

GLOBAL HARMS, LOCAL RESPONSIBILITIES:  
OBLIGATIONS TO THE DISTANT NEEDY AND THE DUTY NOT TO HARM

by

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B.A., University College of the Fraser Valley, 2004

A THESIS SUBMITTED IN PARTIAL FULFILLMENT OF THE REQUIREMENTS FOR  
THE DEGREE OF

MASTER OF ARTS

in

THE FACULTY OF GRADUATE STUDIES

(Philosophy)

THE UNIVERSITY OF BRITISH COLUMBIA

August 2006

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## **Abstract**

The issue of obligations to aid the distant needy is often glossed in terms of positive duties. In this paper I will argue that many objections to the duty to aid the distant needy result from a conflation of obligations based on positive duty with those based on negative duty. In addition, I will argue that nearly every single individual member of affluent societies, such as Canada, has strong obligations to aid the distant needy that rest not on positive duties, maximization of utility, or charity, but rather result from violations of the negative duty not to harm. The following paper consists of four chapters. Chapter 1 discusses the basic points of the positive duty and negative duty approaches to obligations to aid the distant needy. I will also introduce and discuss Thomas Pogge's argument that much of the world's extreme poverty results from a lopsided economic order dominated by affluent nations and that responsibility for much poverty can be attributed to those affluent nations. If this view is correct, then even on a negative duty account, individual members of affluent societies may own a share of the moral responsibility resulting. Chapter 2 consists of a brief explanation of what I mean by collective and membership in a collective, as well as introducing a notion of responsibility and obligation based largely on the concept of liability. In chapter 3 I will set out five criteria by which we can establish whether or not it is reasonable to hold an individual responsible for the collective actions of his nation and its institutions, explain why these criteria are appropriate, and argue that nearly every individual member of affluent societies meets these criteria. Chapter 4 consists of a discussion of some potential strategies for attempting to meet obligations to the distant needy and why they are inadequate. Lastly, I will offer some explanation as to the type of action(s) that might be required to meet our obligations and why they might, quite reasonably, bear a high cost to individual members of affluent societies.

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## **Acknowledgements**

Many thanks to each of the following: The Social Sciences and Humanities Research Council of Canada for financial support through a Masters CGS; Tim Christie for reading and commenting on drafts of this work, as well as many discussions through which this thesis was greatly improved; my fellow graduate students in the University of British Columbia Philosophy Department, many of whom heard various portions of the following paper at various times and offered comments, criticisms and encouragement; Paul Bartha for his work as graduate advisor; Scott A. Anderson, my supervisor, for investing many, many hours in both the written work and spirited debate.

For my family:  
Amanda, Dominik, and Jake

EVERYBODY KNOWS THAT THE DICE ARE LOADED  
EVERYBODY ROLLS WITH THEIR FINGERS CROSSED  
EVERYBODY KNOWS THAT THE WAR IS OVER  
EVERYBODY KNOWS THE GOOD GUYS LOST  
EVERYBODY KNOWS THE FIGHT WAS FIXED  
THE POOR STAY POOR, THE RICH GET RICH  
THAT'S HOW IT GOES  
EVERYBODY KNOWS

- LEONARD COHEN, *EVERYBODY KNOWS*

## **Chapter 1: Groundwork**

### **1.1 Motivation**

Much of the impetus for what follows comes from questions about my own personal moral standing as an individual member of affluent society. My way of life as an academic (of sorts) is possible precisely because I live in an affluent society; I am a direct beneficiary of the wealth of Canadian society. I don't intend to inflict harm for my own gain, but, if my society generates some or much of its wealth, in part, by inflicting harms, I'm certainly a beneficiary of those harms. This very project is made possible by a research grant from the Canadian government through the Social Sciences and Humanities Research Council of Canada. I am, in part, able to write this thesis and make my claims of moral responsibility precisely because I am in a position to benefit from the affluence of my nation and my society. I also attend a publicly funded university, enjoy publicly funded health care, drive on publicly funded roads, and ride a publicly funded transit system. In addition, the wealth of my society also provides me with access to a wide range of relatively inexpensive consumer goods, the availability of which benefits me in a variety of ways. In most of these ways, I'm not all that different from most other students. In fact, in many of these ways, I'm no different from nearly all Canadians and members of other affluent societies.

It is certainly no secret that while I enjoy these and myriad other benefits as a member of affluent society, billions of others around the world live (and often die) in abject poverty. Duties to aid those distant needy are intuitively compelling to me and seem to rest on obligations stronger than charity or performing morally praiseworthy acts. On the contrary, it seems that there is some connection between my good fortune, my relative affluence, and the suffering of the global poor. It seems to me that I, and nearly every other member of affluent societies, owe the global poor something more than charity. In what follows I aim to show that we, myself included, as members of affluent society are not simply innocent bystanders in the plight of the global poor. Rather, I'll argue that we enjoy much of the wealth and benefits of affluent society precisely because so many others are so poor. If this is the case, and I think it is, all of us own a share of the blame for the harm our affluent societies inflict on the global poor and, as a result, have obligations to the distant needy that are not a matter of charity, but rather arise from the intuitive and widely accepted negative duty not to harm.

## 1.2 Stating the problem and setting the scope

Billions of people live each day without many of the basic “necessities” that you and I might take for granted, such as clean water, electricity, health care, or education. Moreover, millions, even billions, more, if they are not slowly starving to death, are not certain where their next meal is coming from, or if it is coming at all. How this poverty has come about and what we, as members of affluent societies, ought to do about it is, however, a much more controversial issue. According to Thomas Pogge, 46 percent of the world’s population lives below the World Bank’s poverty line of \$2 US (equivalent to the buying power of \$2.15 US in 1993) per person per day. In fact, on average, those below this level are 44.4% below it and 1.2 billion live on less than half that amount.<sup>1</sup> Furthermore, the 2.8 billion poorest people on earth account for a combined “1.2 percent of aggregate global income.”<sup>2</sup> Such poverty is not caused by any single natural disaster, such as a drought or tsunami, nor can it even be explained by a series of such disasters. It is widespread, occurs in many different countries, cultures, and geographic regions. No one dictatorial regime can be held responsible, nor can the fluctuating market value of any specific commodity explain such poverty. No single colonial effort by any one country can be traced as the cause of nearly half the world’s population living in destitute poverty. We cannot simply explain this away as the product of poor government, civil war, or bad weather. Rather, the issue is better described as systemic. It also seems, particularly in light of the fact that so much of the wealth enjoyed in affluent nations is derived, in part, from impoverished ones, we must seek out some larger, more comprehensive explanation for the vast difference in material wealth between the wealthiest one or two fifths of the population and those occupying the bottom quintile.

Arguments on this issue have traditionally adopted one of two primary opposing positions, which are, in turn, based on two views of duty and responsibility: positive duty and negative duty. Negative duty is simply the idea that we ought not to cause unnecessary harms to other people.<sup>3</sup> On a view bound only by negative duties, we are free to pursue our interests and do as we wish, so long as our activities cause no harm to others. It is generally accepted as part of this notion of duty that if we unnecessarily cause harms, we are responsible for them and owe

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<sup>1</sup> Thomas W. Pogge, *World Poverty and Human Rights: Cosmopolitan Responsibilities and Reforms*, (Cambridge: Polity Press, 2002), 2.

<sup>2</sup> Ibid.

<sup>3</sup> A wide variety of things may count as “harms”: This could include things like physical harm, theft, lying, and so on. More will be said on this topic in section 3.6. However, it is also worth noting that avoiding some of these acts may generate positive obligations resulting from negative duties. For instance, one may have the negative duty not to harm another by lying to him or her. This duty generates the positive obligation to tell the truth.

redress for those harms. Of course, there will be those who argue that we have no duty to anyone and owe no compensation for the harms we cause. Such a view will be of little consequence in relation to this specific topic because those holding such a view would be hard pressed to even see the moral issues at stake. Where the more important and relevant difference between positive and negative duty arises, rather, is in relation to what we do owe other people.

According to those who argue that we are bound only by negative duties (thus rejecting positive duty), we only have obligations to aid others if we are responsible for the harms they suffer. Positive duty theorists, on the other hand, argue that we have duties to help, if we can, even if we had nothing to do with the origins of the harm. Those accepting positive duty (Singer for example) will also often argue that we ought to improve the situation of those who are badly off, even if their situation is not the result of some harm. However, much of what follows aims to show that the distinction between the global poor whose poverty is the result of harm(s) and those who just happen to be poor is one often made in error. We should also note that advocates of positive duty accept the type of obligations generated from negative duty, but those arguing only for negative duty deny obligations when we haven't directly caused harms.

One of the aims of this first chapter is to show just how it is that many objections to the duty to aid the global needy rest on a conflation of obligations based on positive duty with those of negative duty. I will begin by briefly describing one of the best known arguments for positive obligations to the global poor, as put forth primarily by Peter Singer. I will then outline Thomas Pogge's arguments that an intentionally lopsided global economic system is a major causal factor in the creation and maintenance of much, if not most, global poverty. This leads to the conclusion that (at least some of) the responsibility for those harms can be traced to that global economic system and, hence, to the affluent nations dominating it. If dominant affluent nations establish and maintain a system of relations that knowingly and intentionally causes or contributes to the causing of harm(s) to the global poor, then those dominant affluent nations and institutions operating under their auspices must bear responsibility for those harms.

In this paper I do not aim to critically examine this proposition (I've left that work to Pogge), but rather to argue that if it is true, both in what it claims about the world and about the attribution of moral responsibility to nations (and I think it is), then certain implications follow for individual members of affluent societies. This leads to the following "if-then" conditional proposition: If it is the case that affluent nations (and institutions, etc.) knowingly, intentionally, and avoidably inflict harm(s) on the global poor, as Pogge argues they do, then moral responsibility attaching to those affluent nations (and institutions, etc.) also tracks to individual



citizens of those nations and members of those affluent societies. I will argue not only for the truth of this proposition, but also that, even on a negative account of duty, it generates a variety of positive obligations, many of which, particularly in relation to this topic, are often thought to derive from positive duty. What this will mean for individual members of affluent societies is that obligations to the distant needy, which are so often thought of as praiseworthy rather than obligatory, such as those suggested by Peter Singer or Peter Unger, have their basis in adhering to negative duty, and not in charity. Not only that, but, even on a strictly negative view of duty, the (perhaps costly) obligations of meeting such duties can be demanded of nearly every individual member of contemporary affluent societies. What I aim to do is show that moral responsibility for certain types of collective action, like harms caused by one's society or nation, is transitive from those collectives to individual citizens with regard to a certain set of harms.

Before moving on to those points however, it seems wise to pause for a moment here to provide a list of "things I will do" and "things I won't do" in this thesis, and a brief explanation as to why I will or will not be doing them. This is to say, I wish to establish at the outset the range and scope of the thesis that follows. There are certain questions or concerns that may arise and that, in some sense, might be important questions. However, I view them as either beyond the scope of this paper or, more often, as tangential questions that need not be addressed prior to the elucidation of my argument. I will begin with a brief list of things I won't attempt in this thesis followed by a description of what I will do.

There are three primary things that may arise, but fall into the "things I won't do" category:

- 1.) I'm not going to "prove" that the "first world" is responsible for "third world" poverty. While I think that there is a very good argument that this is the case and Pogge does a good job making it, I will primarily recap some important features of Pogge's argument and show how I think it does the job of helping reveal the problem of conflating obligations drawn from negative duty with those drawn from positive duty. Primarily, it is on the level of our individual connection to our collective(s), through our causal role in the domestic economy and our local communities, which is of primary concern to me in the following paper. The case for how it is that the global economic system, dominated by affluent nations, helps to cause and maintain huge inequity and the suffering that accompanies it is a largely empirical study. In a later section, I will make some arguments as to the faultiness of such a system and the ways in which it imposes certain practical necessities which are themselves faulty, but establishing the "facts of the case" is beyond the scope of this paper.

2) I'm not going to work out the "metaphysics of causation." The type of causation I'm interested in is fairly intuitive; it is the type of causal relationship we generally assume when considering questions of moral responsibility.<sup>4</sup> In fact, the type of causation I appeal to is generally accepted by all the interested parties. When the negative duty theorist argues that we are only responsible for harms *that we have caused*, she is accepting a basic notion of causation. If I beat and rob someone, I am relatively uncontroversially responsible for a range of harms suffered by my victim. If I buy a kilogram of bananas, I am *part* of the cause of the store manager ordering more bananas.

The causal chains to which I will connect our activities may be long and complicated (and questions will arise as a result), but the nature of the causation at issue does not change. Deeper metaphysical questions of causation are not of any more import in this project than in any other moral theory advocating responsibility for harms caused, and so I see no more reason to address them here than Singer does in his paper, Unger does in his book, Narveson does in his response, or Pogge does in his analysis of the issue.

In addition, there may be a wide variety of counterfactual claims that could potentially be true and/or interesting, but what I am specifically interested in is the case of the world as it is and the actions that are actually performed. Counterfactuals will play a role insofar as we can say that there are other (and better) possible ways of organizing our economic and social lives and that there are less (or non-) harmful ways of meeting our needs and ends. Counterfactuals may play a role in that there are other ways past history could have gone.<sup>5</sup> In fact, I am more than happy to say that if the world had been different, if the economic ordering of the world had been such that economic relations between affluent countries and poverty stricken ones were "fair" and not unbalanced and often harmful, or if the great imbalances we see in the world today had not occurred, then the type of responsibility and obligation I am arguing for may not have attached to individual citizens of affluent societies.<sup>6</sup> However, I hold that such is not the case

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<sup>4</sup> More will be said about this in section 3.3.

<sup>5</sup> We could posit an unlimited number of counterfactual claims about how past history could have gone, but that would contribute little to resolving the problem at hand. The type of counterfactual that is relevant here is to ask, "Given the facts of the world as it is now, are there other systems of social, political, and economic relations that would cause less harm and/or generate more good?"

<sup>6</sup> In a related vein, Pogge argues: "Friends of the present distribution sometimes claim that standards of living, in Africa and Europe for instance, would be approximately the same if Africa had never been colonized. Even if this claim were both clear and true, it would still be ineffective because the argument ... applies to persons, not to societies or continents. If world history had transpired without colonization and enslavement, then there would perhaps now be affluent people in Europe and poor ones in Africa.... But these would be persons and populations quite different from those who are now actually living there. So we cannot tell starving Africans that *they* would be starving and *we* would be affluent even if the crimes of colonialism had never occurred. Without these crimes, there would not be the actually existing radical inequality that consists in *these* persons being affluent and *those* being

and that Pogge's analysis is accurate and in accordance with history (as we know it) and the facts of the world as it is.

Counterfactual claims will, however, be important insofar as we can say that there are other options presently available to us and will continue to be, to the best of our knowledge, in the near future. It is important to note that there are plausible alternative ways, aside from current harmful methods, to engage in economic relations. If there is a plausible alternative that does not cause harm and an agent chooses instead the harmful method, responsibility seems to follow quite intuitively. Plausible alternative scenarios are not particularly difficult to imagine.<sup>7</sup> Economic relations may remain necessary, but they need not inflict harm. If Pogge is right about the harms caused by the global economic order and there are plausible less or non-harmful alternatives, then attribution of responsibility, to those designing and shaping global economic structures, for the harms knowingly caused by that system seems not only plausible, but intuitively sensible as well. Counterfactual claims, then, will certainly play an important role, but not necessarily in any metaphysical sense.

3) I will not provide a comprehensive explanation, if I am right, of all that individuals are morally obligated to do in order to absolve themselves of the type of responsibility and/or meet the obligations for which I argue. While such a project is indeed a worthy one, it too falls beyond the scope of this thesis and requires a study of its own, probably larger than this one, rather than being a subordinate component of this paper. All I aim to do in what follows is show that moral responsibility for certain types of collective action is transitive from institutions to individual citizens with regard to a certain set of harms. While I will offer some suggestions (in the final chapter) as to the general kinds of demands that I think can reasonably be made of individuals as a result of my argument, I will not attempt to make substantial contributions to that argument.

Although I have alluded to most of these previously, I will now turn to my brief outline of those things you *will* find in what follows. I will:

- 1) Outline the basic positive duty position, taking Peter Singer and Peter Unger as my primary examples (section 1.3).

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extremely poor." Thomas W. Pogge, "Eradicating Systemic Poverty: brief for a global resources dividend," *Journal of Human Development* 2.1 (2001): 65.

<sup>7</sup> It doesn't seem wildly implausible to suggest that our state require corporations operating within and from it to refrain from certain actions, such as buying diamonds, gold or oil from dictators, or paying starvation level wages to increase profit, or endangering the health and safety of foreign workers. The states themselves could cease helping to empower violent and dictatorial regimes, or cease profiting from selling arms to such regimes, or refrain from subverting governments that privilege their own citizens above the profit margins of "first world" corporations.

- 2) Introduce Pogge's analysis of the global economic order as a way of refocusing the question and taking a broader view of the issue. I will outline what I take to be, for the issue at hand, the most important and relevant points raised by Pogge. I will then use this perspective as the antecedent in the "if-then" proposition that underpins the paper (section 1.4).
- 3) Discuss, briefly, a few of the most common objections to Singer/Unger's view. I will do this primarily with the aim of showing how Singer/Unger, as well as their critics, have too narrowly construed the problem and, hence, conflate the obligations of positive duty with those of negative duty (section 1.5).
- 4) Describe what I take, in this context, a collective and membership in such a collective to mean (section 2.1).
- 5) Introduce a version of responsibility that draws heavily on the notion of liability and discuss how liability generates certain responsibilities and obligations (section 2.2).
- 6) Argue that if the antecedent of my proposition is correct, then personal, individual responsibility for members of affluent societies follows. I'll spend chapter three showing this responsibility can be tracked from larger institutions (collectives) to the individual citizen in affluent society by explicating five criteria for such responsibility and arguing that nearly all individual members of affluent society meet these criteria (chapter 3).
- 7) Lastly, I will discuss why some types of solutions (such as Pogge's GRD proposal) are inadequate, as well as point to some potential demands that can be made of individuals based on negative duty (chapter 4).

### **1.3 Positive duties to aid the distant needy: the Singer/Unger position**

As suggested above, obligations to aid the distant needy are often glossed in terms of positive duties and praiseworthy, but not obligatory, actions. As a result, much of the criticism aimed at those arguing for strong obligations to the distant needy rests on similar assumptions. I will argue that even very demanding obligations, like those put forth by Peter Singer for example, actually ought to be thought of in terms of negative duty and the positive obligations it generates. In the remainder of this chapter, I will briefly discuss such positive duty positions, as well as some common objections to them, before moving on to a discussion of Pogge's analysis of the causes of global poverty.

In his famous 1972 article "Famine, Affluence, and Morality" Peter Singer argues that if, without sacrificing something of equal moral worth, we can aid famine stricken strangers in foreign lands we are morally obligated to do so. In fact, according to Singer, we have as much obligation to aid a stranger starving in a foreign land as we do to aid a child drowning in a pond right before our eyes. Singer begins with what he sees as an uncontroversial claim. He writes, "I begin with the assumption that suffering and death from lack of food, shelter, and medical care are bad."<sup>8</sup> Like Singer, I assert that this is uncontroversial and whatever claims I make in what follows will take this as a basic assumption. However, from this basic claim Singer goes on to assert that "if it is in our power to prevent something bad from happening, without thereby sacrificing anything of comparable moral importance, we ought, morally to do it."<sup>9</sup> Intuitively, this seems like a reasonable claim. To follow Singer's example, if I happen upon a pond in which a child is drowning and it is within my abilities, without sacrificing anything of equal moral importance, I ought to rescue that child. The fact that I had absolutely nothing to do with how the child ended up in the pond generally doesn't even enter into consideration. Intuitively, we are usually quite happy to say that I am obligated to save the child and that if I fail to do so because, for instance, I don't want to wreck my suit or miss an important meeting, then I am acting in a monstrous way. My behaviour is morally abhorrent.

Singer's argument depends on our accepting two points: First, that there is no morally important difference between a child drowning in front of our eyes and a child starving to death thousands of kilometres away and, second, that there is often no morally important difference between preventing a harm and refraining from causing a harm. Of course, I don't think that even Singer is going to claim that the second of these points means that there is literally no difference between preventing and causing harm, but rather that there is no *morally important* difference in some cases. Both of these points will serve as the primary catalysts for most (and there are many) of the objections against Singer's position. Despite the fact that such a claim is intuitively appealing, the basic premises underlying it are not as uncontroversial as Singer claims they are. In his 1996 book, *Living High and Letting Die*, Peter Unger makes a very similar argument based on the same basic principles as those put forth by Singer. Some of the objections that follow are directed at Unger's book, but the spirit of the objection could be applied to either Unger or Singer. I take Singer and Unger's positions to be similar enough on

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<sup>8</sup> Peter Singer, "Famine, Affluence, Morality," *Philosophy and Public Affairs* 1.3 (Spring 1972): 231.

<sup>9</sup> Ibid.

all the relevant points that the type of general criticism aimed at either, will usually apply to both.

Both Singer and Unger have been roundly criticized for the far-reaching implications of their views, and many of those criticisms are indeed valid. The types of obligations and responsibility that both Singer and Unger think most of us living in affluent societies have are derived largely from positive duties. Rather than claiming that we ought to alleviate hunger, poverty, and the like because of negative duties not to harm, Singer and Unger argue that we, as human beings, have the positive duty to aid those in dire need, even if the cost to us is potentially quite high and even if we are not responsible for the harm. Again, intuitively, this may not seem all that controversial for many. But it may also seem equally intuitive to say that we are not directly responsible for the individual suffering experienced by those on the other side of the planet and that, as such, it may be a morally praiseworthy thing to offer aid, but it is not blameworthy to fail to do so. In short, why should we make sacrifices in order to alleviate the suffering of people we do not know and whose suffering is not even our fault?

In the remainder of the first chapter, I will argue that, although many of these objections are difficult to deal with, the primary problem with Singer and Unger's positions, and those of their critics, is that they all suffer from a sort of tunnel vision. The result is that various philosophers arguing the topic are, in essence, missing the most important question. Most of the arguments made by Singer and Unger's critics result mainly from considering the issue only in terms of positive duties to aid and this is because that is how Singer and Unger frame the issue. The Singer/Unger position's primary difficulty is its dependence on a positive conception of the duty to aid. If the types of obligations that Singer and Unger argue for can be derived from negative duties not to inflict harm, then many of the criticisms posed against the duty to aid the distant needy will no longer be applicable.

#### **1.4 – Conflated duties: obligations to the distant needy in the broader context**

In this section I will argue that by taking a broader view of global poverty and the causes thereof, we can see that many of the criticisms aimed at proponents of duties to aid the distant needy rest on a conflation of obligations derived from positive duty and those derived from negative duty. In order to do that, I will turn my attention to outlining some of the more relevant aspects of Thomas Pogge's argument and providing some brief analysis of it. After doing that, I will spend the remainder of the chapter discussing a few of the more prominent objections to "duty to aid" arguments and, in each case, showing how adopting Pogge's broader perspective

reveals that these objections arise because the duty to aid is generally cast in the light of positive duties. If we consider these objections in relation to duty to aid arguments based on the negative duty not to harm, we will see that they either don't apply or that the objection actually becomes about something entirely different. The obligations remain, but for different reasons than we often think.

Pogge argues that much of the duty to aid poverty stricken people in distant lands is, in fact, generated by a negative duty not to harm. He contends that:

We are not merely distant witnesses of a problem unrelated to ourselves, with a weak, positive duty to help. Rather, we are, both causally and morally, intimately involved in the fate of the poor by imposing upon them a global institutional order that regularly produces severe poverty, and/or by effectively excluding them from a fair share of the value of exploited natural resources, and/or upholding a radical inequality that evolved through an historical process pervaded by horrendous crimes.<sup>10</sup>

In effect, Pogge is arguing that, in a variety of ways, the affluent nations of the world are largely at fault for the condition of many of the world's poorest people. Pogge sees three primary ways of understanding global poverty as a result of the violation of negative duties, "invoking three different grounds of injustice: the effects of shared institutions, the uncompensated exclusion from the use of natural resources and the effects of a common and violent history."<sup>11</sup> In reference to the first of these three, shared institutions, Pogge argues that "affluent countries have been using their power to shape the rules of the world economy according to their own interests and thereby have deprived the poorest populations of a fair share of global economic growth...".<sup>12</sup> In the global economy large institutions, such as the IMF, the WTO, banks, multinational corporations, and, of course, nations themselves have a great deal of influence on the economies of other nations and on the structure of global economic relations. If there exists a great imbalance in power, as there clearly does between the wealthiest nations and the poorest,<sup>13</sup> then affluent nations wield a level of power disproportionate not only to their material contribution (in terms of resources, etc.), but also in terms of raw population numbers. If affluent nations exercise a great deal of influence in the structure and function of global economic relations and those "interactions foreseeably affect the incidence of extreme poverty,"<sup>14</sup> as Pogge puts it, then the affluent nations that exercise such control ought to accept some level of responsibility for those foreseeable outcomes. The shaping of the rules in certain

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<sup>10</sup> Thomas W. Pogge, "Eradicating Systemic Poverty: brief for a global resources dividend," *Journal of Human Development* 2.1 (2001): 72. Henceforth referred to as ESP.

<sup>11</sup> Ibid, 61.

<sup>12</sup> Pogge, *World Poverty and Human Rights*, 63.

<sup>13</sup> As Pogge notes, this power differential may be economic or military, or, as is generally the case, both.

