poor country if it does not comply with SAP minimizes the justificatory force of the argument that citizens of a poor country have given their consent to such a policy from WB/IMF (Pogge 2007b: 41-44; see also Follesdal & Pogge 2005: 8-9). This is so because even if they consented to SAP, the reason for such consent is not perfect voluntary because rejecting SAP threatens their country’s survival.

The case of FDMW’s is one example of the effect the present unjust global order has engendered. As Daniel Bell and Nicola Piper write: “The trade in migrant workers is founded on global injustice the global economy is thoroughly unjust, it is unfairly skewed towards the interests of rich countries, and it perpetuates poverty in the Third world” (Bell and Piper 214). Ideally, there would have been no violations of the rights of FDMW had it not been for the current unjust global order. This is so because the Philippines would have attained economic prosperity and therefore it will be able to provide decent jobs, good housing, basic education and proper health care to its citizens. This ideal, however, is only possible if a just global order is also complemented with a collective action on the part of Filipino citizens to really achieve economic prosperity. Here, their political culture, moral probity and industriousness are really important factors in the attainment of such a goal. Meanwhile, while such an ideal is remote considering the fact that labor migration is inevitable because of the way globalization has taken place, what the Philippine government can do to help FDMW’s is to strengthen its social institutions by adopting sound economic and political policies. It must also actively promote their welfare within and outside the country.

Host nations also have the important obligation to respect the rights of FDMW’s and observe the precepts provided for by the United Nations International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. Likewise,
citizens of host nations, whether they are employers of FDMW’s or not, have a duty to respect FDMW’s rights. They also have the negative duty not to sustain and participate in the unjust global order by not supporting, for example, hostile immigration policies, unfair labor practices, and exploitative conduct of multinational companies. But the ultimate goal is to correct global inequalities through reforms in the global order so that injustices, such as the case of many FDMW’s, will be eradicated or at least minimized. And this is the primary moral obligation of influential leaders and states who can easily change the underlying rules of the present global order.
Conclusion

This thesis has shown that global poverty is not merely a political and economic problem. Global poverty is also a moral issue that needs moral reflection and urgent solution. This is so because the extent of poverty in the world where millions die and suffer from preventable and avoidable economic deprivations, as well as the extreme inequalities between the citizens of poor and rich countries, are morally unacceptable.

The problem of global poverty is inextricably connected with how global justice has been understood and applied. Principles of global justice are supposed to govern how benefits and burdens are to be fairly distributed among human beings everywhere in this world, irrespective of their nationality, citizenship, race, gender, age and other arbitrary differences that are morally irrelevant to how principles of justice should be applied. Citizens of poor countries have as much right as those who reside in affluent countries with regard to opportunities and access to important goods that matter to their being able to live a decent and worthy life. They are not completely responsible for their sorry condition. Their common history characterized by colonization, imperialism, enslavement and genocide plays a significant role in their nation’s fate. Their country’s lack of natural resources and their being born into a poor country ruled by corrupt leaders are arbitrary factors which should not determine their lives. They are just victims of the ‘natural lottery’ and circumstances beyond their powers. So depriving poor people of the opportunities and goods that makes them live worthwhile lives is morally abominable and therefore must be prevented to the fullest extent possible, whenever the moral means to do so are available and do not require great sacrifices on the part of those who are able to help.

Human beings have basic human rights. These rights are necessary in order for them to perfect their humanity. But poverty curtails this goal. It destroys their dreams, hopes and lives. It prevents them from attaining the kind of life deserving of a fully functioning and flourishing human being. And this is why in today’s increasing economic globalization and interconnectedness, there is an urgent demand for global justice. Sound principles of justice must be applied in order to avoid the victimization of many people who happen to be ignored, oppressed, and relegated to the margins. This is so because these people have interests and it matters to them whether they live well or not. Their interests entail human rights. These rights give rise to duties on the part of other agents who relate with and affect these people. These rights also give rise to duties on the part of collective agents and social institutions which
embrace and have these people under their care.

Pogge has shown that global poverty has been largely due to the way global social institutions have been structured and designed. Explaining the phenomenon of global poverty only in terms of the political culture of a country and its members’ moral probity, industriousness, creativity and other relevant factors that determine a country’s political and economic progress is not enough. This is “explanatory nationalism” or the “purely domestic poverty thesis” which Pogge does not fully subscribe. Explanatory nationalism also overlooks the way the history of colonization characterized by exploitation, slavery and genocide has made it extremely difficult for poor countries to recover from this traumatic past experiences. This puts poor countries at a disadvantageous position in international economic and political relations.

In this era of economic globalization, the external sovereignty of nation-states are diminished and their fates are shaped by what Pogge calls economic treatises, agreements and negotiations in trade, investments, loans, copyrights, patents, labor standard, environmental protections, etc. Problems at the domestic or intra-national level are somehow enhanced and reinforced by the unfairness of the underlying rules of globalization. These rules are unjust and arbitrary. The rules have favored developed nations over poor ones and this led many citizens of the former to suffer from debilitating and death-causing poverty. If poverty is to be eradicated or at least alleviated, the global order has to be redesigned in such a way that no poor country is at the mercy of influential and rich countries in terms of political and economic agreements and treatises. Pogge has indicated that the way negotiations have been going on between and among countries, say in trade, have been largely dominated and controlled by the more powerful countries. This led to global rules, tacit or manifest, that foreseeably and avoidably harms the global poor.

The responsibility of restructuring global order in order to meet the demands of global justice lies mainly in the hands of developed nations and their citizens who have profited from the present global arrangement and who have more than adequate means to help the poor. Pogge thinks that their most urgent task is to perform their negative duty not to harm the global poor by not imposing or participating in the unjust global structure. Pogge does not reject the positive duty to aid the global poor. He is just saying that the negative duty not to harm the global poor is the more stringent one because of the present unjust global order. Many citizens of affluent countries are not aware that in participating in such an unjust global scheme, they are harming the global poor more than their failure in complying with their positive duty to help. And besides, even if they perform their positive duty of assistance, this
might not be the solution to global poverty because they are merely treating the symptoms but not the cause, which is their participation in the imposition of unjust global order.

Pogge’s emphasis on the negative duty not to harm the global poor is consistent and fits well with his institutional approach to global justice. Since not all citizens in rich countries can be held liable for the plight of the global poor and so they may think that they have no positive duty of assistance, they still have the moral obligation in terms of negative duty not to participate and impose the unjust global structure. This approach makes a strong case against naïve citizens of rich countries who think that they are not directly harming the poor and yet still live the kind of life that sustains and supports the current global set-up. The stronger obligation not to harm the global poor must be performed by people who make decisions and policies at the global institutional level. They are the ones who decide the fate of the global poor and they are the ones who can easily change the rules underlying the present global order. The first step to poverty eradication and the overseeing that continuous efforts are exerted to realize this aim of helping the global poor are theirs to perform immediately. This task is not optional. It is urgent and a moral necessity.
References


Migrant Workers and Overseas Filipino Act of 1995 (RA No. 8042).