<sup>14</sup> Pogge, ESP, 61.

ways necessitates actions leading to harm suffered by the poor. Moreover, this is done knowingly and intentionally, so, on a negative duty view, responsibility follows.

Secondly, Pogge argues that the affluent nations of the world have imposed an economic order that tends to deprive the poorest nations and most of their citizens of a share of the wealth generated by the resources in their own regions, as well as their own labour. This is generally to say that a great deal of wealth is generated by the extraction of valuable resources from some of the poorest countries in the world. Labour power, gold, diamonds, oil, coffee, textiles, food products and many other commodities are often procured from regions of the world where crushing poverty is commonplace.

It might be argued that the type of poverty experienced by many of the distant needy is not *caused per se*, but rather a sort of default position. This is to say that those people just are poor and were poor before affluent nations had any economic involvement with them. Of course, this is going to require some defensible view of just what poverty entails, but using standard measures of, say, income levels, health care access, access to education and so on, this would seem to be true. However, it is equally true for the nations that we now count amongst the "first world." Historically, no society began with the types of material wealth and accompanying benefits currently enjoyed in affluent nations. It also remains true that much of the wealth enjoyed by those affluent nations and their citizens derives from resources and labour in and from impoverished regions. Much of the wealth is created in these poor areas and the relationships that transfer it from those poor areas to (now) affluent ones are and have been, Pogge argues, dominated by affluent nations. It seems, then, that while poverty (on this way of measuring) may have been a default position for both poor and (now) affluent societies, this fails to explain why and how some nations became wealthy and others remained poor (and often got poorer). The answer, according to Pogge, is that the affluent nations acquired much of their wealth at the expense of the poor.

Another way we might think about the issue of denying access to resources blurs the line between Pogge's second and third grounds for injustice (as listed above). For the moment, however, let's focus our attention on the current happenings in poor nations. To cite one example, oil and diamonds from parts of Africa generate enormous amounts of profit in affluent nations like Canada or the United States. While it is true that much of the suffering and poverty in many of these nations, Sudan or Sierra Leone for example, is a result of ongoing civil wars or campaigns of genocide, those wars are often funded by money made from the sale of resources like oil or diamonds to the "first world." Pogge notes that whichever group possesses control of



the coercive mechanisms in a country is recognized on the global stage as the legitimate authority in that country, thus allowing them to borrow money in the country's name (international borrowing privilege) and to dispose of its resources (international resource privilege).<sup>15</sup>

In effect, what this means is that affluent nations (and their institutions, corporations, etc.) do business with whoever happens to be "in control" of a country and its resources at the time, regardless of how they came to be in power, or how that power is maintained. In addition, the wealth remaining in the domestic economy is most often not only denied to the poor who need it most, but is often put to work against them in the form of financing bloody military campaigns. One of the major causes facilitating the ability of such regimes to operate as they do is the money they generate through business transactions with wealthy foreign countries and their corporations. Such relationships are entered into by affluent nations and their institutions (whose interests are often backed by their nation's military force) knowing where that money is going and what it is to be used for. Hence, those involved actively seek to profit from harms intentionally inflicted and to which they knowingly contribute. As such, on a negative theory of moral obligation, they must shoulder some of the responsibility for those harms.

The third ground of injustice Pogge references includes "the effects of a common and violent history." If we consider this in terms of very recent history, then the issues raised in the previous paragraph will come to the forefront. But this is not precisely the history Pogge is referring to. The often violent history of colonial exploitation by many of those nations we now count among the "first world" of those who now rank amongst the "third world" is well documented and I have neither the space or need to recapitulate that narrative here. Rather, I'll simply note that many of the poorest parts of the world have a long and violent history of being on the wrong end of colonial oppression.<sup>16</sup> In fact, as Pogge notes, many of the borders in poverty-stricken regions (Africa, South America, and Asia) are "colonial constructs" created with the interests of the colonizing nation in mind.<sup>17</sup>

Of course, some of these events occurred generations ago and there is no way that individuals living in affluent nations today can sensibly be described as causally responsible for

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<sup>15</sup> Thomas W. Pogge, "The Influence of the Global Order on the Prospects for Genuine Democracy in the Developing Countries," *Ration Juris* 14.3 (September 2001): 334 – 335. Hereafter referred to as "Influence of the Global Order"

<sup>16</sup> For example, recall the colonial carve-up of Africa in the late 19<sup>th</sup> century, or the history of South America or the Middle East.

<sup>17</sup> Thomas W. Pogge, "Critical Notice: Rawls on International Justice," *The Philosophical Quarterly* 51.203 (April 2001): 248.

them. Most of the arguments in the following chapters will have little to say directly about this historical picture. However, some of what I will argue rests on the view that moral responsibility for some of those historical occurrences can be fairly attributed to currently existent agents (countries, corporations, etc.). With that in mind, there are at least two ways we can think of discussing this kind of causal contribution to those harms.

First, while individual people, because of their relatively short life spans, are not the type of thing that can be causally responsible for something that happened two hundred years ago, nations or corporations might be. If a country, Britain for example, participated in activities two hundred years ago, when we say that the Britain of today is causally responsible for those actions we are still talking about the same entity. The parts of the entity, such as citizens, government representatives, or laws, may have changed completely (just as our own component parts change over a lifetime), but there remains continuity of identity, both self-ascribed and defined externally. Similarly, as one example, the Hudson's Bay Company (chartered in 1670) had an enormous impact on the course of the fur trade in what is now Canada. It may, then, be sensible to say that the Hudson's Bay Company, as it exists in 2006, is an entity that was (and remains) causally responsible for actions it undertook (good or bad) in the 17<sup>th</sup> century. If we accept that my 30 year old self can still be described as responsible for things my 20 years old self did, then this argument should hold. However, this would require a foray into the oft-debated issue of personal identity that would take us too far a field to be useful here. Rather, I wish to focus on another way of considering this responsibility.

Instead arguing that contemporary institutions (and the people comprising them) owe redress for historical wrongs (although I think they do), I will focus on currently existent sets of relations created from that history. On this point, it is worth quoting Pogge at some length:

The present circumstances of the global poor are significantly shaped by a dramatic period of conquest and colonization, with severe oppression, enslavement, even genocide, through which the native institutions and cultures of four continents were destroyed or severely traumatized. This is not to say (or to deny) that affluent descendants of those who took part in these crimes bear some special restitutive responsibility toward impoverished descendants of those who were victims of these crimes. The thought is rather that we must not uphold extreme inequality in social starting positions when the allocation of these positions depends upon historical processes in which moral principles and legal rules were massively violated. A morally deeply tarnished history should not be allowed to result in radical inequality.<sup>18</sup>

The primary point here is that in many places where extreme poverty persists, it is largely a result of a historical process and the economic systems, social systems, and relations generated

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<sup>18</sup> Pogge, ESP, 65.

by and through that process. What we arrive at today is a certain system, with a certain history. Not only does that system have a morally atrocious past, but it continues to generate a wide range of harms in many of the same areas historically victimized. The culpability, then, is not being tracked through causal responsibility for past events, but for current and continuing contributions to contemporary harms. The idea is that even though current institutions may have been responsible for past harms, what we are interested in is the current processes deriving from those past harms. The fact that harms were inflicted in the past is relevant, but the most salient point is that they continue. What Pogge is essentially arguing at the end of the above quote is that even if we know that past harms were inflicted and even if we acknowledge they were morally wrong, our collective institutions still seek to profit from those harms by maintaining and strengthening the inequality and attendant harm generated by that past. Continuing harm, or contributing to its continuance, even if one did not originate the harm, may (if certain other conditions are met) constitute a violation of negative duty. Responsibility for those harms can be traced not only to direct actions of specific nations or institutions, such as military interventions or pressures exerted in lopsided trade negotiations, but also insofar as they contribute to the maintenance and strengthening of a global economic system that has caused harm in the past, is causing harm in the present, and as far as we can tell will continue to do so in the future.

In short, what this means is that those nations with the economic, political, and military power to dictate the rules of the global economic game have done so with their own interests in mind. Moreover, they have done so with knowledge of the type of hardships their actions often bring to those in “developing” nations.<sup>19</sup> Such involvement runs deep and has a long history. Less developed nations often incur the negative aspects of economic activities, without enjoying any of the benefits. They face things like military interventions, tariffs, forceful resource extraction, civil war, pollution, higher commodity prices due to our consumption levels, and strains of disease strengthened because of our medical treatments (while the treatments themselves remain under patent protection).<sup>20</sup> As I noted at the outset of this chapter, no single one item on this (abbreviated) list can be described as *the* cause of global poverty. Rather, they all play different roles in different places at different times. They do, however, share two important common features: first, they all often contribute in various ways to severe poverty and suffering in many impoverished regions and second, affluent nations often have some causal role in the creation of each one and the harm it inflicts.

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<sup>19</sup> Pogge, ESP, 61.

<sup>20</sup> Pogge, *Influence of the Global Order*, 332 – 333.

What Pogge does is show that the impoverished status of many nations and their citizens is not, contrary to popular belief, simply the result of unfortunate circumstances, bad government, etc., but rather often a result of intentionally lopsided, and often harmful, relations shaped and dominated by affluent countries. Singer and Unger pump our intuitions one way by showing us that we have the ability to aid and can do so with minimal cost to ourselves. Therefore, we ought to do so and not to do so is morally blameworthy. As we will see shortly, Hooker, Kamm, Schmidtz, and Narveson, each representing a particular argument against the types of duty to aid Singer/Unger argue for, pump our intuitions in the opposite direction by arguing, respectively, that such demands are too burdensome, that proximity is morally important, that we often do more harm than good or lack sufficient information, and the claim that it's not our fault the harm exists, so we have no obligation to relieve it.

### **1.5 – Four common objections and why they fail**

Having now a brief account of the broader context in which Pogge views the duty to aid the distant needy, and the manner in which I will approach the topic, I will now argue that four of the most common types of objections to such duties lose most (if not all) of their force on such a view. The primary reason for this, I'll argue, is that the following types of objections rest on a conception of the question of duties to aid that, like that of Singer and Unger, is too narrow, generally considers only positive duties, and, as a result, is open to the type of criticism that follows. As regards obligations to aid the distant needy based on positive duties, most of the arguments I will discuss in this section do pose significant obstacles and positive duty theorists don't always have good answers for them. However, once we consider the issue more holistically and in terms of violations of negative duty, the following arguments are generally not only ineffective, but more importantly, not relevant.

**Overdemandingness:** One of the most commonly raised objections to the moral demands of a theory like Singer's is that it just simply asks far too much of us to be considered a reasonable alternative. Singer argues that we are obligated to donate all of our "excess" material wealth to charities aiding the distant needy, but many will object (and have objected) that this is just too high a standard. There are a number of ways we might address this issue. One is to say that people simply won't do it. Of course, this would seem generally true. Since Singer's 1972 article, the problem of global hunger certainly hasn't been eliminated, and Unger's 1996 appeal hasn't fared any better. However, the fact that people have not been convinced and seem

unlikely to be convinced does not undercut the force of the argument or its validity. In fact, such a response rests on a commonly recognized logical fallacy – *argumentum ad populum*.<sup>21</sup>

Another tack might be to say, in a manner similar to Bernard Williams' general complaint against utilitarianism, that demands like those Singer makes of us don't respect our personal integrity.<sup>22</sup> Such demands would force us to subordinate all of our own interests, projects, and objectives to those of strangers. This might seem to lack respect for individual people as worthwhile beings, leading worthwhile and important lives. It may be true that this amounts to a very convincing critique of the principle of utility, but Williams makes no arguments, nor do I think he would, that we are permitted to harm others in order to partake of our own unique interests and projects. In fact, the primary thrust of his argument seems to be that it is wrong to sacrifice the integrity of one person for the interests of another and we must note that this argument "cuts both ways." If it is incorrect to ask us to give up our interests for those of strangers, it must be equally incorrect for us to ask or expect others to do the same for us or, perhaps more importantly, to force them to do so. It seems, then, that once we have adjusted our perspective, as per Pogge's analysis, this objection dissolves.

The last "overdemanding" objection I will discuss is a sort of hybrid of the two prior views. Brad Hooker (for example) seems to accept, in principle, that we may well have the type (and perhaps even level) of moral obligations that Singer and Unger say we do, but he objects to Unger's argument largely on the grounds that it may potentially ask far too much of us. Hooker argues that there is, or ought to be, an upper limit on what we can be expected to give.<sup>23</sup> We should first note that this, however, is not contradictory to Singer's view. In fact, Singer sets an upper limit on what we ought to give by arguing that we ought not to lower our own level of affluence so much that we fall below the level of marginal utility.<sup>24</sup> This is to say that if we give too much, we may end up doing more harm than good. If we reach too low a level of affluence, not only will we no longer be able to better the situation of those in need, but we will cause suffering for ourselves and for those who depend upon us, such as children or other family members. We may go from the position of helping those in need, thus reducing aggregate

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<sup>21</sup> In this case the fallacy runs something like this: most people don't do what Singer argues they should, therefore, most people don't agree with Singer and, therefore, his argument is wrong.

<sup>22</sup> Bernard Williams and J.J.C. Smart, "Utilitarianism: For and Against (excerpts)," in *Ethics: History, Theory, and Contemporary Issues*, eds. Steven M. Cahn and Peter Markie (New York: Oxford University Press, 2002). I don't mean to suggest that Williams makes this specific claim, but that the general spirit of the argument can apply in a similar way in this case.

<sup>23</sup> Brad Hooker, "Sacrificing for the Good of Strangers – Repeatedly," *Philosophy and Phenomenological Research* 59.1 (March 1999): 180 – 181.

<sup>24</sup> Singer, "Famine, Affluence, and Morality," 240.

suffering, to a position of being in need, thus increasing the aggregate suffering. For Singer, this would constitute a morally wrong behaviour or outcome.

Hooker's objection, however, is not so simply dispatched. He makes the important distinction between viewing the sacrifices we are obliged to make iteratively and viewing them as an aggregate. In other words, we can consider our efforts to aid others one at a time (each donation I make to Oxfam for instance) or taken all together (the sum of all my donations to Oxfam and every other charity). If each time we have an opportunity to help someone in greater need than ourselves we are obliged to do so, regardless of how many times we have aided or how much aid we have provided in the past, then, according to Hooker, there will always be at least a little more that we can do.<sup>25</sup> Each incident viewed in isolation may seem a perfectly reasonable demand, but once we take all the sacrifices in total, the aggregate is just too burdensome.<sup>26</sup> One result is that Singer and Unger provide no way, if we follow their directives, to avoid lowering ourselves to or below a marginal level of utility, thus violating their own principle. The view collapses in on itself. On the other hand, we may take Hooker to mean that it is simply unreasonable to ask any person, on a positive account of duty, to give so much. What about their interests, their wants, their lives? This objection attacks Singer/Unger on two fronts. However, while this argument may seriously undermine some of Singer/Unger's points, it succeeds in doing so because Singer, Unger, and Hooker have all framed the question in terms of positive duties to aid. On a negative account of the duty to aid, all that is being asked of us is that we cease causing harms or pay redress for harms we have caused, which hardly seems vulnerable to this type of objection.

**The moral import of proximity:** Another common objection to Singer/Unger type claims of duties to aid is that we have a greater obligation to aid those closer to us than those distant from us and that there are plenty of people in our own communities and countries that are in need of aid. Neither Singer nor Unger will deny that this is generally an intuitively strong point, but they do reject that this makes it morally appropriate. The primary function of the Singer/Unger "child in a pond" example is to prime our intuitions. By providing an example with such an intuitively obvious moral conclusion, they reveal that most of us have an intuitive sense of some level of positive moral obligation. Only a monster would stand by and let the

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<sup>25</sup> Hooker, 180.

<sup>26</sup> A similar problem is raised by Karen Green (2003) in reference to Singer when she argues that if our efforts would generally be futile (such as donating \$100 to help end world hunger), then we are under no obligation to perform them. Karen Green, "Distance, Divided Responsibility and Universalizability," *The Monist* 86.3 (2003): 506. Unger discusses such 'futility thinking' in his book and argues that it is not sufficient justification to not provide aid.

child drown because he didn't want to destroy his expensive suit. Singer and Unger then compare this situation to those living in affluent nations enjoying a high material standard of living, while others, who we can in fact save, suffer and die. The aim is to show that there is, when we unpack our intuitions, no important moral difference between the obligation to save the drowning child and that to aid famine stricken strangers in distant and foreign lands. On the other hand, Francis Kamm, David Miller, and Richard Miller (among others) argue that there are important and legitimate reasons to take proximity into account.

Kamm, along with many others, thinks that there is an important difference between harming and failing to aid. Yet, in many cases, such as the one presented by the global economic order, if we adopt the view laid out above, this amounts to a distinction without a *morally important* difference. On this view, failure to aid is really a failure to cease causing harms or to make redress for harms caused. Kamm also argues that if the people in need and the means to aid them are far away, though we still have access to them, we really feel no obligation to aid. This seems to be the example she provides that runs closest to what Singer and Unger propose. However, Kamm also argues that "we have at least as strong a duty not to harm someone who is far as not to harm someone who is near."<sup>27</sup> The point here is simply to show that Kamm, whose argument is representative of one type of objection to positive duties, denies those duties on the grounds that we either intuitively feel no obligation to help the distant needy (which seems inadequate) or actually have legitimate reasons not to feel such an obligation. But if we broaden our perspective and consider the duty to aid in terms of the violation of negative duties, we arrive at a point that Kamm already agrees with. Distance makes no difference in whether or not it is appropriate to inflict harm on someone. It is not necessary here to show that Kamm's account of the moral import of proximity is flawed (though I think it is), but rather to show that upon adopting the wider view, the problem she raises is no longer significant.

Alternatively, we might take the tack that it is simply acceptable for us to give preference to the needs of those we have some interest in because they are geographically or socially close to us. Richard Miller and David Miller, for example, both put forth arguments that we owe a greater level of consideration to those geographically close to us, our compatriots for example, because our actions have causal impacts in their lives. This is quite different from arguing that we lack a positive duty to aid the distant needy. In fact, such an account need not deny the type of duties for which Singer and Unger argue. However, at the same time, it also means that we

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<sup>27</sup> F.M. Kamm, "Rescue and Harm: Discussion of Peter Unger's Living High and Letting Die," *Legal Theory* 5 (1999): 19.

may have good reasons to put the interests and needs of those close to us ahead of the needs of those far away. Richard Miller argues that a bias toward one's compatriots is justifiable because, particularly in Western democracies, we participate in the formation and enforcement of laws that others have to obey.<sup>28</sup> Similarly, David Miller claims that because cultural and national communities shape basic notions of justice and value, we are warranted in privileging those in our own communities above outsiders.<sup>29</sup> In fact, on this view, we are probably obligated to do so. However, the same basic arguments that support these two views also apply on the global scale. If we owe consideration to our compatriots because we have a hand in making and enforcing laws that have effects on them, the same can be said for the distant needy living in areas where the laws and economic policies of affluent nations have direct and deep impacts. Similarly, by entering into lopsided economic and social relations with other countries, affluent nations, who possess a much greater degree of influence in poor nations than poor countries do in affluent ones, "shape basic notions of justice and value," or at least demand compliance with certain notions thereof. The same basic standards that validate obligation to those close to us, then, also apply to the distant needy. What we are left with in such a case is no principled reason to deny a duty to aid the distant needy, but rather tough decisions about who to aid and how, which, although it is a difficult question, does not *prima facie* undermine arguments for duties to aid the distant needy.

**Cynicism and the epistemic deficit:** Another objection to duties to aid is raised by David Schmidtz who argues that our acts in an effort to meet the types of duties put forth by Singer/Unger often end up doing more harm than good. We might attribute these "accidental" harms, Schmidtz suggests, to an influx of goods that end up damaging the local production economy or to the aid falling into the wrong hands and being used, for instance, by dictatorial and violent regimes to further oppress the very people we are trying to help. It seems that both of these objections stem from some sort of epistemic deficit about the actual facts of the situation in which we intervene. If we don't properly understand the domestic economy of the region we send aid to or we don't understand the volatile political climate, we may err in the type or amount of aid we send. Yet, it is certainly worth noting that such an objection is actually orthogonal to the question of whether or not we have duties to aid the distant needy. If the problem with rendering aid to the distant needy is that it sometimes goes horribly wrong, the

<sup>28</sup> Richard Miller, "Moral Closeness and World Community," in *The Ethics of Assistance: Morality and the Distant Needy*, ed. Deen K. Chatterjee (New York: Cambridge University Press, 2004), 105.

<sup>29</sup> David Miller, "National Responsibility and International Justice," in *The Ethics of Assistance: Morality and the Distant Needy*, ed. Deen K. Chatterjee (New York: Cambridge University Press, 2004), 123.



solution seems a matter of logistics, of getting the relevant facts in order, not a denial of the duty. Such a view may pose a problem for advocates of specific solutions, such as Singer and Unger's suggestions of where and to whom we ought to make donations, but they don't give us a reason to deny the duty.

That said, Schmidt's view does bring to light some interesting and appropriate questions. One of the specific examples Schmidt provides deals with the textile industry in Zambia. Schmidt says that in northern Zambia the influx of second-hand clothing, provided during a famine relief effort, destroyed the local textile industry and left many unemployed and, therefore, in greater poverty than before the "aid" arrived.<sup>30</sup> This may well be true, but the narrow view taken by Schmidt colours the argument. Schmidt, like many critics of strong obligation to aid claims, fails to consider how places like Zambia come to be in such dire situations. Of course, there are a great many environmental and social factors that we may not be aware of or responsible for, but there may also be a great number of factors we (or our governments and corporations) do have a role in. Schmidt might wonder why, in so many impoverished nations, there is no infrastructure in place to ameliorate some of the damage caused by things like droughts. He might also wonder why, during a famine, local farmers are growing cotton for the textile industry rather than establishing and maintaining at least a sustenance level of food farming. He could ask why it is that so many countries in Africa are so impoverished in the first place.

All of these questions may, in fact, lead us back to some of the same conclusions made by Schmidt (although I doubt it), but the point is that they aren't even asked. It is precisely these types of questions that a view like Pogge's demands we ask. In seeking to answer these questions, we will see that our notions of duty have been conflated. The economic situation in a place like Zambia, for instance, does not exist in a vacuum. There are a variety of economic forces, generally influenced greatly by affluent nations, working to shape and influence local economies. The broader view that I, following Pogge, advocate, puts those local events and circumstances into a broader context that helps us to better understand why things are the way they are and what can and ought to be done about it. Schmidt's objections may, in fact, give us good reason to doubt Singer and Unger's claims about where to send a cheque or just how to provide aid, but they do nothing to disabuse us of a duty to aid, either positive or negative. In

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<sup>30</sup> David Schmidt, "Islands in a Sea of Obligation: Limits of the Duty to Rescue," *Law and Philosophy* 19 (2000): 685 – 686.

fact, on an account that grounds duties to aid the distant needy in negative duties, Schmidtz's objections seem even less potent.

**No harm, no foul:** Lastly, I'd like to address another of the most common and one of the most direct objections to claims of a duty to aid the distant needy. Whereas all the critics previously mentioned seem to accept that we do have some obligation to aid others, even those whose dire situation we have no role in, libertarians like Jan Narveson simply assert that, to paraphrase, 'if I didn't cause the harm, I have no duty to help.'<sup>31</sup> Such a view does not hold that we ought not to help, but rather that we have no *obligation* to do so. However, although those holding positions like Narveson's are often the most strident opponents of positive duties to aid, they also, generally speaking, accept, without reservation, the negative duty not to harm. In fact, for many, such a view is a constitutive feature of their moral framework. For instance, Narveson argues that "we are certainly responsible for evils we inflict on others, no matter where, and that we owe those people compensation."<sup>32</sup> He also says that "the thesis that fellow-countrymen, just as such, are more deserving of life-saving aid than others is *prima facie* incredible, and morally absurd."<sup>33</sup> It seems, then, that if we can provide evidence that the situation of the distant needy is, in fact, a result of the violation of negative duties not to harm, and that we, as individuals, play a causal role in that harm, Narveson (and others advocating this type of argument) would be forced to agree that we have strong duties to provide aid, at least insofar as it stops or ameliorates the harms caused.

It might appear, though, that Narveson has already considered this possibility and has come up with a good reason to deny it. It is worth quoting Narveson at some length here not only because his strong stance against positive duties to aid poses one of the toughest and most often raised challenges for people like Singer and Unger, but because, in his argument, he also indicates many of things he considers as counting against a duty to aid the distant needy. He writes:

Rain, drought, and plagues befall not only the just and the unjust alike, but Americans and Patagonians indifferently. If such misfortunes deserve our help, they deserve it irrespective not only of the victims' color, but also of the color of their country on the map. Many political regimes have done much to promote the evils we are concerned with here, including hindering efforts to do something for the unfortunate victims. The existence of such regimes poses enormous political problems and dilemmas for us in the West, and for would-be care-givers such as Oxfam.<sup>34</sup>

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<sup>31</sup> Jan Narveson, "We Don't Owe Them a Thing! A Tough-minded but Soft-hearted View of Aid to the Faraway Needy," *The Monist* 86.3 (2003): 419.

<sup>32</sup> Ibid, 419.

<sup>33</sup> Ibid, 431.

<sup>34</sup> Ibid, 431.

This all seems to be more or less true and not all that controversial, but Narveson, again, has failed to take one step further back and ask why this is the case. There are many reasons why some nations suffer so much more from fluctuations in the weather or the appearance of certain diseases than those in the "first world." Many of these nations lack the infrastructure to withstand or react to natural disasters. They lack an adequate domestic food production apparatus. They lack health care systems that can help in the prevention or management of the incidences or spread of disease. Yet, many of these same nations are rich in natural resources or are involved in the production of commodities that generate enormous profit in affluent nations.

In addition, Pogge does not deny that domestic political regimes play an important role in these economic and social relations, nor do I, but they do not operate independently of affluent nations. To quote Pogge:

Yes, a culture of corruption pervades the political system and the economy of many developing countries. But is this culture unrelated to the fact that most affluent countries have, until quite recently, allowed their firms to bribe foreign officials and even made such bribes tax-deductible?<sup>35</sup>

This is just one aspect, but a rather important one that is demonstrative of how relations with impoverished or oppressed populations are pursued by affluent nations and their representatives. The point is that to blame the situation of the distant needy on wholly local causes is to ignore the broader global factors that play an important and causal role. If we accept that those relations exist in generating wealth in the "first world," it seems reasonable that they have effects in the "third world" as well. It also seems obvious that the effects in the latter are far less beneficial than in the former. Taking a wider view of the issue, as does Pogge, helps to place these questions in the appropriate context and helps us to avoid conflating obligations based on negative duties with those rooted in positive ones.

## **1.6 – Summary: towards recasting responsibility**

Each of the critics discussed in the preceding pages fails to adequately consider the role that the global economic order plays in establishing conditions that have both the potential to create and continue poverty, as well as relieving some of it. For many, Singer and Unger's arguments seem quite intuitive; we do have the duty to save lives if the cost to us is relatively smaller than the harm we relieve and is morally innocuous. However, many of the objections raised above constitute valid criticisms of this position. Yet, all are too narrowly framed.

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<sup>35</sup> Pogge, ESP, 62.

Debate over obligations to aid the distant needy are often framed in terms of positive duties to aid, rather than negative duties to refrain from causing harm. As a result, we generally end up with strongly intuitive and seemingly plausible, yet opposing, arguments. Pogge's more comprehensive analysis, however, aims to show that the question just isn't that simple. The task is not simply choosing which side of the dichotomy you wish stand on: did you throw the child in the pond or did you not? The point is that the child is in the pond for a variety of reasons, not all of which are easily sorted out and most of which the blame for is difficult to track to certain individual people. However, the fact that responsibility is difficult to establish on an individual level does not mean that it simply dissipates into thin air. Many people still suffer and many others continue to have the means to ameliorate that suffering, but relatively few choose to do so.

Much of Pogge's effort goes into showing that a lopsided economic order has been established by the affluent nations of the world and that this order works to further impoverish the poorest people of the world, while further enriching the richest. Institutions such as the IMF, the WTO, global lending practices and resource markets, etc. all work to deprive the poor and, in effect, redistribute huge sources of wealth from poor nations to affluent ones. For Pogge, the moral culpability can be traced back to the governments and institutions of most affluent nations. If the governments themselves are not directly participating in such activities, then they are creating an atmosphere in which such activities (strong arm dictators, resource extraction, bribery, arms trading, sex tourism, etc.) are not only tacitly approved of, but often encouraged. Much of the extreme poverty in the world, then, is a result of intentionally designed and maintained economic relations and if it is not a result of such arrangements, then its relief is generally frustrated, if not directly prohibited, by those arrangements.

If our governments are causally related to this situation and, therefore, morally implicated, where does that leave the individual citizen living in an affluent nation in regards to his or her duties to the global and distant needy? Given that we stand in certain relations to our government, our institutions, and our corporations, do we then have a share of the moral responsibility that Pogge traces to those governments, institutions, or corporations? If so, what shape does that responsibility take and how does it track to individual citizens? However, before addressing those specific questions, I will, in the next chapter, detail what I mean when I refer to collectives and individual membership therein. I will also argue, in part two of the next chapter, that these issues are best considered in the light of a notion of responsibility and obligation that turns largely on liability.

## Chapter 2: Definitions and Diagrams (of the prose variety)

### 2.1 What is a collective?

Before we can understand how moral responsibility might transfer from a collective, such as a society or a nation, to the individual members of that collective we will first need to get an idea of what sort of collective we're talking about. Much has been written on the idea of collective responsibility and the ways in which we can or cannot attribute moral responsibility to collectives, or to their members. There can be a variety of types of collectives, some of which we enter voluntarily, some we become part of involuntarily; some we are aware of our membership in and some we not aware of our membership in. However, I wish to focus on defining what I mean by a "collective" in this context, which is to say the entity which, by dint of our membership in it, and contributions to it, connects us to harms caused to and suffered by the distant needy.

Following Virginia Held's description of a random collective, I'll start by noting that the type of collective I have in mind can be, in part, described as "a set of persons distinguishable by some set of characteristics from the set of all persons...."<sup>36</sup> Citizenship of a particular nation or active membership in a certain society would seem to match this description. In other words, we might describe the totality of the human population of Earth as a random collective and, in some sense, this would probably be true, but what I am interested in is a more narrowly defined, yet still fairly general grouping. Held argues that a random collective is marked off from the set of all persons by some specific criteria or set thereof. In what follows, I will argue that the collective I examine – members of affluent societies – is a subset of persons marked off from the general set of persons by a certain set of criteria and that some of those criteria will themselves be the means by which we can track not only membership in the group, but also moral responsibility for harms caused (or sanctioned) by the group.

Stanley Bates argues that "...in the cases where moral responsibility can be distributed to every member of a 'random collection,' it is in virtue of the criterion by which we pick out the members as being members of *that* 'random collection' to which we attribute the action for which we are assigning moral responsibility."<sup>37</sup> All this means is that when we pick out members of some group performing some activity for which we want to attribute responsibility,

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<sup>36</sup> Virginia Held, "Can a Random Collection of Individuals be Morally Responsible?", *The Journal of Philosophy* 67.14 (July 23, 1970): 471.

<sup>37</sup> Stanley Bates, "The Responsibility of 'Random Collections,'" *Ethics* 81.4 (July 1971): 348.

in some cases the activity will be both the thing we wish to attribute responsibility for and which marks them out as members of that collective.<sup>38</sup>

It seems possible that one may be a member of a group, but actually contribute nothing to the activities or functioning of that group. Theoretically, one could be a card carrying member of the KKK, but never actively undertake any actions (beyond membership itself) that are morally problematic or which contribute directly to others performing wrong acts. Such a membership, of course, would have to mean that one pays no dues or initiation fees, contributes no ideas or suggestions, doesn't support, even verbally, the activities of other members, or doesn't participate in any decision making processes (among other things). Such a person would certainly be considered a poor member of an organization, but possibly a member nonetheless. However, simply by virtue of their willing membership in the group, they may be contributing something to the group's activities. If nothing else, by joining such a group, one is lending some level of support to their creeds and actions performed based on them.

However, the specific group membership I will be considering in the following cannot be ascribed to someone unless they actually do the things the moral status of which will be under consideration. In other words, one cannot be a member of the group "contributing/benefiting member of affluent society" unless one actually does the things that count as contributing and/or benefiting. This is where Bates' qualification is important. It will be the very acts that mark one as a member of this group that will potentially implicate them in morally questionable activities (causing harm to the distant needy). The following sections aim to demonstrate, then, that nearly every person living in affluent societies is also a member of this group, to which some liability for harms caused will attach.

In addition, there are two other indicators or markers as a collective and of membership in a collective that I wish to highlight. Angelo Corlett argues that:

Necessary, but perhaps insufficient, conditions of collective intentional action or omission include official representatives of the collective engaging in a valid rule-governed, goal oriented...decision making procedure designed to 'act' (or 'not act,' as the case may be) for the conglomerate.<sup>39</sup>

In other words, some sort of rule-defined decision making process has to be in place in order for a group to count as the type of collective in which I am interested. Simply picking out a distinct

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<sup>38</sup> For instance, we might want to attribute moral responsibility to members of the Ku Klux Klan for the activity of promoting racism. Along with other things, such as membership requirements, wearing a white sheet, etc., one of the ways we're going to pick out these people as members of the KKK is via their racist activities. The activity, then, is both the thing we want to attribute responsibility for and one of the things that marks out individuals as members of that specific collective.

<sup>39</sup> J. Angelo Corlett, "Collective Moral Responsibility," *Journal of Social Philosophy* 32.4 (Winter 2001): 576.

group by virtue of it being distinct from all other people will not be sufficient; we cannot pick out all of the blue-eyed people, label them a collective and hold each responsible for the collective activities of blue-eyed people *qua* blue-eyed people. Such a notion is not only obviously unfair, but generally nonsensical. What will be required is some sort of decision making process that translates or connects, either intentionally or unintentionally, the actions of individuals to the actions of the collective.

Lastly, I'd like to point out that we can perhaps deem something a collective and attribute membership in that collective to individuals on the basis of self-identification. If, for example, I identify myself as and consider myself to be a member of the collective group "Canadian society," this indicates that not only do I think that there is an actual collective (which meets the above conditions) – "Canadian society" in this case – but that I also think of myself as belonging to that collective. Of course, this may leave the door open to the establishment of all varieties of collectives; some may identify as members of the collective "Jedi Knights," but, if taken in combination with the type of criteria put forth by Held, Bates, or Corlett, then self-identification can prove a legitimate and clear method by which to help identify collectives and their members (think, for instance, of the person who openly identifies as a member of the KKK). Such acknowledgment on the part of individuals may, in fact, make the tracking of moral responsibility that much simpler. It seems that if an individual identifies as part of a given collective, she may also be tacitly acknowledging her responsibility (or perhaps credit due) for the actions of that collective. Farid Abdel-Nour puts it this way:

If by dint of her national belonging an individual can 'win wars,' 'civilize barbarians,' 'build empires,' and so on, is it not only logical to ask whether corresponding to these her imagined exploits she does not incur a responsibility for all the bad states of affairs that *these same actions* have brought about?<sup>40</sup>

In other words, if individuals feel some sort of identity (or even pride) correlating to their national or social membership, then they also ought to feel some sense of responsibility for actions undertaken by their nation or society.

If individuals identify with the achievements of other Canadians solely because they too identify themselves as Canadians, they must also accept other implications of identifying themselves as part of this group. Individuals cannot identify themselves as Canadians only in relation to hockey victories, peace-keeping missions, or other things thought of as positive. The same connections and identifications that link individuals to these positive things also link them

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<sup>40</sup> Farid Abdel-Nour, "National Responsibility," *Political Theory* 31.5 (October 2003): 702.

to whatever else we might attribute to Canadians *qua* Canadians. Individuals can't pick and choose those things that attach to the identity "Canadian."

Membership based on this criteria may not capture the activities of those who are marginalized, feel forced into membership in their collective, or want to deny their membership, but all I wish to point out here is that for those who do openly self-identify as a member of some collective, it seems much simpler to attribute to them some responsibility for the actions of that collective. However, tougher cases may not fall into the self-identifying category and so, despite the appeal of its apparent simplicity, it will not prove an adequate means of identifying the individuals and individual actions in question.

## 2.2 Liability, responsibility, and obligations

In considering what we mean when we say that someone is responsible for something, say some bad outcome, Joel Feinberg notes that we sometimes think of this as a type of liability for responses to actions.<sup>41</sup> According to Feinberg, the way we think about responsibility often primarily involves the responses we make, as agents, to the outcomes of either our own actions, or those of other agents (or collections of agents). There are at least two ways we might think of this. First, we might construe this notion of responsibility as being a fairly direct and linear chain of events and, second, we might take a broader or more holistic view. Both views may involve liability, but the latter will rely much more heavily on responsibility cast in terms of liability because the connections are not nearly as direct and the actions making one liable may not be intended to generate the bad outcome for which one is held, via liability, partially responsible.

Feinberg generally describes his notion of liability more narrowly than I will. He argues, in part, that through the hiring of a "free-agent" to act on behalf of a principal, that principal may become liable for acts performed by the "free-agent" in that capacity.<sup>42</sup> This would seem roughly analogous to attributing a share of the responsibility for a contract killing to the person hiring the killer. It also seems as though it might apply to our "hiring" of politicians and government officials to act on our behalf. This will capture a portion of the issue I aim at, but cannot adequately explain the role of those who, for example, voted for the losing candidate, didn't vote at all, or voted strategically. However, Feinberg also discusses contributory group-fault, one variety of which includes, he argues, situations "where harm is to be ascribed to some

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<sup>41</sup> Joel Feinberg, "Collective Responsibility," *The Journal of Philosophy* 65.21 (Nov. 7, 1968): 674.

<sup>42</sup> *Ibid*, 675.



feature of the common culture consciously endorsed and participated in by every member of the group.”<sup>43</sup> This is a much broader view of liability than the version in which a clearly identifiable “free-agent” acts on behalf of a principal. This broader view, however, seems a more accurate and fruitful way to view the types of moral questions we are addressing here.

Before moving on to specific examples and detailed argumentation though, it is worth pausing to note that there are several kinds of “responsibility situations” we might consider here. These include responsibility for accidents, contributory responsibility, collective responsibility, and responsibility one bears by virtue of membership in a group. Responsibility for accidents is often glossed in terms of liability or negligence and I think that many cases of accidental harms may be captured by what I argue in the following. However, it is not my intent to explain responsibility for true accidents. In fact, my explanation of individual moral obligations to the distant needy rests, in part, on an argument that the harms suffered by the distant needy are not accidental.

The second and third types of responsibility alluded to above (contributory and collective) will, in what follows, become intermingled. Contributory responsibility is responsibility for actions or events which are not necessarily solely or directly those of the individual. The individual’s actions may not be the direct cause of the harm in question, but rather contribute to the creation of a situation or environment wherein certain harms are either very likely or assured. On this view, describing the individual’s actions as contributory may seem ambiguous, and in some sense it is. In fact, part of what I hope the following chapters will reveal is that much of the contentious argumentation surrounding these issues trades on this very ambiguity. The distinction might be made between doing something that is causally supportive of an event and doing something that is intended to make that event possible or to ensure its continuance. However, if the criteria I lay out in chapter three are met (particularly those about voluntariness and epistemic status), then this distinction no longer holds.

The type of responsibility that the negative duty theorist generally employs applies to specific actions.<sup>44</sup> On this view, if I am responsible for harming Smith, it is because I have performed some action that causes harm to Smith (or some action that leads more or less directly to harming Smith). Generally this implies a fairly direct link between the cause (my action) and

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<sup>43</sup> Ibid, 683.

<sup>44</sup> Keeping in mind that I am generally aiming my argument at those who do not accept positive duties but do accept negative duties not to harm, I will cast most of my arguments in terms of causing harms and actions leading to or contributing to harm. However, it will likely turn out that the types of connections I argue for may also place individual citizens in the causal chain for many other outcomes, not all of which will include the ascription of moral blame.

the harm (whatever befalls Smith). This way of thinking of responsibility also often includes intent. If my act harms Smith, but I had no intention that Smith be harmed, in some cases I may not be responsible. If, however, the harm was a foreseeable or likely outcome of my action and I knew this, then it seems that the harm was, in fact, intentional. This last point may be controversial (the rule of double effect goes against it), but it is not implausible. If I intentionally undertake an action with certain known outcomes, even if some of those outcomes are not necessary parts of my desired end, they still form a part of the outcome I intended to bring about. Not all of those outcomes would be my explicit goal, but they are known results of an intentional act and, therefore, also seem intentional, even if not desired. If I drop a bomb in a crowded city square in the attempt to kill one man, it seems that it is also a part of my intentional act that some bystanders will be killed or injured. The additional injuries seem to be part and parcel of the intentional act.

There may also be cases in which, even though an individual's actions contribute to some outcome and he has both knowledge of this and choices as to what to do or not do, he may not be liable. This might include situations in which actions are "translated" through the will of another agent into a certain outcome. There are at least two ways we might think of this, but one (the first I discuss), I think, confuses the issue. First, we might take a case like Bernard Williams' well known example of the unfortunate botanist, Jim, who, through no fault of his own, happens upon the imminent execution of twenty natives. The general about to order the executions arbitrarily decides that, rather than killing all twenty men, he will allow Jim to kill any one and the other nineteen will be released. Now, it seems clear that Jim's decision will have some causal impact on the outcome. If he refuses to kill one native, all will die. If he kills one native, the other nineteen will live.<sup>45</sup> Jim chooses from a (admittedly limited) range of options and it leads to a predictable outcome. Yet, it doesn't seem right to suggest that he somehow becomes liable for the actions of the general who created this whole situation, particularly in light of the fact that Jim simply stumbled upon the situation accidentally.

On a strictly consequentialist view, it seems that Jim can be held responsible for the deaths of at least nineteen of the natives should he decide not to randomly kill one himself. But the view I am putting forward is not a strictly consequentialist one. Such a perspective is much more akin to the Singer/Unger positive duty perspective. Jim is entering into a situation he had no hand in creating and the duty being demanded of him is one of intervention, not the cessation of causing harm. What he's being asked to do is take positive actions to prevent some harm; this

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<sup>45</sup> Bernard Williams and J.J.C. Smart, "Utilitarianism: For and Against (excerpts)," 613 – 614.

is more or less what Singer and Unger argue we ought to do about famine and global poverty. On a negative duty view, in order for Jim to be held accountable for the general's murder of these twenty men, Jim would have to have some hand in the creation of the situation wherein the innocent natives are to be executed. In the example as it appears here, Jim clearly has no such role, and so his responsibility to act in this situation is one of positive and not negative duty.

The point is that it seems true that individuals shouldn't be held responsible for the choices other people decide to make, but if they contribute to their ability to produce bad outcomes based on those choices, individuals might be partially responsible for those outcomes. The negative outcome, then, may still be intentional in some sense; if I know what the outcome will be, I understand the role my actions play, and I have alternate choices, then I intentionally act in a manner that will bring about or contribute to that outcome.

A standard theory of responsibility seems adequate to account for cases where harms seem a necessary part of the situation, even if not sufficient to work out all the details of intent. Responsibility based on liability, however, avoids many of these problems because it does not require the harm caused to be intended by the liable individual(s). In addition, in cases where the harm is not a necessary part of the act(s) in question (we can reach our goal without inflicting or risking some harm for instance), standard explanations of responsibility may be inadequate, particularly if the actions performed are not directly harmful, but rather contribute to a harmful situation or process. In some cases, actions lead to harms that are not intentional or necessary, but are foreseeable and this is where a theory of responsibility drawn from liability will be useful. Liability implies responsibility, but responsibility is not always based on liability.

Imagine the following scenario: An individual is one of a hundred people helping to row a ship. Now, it's clear that he is not solely responsible for the forward movement of the vessel, but does contribute to it. In fact, there may be another person standing by ready to row in his place should he decide to stop. And, if only he stops rowing, the ship will continue to move. Yet, in some sense (the sense I intend to flesh out) that rower is still, in part, responsible for the forward movement of the ship because of what he *did do* or *is doing*. We might say that it is the collective – the rowers in total – that is responsible for the ship's movement (which on one level seems right, but incomplete), but then we aren't talking about an agent acting, in which case responsibility, particularly moral responsibility, may not make a lot of sense. The act we want to discuss, then, is not necessarily the act of "moving the ship forward," but rather the act of rowing as a contributory act to the movement of the vessel and the completion of the crew's intended task.

If the ship on which this individual rows is, for example, traveling to a small coastal town with the purpose of others on the ship (not the rowers) pillaging the town and slaughtering its citizens, but the rower did not intend this outcome, his actions may, nonetheless, render him liable for some share of the harm(s) and generate certain responsibilities and obligations. It's true that the rowers – neither collectively nor individually – pillaged, robbed, or killed, so those are not the acts that are (for them) morally blameworthy. Also, taken on its own, the act of rowing doesn't seem morally blameworthy either. But, taken together, rowing this ship, in this context, may make the rower liable.<sup>46</sup> Those acts of rowing become the thing(s) that the individual does which implicate him in the harm caused (makes him liable), thus connecting him to the actions that are *prima facie* morally blameworthy. This is so largely because he is part of the cause leading to the harm. It may be the case that even without that rower's help the harm would still have been caused, but what seems more morally relevant here is what he actually *did do*.<sup>47</sup> Of course, attributions of liability and responsibility, along with the specific obligations they might generate will depend on other factors, particularly meeting the five criteria laid out in chapter three, but the point here is to be precise about just which acts or kinds of acts it is that renders one liable. In this scenario it is not the act of moving the ship or plundering that makes the rower liable, but rather his relatively routine act of rowing the ship and causal contribution to harm(s).

However, this leaves questions about just how the rower is involved in the ultimate outcome. If the rower is hired to row, but doesn't know where the ship is going and why, or if the rower has absolutely no choice but to row the ship, then the obligations generated by his acts (past and present) will be different than the rower who, regardless of the harmful outcome, willingly rows for a share of the plunder.

In between these two, however, is the case of the rower who knows the likely outcome and understands his contribution, but isn't rowing for those reasons. Suppose this rower works for a rowing temp agency and, usually, he rows on ships engaging in peaceful or even charitable activities. However, on this particular day he is assigned to row on this particular ship, which he knows the history of as well as the crew's intent. The rower knows what he'll be contributing to, but he's not rowing for that reason. He's just doing his job (perhaps a job he can't afford to

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<sup>46</sup> If the rowers willingly perform their job knowing of the outcome and do so in order to procure some share of the booty, then their knowing and intentional contribution to the harm(s) seems fairly straightforward, as do the moral claims we might want to make about their activities. In such a case, the rowers would likely be, more or less, on par with the crew that actually did the plundering.

<sup>47</sup> The issue of the necessity of alternative courses of action will be discussed in more detail in section 3.5.

lose). The benefit to the rower, his salary, will be the same whether he rows on the Love Boat or whether he rows on this vessel. Likewise, the basic, individual intentional act he performs is the same – rowing. If he refuses to row on this ship, someone else will and, in addition, the rower may lose his job.

The actions of this rower are both causally supportive of the outcome or process (his rowing helps cause the harm, whether he desires the harm or not) and he intentionally performs an action (rowing) he understands to contribute to some harmful outcome or process. He, therefore, makes himself liable for some share of the harm(s) caused. He may not intend the harm, or directly inflict it, but knowingly participating in a causal manner collapses the distinction between the person “just doing his job” and the person doing a job in order to bring about the result or continue a process. It seems that in both cases the rower undertakes a specific act with the intention of knowingly contributing to the creation of certain outcomes. The precise obligations this might generate may differ in the two cases, but the point is that neither rower escapes moral responsibility, even if the primarily desired end for one has nothing to do with intentionally causing harm.

A theory of responsibility based on liability can also help us to see how some cases that may, at first blush, appear to be accidents or incidental are, in fact, violations of the duty not to harm. In order to illustrate this point, I will provide another brief example. Consider the owner/operator of a bungee jumping company. It is probably safe to assume that the direct actions the owner takes are intended to earn a profit from his business and not means by which to inflict harm. Now, imagine also that this owner is somewhat lax in his observance of safety procedures; he uses bungee cords that are potentially unsafe because of normal wear and tear or inadequate maintenance. If the owner attaches one of these potentially unsafe cords (which he knows is the case because he is responsible for their maintenance and hasn't followed the proper procedures) to a customer and that customer is subsequently killed because the cord failed to support him, the owner is, in part, responsible for his death. Notice though, that the owner of the company had no intention to harm his client, nor did he have direct knowledge that this specific cord would break or that this specific client would be harmed. He also did not directly inflict the fatal injury (he didn't push the client, or otherwise directly harm him). Yet, the owner performed actions (attaching the client to that cord, agreeing to provide the client with the jump) that causally contributed to the client's death.

On a standard account of violation of negative duty and with the standard account of responsibility, it may be difficult to explain why it is that we say the owner is responsible. There

are numerous factors not under the control of the owner that may also contribute to the outcome. For instance, the weight of the client will have some role in the outcome; a 250 pound man is probably more likely to break the cord than a 110 pound man. There are also the victim's actions and decisions themselves to take into consideration. Had the client not decided to go bungee jumping, he would not have suffered that injury. The point is that there are many contributing factors to these types of events and standard theories of responsibility may not be able to account for the role or responsibility of any one participant. On a view of responsibility drawn from liability, however, it is the acts that involve the owner causally in the situation leading to the harm for which he is held responsible. He can't be held responsible for things beyond his control, but he can be held accountable for his actions and his decisions. The fact that he neglected to follow safety procedures and agreed to provide a bungee jump using equipment he knew to be potentially unsafe are what make him liable and with that comes responsibility; responsibility for what he did in the past, as well as responsibility to undertake certain future actions.

Liability is, in part, largely what other people decide about the situation. To say that one is liable is akin to saying that we will hold him responsible for X. In the bungee jumping example, we (society or institutions acting on our behalf) will hold the owner of the company partially responsible for the death of his client. The question, then, is how this liability is generated and how it spawns or includes responsibility.

To hold someone liable is, in part, to say that they are obligated to perform certain future acts (such as compensate victims, apologize and so on) or, perhaps, be subject to certain punishments. In the bungee jumping example, the owner of the company may be obligated to pay compensation to the family of the victim or, had his client been injured rather than killed, pay for medical expenses and/or an additional compensatory amount. However, liability refers not only to responsibility to undertake future acts (or receive future punishment). It also includes the actions that make someone liable. If there are no past or present actions that are contributory to that for which one might be held liable, then there would seem to be no reason to apply liability. For instance, if the owner of the bungee jumping company had followed all safety procedures perfectly and used the safest equipment available, but the client was injured or killed anyway, then we would not say the owner is liable for his death, and so has no further responsibility related to it.<sup>48</sup> However, if the client's death resulted, in part, from the negligence

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<sup>48</sup> Interestingly, in such a case, we might say that the client was liable for his own death. Given the fact that bungee jumping is a somewhat dangerous activity, we might argue that the client chose to take actions to put himself into a

of the owner (a faulty action), then actions undertaken by the owner which preceded the client's death and which causally contributed to it are a major component of his liability. He is liable because of what he did prior to the incident. Liability, then, includes past acts, present acts, and future acts (or planned acts) and generates certain responsibilities and obligations to meet them.

It may also be the case that in some situations, a certain (perhaps harmful) outcome seems inevitable and whether or not I, or any one individual, participates in it or contributes to it will not significantly alter the outcome (if at all). There seem to be two particularly important things to note here. First, if we agree that some action is morally wrong then the inevitability of the usual outcome of that act occurring whether we participate or not does not make our participation morally acceptable. Second, when we're discussing personal moral responsibility, what the individual actually did or did not do is going to be one of the most important questions at play.

For instance, imagine that nineteen people are in the process of pushing a large boulder off a cliff onto a bus full of children. Now, they are fully capable of doing so without my assistance and, furthermore, I am not able to stop them. There is a morally important difference between me, realizing the inevitability of the situation, assisting in dislodging the boulder and me walking away. The general outcome remains the same; the boulder is going to crush the bus. Yet, when we're considering personal moral responsibility, whether or not I participate in the action is crucial. On a positive duty account of the situation, I can perhaps be held responsible for not trying to stop the nineteen from pushing the boulder off the cliff. However, on a negative duty account, I would be held responsible only if I personally contributed to the dislodging of the boulder.

The morally important difference involves not only the actual outcome, but, specifically, what I did. The two situations differ in at least one important respect – I was not involved in one and I was in the other. This, on a negative duty account, is the key question *vis-à-vis* my personal responsibility. Deriving this responsibility from liability allows us to account for the fact (if I assist) that my individual contribution was not necessary or sufficient to produce the harmful outcome. What I did didn't need to be done by me and, in fact, so long as the other nineteen continued what they were doing, it didn't need to be done at all in order for the harmful outcome to occur. What does matter is that I was involved; I did lend my hands to the pushing

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dangerous position, wherein there was a known possibility that he would be killed or injured. The conclusion might be that he knew there were risks involved in the activity and so if anyone is responsible for his death, it is him. Of course, this is not the same type of responsibility we'd apply to the owner of the company if he was derelict in his duties; it is a brand of responsibility, but not necessarily blame.

of the boulder and in so doing I involve myself in the production of the outcome. I am, therefore, partially liable for that outcome and can be held responsible for both my contribution and certain obligations I incur as a result of my liability. A theory of moral responsibility that absolves of us of moral obligations if it is the case that had we not contributed to the harm, someone else would have, seems more an effort eschew responsibility than to trace and explicate it.

We might also note though that some of the preceding may lead to the conclusion that in some cases where harm occurs it is because it is an unavoidable risk or potential outcome associated with the nature of the activity itself. For instance, there is not really a perfectly safe way to bungee jump. The nature of the activity (and much of its appeal derives from this) is such that it cannot be performed without a certain amount of risk. We might be tempted to say that this is the nature of our domestic and global economic relations. However, we should also note that even in bungee jumping we can take steps to reduce the risk or to reduce the severity of the potential harms. In addition, it does not seem to be the case that (1) the type or level of harms resulting from global economic relations (as argued by Pogge) are a necessary part of the nature of the activity and (2) that those suffering the harms have agreed to enter into the risky situation, nor is it clear that they are receiving the benefits resulting from it. The victims of these harms are not choosing to undertake a risky activity with the hope of some benefit (even it's only a thrill); they do not necessarily have the intention of even being a part of the situation as it currently exists.

What we're interested in here, though, is the role of individuals on the causal end of the harm. What's going to matter is how one's actions, as an individual member of affluent society, implicate her in the harms caused by her state (and its institutions, corporations, etc.), insofar as those entities contribute to the shaping, functioning, and maintenance of the global economic order. Because individual members of affluent society are some distance removed from the actual harm, a direct cause and effect explanation leading from individual activities in, say, Canada to some distant harm caused (in part) by global economic relations does not adequately describe the situation. Rather, on a liability account of responsibility what we can try to explain is how one's (seemingly innocuous) actions involve her in that system of relations and implicate her in the harms it causes. Employing a notion of responsibility based on liability, then, is more appropriate in these complex scenarios because it does not turn on intent to harm, but rather on intent to perform certain actions (some of them morally innocuous when taken in isolation) or ranges of actions that are likely or even known to cause or contribute to the causing of harms. In



order to garner liability, the individual need not intend the harmful outcome, she need not directly perform the last act leading to the harm, she does not even need to have a specific victim in mind, but liability and with it responsibility may adhere nonetheless.

In chapter 3 I argue for five criteria that must be met in order for this liability view of responsibility to attach to individual members of affluent society. I will also argue that nearly all members of affluent society do, in fact, meet these criteria and are therefore liable for (some part of) the harms inflicted by the institutions and agents representing them or acting on their behalf in global economic relations, and therefore can be ascribed responsibility and the obligation to meet it.

## **Chapter 3: The Gauntlet: Five criteria for the attribution of responsibility**

### **3.1 The criteria**

Liability, in the sense outlined in chapter 2, implies two things: that the liable person, group, or organization did, in fact, cause the harm, or had some role in it, and that remuneration is owed for harms caused (which consists of at the very least cessation of the harmful activity). Joel Feinberg proposes at least three criteria that must be met in order for liability to hold: (a) the responsible person must have done the harmful action or significantly causally contributed to it, (b) this causally contributory conduct must be faulty, and (c) there must be a direct link between that faulty conduct and the outcome.<sup>49</sup> J. Angelo Corlett also suggests these criteria, but adds three more, two of which we will find useful here: (d) voluntariness and (e) epistemic status.<sup>50</sup>

I will argue that these criteria, taken together, are both necessary and sufficient for establishing the moral culpability of individual members of a group for the collective actions of that group (in this case, individual members of affluent societies can be held partly responsible for the actions of their state, institutions, etc.). This is because these criteria take into account individual acts, their causal links to harms, the propriety of acts, individual agency, as well as whether or not agents have sufficient knowledge of the situation and plausible alternatives. If an individual satisfies all five of these criteria we can reasonably say that she knowingly and voluntarily participates in or encourages the actions of her collective and is, therefore, morally culpable should that collective (under similar, but not necessarily identical criteria) engage in causing harms (in this case specifically harming the distant needy). If an individual member of affluent society fails to meet any one of these five criteria, as set out below, then the type of responsibility I argue for may not attach to them. However, I will argue that average individual members of affluent societies who participate in their society in ordinary ways do meet each of these criteria and that, as such, they ought to be held partly responsible for the harms caused by their society and institutions operating under its auspices. Each section of the next chapter will address one of these criteria. Because some of these criteria are very closely related to the fulfillment of others, the order of explication which follows will not be the same as the order in which the criteria were enumerated above. As the argument progresses, the reason for ordering the explication as I have should become clear.

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<sup>49</sup> Feinberg, 674.

<sup>50</sup> Corlett, 573.

### 3.2 Everyday actions, everyday harms: actually doing the harmful thing

The first criterion Feinberg sets out in order to establish liability is that “it must be true that the responsible individual did the harmful thing in question, or at least that his action or omission made a substantial causal contribution to it.”<sup>51</sup> Referring back to the above example, this amounts to saying that it must be the case that the rower actually did the rowing. Determining whether or not this condition is met will require several steps and will, eventually, take us beyond the scope of this section. In this section, however, I will argue that because of the collective and removed nature of individuals’ intentional acts from the harm they help to generate it is difficult to establish individual moral responsibility. The specific actions that constitute the individual member of affluent society’s contribution to distant harms are the sort of routine activities that nearly everyone participates in and/or benefits from.

In the rowing example detailed above the harmful act is associated with the attack on the town and the townspeople. Similarly, in the case of severe poverty overseas, the harmful act must, in some way, be connected to the suffering of those in poverty. The connection between routine activities performed by individual members of affluent societies and harms in distant countries is not always obvious. Individual members of affluent societies are, for the most part, far removed from the actual harm and the most direct, perhaps last, cause of the harm(s). For instance, most individuals have no direct contact with strong-arm dictators, they don’t work in or run sweat shops, they don’t directly finance bloody civil wars, and so on. The individual’s causal connection to these harms exists in a (generally) fairly long chain of causation and, for this reason, the individual only garners some share of the responsibility.

If it is the case, as Pogge argues, that global economic relations are dominated by affluent nations and the rules of the game are designed to overwhelmingly benefit those affluent nations (thus intentionally causing or contributing to a range of harms, as outlined in chapter one), then responsibility for those harms can be traced back to those affluent nations and their various institutions (more will be said about this section 3.6). It is through their roles within these nations (and institutions, etc.) that individual members of affluent societies are implicated in those harms and, under a theory of responsibility drawn from liability and the violation of negative duty, become partially responsible for those harms. The actual individual actions that we will consider here, then, are going to be the ways in which individuals causally contribute to

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<sup>51</sup> Feinberg, 674.

(and benefit from) their collective(s); their states, their society, various social, political, and economic institutions and so on.

Adopting for a moment a common perspective on the issue (and the one likely voiced by negative duty theorists), we might argue that the harms suffered by the distant needy are not the fault of individuals in affluent nations because they didn't intend the harm, nor did they actually perform the act directly inflicting the harm. The person or people who actually inflict the most direct harm(s) are often members of the same society as those suffering the harm(s). On such a view, most of the harms we're talking about would have domestic causes. For instance, horrendous conditions are often instantiated and maintained by military dictators and their officials in order to hold on to their power or make exploitation of the populace an easier and more profitable endeavour. As Pogge shows, however, limiting our consideration only to this is far too simplistic a perspective.

I outlined Pogge's basic argument in chapter one, but it is worth mentioning a few key points again in direct response to the objection that these harms have only (or even primarily) local causes. For instance, it has been common practice in the past that bribes to foreign officials were tax-deductible in affluent nations.<sup>52</sup> By granting tax breaks for such bribes, governments of affluent nations not only legitimate, but encourage their domestic corporations' payments to corrupt officials. Eliminating this practice does not eliminate responsibility in its entirety, but it likely negatively impacts the ability of corporations to employ this mechanism. If I bribe a corrupt foreign official who is part of an oppressive military dictatorship, I am, in effect, making that oppression pay. I am not only rewarding him or her for their past actions, but, essentially, paying them to do more of the same, or worse.

Furthermore, various regimes, regardless of how they came to power, have the right to sell a nation's resources on the international market as well as borrow vast amounts of money in the nation's name, the repayment of which becomes obligatory for subsequent governments.<sup>53</sup> Corporations based in affluent nations purchase resources from poor nations under the rule of a dictator. The corporation puts these resources to work in producing certain products, etc. and derives a profit from them. Meanwhile, the regime from which the resources were purchased utilizes the monies gained from the transaction to further cement its hold on power. The corporation benefits, the dictator benefits, and members of affluent societies often benefit, but the citizens of the poor nation in which the resources originated suffer harms. Presumably, one

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<sup>52</sup> Pogge, ESP, 62.

<sup>53</sup> Pogge, "The Influence of the Global Order," 334 - 336

of the goals of the dictators in question is to gain wealth and power and corporations willing to do business with them facilitate their ability to do just that. They help make being a dictator pay.

Moreover, huge banks, generally based in affluent nations and operating under laws established and enforced as per the will of those same nations (or collections of them), lend money to these dictators which they, in turn, often use for some of the activities just cited. Even after the dictatorial government is no longer in power, the banks demand repayment of the borrowed funds<sup>54</sup> and responsibility for those debts then falls to the already impoverished citizens of those poor nations. This list is far from exhaustive, but it does help to show that, as Pogge argues in detail, in the current geo-political climate, the causes of poverty and suffering in many of the world's poorest nations are rarely solely domestic or the work of a small collection of rogue governments. None of this is to suggest that there is no intentional action on the part of or blame ascribed to officials, dictators, and the like in those nations, but its presence does not absolve the governments, institutions, corporations, and citizens of affluent nations of their contributory responsibility, without which some of these harms would not be possible.

Yet, it remains difficult, if not impossible, to draw a direct causal line between most individuals in affluent nations and the suffering poor overseas. Even those people in positions of power, such as corporate CEOs or prominent politicians, are often several steps removed from the actual infliction of harm. They causally contribute to it, but don't actually inflict it. In fact, in most cases, it would seem that they do not have the sole or primary intention of causing harms, but rather that such harms – poverty, disease, starvation, violence, etc. – are, in some way, a foreseeable by-product of or means to some end. The harms, nonetheless, are generally foreseeable and the actions contributing to them are intentional, if not directly harmful, so it would seem, then, that the harms themselves are in some sense intentional. This is all by way of pointing out that the causes for harms to the distant needy often are caused, in part, by entities, institutions, states, etc. not within their own borders. Moreover, the chain from each cause (or part of the cause) to the harm itself is often not direct and not obvious. One of the important features that needs to be shown in order to establish the responsibility of individual members of affluent societies for some part of these harms, is how those individuals causally contribute to the larger institutions more directly involved in the harm, as well as that they do so knowingly and gain benefits as a result. The remainder of this section will simply describe a cross-section of the sorts of activities that will establish this causal link between many of the routine activities

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<sup>54</sup> Along with interest payments, thus benefiting the bank and its officers, shareholders, and the like.

of individual members of affluent society and their collective, as well as to the harm(s) caused or contributed to by those collectives.

This may seem a difficult task; however, it will turn out that the difficulty is not in finding any *one* action that counts as contributing to the types of wrongs we are concerned with. Rather, the trouble is that, within affluent societies, *nearly all* of most individuals' economic activities (which may also encompass many social and political acts as well) are in some way contributory, via their collective, to the problem of extreme poverty. Pogge argues that it is the system of global economic relations that is largely to blame for the state of many of the world's poor. I do not take this to mean that these relations, or system of relations, are solely responsible, but rather that they are a major contributing factor. Each individual member of affluent society is intimately and nearly continually connected economically, socially, and politically not only to other members of their society, but to the institutions that constitute society itself. It is most instances of participation in, and benefiting from, these relationships that will count as doing the harmful thing in question or contributing to it. The intentional action rendering individuals responsible for some share of the harm to the distant needy is not necessarily a direct attack on poor people overseas, but rather many more or less mundane economic, social, and political activities in the domestic arena.

For instance, purchasing many consumer goods contributes to the system that generates harm in a variety of ways. Firstly, it transfers money to the corporation. The corporation may (and they often do) use these funds to further its business interests. Many of the activities undertaken to do so will contribute to harms caused to the distant needy, if not directly inflicting them. These funds may be donated to political parties with certain advantageous views on foreign policy, put toward bribes for corrupt foreign officials, anti-worker activity like union busting, hiring mercenaries to "protect" their interest in foreign resources, building facilities that further environmental degradation, and so on. Secondly, the individual purchase legitimates the activities undertaken to procure the good, as well as contributing to the demand for further action of a similar nature. This, combined with the money paid for the good, provide a share of both the impetus for those actions and the means to pursue them. Third, taxes are generally paid on many consumer goods purchased and those tax dollars go to fund government activities, some of which contribute directly to some of the harms experienced by the distant needy (military interventions, funding international agencies like the IMF or WTO, tariffs imposed on foreign goods, etc.). These are but three very brief examples. An expanded discussion of the specific token and type acts that I am referring to here appears in section 3.3. The point, however, is

simply that nearly every single member of affluent society purchases some form of consumer good that contributes to their domestic economic system in one or more of these ways (and often constitutes an instance of benefiting).<sup>55</sup> This is the type of activity, like the rowing of the rower, that helps make individuals partially responsible (on a theory of liability) for the establishment, functioning, and maintenance of a domestic social and economic order (with all its accompanying institutions and entities) which, in turn, is partly responsible for many harms inflicted upon the distant needy.

At least three questions/objections immediately emerge from this premise and they will each be addressed in the sections that follow. First, although individuals can't deny that they participate in or benefit from some or most of the types of activities I allude to here and describe in some detail below, it is much less obvious that these actions are somehow connected to the harms suffered by the distant poor. The response may be to simply deny that such activities have the implications I claim they do. How does one's going to work, buying groceries or a pair of shoes, or maybe going out for dinner once in a while contribute to poverty and death thousands of kilometres away? I've argued that Pogge's analysis of poverty as largely caused by the economic relations generally established and dominated by the affluent nations of the world helps us to trace responsibility (and obligation) for the plight of the distant needy back to those affluent nations. This is done by showing that these relations, institutions, etc. and the activities that occur within and as part of them violate the negative duty not to harm. The main point of this section has been to simply show that individual members of affluent society routinely perform activities that causally contribute to the establishment, maintenance, and functioning of their affluent societies (including their governments and various entities operating under its auspices). The upshot will be that if individuals knowingly contribute to their collective and we can establish, through their membership in and causal contributions to that collective, responsibility for actions undertaken by that collective, we can also, through those same mechanisms, establish a causally contributory link from individual citizens, via their collective, to harms caused to the distant needy.

Second, we might object that individual members of affluent society have no choice and must participate in economic activities in order to avoid being in a state of poverty themselves. We might even argue that coercive measures are in place to ensure that they do so. I will argue that such concerns are indeed important and valid, but ultimately do not constitute an adequate

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<sup>55</sup> Similar arguments, although more complex will hold for instances of benefiting and will be discussed in some detail in later sections, particularly section 3.5.

defence against attributions of moral responsibility based on liability or the obligations generated out of such responsibility. That discussion appears in section 3.5.

Third, individuals might defend themselves by arguing that they can't possibly be expected to *know* all of this. How can individuals know the conditions under which their clothing was made, where all of their food comes from and who grows and harvests it, how the firm they work for obtains its resources, where their pension funds invest, and on and on. To suggest that individuals are, or ought to be, aware of all of this information is, by itself, odious enough, but to demand that they check and alter each of these facets of their economic, social, and political lives seems far too much to ask. However, if we conclude that these obligations originate from the duty not to harm rather than from a positive duty, and individuals have plausible alternatives, it seems that accepting the basic negative duty obligates individuals to accept these implications. A fuller discussion of these points appears in section 3.4.

Any one, or even several, of the actions described above, taken in isolation, does not constitute morally blameworthy behaviour, but taken together, if all four additional criteria are met, responsibilities and obligations based on liability incurred through the violation of the negative duty not to harm follows.

The aim of this section has been to simply show that individual members of affluent society routinely do participate in, benefit from, and causally contribute to their own collective(s). I will argue in the remainder of this chapter that it is precisely these seemingly innocuous actions that implicate such individuals in much of the harm suffered by the distant needy. In the next section, I will elaborate on how such actions contribute to harm-causing collectives.

### **3.3 Linking local to global: routine contributions to harm-causing collectives**

In this section I will argue that many routine actions performed by individual members of affluent society causally contribute to their collective which, in turn, causes or contributes to harm to the distant needy. I will begin by first briefly examining the individual member of affluent society's direct political relationship with his or her collective and the causal role they have, through this role, on the workings of their collective (the nation-state in this case). Although many of these arguments will apply equally as well in the economic arena, the political process has idiosyncrasies that are quite specific (particularly the issue of strategic voting and the ability to abstain) and, in addition, is not as inclusive, meaning it does not capture as many individuals and their actions, as the economic activities of individuals (as consumers,



beneficiaries, and/or workers). I will then spend the remainder of the section showing that average routine activities, specifically those in the economic domain and which are performed or participated in by nearly every individual member of affluent society, are causal contributions to the individual's harm causing collective and, by extension, to the harms themselves.

It is through the political process that individual members of affluent societies ostensibly exert the most direct influence on the policies and actions of their governments and institutions operating under them. Most affluent, western countries run on a more or less democratic system of governance. We might question the degree to which such democracies really provide the opportunity for effective influence on and alteration of entrenched government policies and activities, but we must concede that average citizens have the right to choose from a range of political candidates, generally wielding some sorts of varied platforms.<sup>56</sup> Such questions about the effectiveness of our democracies will be touched on in a later section, but, for the time being, we will work with the generally accepted notion that individuals in countries like Canada or the United States have significant democratic influence on their governments.

Writing on the topic of ethnic violence, Linda Radzik argues that "if he [her example man Adam] voted for a political regime that he believed capable of these sorts of acts, and if that regime later went on to commit these acts, Adam is certainly partly responsible."<sup>57</sup> What Radzik is arguing for is the connection between the exercise of democratic rights and responsibility for the acts performed by governments put in power through that process. Although she is specifically addressing ethnic violence, similar arguments can be put to work in establishing general responsibility, on the part of voters, for the actions taken by their democratically elected governments.

Of course, the epistemic criterion (section 3.4) must be met; the voter must know or have good reason to believe that certain outcomes will result from their political decisions or actions. If I know, for instance, that a certain political party and its officials have the stated intention to undertake foreign policy initiatives that will have foreseeable and detrimental effects on the poor in other nations and I vote for them anyway, I must bear some of the responsibility for those

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<sup>56</sup> This is also a means by which individuals can establish that they, as citizens, do have potential plausible alternatives to the current situation – there is a "could have done or could do otherwise" scenario.

<sup>57</sup> Linda Radzik, "Collective Responsibility and Duties to Respond," *Social Theory and Practice* 27.3 (July 2001): 457.

outcomes. It can't be said that I know for certain that such a party or such people will certainly engage in specific activities, but that seems too high a standard anyway.<sup>58</sup>

Consider the following: In the four years prior to the most recent presidential election in the United States the administration engaged in a certain range of foreign policy activities, the invasion of Afghanistan and Iraq among them. Without passing moral judgement on these actions, we can examine the relative position of "average" American citizens to the actions and outcomes in Afghanistan and Iraq. In 2000, when George W. Bush was first elected, the September 11<sup>th</sup> terrorist attacks had not yet occurred and no plan was (publicly) in place to invade either Afghanistan or Iraq, so it would be difficult to argue that American voters knowingly elected officials with the intent to perform these specific actions. However, over the four years of Bush's first term, the invasion of both Afghanistan and Iraq came to pass. Whether or not we see these activities as morally blameworthy is, at this time, beside the point. What matters here is that it may be difficult, through political links, to establish individual responsibility for these activities in individual members of the American public.

However, if we move forward to the 2004 presidential election, the situation is notably different. When George Bush, running on the same party's ticket, with similar policies, and arguing that the policies and activities of the previous four years were appropriate was re-elected, we must view the status of individual voters differently. In re-electing the president, those voters not only gave a nod of approval to the activities of the last four years, but also authorized the continuation of similar activities and policies for another four years. While the unpredictable nature of the situation after the events of September 11<sup>th</sup>, 2001 may make it difficult to ascribe responsibility for the U.S. administration's foreign activities, such as the invasion of Afghanistan and Iraq, to voters in the 2000 election, further activities of that nature would be consistent with past behaviours and tendencies and, as such, foreseeable. Therefore, responsibility for such events and activities is transferable to the people who elected and empowered those individuals.

Yet, it might be argued that such responsibility is only applicable to those who actually voted for Bush. Or, it might be objected that such a view unfairly places responsibility for the actions of political actors on those who voted for them not as an endorsement of past actions, policies, and/or future plans, but rather as a means of preventing a worse candidate from being elected. An in-depth discussion of the virtues and vices and strategic voting would take us well

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<sup>58</sup> We should also keep in mind that in most western capitalist democratic nations, the various prominent political parties and orientations have a substantive history to which individuals can refer in order to obtain information about possible future activities or general proclivities.

beyond the scope of this project, but I will briefly try to address the notion of how responsibility might track through such actions.

In doing this, let's assume that individual voters have sufficient information to make such decisions. For instance, let's assume that they have a history on each candidate and each candidate has clearly stated policies, with clear consequences, that individuals have good reason to believe will be implemented. Imagine I vote for candidate B because I think, despite being on her own merit a bad candidate, she is a better option than candidate A, but more likely to win than C, which is to say her policies and their foreseeable outcomes will be less harmful. Now imagine that candidate B, upon being elected causes certain harms. The question is whether or not I, by virtue of having voted for B, incur a share of the responsibility for those harms. My answer is that yes, a share of that responsibility could be attributed to me. My action (voting for candidate B) was causally contributory to B's actual ability to inflict certain harms. In other words, I knowingly helped create the situation that brought about those harms. The implication of this seems to be that had I voted for my first choice, candidate C, I would have escaped moral responsibility for the harms caused by A, but the actual harm would have been worse. Yet, on this point, I would argue that by voting for C, I actually become partly responsible for the election of A because I knowingly helped create the situation wherein he could cause certain harms.

This, of course, leaves us with the unhappy situation in which it seems that individuals cannot escape being responsible for harms they had no intention to cause. Even not voting, if I would have voted for B or even C, may help elect candidate A, so even those who don't vote may bear some responsibility. What I think this analogy shows is that the problem we find here is systemic; there is something wrong with the way the electoral system, candidate selection process, and/or people's voting tendencies is working in this society. It seems that so long as individuals participate in the political process in such a society, and even by not voting a decision is made that has political implications, they enter into the system. It seems the moral obligation, then, if we think the electoral system or political representatives' decisions are leading to harmful or wrong outcomes, is to work to alter the system, or eliminate it. However, issues of responsibility for not voting are complex and thorny and I do not have the time or space to adequately address them here (although I think a plausible case can be made). After all, even the actions of non-voters have significant political import – as Karl Jaspers wrote, "...politically everyone acts in the modern state, at least by voting, or failing to vote in elections. The sense of

political liability lets no man dodge”<sup>59</sup> – but an adequate explanation is far beyond what I have room for here.

Some overtly political links are direct and the ascription of responsibility resulting from them is somewhat less controversial than other links I intend to establish, but, at the same time, while they may attach to the majority of voters, they seldom attach even to the majority of adult citizens, let alone most or all of them (voter turnout is generally low in many affluent nations). It is, however, relatively easy to choose not to directly participate in the political system in such direct ways as voting or supporting or actively opposing specific parties or candidates, hence nothing crucial in what follows will hinge on political decisions. We must, then, find other means by which to link the remainder of the population of affluent societies to their domestic governments and institutions which, in turn, are largely responsible for harm to the global poor. Many arguments regarding participation, or lack thereof, in the political process will function similarly to those regarding economic/consumer activities. However, economic considerations can help us account for the actions of some individuals whose level of political participation may be negligible or very difficult to trace, but whose participation in economic activities can be fairly well established.

Economic activities may also help us establish a more direct link between the individual and the collective(s) close to the actual harm. Rather than the responsibility tracking through me voting for candidate A who, in turn, votes for laws helping to enable corporation X to undertake certain activities, I connect myself directly to corporation X by doing business with it or buying its products (or to my government by demanding and accepting benefits or paying taxes). For these reasons in particular, I will opt to pursue my arguments in the economic/consumer activity arena, rather than the political one. However, the arguments I’ve made about the political case will generally hold in terms of economic contributions, and many of those regarding the latter will, likewise, hold in the political arena.

Laura Cannon argues that “outside of, possibly, supporting our government in its enactment of certain military policies toward the people of other nations, consumption is the dominant means by which one’s individual actions have global consequences.”<sup>60</sup> In other words, consumer activity has a great deal of impact even outside one’s own borders. It is, in many ways, consumption and consumer demand that drive the economic activities of a nation. In turn, economic concerns often drive the political actions and policies, both foreign and domestic, of

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<sup>59</sup> Karl Jaspers, *The Question of German Guilt*, Trans. E.B. Ashton (New York: Capricorn Books, 1961), 61.

<sup>60</sup> Laura Cannon, “The Butterfly Effect and the Virtues of the American Dream,” *Journal of Social Philosophy* 34.4 (Winter 2003): 546.

governments. Without funds to operate, governments can exert little influence and so government officials and representatives have a vested and pragmatic interest in keeping the government coffers full. For that matter, the citizens who enjoy the many benefits provided by government share such an interest and the dependence of corporations on such activities is even more direct.

The individual member of affluent society's role as a participant in his own economy, then, will help to establish a causally contributory link between such individuals and the actions and activities of their governments and other institutions (like corporations). If, as direct political participants, individuals become responsible for the actions of the parties they elect (or help to elect), in a similar fashion they, as consumers, become partly responsible for the actions of the collective to which they causally contribute – their nation-state, domestic corporations, and other economic and social institutions.

It is not *prima facie* blameworthy consumer choices that implicate individuals in the acts of the harm causing collective, but rather participation in consumer society itself. Even seemingly good consumer choices – buying fair trade coffee, avoiding companies with particularly bad human rights records – still connect individuals, in a causal way, to the functioning of the domestic economy, and all that it includes. Section 3.5, which deals with the voluntariness of individual actions, will specifically address these questions, but, for the purposes of drawing causal connections, I'll make no distinction between apparent bad consumer choices and seemingly good ones. While, on the one hand, this will be a somewhat more difficult case to make than drawing direct political lines, it does have the advantage that we are much less likely, if at all, to run across many individuals who are not included under this umbrella.

In making the following arguments, I will employ a brand of type-token distinction. The individual acts, such as singular instances of purchasing commodities, will not, in and of themselves, constitute the harmful action. Rather, they will stand as token instances of an action *type* which constitutes the harmful actions in question. For instance, the token act may be a specific instance of purchasing bananas, which, on its own, does not seem intrinsically objectionable. The idea is that person X purchasing Y bananas at time *t* is a token act of the type consuming or participating in the consumer economy. This token level activity, once it is recognized as an instantiation of a certain type will, if all five criteria are met, count as the harmful act in question. Another way to think about this is to view the token act as it relates to its type, or, in other words, the act in a specific context, as the morally important question. I do

not intend to argue that buying bananas *qua* buying bananas is morally problematic, but rather that many consumer acts, given the current economic system and the means by which such commodities are produced and obtained for sale, are the kinds of acts that make individuals liable. Buying X commodity at time  $t$ , considered as an instance of participating in the economy, will turn out to be the kind of activity we are concerned with.

The same will hold true for instances of benefiting. For example, it does not seem intrinsically morally problematic to attend university when considered in and of itself. In fact, many would argue that it is a socially and morally beneficial activity. However, if we consider the economic system operating in order to provide revenue to the governments, institutions, and corporations that provide funding for post-secondary institutions in most affluent nations, moral issues begin to play a much more significant role. My demand, by accessing or attempting to access them, for university courses, health services, highways, etc. helps set in motion mechanisms and processes designed to deliver those services to me. So, when I argue, for example, that a token instance of buying X bananas at time  $t$  or benefiting from Canada's post-secondary education system, by accessing or demanding X course at time  $t$ , will count as a singular activity linking individual citizens to morally objectionable activities (specifically violation of the negative duty not to harm), I am not arguing that buying bananas or going to university is wrong, but rather that participation in the economy brings with it moral responsibility and the purchasing of commodities is one of the primary means by which individuals participate in their own domestic economy, thus incurring liability for the harms it, in turn, helps to cause.

It seems true that benefiting from the wealth of one's society is a different sort of thing than causally contributing to the maintenance and functioning of one's society. The way we trace moral responsibility based on these activities might seem as though it ought to be different. In some ways, however, contributing as a consumer is not so different from benefiting. When individuals access services provided by government, they create a demand for those services which they expect political agencies to meet. This, in a manner parallel to the purchase of commodities or voting for a candidate with a known history, endorses further acts (and sanctions past ones) of the same sort that generated the ability to provide the service in the first place. In this way, even passive benefiting (which will be outlined in some detail shortly) can causally contribute to the actions of governments and institutions, albeit in a different manner than other types of consuming. Although I think that tracking one's causal contribution to their society through token instantiations of consumer activity is quite likely to include almost every member

of an affluent society, the issue of benefiting will further help to capture more marginalized groups. In addition, it also helps bring to light issues of how routine activities form part of a causal chaining leading to harm(s) caused, in part, for the purpose of providing benefits to individual members of affluent society. Such a view throws such individuals' moral responsibility into even sharper relief.

When individuals purchase and consume certain products, they create a demand for those items. Many of these items are things we might think of as necessities; clothing, varieties of food, and so on. When individuals purchase these items from various corporations, assuming there is some choice in whom they choose to make purchases from, they not only legitimize the means by which those items were produced (or how the resources needed to produce them were obtained, etc.), but also encourage the continuation of such activities. For instance, if I buy bananas from the local grocery store I am, in some sense, approving of the growing, picking, transporting and selling of those bananas.<sup>61</sup> Not only that, but I also encourage the grocery store to purchase more bananas in the future and, in turn, the grocery store's purchases encourage, perhaps even authorize, the further growing and harvesting of bananas. My actions are a part of the cause of the grocery store manager ordering more bananas and her order of bananas is a part of the cause of the distributor ordering more bananas, and so on, step by step, from the consumer to the producer.<sup>62</sup>

Of course, no one act is going to be solely responsible, but each act is a contributory part of the cause. Each act is a token instantiation of the type consuming which, in turn, causally contributes to the initiation and/or continuation of the production process (among other processes). Moreover, it's not necessary that *I* buy *this* item; specific token acts are not, by themselves, necessary. However, the type consuming is. It is necessary that people purchase consumer commodities. In most economies, without consumers, there is no reason for the

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<sup>61</sup> One can buy something and *claim* to disapprove of how it was made, but insofar as the economic mechanisms one sets in motion are concerned, purchasing a commodity amounts to a tacit approval of its production. Buying something, even though we do not agree with how it was made essentially amounts to saying, I don't like how this item was produced, *but* I need or want the item more than I disapprove.

<sup>62</sup> When I purchase a commodity, I create a demand for products that companies then procure or manufacture in order to sell to me or other future customers. It's true that when I buy these bananas (token act), my act does not causally contribute to the production of those specific bananas, but it does contribute to the production (or attainment) of more of the same, or similar items. If I buy the last item in a store (or reduce the stock to a certain point), the manager will probably order replacement stock (or mechanisms are in place to do so automatically). The order goes to the distributor; the distributor then sends the item to the retailer, as well as placing an order with the manufacturer to replace the item(s) just shipped (or a similar item). The factory (or farm, etc.) receives the order and ships the product, subsequently setting to work producing more in order to fill the next order (and so on). Each cause in the chain precedes each effect. The consumer's demand clearly cannot cause the currently being purchased item to be produced. Rather it is part of the cause of future production.

companies to produce anything; no cause, no effect. One of the means by which my (token) consumer actions work as causes of the functioning and maintenance of the processes that are, in part, responsible for harms caused to the distant needy is through the creation of a demand for consumer products, which corporations (and others) endeavour to meet. All of this seems relatively uncontroversial and not particularly morally problematic, until we think about the way many products are produced or how resources are often obtained.

If the bananas I purchase are grown on foreign soil, by workers paid so little they can barely survive, and on land obtained through violent colonial expansion for example, then we would probably say that the company producing those bananas incurs moral blame for a wide range of harms.<sup>63</sup> The company could pay a liveable wage. The company could cease its support of oppressive political regimes and increase safety standards. The company could return the land to the groups that probably occupied it in the past (and didn't give it up willingly) and allow them to have autonomous control over their traditional territory. And even if doing all this would put the company out of business, is the negative duty theorist really willing to take the consequentialist view that intentionally harming one to benefit another a little more is morally acceptable? But, it may turn out that the bananas I buy are purchased from a company that obtained the land it uses in a fair manner, pays its employees a liveable wage, has relatively stringent safety standards, works to avoid environmental degradation, and so on, and, if this is the case, that specific token act, that purchase of those bananas, may not be part of the cause of harms caused to those workers.

Yet, there are at least two things to notice about this scenario. First, the marketplace functions such that companies with such moral scruples are not very successful, except in a smaller niche market, and so are certainly not the companies dominating the marketplace and helping to forge its shape today. Not only does this seem true in practice, but it also holds true on the abstract level because the company with the lowest production costs enjoys a higher relative margin of profit, and is thus more likely to survive. Second, if it is the case that the workers we're thinking about are fortunate enough to work for a company with such relatively

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<sup>63</sup> The kinds of harms I'm alluding to here include many of those I briefly laid out in chapter one. For instance, the maintenance of unfair political and economic systems established through colonial occupation and which violently assert control over both resources and workers; the intentional decimation of local commodity production through tariffs, taxes requiring cash payment, or environmental damage; local laws designed to prevent, if not ban, unionization or worker's rights groups, and all the attendant and foreseeable harms that result from these things. All of these harms result from the actions of some people or groups of people and if those groups are not themselves located in affluent nations (such as companies that employ mercenaries to "protect their interests" in poor nations), they are often supported by companies and entities (even governments) that are based in or financed by affluent nations, or their members. It is these types of actions (along with myriad others) that contribute substantially to the poverty suffered by many in the poorest nations.



high moral standards, they're probably not amongst the poor, the harming of which is our primary concern here.

Notice, though, that my specific purchase of bananas (and millions just like me) remains a token instance of a key type of activity in the process leading to the causing of certain kinds of harm – consuming. This is not to say that my individual purchase of those bananas can be traced to specific harms perpetrated against specific people,<sup>64</sup> but that this sort of purchase, repeated many times a day, by millions upon millions of people collectively adds up to one of the pivotal causal contributions to the functioning of affluent societies and their economic institutions. It is not this banana purchase *qua* banana purchasing that poses the moral problem, but rather the participation, through myriad token consumer acts, in a collective, lopsided, and harm-causing economic system. The purchasing of commodities produced overseas, regardless of whether or not the epistemic condition is met, is an activity that nearly every individual member of affluent society participates in.

Nearly every individual is a consumer in some sense and even if such individuals are very careful to be sure only to purchase food, clothing, and the like that are produced in developed western countries (and presumably by workers treated more fairly), they still have to wonder where the materials used to produce the good(s) came from. They still have to wonder if the microchips in the computers used in the company's corporate offices were produced by workers labouring in near slavery conditions. The point is this: individuals' economic lives are so complex and so far-reaching that it would be all but impossible for to be certain that one's activities have no harmful outcomes. Onara Nell puts it this way:

Only if we knew that we were not part of any system of activities causing unjustifiable deaths could we have no duties to support policies which seek to avoid such deaths. Modern economic causal chains are so complex that it is likely that only those who are economically isolated and self-sufficient could know that they are part of no such systems of activities.<sup>65</sup>

Given these complexities, it seems that insofar as individuals shop, work, and live within these complex economic systems, they cannot avoid being a part of them and causally contributing to their continuance and/or growth.

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<sup>64</sup> It may be possible, using purchasing receipts, shipping manifests, customs documents, etc. to trace the bananas I purchased to a certain farm and a certain harvest, maybe even on a certain day, but it would be difficult to argue, even should we have that information in hand, that my purchase of a handful of bananas is responsible for the economic well-being, or lack thereof, of the person who grew and/or picked the bananas.

<sup>65</sup> Onara Nell, "Lifeboat Earth," *Philosophy and Public Affairs* 4.3 (Spring 1975): 286.

Yet, even if purchasing those specific bananas from that specific company doesn't causally contribute to the harms the people of that specific poor country suffer, it remains probable that other token acts of the type consuming do. Moreover, the companies that individuals do business with, even if, to the best of their knowledge, they avoid causing harms themselves and deal only with other likeminded companies, still contribute, via taxation, subsidies, etc., to the functioning of domestic economies that support the actions of companies that do not take such pains to avoid causing harm. The point is that participating in economic activities, particularly as consumers, in affluent societies marks individuals as members of a certain collective and does so, in part, because of their causal connection(s). Whenever individuals enter into such activities, they are making a contribution to the processes manifested in the institutions to which they contribute. Even the conscientious consumer generally cannot help but enter into the causal chain at some point.

In the unlikely event that we come across a corporation operating on a global level that avoids all of these ways of causally contributing to harm, then it seems that individuals will avoid contributing to harms in their dealings with that entity and if they can deal only with such companies, their consumer activities may not implicate them in the causing of certain harms. If all this is the case, then this picture of affluent society is of one that probably doesn't cause the types of harms I am concerned with here. This leads us to two important points that are useful here: (1) the above description bears virtually no resemblance whatsoever to how affluent societies and their members actually behave economically and (2) this description provides us with some potential alternative ways of managing economic behaviour that could substantially reduce the harm to which individuals causally contribute.

Of course, this does not demonstrate direct responsibility, but all I intend to show here is that (nearly all) individual members of affluent society participate in shared economic systems or benefit from them in a causally contributory way and that these actions, because they contribute to entities or systems which are themselves contributing to (if not directly causing) harms, will count as "the harmful act in question." Even if an individual doesn't personally perform or advocate such activities, most benefit from the economic gains made by affluent nations. Individual members of affluent society drive on roads built with public money, attend public schools, in some countries they enjoy national health insurance, to name just a few. These benefits are financed with tax dollars; tax dollars that come, in some measure, from the corporations (although less and less) and the individuals who do directly perform or advocate harmful actions. In a way quite similar to the creation of demand for consumer goods, the

demand for these types of benefits provides the impetus for governments and government agencies to undertake activities enabling them to deliver those services. So, even if most individuals don't do it directly, even if they don't intend for harm(s) to happen, they are still connected at least insofar as they derive benefits from those actions.<sup>66</sup>

The question with which we began this section was whether or not individual members of affluent societies do "the harmful thing in question" or contribute to it, which, in this case, means engaging in domestic activities that support, maintain, or encourage government or corporate actions that bring about or exacerbate global poverty. In this section I have explained, in part, how many routine activities do contribute to and support domestic political and economic processes. In this respect, I have shown that if we accept Pogge's analysis of the global economic situation, then nearly every individual member of affluent society, by virtue of their general social and economic existence do, in fact, stand as part of the causal chain causing or contributing to global poverty. On its own, though, this is not sufficient to establish that such activities are morally blameworthy. If individuals don't know the damage they can and do cause, or have no other choice for example, they may escape moral blameworthiness. I shall argue, however, that this is not the case and in the sections that follow I will demonstrate why.

### **3.4 You should know better: the epistemic criterion**

Up to this point, I have set a fairly high standard of moral responsibility. Ascription of this level and type of responsibility will also depend on the level of knowledge individuals possess or *can generally be reasonably expected to possess*. My arguments, however, are not about epistemology proper. I do not aim to answer epistemological questions about the source of knowledge, the reliability of authority, and the like. Rather, I aim to answer the question of what we know and what we can be expected to know in common language terms. When I argue that individuals know something, I simply take this to mean that they have the knowledge in question, as well as the ability to have acquired it and other knowledge. When I describe what individuals can reasonably be expected to know, I'm referring to knowledge that is readily available to most people living in affluent western nations and/or information that is or has been widely disseminated, such that one would, essentially, have to make an effort to remain ignorant of it.

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<sup>66</sup> The voluntariness, or perhaps lack thereof, of these actions will be addressed in section 3.5.

This knowledge will be of the role of individuals in the domestic (generally economic) functioning of their affluent society and the institutions composing it. I will not argue the point of whether or not individuals know that they are consumers. I think most people understand that they buy and use commodities. Rather, I will argue that individuals either do or ought to understand the causal role of the consumer in the domestic economy. In addition, I will argue, in a similar manner, that individual members of affluent societies either do or ought to know that their collective(s) has causal impact in other nations, specifically poor ones. Lastly, I will argue that once these two pieces of knowledge have been established, drawing the link between them is simple and intuitive and, as a result, nearly every individual member of affluent societies will satisfy the epistemic criterion.

David Schmidtz, in his criticism of Unger's book (*Living High and Letting Die*), argues that individuals often do (and should) have questions about the reliability of information they receive about the distant needy. He points out that this information comes "indirectly, via someone's report"<sup>67</sup> and that it is often "produced not by a trusted researcher but by an advertising agency whose purpose is to raise money."<sup>68</sup> Although perhaps somewhat cynical, this appears to be a legitimate concern. Why should individuals trust these "charitable organizations" that are attempting to solicit monetary contributions? There have certainly been such organizations in the past that have used false information (or even true information) to obtain funds under false pretences and for their own benefit. However, it is important to note two things. First, this concern is particularly relevant to the types of actions proposed by Singer and Unger. In *Living High and Letting Die*, Unger informs us that each year approximately three million children die due to dehydrating diarrhoea. He goes on to argue that by donating \$100 dollars to the U.S. committee for UNICEF, with instructions to direct the funds toward oral rehydration therapy, the lives of about 30 children could be saved.<sup>69</sup> According to Schmidtz, it is possible that claims like these, from organizations like UNICEF, are fraudulent. Of course, he doesn't specifically name any one organization, but his claim seems to be that many charity organizations are primarily in the business of raising funds, not the business of disseminating truth. This can pose significant problems for individual members of affluent societies evaluating the state of the distant needy, their obligations to them, and how to help.

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<sup>67</sup> Schmidtz, 684.

<sup>68</sup> Schmidtz, 684 – 685.

<sup>69</sup> Peter Unger, *Living High and Letting Die: Our Illusion of Innocence* (New York: Oxford University Press, 1996), 3 – 4.

However, we must keep in mind that the type of responsibility I am suggesting does not necessarily mean one ought to immediately write cheques to charitable organizations and be done with the matter. The problem, rather, is systemic and will require much more than cash donations to rectify. Yet, Schmidt's concerns point to an important and worthwhile question: How do individuals living in affluent western nations, where extreme poverty is relatively unknown,<sup>70</sup> know the suffering of people thousands of kilometres away and, perhaps more importantly, how do they understand their relationship to that poverty and those people? I will start with a couple of assumptions. The first, I take to be uncontroversial; that being that there is massive and desperate poverty on this planet. The second assumption I have already discussed in chapter one, and I won't argue the point further in this section, but it is worth briefly reminding the reader of its importance. Following Pogge, I take it to be the case that affluent nations and their institutions, corporations and so on have causal responsibility for some or many of the harms incurred by large numbers of the distant needy. I also take it to be the case that these entities are causally connected to these harms through their various economic, legal, military and political actions, which they perform as a part of their regular functioning.

Claims about the level of knowledge individual members of affluent societies have (or ought to have) regarding their causal contribution to their collective(s) and its connection to harm suffered by the distant needy operate on two levels. Each of these levels will also have within it two sub-claims. The two broader claims will concern (1) the knowledge individual members of affluent societies have of their role as consumers and its causal contribution to the functioning of their collective (domestic entities like the state or corporations) and (2) the knowledge that these individuals have of the role their collective plays in directly harming the distant needy or engaging in activities and institutions that lead to harm caused to the distant needy. Both of these will be divided into two sub-claims, one descriptive and the other normative. Regarding claims of knowledge about the role of individuals as consumers claim (1.a) is that most individuals simply do understand that they are consumers and that their consumption has a causal role in the function of their collective. In addition, claim (1.b) is that even if individuals do not know this, they ought to. Similarly, on the issue of how the collective is causally linked to global harms, claim (2.a) is that most individual members of affluent societies do know that their collective(s) has a causal role in the (often harmful) conditions in

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<sup>70</sup> This is not to say that there is no extreme poverty in Canada, the United States or other, similar, affluent nations. Rather, I am speaking comparatively. There is, of course, horrendous poverty in many affluent nations, perhaps making it that much worse, but in comparison to, say, many regions of Asia or sub-Saharan Africa, the type and level of poverty we find in affluent nations is much less visible.

poor regions. Claim (2.b) argues that, insofar as individuals take seriously their duty not to unnecessarily harm others, they ought to know the role their collective plays, or at least take steps to acquire this knowledge.

Claim (1.a) simply asserts that most individual members of affluent societies whom we would judge fit for the attribution of moral responsibility (meaning, generally, adult, functioning and rational human beings) know that their consumer activities have a causal role in the function of their domestic economy. In fact, consumer activity, taken all together, is the primary reason for the economy to operate at all. This claim is about token activities and their relation to the type they are a part of. For instance, it's the simple claim that when person X buys these bananas at time *t*, he would, if the question arose, be able to understand that this act counts as an instance of consuming<sup>71</sup> and, further, that such acts of consumption have causal impacts in the domestic economy. The epistemic claim is not about the act of banana purchasing *qua* banana purchasing, but rather a claim regarding the token act as an instance of the type "consuming", as well as knowledge that consuming itself plays a causal role in the economy (and in other social, political, etc. activity).<sup>72</sup>

In fact, consumption levels and "consumer confidence" are often publicly cited as a means by which to track the relative "health" of the domestic economy. Individuals are often encouraged to increase consumption levels (through lowered interest rates for example) in order to stimulate the economy. For instance, in the wake of the September 11<sup>th</sup> terrorist attacks in New York, American citizens were encouraged to consume commodities<sup>73</sup> in order to purposefully play a causal role in stimulating the domestic economy. Such an appeal is based on the assumption that consumers generally are aware of the causal role and importance of individual consumer acts.

Claim (1.b) asserts that those individuals who do not have the knowledge described in claim (1.a) are, generally, either culpably ignorant or not fit to be held accountable for lacking such knowledge. In most affluent nations, individual citizens would, essentially, have to make a great effort to avoid obtaining the knowledge that they are consumers and that consumers play a causal role in the domestic economy. Such information is ubiquitous and would likely take a conscious effort to avoid in affluent societies like Canada. Choosing to remain ignorant of one's

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<sup>71</sup> Consuming in the economic sense, not in the sense of eating the bananas.

<sup>72</sup> Similar arguments will hold for the understanding of the individual's role as a wage labourer in the domestic economy. Most workers do understand that their role, as workers, has a causally contributory role to the function and activity of the domestic economy.

<sup>73</sup> The Chevrolet slogan "Keep America rolling," comes to mind.

involvement in certain activities and the outcomes of those activities does not constitute a defence against responsibility should those activities foreseeably lead to harm.

Alternatively, there may be those that lack the capability to understand these relations and, therefore, can not obtain the requisite knowledge for ascriptions of responsibility. These are individuals whom we would not hold morally responsible in many cases. When we talk about a moral agent, we are generally aiming to describe someone capable of understanding moral questions and employing rational decision making processes. If a person is incapable of understanding such issues and questions, then we would likely not describe them as a moral agent and, therefore, not ascribe moral responsibility to them. However, most individual members of affluent society do not fall into this category and so we can make the normative claim that they ought to have or seek the type of knowledge outlined in claim (1.a), and can be held accountable for their failures on this count.

In a way similar to claim (1.a), it is also the case that most members of affluent societies know that their collective, or parts thereof, have causal involvement with other economies and foreign entities (claim 2.a) and, specifically, with those in nations where severe poverty exists. The term globalization has become a part of the general lexicon and the basic concept is a part of the common knowledge. Of course, not every member of affluent society will know of or understand the intricacies of global economic or geo-political relations, but individuals do know that their collective and its institutions make causal contributions to the system of relations governing many aspects of global economic activity, as well as making more direct and concrete contributions in many areas. With regard to the former, individuals are, for the most part, aware that affluent countries like Canada or the United States are significant players in global economic relations. The role of these nations in groups such as the G8, NATO, the WTO and the IMF are well publicized, as are many of the activities undertaken by those groups (ranging from direct military intervention to trade regulations). In terms of more direct contributions, many affluent nations engage in military interventions in foreign nations or aid in the rise to power of one political group over another (or aid in the planning and carrying out of coups). Also, corporations operating under the auspices of the domestic governments of many affluent nations often build factories in poverty stricken regions in order to access cheap labour, do business with dictatorial regimes, procure resources from these areas, and so on. Most of these things are common knowledge in affluent societies.

Moreover, if the individual has any awareness of what is produced within their own nation (for instance, many types of fruit are not grown in Canada, but are readily available) and some

awareness of where the consumer goods he purchases originate, he must, then, know that actions (demand) undertaken by aspects of his collective have effects elsewhere in the world (supply), insofar as they are part of the cause of these products being produced or resources procured. In addition, it is also well-known in affluent nations that extreme poverty, violence, and injustice are common in much of the third-world and, in fact, in many of the same places where the consumer goods or the resources used to produce them originate. There are many highly politicized commodities, the attainment of which has often fallen under moral scrutiny in the recent past. Resources like oil, gold, or diamonds often come from countries where poverty, violence, and/or injustice are commonplace and the means to impose them coercive and well-publicized.<sup>74</sup>

The response might be that such cases are not paradigmatic and that the moral issues at stake are clear-cut and few would argue that supporting such activities is not morally problematic. The other interesting implication, however, is that nearly every single individual citizen in affluent countries like Canada or the United States benefits from the extraction and export of some of these commodities, particularly oil. Of course, the global oil market is a highly politically charged topic and this is not the place to work through those issues, but it is the case that the circumstances under which oil supplies to many affluent nations are procured and secured has been subject to much moral scrutiny (think of the war in Iraq, U.S. relations with Saudi Arabia, oil supplies from Nigeria or Venezuela). In addition, individual consumers are well aware that they utilize and benefit from this resource on a daily basis (gas prices are a regular news item). Thus, those individual members of affluent society are aware that at least some of their daily, routine activities connect them in some way to activities that are, to say the least, clearly subject to moral questioning.

On a somewhat less politicized level, however, we might note that the working and living conditions of those employed in the manufacture of a great many consumer products is also often a matter of public discourse. These consumer goods need not necessarily be controversial themselves; they could be anything from toasters to t-shirts. However, it is common knowledge that many, if not most, of these products are produced overseas using "cheap" labour. Now, the counterargument may end up being that the jobs provided in such manufacturing facilities,

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<sup>74</sup> These themes have even become part of the storyline of primetime television shows, such as *ER*, broadcast on major U.S. networks and have been the subject of major Hollywood films like *Lord of War*, *Blackhawk Down*, and *Hotel Rwanda*. These issues have been highlighted in popular music by bands like *Rage Against the Machine* whose debut album was certified platinum in the United States, Canada, the UK, and, among others, France. I provide these examples to point out that these issues are so ubiquitous they have become a part of popular culture in places like the United States and Canada.



despite low wages, are actually a benefit to those workers, but, although I would argue that is ultimately not the case, this is not the issue at hand here. Rather, all I am claiming is that most individual members of affluent societies know that many of the consumer products they enjoy (as well as resources, etc.) come from foreign countries and that, in addition, those individuals generally know that many of those working to produce those goods are extremely poor. They know, then, that entities based in their affluent countries (such as corporations) and sanctioned by their governments participate in activities (such as employing workers in poor nations) that have causal impacts in those poor nations. The moral conclusions we draw from this knowledge is not being argued at this point. Rather, the claim is only that individual members of affluent society generally do have this sort of knowledge.

Claim (2.b) is, in some ways, very similar to claim (1.b). Essentially, it is the claim that if people do not know the above, then they ought to. There are, as I see it, two main reasons why this normative claim holds. The first is based on more or less the same reasons why I think people generally do know these things (as well as what 1.b refers to). The second has to do with how seriously individuals take the negative duty not to harm.

The first of these is the claim that individual citizens ought to know the types of information outlined in (2.a) because it is widely disseminated and readily accessible. Although perhaps not quite as imbedded in the collective consciousness of affluent societies as the type of knowledge expected in claim (1.a), the knowledge that an individual's collective or agents working within and on behalf of that collective have causal impacts in other countries and, specifically, impoverished ones, is also a matter of common knowledge. In order to avoid attaining such knowledge, an individual would likely have to make a concerted effort. If such is the case, then the individual(s) in question does not just happen to lack this important bit of information, but rather has decided to wilfully avoid attaining it (leaving aside, once again, those deemed inappropriate for ascription of responsibility in general).

This last point, leads quite naturally to the second reason why the normative claim that individuals ought to have this type of knowledge or aspire to attain it holds true. As suggested above, this argument turns on how seriously individuals take the duty not to inflict harm. Insofar as an individual takes the duty not to inflict harm seriously, part of that duty would seem to be working to discover whether or not routine, daily activities are causing or contributing to harm(s). If individuals accept the negative duty not to cause harm, then it seems incumbent upon them, particularly in light of the knowledge that consumer goods are often produced in very poor countries, to at least attempt to gain knowledge about the nature of that production process

and/or the economic relationships surrounding it. We might also argue that insofar as individuals are members of specific (in this case affluent) societies, wherein they have causal (and perhaps political and social) influence, those individuals ought to know or try to find out what causal impacts actions taken by their society, often in their name, are having or have had in other parts of the world. In other words, it seems that if individuals take seriously their duty not to cause or contribute to the causing of harm(s), they ought to know or try to discover what the consequences of their actions actually are.

The normative claim, then, is that individual members of affluent society, given the diffuse knowledge of some of the horrendous conditions in foreign areas where those governments and institutions are known to be actors, ought to know of the existence of the causal role that their government and societal institutions play in those circumstances. In theory it may turn out that such an investigation will lead these individuals to conclude that those circumstances are unavoidable, not caused by affluent nations, or the unfortunate product of free and mutually beneficial trading arrangements. I have left arguments concerning the veracity of such a claim (a claim which I take to be false) mainly to others, specifically Thomas Pogge, as well as discussing some of them in the first chapter. I won't go into those arguments again here because, in the end, the point I wish to press is simply the claim that individual members of affluent society can be expected to have knowledge that relationships, political and/or economic, exist between their own affluent nations (and entities working within them or under their auspices) and many poor nations (and their citizens), and that those relations have causal impacts. The moral conclusions drawn from that information can remain open to debate and the point still hold.

Lastly, the individual member of society either already does or ought to make the connection between claim (1) and claim (2). If individuals know that their actions as consumers causally contribute to the functioning and shape of their collective, then this knowledge would seem to include that they, as individuals, play a causal role. Similarly, if individuals understand that collectives, like Canadian society, the Canadian state, etc., also play a causal role in global economic activities and outcomes (many of which lead to harms to the distant needy), then they, likewise, know that *their* collective – their affluent society – plays such a role. Linking one to the other is a simple two step process. If (a) individuals' consumer actions causally contribute to the function of the collective and (b) the regular functioning of the collective causally contributes to (c) harms, then (a) via (b) is causally contributory to (c).

What this section has shown is that nearly every individual member of affluent society will satisfy the epistemic criterion. The exceptions will generally fall into two categories: the culpably ignorant and those lacking moral agency. With regard to the former, I've argued that choosing to remain ignorant of the harms to which one contributes does not constitute an adequate defence against attribution of responsibility. On the latter of the two points, I have argued that those actually incapable of understanding the types of relationships discussed in this section and who, therefore, lack the requisite knowledge would not be held accountable for this type of responsibility, just as they would likely not be held responsible for other actions. Of these two exceptions only the latter escapes moral responsibility, thus the epistemic criterion is satisfied by nearly every member of affluent society whom we would deem fit for the ascription of moral responsibility at all.

### **3.5 Hard choices or no choices?: the voluntariness of contributing**

In previous sections I have argued that nearly all individual members of affluent society knowingly causally contribute to the functioning of their collective and that, because that collective inflicts unnecessary harms as part of its regular functioning, individuals may be liable and, therefore, responsible for a share of some of those harms. The activities that make individuals liable are, as argued above, also the activities that, in part, mark them as individual members of their collective(s) (consumers, members of affluent society, etc.). As I described these actions, it became clear that many of them were the type of every day activities that nearly every individual does and can't imagine not doing. Individuals need to obtain food, clothing, shelter, and they generally need to obtain money in order to get these things (usually via wage labour). Asking individuals to cease doing these things seems as though it might leave them in a condition as bad as or worse than the distant needy.

In this section I will address the question of voluntariness. I will argue that individuals may not have much choice about performing the causally contributory actions that implicate them in the harm in the first place, but that the individual's choices about addressing the obligations arising from liability incurred are generally voluntary. Individual members of affluent society do not necessarily have a choice whether or not to do the things that make them a contributing part of their collective (involuntary entrance into the group), but they do have choices about how they act within that role and about acts performed in addition to the contributory act that might end the harm or at least sever the individual's connection to it.

Responding to the negative duty not to harm demands at least this much from the individual and should he choose not to meet the obligation, additional responsibility should follow.

Before moving on to arguments about the choices of individual members of affluent society and the responsibility those choices may engender, it seems useful to briefly consider the role of moral luck. In most cases, individual members of affluent societies didn't choose to be members of their society.<sup>75</sup> Rather, they just happened to be fortunate enough to have been born in an affluent society or find themselves there through some other means.<sup>76</sup> Likewise, few, if any, individuals were or are in a position to design the system of social, political and economic relations they operate under. This is true, in part, because the influence wielded by one individual is relatively small compared to the size of the system of relations, but also because the establishment of these relations generally predates most individuals operating within them. How is it, then, that individuals are not necessarily responsible for becoming a part of this collective, nor are they necessarily responsible for the establishment/design of that group and its functions, but may be responsible for contributing to the harm it causes? One way to begin thinking about these issues that helps to connect the acts performed, and the reasons individuals have for performing them, to the harm-causing collective is in terms of the benefits derived from the acts. One of the important and useful distinctions this leads to is the difference between active and passive benefiting.

Norbert Anwander argues that "...we can take it for granted that there is a negative duty not to contribute to injustice and that those who are responsible for harmful institutions should compensate their victims."<sup>77</sup> At first blush, this view appears quite sympathetic to the argument I am trying to make, and in many ways it is. However, Anwander's view of what we can take for granted is uncontroversial precisely because it turns on negative duty. In a similar vein, I have argued that the role of individuals in the functioning of affluent economic systems actually implicates them in the violation of that duty. Many of the implicating actions performed by individuals are actively pursued in order to secure some benefit. For instance, individuals usually engage in wage labour to earn money to purchase the things they need and want. The purchase and use of those consumer goods, as well as the ability to make such purchases, is one

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<sup>75</sup> Individuals who immigrate to affluent nations may, in a manner of speaking, choose to become members of a certain society. However, this will often mean that either they are relocating from one affluent society to another or that, rather than an endorsement of their new society, the immigrant is simply trying to move from a state of impoverishment into a society with better living conditions.

<sup>76</sup> See Thomas Nagel, "Moral Luck," in *Ethics: History, Theory, and Contemporary Issues*, 2<sup>nd</sup> ed., eds. Steven M. Cahn and Peter Markie. (New York: Oxford University Press, 2002).

<sup>77</sup> Norbert Anwander, "Contributing and Benefiting: Two Grounds for Duties to the Victims of Injustice," *Ethics & International Affairs* 19.1 (Spring 2005): 39.

of the benefits to individual members facilitated by the collective – affluent society. In addition, there are myriad other public benefits available to members of affluent society, such as infrastructure, education, health care, police forces, emergency services, and so on. The individual's participation in affluent society is, in some sense, intended to garner access to these types of benefits and/or generate further benefits.

Anwander argues, however, and I think he is right, that we must pay attention to the difference between actively and passively benefiting from harm. In Anwander's words:

There is a distinction to be made between profits that people actively seek out and benefits that simply accrue to them ... while the descriptive claim that we are all benefiting from the global order owes its credence to the notion of *passively being benefited by*, the normative claim that by benefiting we are violating a negative duty is most plausible if this is understood as *actively seeking to take advantage of*.<sup>78</sup>

This seems entirely reasonable. If I own a company that specializes in restoring fire damaged homes, it is a very different thing for me to repair and profit from homes damaged in an accidental fire (where there is no negligence whatsoever), than it is for me to intentionally light the fire in order to damage the home so that I might profit through the repair. Few, if any, would find the act of restoring a fire damaged home, and profiting from it, morally objectionable, but most would likely find significant moral blameworthiness in the latter activity. Even if the fire was, perhaps, caused by arson, so long as I was not the arsonist my repairing the damage is morally unproblematic in itself.<sup>79</sup> If, on the other hand, I am the arsonist, I have clearly behaved in a way generally considered immoral and my benefit from the harm is clearly active. In the former instance, it just so happens that a process, one which I have no control over, has created a situation wherein I stand to benefit from the suffering of others (if we can characterize loss of property as suffering). In such a case it seems that I am doing nothing wrong by benefiting from the situation and the fact that I can derive a benefit from it is, more or less, passive. I didn't create the situation and I couldn't have prevented it, even if I wanted to. On the other hand, if I intentionally contribute to or set the fire, with the intention of profiting from the repair necessitated by it, then my role is clearly not a passive one. I have actively and intentionally brought harm to others so that I might profit and, as such, must bear the responsibility that attaches to the harm.

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<sup>78</sup> Anwander, 43.

<sup>79</sup> It may turn out that in other aspects of my business or products that I need to use, I end up implicated in a causal chain leading to harm, but the actual act of repair in and of itself need not be so.

True cases of passive benefiting appear not to be violations of negative duties, but, as Anwander himself notes, such cases are rare.<sup>80</sup> The distinction between passive and active benefiting is a crucial point, but rather than undercut the argument that individuals bear responsibility for distant harms and/or owe recompense to the global poor, it does quite the opposite. In fact, if we employ Anwander's criteria my claims regarding local responsibility for distant harms are not diminished, but rather strengthened. Just as negative duty theorists, such as Narveson, agree that individuals have a duty not to harm and are, therefore, responsible for harms they cause, Anwander agrees that we owe recompense for the damage we cause and the benefits we derive from actively harming others. At the very least, it becomes incumbent upon those actively participating in the harm-causing activities to cease those activities.

However, on its own, this does not vindicate my position, but rather adds another standard by which we must judge. Even those intuitively critical of the type of position I offer here seem to agree that responsibility for harms attaches if the negative duty not to harm is violated and, piggybacking on that claim, Anwander makes the claim that actively seeking to benefit from harm generates certain obligations. True passive benefiting, of the sort where one enjoys a benefit he had absolutely nothing to do with the origins of, is probably not morally blameworthy, even if it was generated by someone else's intentional infliction of harm. But, once the individual knows that this is the case and has the option of initiating change or refusing the benefit, he may become causally implicated, by creating a demand for, endorsing the activity of, or causally contributing to the harm-causing collective.<sup>81</sup> Not only does the individual causally contribute, but he is also knowingly a part of the reason why the harm is inflicted again in the future or continues to be inflicted in the present. The benefits enjoyed by individual members of affluent societies, then, are generally actively sought (though typically not with the specific intent of causing harm to procure them) and the actions undertaken to gain them are also actively and intentionally performed. The question remains, however, as to whether or not doing so is, in fact, voluntary within the set of relations generally existent within affluent societies.

Even if we agree that individuals' participation in their economic system and the benefits derived from it constitute active benefiting, we are still left with the question of whether or not participation in such a system is a voluntary act or not. We can begin with the assertion that meeting one's basic needs for survival is not a voluntary act. Of course, we could argue that it is

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<sup>80</sup> Anwander, 40.

<sup>81</sup> This will not always be the case though. For example, repairing fire damaged homes probably has nothing to do with the causes of acts of arson. But, in cases of consuming, buying products or accessing services generally does have such an effect.

in fact a voluntary choice; one can always choose to die. We might argue that the individual has the obligation to cease knowingly contributing to harms, whatever the cost to the individual. Even if the situation requires that he either contribute to harm or lose his life, some will argue that one can always choose death. In some cases this may not be as counter-intuitive as it first appears. Consider for a moment the role of a Nazi concentration camp administrator; many will argue, and have, that he ought to face death before helping to exterminate thousands of Jews. However, in many other cases, such a demand is probably too much to ask of individuals. Of course, in the case of how individual members of affluent societies contribute to their collective the choices are seldom matters of life and death. While I want to establish a very high standard for personal responsibility, I am willing to grant that some options, like starving yourself to death, do not constitute a genuine choice. With regard to participation in one's economic system, which is where individuals will undertake most of the actions making them liable for harms, and therefore responsible, we might argue that there is little choice but to participate.

In capitalist society, the ways in which individuals can attain what they need to subsist are either privately held or controlled by the state. In effect, everything is owned by somebody. Land and resources that are not owned by private individuals are generally owned and controlled by the state. In order to meet one's basic needs in a capitalist society, then, individuals need money to purchase commodities or access to certain services. These things are privately owned or controlled either by private individuals or by institutions of the state and these parties demand or require money in return for the needed goods and services. Such an arrangement imposes upon individuals the practical necessity<sup>82</sup> to obtain money. Individuals can't, however, simply print off the needed currency, and so have to find ways to obtain the needed funds. In western capitalist societies, most people do this by finding a job wherein they exchange their labour for money. The practical necessity to get money imposes upon individuals the practical necessity to work for wages (and the practical necessity of access to certain products, like food or clean water, necessitates the purchase of commodities). We can see then how, in principle, capitalist forms of property ownership and wage labour impose the practical necessity to work for wages on most people, as well as the necessity of participating in the consumer economy.

In addition, individual members of affluent society can't easily remove themselves from the harm-causing role by leaving the group (consumer, member of affluent society, etc.) or ceasing the harm-causing activity that makes them a part of their collective (consuming, benefiting). The legal, political, and economic structure of most affluent societies is such that

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<sup>82</sup> Scott A. Anderson, "Coercion, Agents and Ethics" (Ph.D. diss., University of Chicago, 2002).

one can't simply refuse to participate in activities contributing to the collective. One potential option open to individuals includes the ability to use the governmental apparatuses and its processes to bring about change within the system, or to change the system itself. If ultimately successful, this method may end the individual's contributions to the causing of harms and, with it, related obligations based on negative duty. While this is not exiting the system *per se*, we might say that, if successful, it constitutes exiting the harm-causing role (or situation). The problem with this approach, however, is that it depends on the actions of so many others. On the one hand, we may be able to find fault with individuals within a group for failing to take action. Larry May argues that:

If people are able to decide how to act as a group, and they decide not to act, then the failures to act constitute collective omissions. If people are able to decide how to act as a group, but they do not reach any decisions, and as a result nothing is done, then this is clear case of collective inaction.<sup>83</sup>

The argument is, essentially, that if a group of people knows some change is needed and they have the time and means to make the change, but fail to do so they may be held responsible for their lack of action. In one way, this seems to apply to affluent societies. However, it also takes us back to the ascription of collective responsibility without a mechanism for tracing it (or some share of it) down to individual members. What we have been concerned with in the preceding pages, though, are the actions of individual members of affluent society, so this approach doesn't seem to hold the required answers.

I've argued thus far that it won't be adequate to simply hold individual members of affluent society responsible for failing to act and I've also argued that many (if not most) of the individual's economic activities are necessitated by the manner in which his current system operates and his inability to exit his contributory role without paying an unreasonably high price. Is the contribution to harm then necessarily an involuntary act for individual members of affluent society? On the one hand, the answer is yes; the infliction of some harm seems nearly unavoidable by most members of affluent society. But does this mean that individuals have no responsibility? The answer, I think, is still no; this does not eliminate responsibility. This is where, once again, thinking of responsibility in terms of liability will help establish a clearer picture.

One of the features of a brand of responsibility based on liability is that responsibility can be derived both from past actions and/or obligations to undertake future ones. Past and present

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<sup>83</sup> Larry May, "Collective Inaction and Shared Responsibility," *Nous* 24.2 (April 1990): 270.



actions may make the individual liable, but the responsibility this generates connects present and future obligations and responsibilities to current or past acts, or some combination of these. That liability, as argued above, generates one type of responsibility. At the same time, this liability based on past actions generates obligations for the present and the future; obligations that it becomes the individual's responsibility to meet. The past actions that place him "on the hook," so to speak, are his causal contributions to the institutions of affluent society which, in turn, cause harms in other parts of the world as part of their ordinary functioning. On a notion of liability, the individual can perhaps then be held responsible for some of the consequences of those past acts and, in addition, present or future actions he undertakes (or does not undertake) in response. However, as I've just said, those past consumer actions may not always be strictly voluntary. For most individuals it is simply (good for the affluent citizen) moral luck that made them a part of the affluent collective to which they causally contribute. Yet, I will argue that individuals do have some choice in *how* they behave as part of this system and that these choices provide a sufficient level of voluntariness for the attribution of responsibility.

I will provide a brief example by way of partial explanation. Referring once more back to the tale of our rower, as told in section 2.2, imagine the following variation on the scenario. Suppose that, for whatever reason, the rower doesn't know the destination of the ship he's on, nor does he know what the crew is planning on doing when they get there (or have already done at stops along the way). According to the criteria I've provided, this individual is probably not responsible for those outcomes, despite his causal contribution (they are not voluntary contributions *to harm*). However, imagine now that while on the journey one of his fellow rowers informs him (providing credible evidence and so on) of the details of the ship, its history, its goal, plundering the crew has done along the way, and our rower's contribution to these endeavours. The rower now meets the epistemic criterion; he knows where they're going (or where they've been) and why. He also understands that his rowing is contributing to the harmful outcome, insofar as with each stroke he helps move the ship closer to its next target. However, the rowing he did prior to attaining this knowledge was not, strictly speaking, a voluntary contribution to the ability of the collective to inflict harm; the rowing may have been voluntary, but the contribution to harm was not. In fact, now that the ship is out at sea and probably manned by a crew that would not look kindly on attempts to resign his post, the rowing he currently does and will soon do may not seem entirely voluntary either.

Yet, the rower does have options as to what he can choose to do. He can continue to row as he has in the past. He can row the minimal amount necessary to avoid drawing the ire of his

overseers. He can stop rowing altogether. He can attempt to incite his fellow rowers to cease their rowing. He can take steps to try to undermine the ability of the ship and its crew to reach their destination and inflict the intended harm. He can row less stringently while, simultaneously pursuing one or more of these other options. Whatever the case, though, he seems to have the responsibility to *do something*. The fact that he now understands his past actions to have been contributing to the collective and its ability to inflict harm means that he now must, insofar as he accepts the duty not to harm, do what he can to avoid inflicting further harm or continuing the causation of the harm he contributed to in the past. Failure to do so or make efforts to do so makes him a willing participant, marks his benefiting as active, and his contributions to the harm voluntary.

This is not an uncommon feature of moral discourse. We often find instances where an action has unknowingly and unintentionally led to some harm, yet we still hold the person performing the action responsible for something. That something may not be intentionally inflicting harm, but we might say he owes recompense or even just an apology. At the very least the person who unknowingly contributed to the harm has the obligation to stop performing the harm-causing act, not do it again, or, if the act cannot be ceased, to make efforts to prevent it from leading to harm.

There are at least four different ways we can think about the role of the individual member of affluent society in relation to these responsibilities and obligations. Keep in mind that in each group, every individual has and continues to have the duty not to cause harm. (1) The individual may not have caused or contributed to the causing of harm(s) and, therefore, has no responsibility or obligations beyond the negative duty to refrain from starting to cause harm(s) or contributing to such actions. (2) The individual may have caused or contributed to harm(s) in the past, but has ceased doing so. In such a case, the individual may have the obligation to provide some measure of compensation for harms caused or to which he contributed, as well as the responsibility to meet those obligations. (3) The individual may have caused or contributed to harms and, because no viable alternative is available, continues to make those contributions. This individual still has the obligation not to cause or contribute to the causing of harm(s) (or to cease doing so), which he must continue trying to meet. This will place upon him a variety of obligations, specifically the obligation to make attempts to meet his duty of not causing or contributing to harm. In addition, this individual also has the obligation to provide some form of redress for harm(s) and contributions to harm(s), both in the past and ongoing. (4) The individual may know his actions are harmful or contributing to harm(s), but

continue to perform them with no effort to cease and with no effort to compensate the victims of the relevant harm(s). This individual continues to have the duty not to cause harm (which he chooses to violate), as well as the obligation to compensate for harm(s) caused or to which he contributed. In addition, we might say that this individual is worthy of moral blame for his activity because he makes no attempts to cease contributing to harm(s) or to compensate for those harms.

There is an important difference though, in terms of the obligations they currently have, between the individual who already has been, or currently is, a participant in affluent society and the individual who has not yet participated in such a society. It is true that both are under the same obligation, based on negative duty, to refrain from doing things that cause unnecessary harm. The individual who has already participated or is participating in such a system, however, has additional obligations not borne by the non-participating (either past or present) individual. This difference primarily involves the distinction between positive and negative duties as it relates to being part of category (1) or category (2) above.

Consider, for example, two hypothetical individuals: Thelma and Louise. Imagine that Thelma has been in the past and remains a member of Canadian society and, as such, she participates in various activities contributing to and/or benefiting from the collective "Canadian society". Also, imagine that Louise has been suddenly transplanted from some other collective, wherein her daily activities were not contributory to any harms whatsoever, and has now ended up in Canada. Her previous society, though, went about its economic business without causing any harm to anyone, and so she incurred no responsibility for such harms. Before Louise becomes a participating member in the society in which she now finds herself, by engaging in the types of activities detailed in previous sections (consuming, benefiting, wage labour, etc.), she has, on a negative duty account, absolutely no obligations or responsibility *vis-à-vis* the harm(s) caused by the regular functioning of that collective and its various institutions. Both Thelma and Louise share the obligation to refrain from causing harms, but Thelma's past and current actions contributing to the collective mean that she is under additional obligations Louise is not. Thelma's obligation to cease her activity and Louise's obligation not to start that same type of activity may be chalked up to the same negative duty. However, Thelma's past and ongoing acts place her under the obligation to make some sort of recompense for the harm caused in the past, even if she stops performing the activity, thus ceasing her contribution to the harm. She may also be under the obligation, if she is unable to cease her contribution, to take steps to try to stop the action from translating to harm, or to change the system that generates the

harm, and so on. So, even if Thelma fully ceases contributing to harm and Louise never starts, Thelma continues to have obligations that Louise, if she also adheres to her negative duty, does not.

At the time that Louise arrives in this new society, in which she has not yet participated in the relevant ways, she is under none of these obligations. Her only obligation is to not cause harm. If she begins participating in the relevant ways, then she too will acquire the same sorts of additional obligations attributed to Thelma. Prior to her participating, however, any obligations attributed to Louise regarding the workings of that (new to her) collective and the harm(s) it causes would be drawn from positive duties, not negative ones. If Louise made the choice to move from some non harm-causing collective into a harm-causing one, she may acquire responsibility and obligations based on that decision, but should she just happen, through moral luck, to find herself in an affluent society that as part of its regular functioning contributes to harm, then until she engages in that society in the relevant ways, she bears no responsibility or obligations in relation to those harms.

Louise's position, at that time, however, is not descriptive of the position of the vast majority of members of affluent society. Before she engages in any of the actions contributing to the collective, she falls into group (1) as described above. She has caused no harm and has no obligations (other than the ever present duty not to cause harm). But, part of the thesis of this paper is that most individual members of affluent society do meet the five criteria listed earlier and this places them not in group (1), but in either group (3) or (4). Should a person such as Louise actually exist, he or she would be the rare exception.

What I've tried to show by discussing various examples in which one or more of the five criterion I've argued for have not been met (the rower's potential lack of knowledge or Louise's lack of contribution for example) is that each criterion must be met in order for the attribution of responsibility to hold. If it is the case that the rower doesn't know that he's contributing to harm (and is not culpable for his lack of knowledge), then he's probably not responsible for it, so long as he fails to have such knowledge. If it is the case that the individual hasn't actually performed actions contributing to the harm, then she is not responsible for the harm and has no obligations regarding that harm. If the individual has no choice but to participate and is completely prohibited from ceasing the activity; or doing anything that might ameliorate some of the harm caused; or taking steps to stop the activity from translating into a harm; or, among myriad other potential acts, working outside the norms of the collective to alter or eliminate it and its harmful actions, then he likely bears no responsibility for those failures.

However, individuals in this last position still have the obligation to minimize their contribution to the harm-causing collective and, in addition, to continue trying to take the types of additional steps also listed. The inability to meet the obligation in full at the present time does not eliminate the obligation, but it may, for the moment, rule out blame for not meeting it. A failure to continue trying to meet the obligation, however, not only means the obligation remains, but may also warrant the attribution of moral blame for that failure (even if not for the necessitated activity itself).

Individual members of affluent society, though, are rarely in such prohibitive positions. It may be true that simply ceasing all activities making up the individual's contribution to the harm-causing collective is not a genuine choice for the individual member of affluent society. Yet, a wide variety of other activities that might minimize the contribution, might make the cessation of it more possible, might ameliorate the harm, or might help to stop the action from translating to harm are open to such individuals. Given that the token acts individuals perform as part of their collective are voluntary (meaning, for instance, one can generally choose which consumer products to purchase), the level at and manner in which they causally contribute is likewise voluntary. Also, choices about engaging in additional actions (political activism, civil disobedience, even radical reform, etc.) which may form the means by which to cease or block the individual's contribution to harm(s) are similarly voluntary.

Many of these, however, may end up being outside the norms and parameters for accepted activity according to the rules and institutions of that society. Specifically which of these types of actions can be demanded of the individual and at what level they ought to be performed will depend on the importance we place on adhering to the negative duty not to cause harm and, quite likely, on the severity of the harm in question. Yet, continuing to contribute to and benefit from harm, even while trying to meet the obligation to mitigate harm(s), leads to a consequentialist picture (as well as actively harming in order to gain benefits) if a continued and concerted effort to cease the contribution to harm is lacking. Although actions to reduce harm caused may be a part of the individual's obligation, they are not the entirety of it.

The goal, the full meeting of the individual's obligations, must remain the cessation of the contribution to harm, and so the individual's obligation is three-fold: he is, then, obliged to (a) make every reasonable effort to cease the contribution to harm, (b) if this is not possible, he must minimize his contribution to harm, and (c) he must continue to take the voluntary steps (likely outside the collective's norms) to stop or block the mechanisms translating his actions into a contribution to harm(s).

Individual members of affluent society generally either fall into category (3), members of which recognize their causal contribution to harm(s) and the obligation to make changes, but may not be able to cease contributing to the harm, or they belong to category (4), the members of which recognize (or ought to) their causal contributions, but choose to take no action to remove or minimize them.<sup>84</sup> On a charitable view, we might place most individual members of affluent society in group (3), but I rather suspect that the more accurate description would, despite their likely remonstrations, place many individuals in group (4). In both cases, though, individuals will have very similar obligations, although the latter may also deserve moral blame that may not be appropriate for those in group (3). The actual attribution of responsibility and the obligations it generates, however, can be treated in much the same way for both groups. Although group (3) members recognize their causal contributory role, it may seem as though they have no choices and so their contribution and failure to meet their obligations is not voluntary. Group (4) members, even if they choose not to recognize their responsibility and accompanying obligations, would be in, more or less the same position. It remains the case that, even if those in group (4) did acknowledge their culpability, they still probably couldn't simply cease the *type* of activity that contributes to harm.

One immediate suggestion is that the individual do the best he can to minimize his contribution to the harm or, perhaps, the severity of the harm, and this seems to be what those in group (3) might do. It is suggested that the individual can do this by choosing to deal with ethical companies, buying "fair trade" products, reducing consumption, and so on. Although this is part of the answer, it is not sufficient. It certainly seems that making these efforts are part of individuals' obligations, or perhaps a separate, but important obligation also generated by this responsibility, but such efforts can't do the whole job. There are at least two reasons this is the case. First, altering or removing some specific token act or acts (buying X at time *t*) does not eliminate the type (consuming). All token acts of purchasing consumer products remain tokens of the type consuming and, as such, continue to make causal contributions to the harm-causing collective. Even if individuals change the way they participate in or contribute to the type level activity by choosing different token acts, the type remains and it is participation in the type that contributes to harm (whether one is the shoe or the car, one is still playing Monopoly).

Second, changing the way one participates in or contributes to the harm-causing collective does not eliminate that individual's contribution to that collective. If such

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<sup>84</sup> They do not fall into category (1) because they make causal contributions to harm, nor do they generally fall into category (2) because they cannot simply cease those contributions at will.

contributions violate a negative duty not to harm, as I've argued they do, then altering the level or kind of token contribution does not remove the individual from the violating position. He still continues to perform activities that are a token level instantiation of the type level contribution. Altering the token activities may lessen his responsibility and meet a portion of his obligation, but it cannot eradicate it. The obligation, however, remains doing what one can to cease contributing to the infliction of harm(s).

All of the above changes may be good changes and may, in fact, be obligatory. Yet, so long as individuals limit their efforts to meet their obligations only to those activities permitted within the norms and regulations at work in or governing their collective,<sup>85</sup> they will likely fail to end their contribution to harm(s). The current set of relations is designed to function in certain ways and so long as individual members of affluent societies work only within those parameters they may be able to alter how harm is caused or the level, but not eliminate their contributions to it. In fact, resolving to work only within those parameters probably goes some distance toward ensuring that overall systemic change will not occur. The system currently in place may be internally reformed, it may be improved, but it is likely to continue to be involved in the types of harms inflicted on the distant needy.

Making adjustments only of this nature, in the token acts individuals perform for example, leads not to an elimination of the individual's contributions to harm(s), but rather an attempt at reducing, balancing, or compensating for them. Once we take a step back and take in this entire picture, we find that this is a more or less straightforward consequentialist picture. Individuals contribute to harm(s), which provide benefits to them, while simultaneously trying to do less harm and perhaps reimbursing some of those harmed or others that are similar to those harmed. Individual members of affluent society end up sacrificing very little, so the benefit they derive from the current set of relations remains high, and the harm to which they contribute is reduced in kind and/or quantity. The end result may seem to be an increase to overall happiness, thus satisfying the principle of utility, but does not answer the obligation to refrain from causing harm. In the end, this view is not all that different than the one put forward by Singer and Unger. In fact, if we find this argument compelling, we ought to find that of Singer and Unger that much more so as a result because both arguments employ more or less the same strategy. However, such an argument shouldn't (and probably won't) satisfy the negative duty theorist who argues that we ought not to cause harm to others.

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<sup>85</sup> Such as voting for certain parties, changing shopping habits, or being willing to make changes should the opportunity arise.

On the surface, the obligations I am arguing for might sometimes appear to be positive duties. Buying "fair trade" products, engaging in civil disobedience, actively working within groups with the goal of creating systemic change, and so on all look like positive duties, not negative ones. However, the recognition and acceptance of the negative duty not to cause harm brings with it the obligation to undertake certain positive actions. Generally this means that when an individual engages in some action or project, he has the obligation to ensure (to the best of his abilities) that his acts will not harm anyone else. This will mean he is required to perform certain positive actions that, nonetheless, are drawn from negative duty.<sup>86</sup> For instance, if I am a building demolition expert contracted to implode a skyscraper in a major city, there are a range of positive obligations that arise due to my duty not to inflict harm. One obvious such obligation is that I make sure the building is empty before I demolish it. This may require that I hire others to check the building, or that I personally walk every floor of the building making sure no people are inside. Whatever the case, my negative duty not to harm obligates me to undertake actions that, on the surface, may appear to be positive duties.

Individual participation in affluent societies is such a case. Even if individuals cannot live their economic lives within affluent societies without contributing to (and/or benefiting from) their collective, they can take additional steps to try to stop those contributions from translating into harm(s). This may require political, social and economic actions that are generally thought of as resting on positive duties. Yet, if the individual accepts the duty not to harm, then they also must accept the duty to take the necessary steps, whenever possible, to prevent their actions from causing or contributing to the causing of harm. Just as the demolition expert cannot perform his job without imploding the building but remains obligated to undertake activities not strictly necessary for imploding the building, the individual member of affluent society cannot help but participate in and contribute to their collective, but remains obligated to take steps not strictly associated with those contributory acts but which aim to prevent them from contributing to harm.

This last group of actions are voluntary and they are, in addition, the types of activities that individual members of affluent societies are, for the most part, failing to perform. Their responsibility to undertake these sorts of actions derives from their past and current participation in and contribution to their harm-causing collective(s). Nearly every member of affluent society

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<sup>86</sup> See Henry Shue, "Thickening convergence: human rights and cultural diversity," in *The Ethics of Assistance: Morality and the Distant Needy*, ed. Deen K. Chatterjee (New York: Cambridge University Press, 2004). Shue argues, accepting that we have the negative duty not to harm generates a range of positive obligations, those being to do the things necessary to cease the causing of the harm(s) in question.



is, insofar as he or she accepts the minimal requirements of the negative duty not to cause harm, obligated to meet these responsibilities. Yet, most individuals in affluent society do not meet these obligations, nor do they make adequate efforts to attempt to do so. Responsibility of this nature does not necessarily include moral blameworthiness initially (individuals can be responsible to do something or for something, but not deserve blame for anything), but a failure to meet these obligations, which results in the individual knowingly and willingly causally contributing to harm-causing collectives and processes, is blameworthy. This, it would seem, is the position of most individual members of affluent society. Yet, even those who may not deserve moral blame, because they make every effort to meet their obligations, continue to have those responsibilities and those obligations as long as their actions continue to be causally contributory to harm(s) or harm-causing collectives.

The liability understanding of responsibility generates present and future obligations out of past and present actions, whether the outcomes are intentional or not, and in the case of individual members of affluent societies those obligations are based on past and present causal contributions to harm and the harm-causing collective. Meeting those obligations will require certain other types of actions which, perhaps unlike the actions that originally contributed to the harm-causing collective, are voluntary. In some instances, performance of these acts may carry with them a high price, but determining just which consequences members of affluent society ought to accept in order to cease their contributions to harm requires a lengthy evaluation that lies outside the scope of this paper. My intention, rather, is to motivate the idea that there is something we, as individual members of affluent societies, ought to do and that, if we accept the negative duty not to cause harm, there is a price we can be expected to pay to meet this duty. I rather suspect, in addition, that the price that ends up being reasonable may be rather high. I'll give some preliminary explanation as to the form these obligations might take and why the price might be high in the final chapter of this paper, but, for the time being, will pursue those details no further here.

### **3.6 The flaw factor: the faultiness of routine actions**

Up to this point, I have discussed four of the five criteria set out above. I have argued that nearly every individual member of affluent society meets these four criteria. The one remaining criterion is that the act in question, that which makes the individual liable and for which a certain range of responsibilities and obligations can be ascribed (and perhaps moral blame), be in some way faulty. I will argue that the everyday sorts of acts that individuals perform, and which are

also causally contributory to the harm-causing collective, are faulty in the morally relevant sense. I will make this argument in four parts. First, I'll note, as I have in previous sections, that there appears to be nothing *prima facie* faulty with most of the contributory actions performed by individuals. Second, I will argue that much of the faultiness of the common actions in question can be derived from the satisfaction of the four criteria previously discussed. Third, I will also argue that some of the faultiness of the everyday actions we've been concerned with thus far is associated with the fact that they are both causally contributory to harm and manifestations of the type of benefits derived from those type level harms. Lastly, I will argue that the last (and perhaps key) portion of the faultiness of these acts derives from the nature of the harms to which they contribute and the nature of the institutional order largely responsible for the infliction of those harms.

Most of the kinds of acts I have been discussing thus far, which generally consist of the sort of everyday activities that most people perform, like buying consumer goods or going to work, do not, on the face of it, appear faulty. They are usually not malicious or directly harmful. In most cases, there seems to be no direct intent to cause harm at all. These acts generally occur within the accepted legal and social norms of the affluent societies we are discussing. So, it is not obvious that such acts are in some way faulty. This is to say that the simple fact that person X purchased Y bananas at time *t* is not sufficient to make the act faulty. As I've argued in previous sections, the liability and responsibility acquired by purchasing, say, bananas has nothing to do with the fact that it is bananas that one is buying. Rather, it has to do with the type level contribution of which it is a token. The result, then, is that it is not obvious that purchasing consumer goods or enjoying other benefits that come with being a part of affluent society is somehow morally faulty.

On the second point enumerated above, I have argued in previous sections just how individual members of affluent societies meet four of the five criteria (having done the act in question, causally contributing to harm, knowingly doing so, and voluntariness). I will not reiterate all those points here, but I will argue that the satisfaction of those four criteria goes much of the way toward establishing the faultiness of the seemingly innocuous acts in question. If an individual meets these criteria, we can say that she knowingly contributes to or participates in institutions, activities, and processes that either cause or contribute to the causing of harm to the distant needy. Moreover, as a result, she also incurs the obligation to undertake a range of voluntary activities in the effort to reduce, ameliorate, and eventually eliminate her causal contribution to those harms and, perhaps, the harms themselves. I have also argued that not only

can we make this assessment of some individuals, but rather that such a description can be appropriately applied to nearly every single member of affluent societies. It seems, then, that actions fitting this description are indeed faulty, but in the case of the specific harms we are concerned with here more needs to be said.

The third point listed above has to do with the relationship between the contributory acts and the benefit(s) derived from them. Pogge argues that:

“...because unjust features of the global institutional order advantage the affluent in many ways, we profit from injustice through most ordinary economic transactions: the rewards for our labour are higher, and many commodities we buy cheaper, than they would be under a global institutional order designed to avoid foreseeable human rights deficits.”<sup>87</sup>

One of the features of a global order dominated by affluent nations is that those nations not only have causal impacts in poorer nations, but also generally garner a great deal of economic benefit from such lopsided arrangements. Those benefits are then passed on to individual members of affluent societies in a variety of ways (and the harms to individual members of poor societies). What is particularly interesting in the case of the causally contributory acts performed by individual members of affluent society is that they are also often one and the same with the benefits derived from the relevant type(s) of harm. The claim is not that they are conceptually indistinguishable, but that the actual acts that are instances of benefiting and the acts that are contributions to harm are often the same acts.

One of the benefits of being a member of affluent society is having access to certain consumer goods and the ability to purchase and enjoy those items. Of course, one could have access to such a benefit, but never actually utilize it. But, if the individual takes advantage of such access and purchases such consumer goods, that individual would be, in the act of purchasing the good, enjoying one of the benefits of affluent society. That act, then, is an instance of benefiting. However, at the same time, it is also a token act (of the type consuming) which causally contributes to the collective(s) that inflicts harm on the distant needy. The very same act, then, is both a causal contribution to the harm-causing collective *and* an instantiation of the benefit(s) derived from the harm(s) caused.

The question might arise as to how an individual can both contribute to harm and enjoy the benefit of harm simultaneously if the enjoyment doesn't originate from the infliction of harm itself (as I've argued the acts of members of affluent society generally do not). The answer, I

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<sup>87</sup> Thomas W. Pogge, “Severe Poverty as a Violation of Negative Duties,” *Ethics and International Affairs* 19.1 (Spring 2005): 73.

think, lies in distinguishing between types and tokens. The particular contributory act performed is generally not the cause of the specific benefit gained via *that* act. Rather, both are token instantiations of their respective types. The causal contribution (purchasing the good) is a token of the type consuming and the type consuming is causally contributory to the harm-causing collective. The benefit (also purchasing the good) is a token of the type benefiting and this derives, in part, from harm(s) inflicted or contributed to by the collective. The one specific act is a token instantiation of both consuming and benefiting.

Similar points can be made regarding other kinds of benefits enjoyed by individual members of affluent society (recalling how such acts constitute contributions to harm), such as attending a subsidized university or accessing health care or similar services. These things are both benefits, but also work to create a demand for such services which, in turn, creates the necessity for those responsible for the provision of such services, generally the state, to procure the means to provide such services (along with validating past means undertaken to do so). The act then is both an act of benefiting and one of causally contributing to the functioning of one's harm-causing collective.<sup>88</sup>

As was discussed in a previous section, Norbert Anwander points out the important difference between actively benefiting from harm and passively benefiting from harm. Even in light of what I've argued above, it remains possible that the token acts which are both causal contributions to harm and the intentional seeking or enjoying of benefits maintain a passive relationship between the harm and benefit. If, for instance, the epistemic criterion is not met, the benefiting probably remains passive. If, however, all four of the previously discussed criteria are met, the benefiting has moved from being passive to being active. In addition, each individual member of affluent society who contributes to the harm causing collective via consumption (as virtually every individual member does) is, in performing that very act, also benefiting. Moreover, each person who enjoys such benefits is also, again in that same act, causally contributing. The meeting of the criteria means that the acts are undertaken in the pursuit of individual benefits and the harms caused by them or performed in order to provide the benefit are known to the individual. Actively benefiting from the infliction of harm would make the act in question, on most accounts, a faulty one.

The fourth part of this section deals with the nature of the harms themselves. Although the preceding paragraphs in this section go much of the way toward explaining the faultiness of

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<sup>88</sup> Similar arguments can be made regarding wage labour and other common activities performed by individuals in affluent societies.

many actions routinely performed by individual members of affluent society, all of the above could be true and the acts in question still, arguably, might not be faulty. If, for instance, the causes, effects, benefits and harms involved are the result of a bargain seemingly agreed to by those involved or if all the parties involved know the potential gains and pitfalls and freely consent to participate anyway, then perhaps the contributory act(s) performed by individuals may not be faulty. However, if, as I take it to be, Pogge's argument is correct, neither of these describes the actual situation in global economic relations or the plight of the distant needy. The underlying theme of most of his arguments (and mine) regarding the plight of the distant needy is that those suffering the harms are not willing participants and the harms they suffer are not known and agreed upon outcomes of fairly struck bargains.

Moreover, the distant needy suffering the harm(s) in question generally enjoy little (if any) of the benefit derived from the lopsided political and economic relations imposed upon them by affluent nations. This breaks down into at least two components. On the one view, the argument is that the global order and the harms accompanying it are largely imposed, in order to gain more profit, on poor nations and the distant needy by dominant affluent nations. On the view I've advocated thus far, this would constitute a violation of the negative duty not to harm. The other component is that this order deprives the distant needy of much of the benefit derived not only from resources located in their own nations, but often their own labour. This second point, I think, also has to do with the violation of negative duties, but on a version rooted deeply in generally intuitive notions of fairness. I will argue for both.

On the view that much poverty is created or continued due to the imposition by affluent nations of a lopsided economic order on poor nations, the attribution of responsibility for the harms suffered by those living in the poor nations rests on the negative duty not to cause harm. Along with the argument that these rules are imposed and that those impositions knowingly cause or causally contribute to harm(s), this view will also make use of the notion of what constitutes a genuine choice (as applied in section 3.5). However, I will first provide the basic structure of the argument before returning to genuine choice and the key role it plays.

The basic argument is that, as briefly outlined in chapter one, affluent nations use their powerful economic, political, and military positions to, essentially, bully smaller, poorer nations into working within a global economic order designed to direct the lion's share of the benefit to those affluent nations shaping the relations. Among the means for doing this are the fairly clear cut morally objectionable ones, wherein direct force, often at the hands of a dictator, is used to forcefully take resources, directly physically harm people, or force the poor into what amounts to

little better than slave labour. Such cases do not cover all instances and implicate all members of affluent society, but they are much more common than we'd probably like to admit, and the implications can be far reaching. On this point, Pogge asks, as just one example: "How can consent bought from a military strongman – someone like Sani Abacha of Nigeria – insulate Shell and its customers from the charge of having stolen the oil they took from the Nigerians?"<sup>89</sup> Key consumer products like oil (and the literally tens of thousands of things produced using it) are regularly procured via such means or from those that utilize them. Actively pursuing and profiting from these sorts of relationships seems quite uncontroversially morally blameworthy. One of the primary goals of this paper, however, has been to show that many of the seemingly innocuous routine activities (like purchasing such products) that individual members of affluent society engage in causally contribute to just this sort of relationship and the attendant harm(s). If all I've argued up to this point holds, then the faultiness of contributions to harm(s) of this nature seems fairly obvious.

However, there are also many less direct and more subtle ways in which certain conditions and sets of relations, and all that comes with them, can be and are forced upon poor nations and their citizens. In the section on voluntariness, I argued that the imposition of practical necessities on individuals may not always make actions based on those necessities involuntary. Practical necessities are generally instrumental (although absolute ones might also be called practical too).<sup>90</sup> Given the features of the situation an individual finds himself in, there is a certain range of necessary actions. Were the situation different, these necessities would be different. Many of these practical necessities will have to do with meeting absolute necessities (those things necessary for all people in all situations). For instance, it may be the case that an individual in Canada has to perform wage labour in order to earn money to buy food. Wage labour is then a practical necessity for the purchasing of food. It is instrumental insofar as in some other situation, say a place where food was plentiful and free, the practical necessity to earn wages to purchase food would not exist. Yet, the necessity to consume food (or get nutrition somehow) would remain.

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<sup>89</sup> Pogge, *Influence of the global order*, 342.

<sup>90</sup> By instrumental I mean that these necessities are "insofar as" types of necessities. The idea being that they are necessities insofar as they lead to something else that is necessary. Absolute necessities are those things that are always necessary regardless of the situation. Instrumental necessities can and do change depending on the situation, but absolute necessities are constant. For instance, one might have to do a range of things to have access to clean drinking water and those things might change depending on the circumstances. The things done to get the water would be instrumental necessities, but the water itself is an absolute necessity.

It is also the case that, regardless of discrepancies in power between the parties involved (economic, political, and/or military), there are certain necessities, both practical and absolute, that are not (and perhaps could not be) imposed upon weaker parties by those that are stronger. Regarding economic relations, this might mean, for example, that a country has no choice but to engage in some kind of trade with affluent nations. For instance, a nation may have an abundance of some natural resource, say gold or oil, or the ability to offer labour power in manufacturing facilities, but lack the ability to produce adequate food, medicine, or clean water supplies for the population. In such a case, the absolute necessity to obtain food or water is not imposed by affluent nations, nor (necessarily) is the practical necessity to engage in trade to access those things. In effect, we can't hold the affluent nation responsible for the poor nation's instrumental necessity to engage in trade due to a lack of certain resources.

What affluent nations can and do impose, however, are the terms under which such trading takes place, which will become practical necessities for the poor nation. It is on this point that the notion of what constitutes a genuine choice will, once again, be important. For the poorer nations in question, there is no genuine choice but to trade. Of course, the poor nations could, in reality, refuse to enter into lopsided trade arrangements, but in many cases that would lead to negative and very severe outcomes (perhaps famine, plague, invasion and so on). Similarly, individual members of those poor societies could refuse to work in sweatshops and so on, but the result might be starving to death. In discussion of the voluntariness of the individual member of affluent society's participation in their own economy, I argued that some options do not constitute genuine choices because the outcomes are too severe and the same standard must be applied here. If it is the case that, if the consequences of not doing so are too costly, individual members of affluent society have no genuine choice but to participate in their consumer society, then it is equally true that individual members of impoverished societies have no choice but to participate within theirs.

The same can be said for the poor nations themselves and their relations with affluent nations. If the alternative to engaging in lopsided trade relations with affluent nations is mass starvation, disease, or death amongst the population (or even invasion by the stronger party), then, employing the same standard we apply to the affluent, it seems the poor nation really has no genuine choice but to engage in the trade relationship. The poor nations (and their citizens) have the practical necessity to trade, which is not imposed on them by any particular agent or agents. However, the practical necessity to work within lopsided trade relations is imposed on them by the stronger, affluent trading partner because they dictate the rules of the game.

One of the ways in which affluent nations cause or contribute to the causing of harm to the distant needy is in how these trading relationships are structured. On a negative duty account it seems that affluent nations are under no obligation to trade with poor ones. Canada (and its citizens) does not violate a negative duty by not trading with any particular poor nation. However, if it is true that, as Pogge argues, affluent countries collude to impose a set of rules governing trading relationships that knowingly and voluntarily cause or contribute to unnecessary harms like famine or violence and they do so with the aim of securing or increasing the benefit they derive from that relationship, it seems that negative duties have been violated. One immediate objection is that if the trade relationship leaves the poorer nation (and its citizens) in an even marginally better position than it previously was the affluent nation has done nothing wrong. Pogge argues:

Some critics of our complacency about world poverty argue that the existing global distribution of income and wealth is fundamentally unjust. Others criticize our individual consumption choices as sustaining exploitation and dispossession. I see what they point to as mere symptoms of a deeper injustice: the imposition, by our governments in our name, of a coercive global order that perpetuates severe poverty for many who cannot resist this imposition.<sup>91</sup>

If Pogge is right, the claim is not simply that affluent nations only take advantage of nations and people in already bad situations, but that they work to intentionally establish a set of relations ensuring that some nations are put in or remain in that position and they do so in order to maximize their profits. Finding someone in a bad state and taking advantage of them might not be an obvious violation of negative duty, but ensuring that they remain in such a state (or helping to put them there) so that they can continue to be taken advantage of surely is.

The alternative way to view these issues, and perhaps the more intuitive one, is to think of the faultiness of the actions contributing to harm(s) in terms of fairness. Although such an argument perhaps seems to take us some distance from the minimalist version of negative duty I have been working with thus far, it does not abandon the claim that obligations to the distant needy turn on negative duty. Rather, one of the implications of what follows will be the need for an explanation of just what constitutes "fair". While I won't attempt to resolve that issue here, I will argue that the unfairness of global trading relations can be considered a violation of negative duty and infliction of harm upon the distant needy.

I argued above that finding someone (or some group) in a bad situation and taking advantage of them may not be an obvious violation of the negative duty not to harm, but it is, on

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<sup>91</sup> Pogge, *World poverty and human rights*, 23.



most accounts, certainly unfair. Part of this idea stems from the concept of moral luck. If it is the case that individual members of wealthy nations are not to be praised or blamed for the simple fact that they happen to be part of an affluent society, then individual members of poor societies (or those found in bad situations) ought not to be punished for the position they happen to find themselves in.<sup>92</sup> This seems quite reasonable, but the other, and perhaps more important, part of this view is that when we enter into relationships with other people (or groups of people) we ought to treat them fairly and not to do so is to harm them in some way. The move here, however, is not to suddenly deny that obligations to the distant needy are based on violations of negative duty, but rather to suggest that imposed unfairness may itself constitute a violation of negative duty.

One of the features of the economic relationships between affluent and impoverished nations that generally strikes us as the most morally problematic is the production of consumer goods that sell for high prices in affluent nations, generating immense profits for first world corporations, but the production of which leaves the workers themselves in a state of destitute poverty. There seems to be something intuitively unfair about paying a poor worker two dollars a day to produce running shoes that sell for \$150 a pair in Canada or the United States. There are a variety of ways we can think about this issue. We could argue that the workers ought to receive a wage that reflects the value of their contribution to the value of the finished product. We could say that the worker ought to receive wages that maintain a certain agreed-upon minimal standard of living. We could also make arguments about the more direct harms such as violence or threats of violence intended to prevent workers from organizing into unions; or workers being fired for requesting safe workplaces or higher wages; or corporations working with corrupt government officials to pass laws to virtually enslave workers. The basic point, however, is that for one reason or another something about all of these scenarios strikes us as unfair. Yet, the question of how and why such unfairness violates the negative duty not to harm remains.

As I indicated above, I won't attempt to work out just what is going to count as fair. While I think there are a lot of fairly intuitive standards we could use, their explication is complex and many will require a thorough defence if they are going to be convincing. However, without providing detailed argument on what constitutes fairness, I will make arguments about how unfairness, as generally intuitively accepted, can be thought of as a violation of negative duty.

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<sup>92</sup> Debra Satz, "What Do We Owe the Global Poor?", *Ethics and International Affairs* 19.1 (Spring 2005): 47 – 54.

Accepting the very notion of the negative duty not to cause harm seems to rest on a certain understanding of what is just or fair. If this is not the case, then we might wonder why it is that we are obligated not to inflict harm on others for our own benefit. Unless we have already accepted some notion of fairness or justice, or some parameters as to what constitutes right and wrong actions, it seems we would have no obligation or reason to adhere to the negative duty not to harm. I think this rests on an intuitive and widely accepted thought that it is unjust and unfair to harm others unnecessarily in order to benefit ourselves. On this view, violating these principles seems to constitute a harm and, as such, a violation of the negative duty not to harm. The reasons for accepting such notions of justice and fairness could be varied. They might stem from a Hobbesian view that we, in fact, actually have no inherent duty not to harm, but that it is a benefit to us to collectively agree to refrain from doing so (and enforce those principles). This duty might be derived from a deontological argument, like that of Kant, holding that we ought to act only on maxims that could be universally applied by all rational agents. We could be living by the "golden rule" and not doing unto others that which we would not have done unto us. There are probably many other reasons for accepting the negative duty not to harm, ranging from naturalistic to evolutionary to theistic explanations, and so on, but the important point to remember is that my argument is directed to those who, for whatever reason, already and generally without reservation accept this duty.

A reasonable extension of these same arguments would seem to include the maxim that when we deal with other individuals or groups of individuals we ought to treat them fairly and justly. If not, what is the principled difference the negative duty theorist could point to that marks off the duty not to cause harm as being separate and distinct from notions of justice and fairness? Standards for harming may be more obvious than standards of fairness and the consequences of the former more easily grasped than those of the latter, but that does not mean there is a consistent and important difference in the basic principles underlying both. I would argue that there is no such principled difference that is not arbitrary and/or simply self-serving. Even if the reason we accept the negative duty not to harm is that it is, as Hobbes suggests, beneficial to us, we must still consistently apply the principle. Arbitrary application will only work to undermine the principle and its effectiveness because its effectiveness lies in its general application and the expectation that it will be adhered to by those we deal with. If the violation of negative duty rests on the acceptance of fairly intuitive notions of fairness and justice and not acting in accordance with them constitutes harm in general, then it would seem that, in our

dealings with others, intentionally instituting unfair sets of relations and the rules governing them constitutes harming.

I noted above that on a negative duty view affluent nations are under no obligation to trade with impoverished ones and that this leads to the argument that even lopsided trade deals leave the poor nation in a better position than no trade at all. The view is that, even under lopsided arrangements, poor countries and the distant needy end up in a better position, relative to their past position and/or alternative positions than they would be had those relations not been established. This is based on a relative standard of wealth. The argument always includes a counterfactual claim that could quite easily be different.

This is sometimes seen as a defence against charges that these relations cause harm. Similarly, such a view also holds that a job that pays very little is better than no job at all. The conclusion is that such relationships do not, in fact, cause harm, but rather are actually a benefit to people and to nations that, through no fault of the affluent, were destitute to begin with. Putting aside for a moment all the historical fiction one would have to author in order to make this a true claim,<sup>93</sup> we can see that such a view may be intuitively plausible, but perhaps equally intuitively unfair. One thing we might note is that, on such a view, the standard for wealth (for making someone "better off") is a relative one. I don't think even the staunchest advocates of the view that 'globalization providing jobs for poor individuals in third world countries is a benefit' will argue that those jobs make those workers wealthy. Rather, the argument is that those workers had nothing before and now they have jobs that, albeit very little, pay them wages. The claim, then, is that those jobs make those people better off relative to their prior position(s).

For instance, it could be argued that Indonesian factory workers are better off working for some running shoe company than they would be had the running shoe company not built the factory in which they work. Similarly, it might be argued that many workers in Indonesia are better off than they would have been had, say, Canada not struck certain trade deals with their government or corporations. This may be true, but it is no less relative for that. It is equally true that those Indonesian workers might now be worse off than they would have been had the running shoe company paid them a wage commensurate with the value of their contribution to the finished product. Indonesian workers in general may also be worse off under an agreement with Canada that seeks to maintain an easily exploited pool of cheap labour by imposing certain

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<sup>93</sup> Even a cursory look at the colonial history of Africa, much of the Middle East, and, among others, South America, will reveal that the efforts of colonizing nations, many of which are now affluent "first world" countries, had (and continue to have) an extremely important, if not decisive, role in many of the past and current economic and social ills suffered by many of those impoverished nations and their citizenry.

conditions or that benefits a corrupt ruling party, than under a deal with no such provisions. On the same relative standard of wealth, those poor workers may be better off than under some other scenario, but are increasingly poor relative to the wealth of affluent nations and their citizenry, as well as relative to other possible positions. The point is that the argument ought to cut both ways. The above claim that these relations actually do some good may be true in some cases and on some measures. But it's also true that because of the lopsided and unfair nature of such relationships, as imposed by the stronger, more affluent party, it is probably the case that the weaker, impoverished nation and its citizens are in a worse position than they would have been had the "agreement" been fair (recalling that the lopsided and unfair form these relationships often take are rarely, if ever, necessary).

On the one hand is the claim that had the affluent nation not agreed to (for example) trade with the poor one or employ its citizens, that poor country and its citizens would be worse off than they are doing so under exploitive terms. On the other hand, however, is the claim that those same impoverished countries and citizens are actually worse off than they would be had the bargain been a fair and non-exploitive one. Without some objective measure of acceptable levels of material wealth that is widely agreed upon, claims about what's fair and whether or not some one or some groups is harmed by being put or left below (while the other party greatly exceeds) that level will remain somewhat arbitrary. What has resulted is that those making the rules of the game, the affluent nations of the world, often will (and do) use their disproportionate wealth and power to dictate those terms and do so with their own benefit in mind.<sup>94</sup>

Generally, there is no necessary reason for the bargains to be lopsided, but such conditions can be imposed by the stronger, wealthier nations and are imposed because such conditions result in greater benefit to those parties. If imposing unfair terms that the weaker party has no choice but to adhere to counts as harmful, then this seems to fit the description of actively causing unnecessary harms in order to gain greater benefit and, as such, counts as a violation of negative duty. The harm lies in the fact that clearly unfair relations are imposed upon the weaker party in order to make exploitation of their weaknesses by the affluent, more powerful party easier and more profitable. In addition, these imposed conditions also help to ensure that the exploited party remains vulnerable to such exploitation.

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<sup>94</sup> Rules and regulations often exist within the domestic economy of affluent nations that are aimed at preserving competition and fairness by limiting or preventing things like monopolies. If it is the case that monopolies ought to be prevented because they lead to lopsided relationships and unfair practices, which are often viewed as harmful, the same principles ought to apply in global economic relations as well.

Imagine we are driving a boat on the ocean a couple of kilometres from shore and we happen upon someone whose vessel has sunk and left him floating in the water, clutching a piece of wood. Imagine also that there is nobody else in the area to offer assistance and that sharks are beginning to circle this individual. Now, for most people the claim that we ought to rescue this person is not going to be all that controversial. Moreover, many would agree that not doing so constitutes inflicting harm. However, those intuitions seem to rest on a positive understanding of duty. In fact, adhering only to negative duty, we could consistently argue that we were not part of the reason why the person is in the water and are, therefore, under no obligation to rescue him. On that view, we have no obligation to rescue the person and can demand whatever price we want for services rendered. It's undoubtedly true that such a demand is exploitive, but it might not be a violation of negative duty.

Consider this same example, however, with some additional features. Imagine that the safe routes for passage through this particular area have been intentionally blocked off<sup>95</sup> or kept secret by us (or our cohorts). Imagine also that we have made arrangements with those operating other vessels in the vicinity that they not rescue people shipwrecked in this area and we not rescue people shipwrecked in their area. In effect, we have gotten together and divided up the regions and opportunities for rescue. It may be true that on a negative duty account, we can ask for whatever payment we desire to rescue the shipwreck victim and, although we are certainly exploiting his vulnerable position, we may not violate any negative duties. However, if we have taken steps to increase the chances of his becoming shipwrecked by barring access to safe routes or colluding with others to ensure that his sole option for rescue is to meet our demands, this is not only unfair, but also harmful. It may be true that even had we not blocked access to safe routes this individual might still have ended up shipwrecked (just as nations sometimes become or remain poor without intervention by affluent nations) so, although we may be liable, it is difficult to say we are the direct cause of him being in this dire position. But, when we take steps to ensure he stays vulnerable and, therefore, easier to exploit and gain profit via that exploitation, we are directly causing him to remain in that vulnerable position and suffer further or additional harm(s) resultant from our intentional actions. This is a violation of the negative duty not to harm others.

Applying those same principles to economic relations between affluent and poor nations, we can see that the reason poor nations are originally in dire straits may not have anything to do with the actions of affluent nations and corporations (although it often does), but the unfair

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<sup>95</sup> This could be as simple as purchasing the areas or rights to the area and denying people access.

rules/regulations dictated by those affluent players help to ensure that they remain that way. The imposed unfair rules of the game bar off access to certain plausible alternative scenarios and, as such, actively inflict harm(s) in pursuit of greater profit. So, even if some meagre benefit is derived by the poor nation and its citizens and even if that benefit is better than what would have been available with absolutely no (for example) trading relations, the means used to impose the terms of those relations is often unfair and the harm(s) accompanying them a violation of negative duty. Accordingly, such actions are faulty and, if all four of the previously outlined criteria are met, so too are the contributions to such actions made by individual members of affluent societies.

### **3.7 Summary: the bottom line**

In the preceding sections I have argued that nearly every individual member of affluent societies contributes to (and benefits from), generally via routine activities, the lopsided global economic order and the harm it causes much of the global poor. My intention in this paper has not been to prove that the global economic order is lopsided or that it causes harm. I've left that work primarily to Thomas Pogge and I think he does an admirable job. Nor have I tried to show precisely what it is that individual members of affluent society ought to do in response to their contributions to such harm(s). That I put aside as a lengthy project that, although it is certainly worth doing, I can't do here. Rather, what I have attempted to do, because I see it as a necessary link between Pogge's macro-level analysis and the practical questions of what we ought to do about it, is to show how and why individual members of affluent society have obligations to the distant needy that rest not on positive duty or charity, but on the simple and widely accepted negative duty not to cause harm.

I've not tried to argue for what it is that ought to be done, but rather I've tried to motivate the idea that there *is something* that ought to be done; that we ought to do. I have largely done this through explication of the five criteria found in this chapter and arguments that most individual members of affluent society meet them. If I am right in what I've argued in the preceding chapters, individual members of affluent society do regularly contribute, through their collective(s), to harm(s) inflicted upon the global poor and, on the widely accepted negative duty not to harm, must shoulder a share of the responsibility for those harms and the obligations that follow from them. In the next, and final, chapter I will make some arguments as to why certain types of remunerative approaches will not be adequate if we take the duty not to cause harm

seriously, as well as making some brief and preliminary comments, mostly by way of pointing out further areas in need of attention, about what sorts of activities might be.

## Chapter 4 – What is to be done?

### 4.1 Compensating for harm: Pogge's GRD proposal and negative duty

In this last chapter, I will first briefly discuss, taking Pogge's Global Resource Dividend (GRD) proposal as my primary example, what I'll call compensatory solutions, wherein compensation of some sort is paid to those suffering the harm(s) of the current economic order. I will argue that such strategies may have merit, but ultimately fail to meet the obligations of negative duty. I'll then, without going into specific detail, suggest what general kinds of actions can reasonably be expected of individual members of affluent society and I will make some comments on why I think that, although the "cost" of such activities may appear relatively high, they remain reasonable and morally appropriate.

Pogge proposes the GRD as a means by which to provide compensation for the harms caused by affluent societies (and their members) to the global poor. Describing how the current system, wherein even though resources are paid for, compensation generally does not go to those who suffer the harms (denial of access and/or benefit), he writes:

Currently, appropriation of wealth from our planet is highly uneven. Affluent people use vastly more of the world's resources, and they do so unilaterally, without giving any compensation to the global poor for the disproportionate consumptions. Yes, the affluent often pay for the resources they use, such as imported crude oil. But these payments go to other affluent people, such as the Saudi family or the Nigerian kleptocracy, with very little, if anything, trickling down to the global poor. So the question remains: What entitles a global elite to use up the world's natural resources on mutually agreeable terms while leaving the global poor empty-handed?<sup>96</sup>

Pogge's point here aims to head off the claim that affluent societies do, in fact, pay for resources; members of affluent nations (individuals or firms) provide compensation to those from whom natural resources are procured. However, Pogge claims, rightly I would argue, that the wrong people are being compensated, or, at least, that the right people are not being compensated. This leads into his GRD proposal. In short, what Pogge proposes is that some relatively small percentage of the world market<sup>97</sup> should go to a dividend fund to be distributed to the needy in the countries from which resources are drawn.

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<sup>96</sup> Pogge, ESP, 64.

<sup>97</sup> Initially about 1%.



Although I won't go into great detail on Pogge's GRD proposal, I will offer a paragraph length quote in which Pogge provides the basic sketch of his proposal. The framework is as follows:

The GRD proposal envisions that states and their governments shall not have full libertarian property rights with respect to the natural resources in their territory, but can be required to share a small part of the value of any resources they decide to use or sell. This payment they must make is called a dividend because it is based on the idea that the global poor own an inalienable stake in all limited natural resources. As in the case of preferred stock, this stake confers no right to participate in decisions about whether or how natural resources are to be used and so does not interfere with national control over resources, or eminent domain. But it does entitle its holders to a share of the economic value of the resource in question, if indeed the decision is to use it. This idea could be extended to limited resources that are not destroyed through use but merely eroded, worn down, or occupied, such as air and water used for discharging pollutants or land used for farming, ranching, or buildings.<sup>98</sup>

There are at least two basic ideas at work here. The first seems to be that resources are not freely at the disposal of nation-states and their governments simply by virtue of the fact those resources lie within certain national boundaries. Pogge bases this on the view that such resources are common property, the benefit of which all people have some claim to. Many may deny this premise, but it seems plausible to suggest that the same principles that attribute control over resources to states or governments also apply to the individuals who live in those regions. However, I don't wish to argue that point here. Rather, what I want to look at is the suggestion that even though someone is getting paid for the resources in question, it is generally not the case that the *right* people are paid. This is to say that, in many cases, corrupt governments, affluent nations and corporations, and/or other members of the "global elite" enjoy the benefits of such resources, but many or most of the impoverished individual citizens in such areas do not. Pogge proposes that some share of those benefits (but no decision-making power) ought to go to the global poor.

There are a wide variety of arguments that could be made about the practicability of such a suggestion.<sup>99</sup> However, the point I wish to focus on has to do with the negative duty not to harm and with why we think there might be an obligation to make any compensation at all.

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<sup>98</sup> Pogge, ESP, 66. For further explanation of the development of the GRD proposal see Thomas W. Pogge, "An egalitarian law of peoples," *Philosophy and Public Affairs* 23.3 (1994): 195-224 and Thomas W. Pogge, "A global resources dividend," in *Ethics of Consumption: the good life, justice, and global stewardship*, eds. David A. Crocker and Toby Linden, (Lanham, MD: Rowman & Littlefield, 1997).

<sup>99</sup> To name but a few: there will likely be concerns about the possibility of gathering the necessary information; making sure every nation that ought to contribute does so; ensuring that the funds are distributed fairly and/or equally; enforcing compliance with such a system. The list could go on. There are also more abstract principles to be considered such as defending and determining the global poor's "inalienable stake in all limited natural resources."

Under the GRD proposal, the basic harms caused by the maintenance of a lopsided economic order persist. Nothing is proposed here that constitutes a fundamental change in the way we do business. Rather, it simply absorbs compensation for the suffering of the global poor as one of the costs of doing business. To be fair, Pogge doesn't hold this to be the last and best possible solution, but rather a step in the right direction and one that he sees as being moderate enough to warrant serious consideration and perhaps even implementation by those in the political and economic positions to do so. Yet, this proposal does nothing to *eliminate* harms caused to the global poor by affluent players in the global economy. Rather, if anything, it may legitimate them.

I wish to make two primary points. First, such a strategy fails to treat the individual victims of the harms as individuals by compensating some for harms not directly experienced by them and not compensating others for the actual harms they do suffer. Second, the negative duty not to harm demands exactly what it sounds like it demands – that we do no harm. An alteration in practice that compensates for harm, but doesn't seek to end it fails to meet this obligation. Pogge's proposal ends up being a fairly straightforward utilitarian solution and, as such, is (a) probably no more compelling than the Singer/Unger solution and (b) will not and should not satisfy the demands of negative duty.

On the first point, in *A Theory of Justice*, John Rawls criticizes Utilitarianism on the grounds that it "does not take seriously the separateness of persons."<sup>100</sup> The complaint is that, according to a Utilitarian point of view, happiness or pleasure is all commensurate. That is to say, happiness is happiness and it is good, regardless of distribution.<sup>101</sup> A Utilitarian view would probably hold that more happiness is better than less happiness and that, in principle, the distribution of the happiness (or pleasure, etc.) doesn't matter.<sup>102</sup> On such a view, one person's happiness is commensurate with anybody else's. It is alright to lower the happiness of Smith so long as it results in an increase in, say, Jones' happiness that is greater than the decrease in that of Smith. In doing so, a Utilitarian theory does not respect the individual autonomy of separate people. A similar criticism can be made of strategies like Pogge's GRD proposal.

Pogge is explicit in pointing out that his GRD proposal offers no autonomy to those affected by the extraction of resources in poor countries. Rather, what Pogge offers is a means

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<sup>100</sup> John Rawls, *A Theory of Justice*, (Cambridge: Harvard University Press, 1971), 27.

<sup>101</sup> Some more sophisticated variants of the Utilitarianism will make attempts to deal with this issue, but what results from them is probably more akin to Rawls' contractarian views than it is to classical Utilitarianism.

<sup>102</sup> Rawls does note that according to Utilitarians like Sidgwick, in the event of a "tie," wider distribution of happiness ought to be the arbiter. Rawls, 26.

by which groups of people can be compensated for harms suffered. The problem here regarding the separateness of persons is that this solution aims to compensate a general group for the specific harms suffered by those who may or may not be members of or shared in the suffering of that group or community. For instance, if an individual dies as a result of disease or starvation brought about by the deprivation of available resources, writing a cheque to someone else who also happens to live in the region, even if they may be related or have shared in the suffering, is scarcely adequate compensation as far as the deceased is concerned. On a negative duty account, the obligation is to not cause the harm in the first place.

On the second point listed above, compensatory strategies like Pogge's GRD proposal do not satisfy the negative duty not to harm. If, as Pogge argues, it is the case that current economic relations between affluent and poor nations cause harm to the poor, then continuing those relations as is, while compensating the poor, does not cease the causing of harm(s). In section 3.5 I argued that individual members of affluent societies making changes in their consumer activities (buying "fair trade products," etc.) does not meet the obligations of the negative duty not to harm because it doesn't seek to end contributions to the harm-causing collective(s) or process. The same principle can be applied here. Compensating the global poor may be a good thing, it may even be obligatory, but it is not, in itself, sufficient. Such a strategy may work toward making up for some systemic harm(s), such as being denied a share of resources or being subject to unfair demands from affluent nations (although it would have to be much more far-reaching than Pogge's suggestion). However, it seems that on such a strategy the compensatory payments themselves are financed by the continuance of harm to some individuals or group(s) of individuals.

In addition, because such a scheme does not seek to substantially alter the harm-causing features of the global economic system, as identified by Pogge, but rather to more "fairly" distribute the profit generated by such a system, it amounts to a utilitarian solution that turns not on negative duties not to harm, but rather on the positive duty to render aid or to produce the highest level of utility. If, on a negative duty view, we are obligated not to inflict harm, then a tack that continues to harm (even if reducing the harm), but more equitably distributes the profits of that harm fails to meet our obligations. What it does do is seek to balance benefits against harms, which is a fairly straightforwardly utilitarian strategy not unlike Singer's. Proposals like the GRD permit the infliction of harm for benefit, so long as some compensation is paid for harm(s) suffered. In the end, Pogge's suggestion may be more appealing on utilitarian or consequentialist grounds than rival views because it is perhaps more likely to succeed than

Singer's or Unger's proposals, and at a lower cost to the individual member of affluent society, but none of these kinds of approaches will be satisfactory insofar as we take our duty not to cause harm seriously.

#### **4.2 The reasonably high cost of meeting our obligations**

As I stated in the first chapter of this paper, I do not plan to argue precisely what it is that individual members of affluent society ought to do regarding their contributions to harming the global poor. Indeed, in this section, I have argued only that strategies which focus on compensating those harmed will turn out to be inadequate for a variety of reasons. However, although I won't offer much detail as to the actual content of appropriate actions,<sup>103</sup> I will make some general comments about the sort of things that can be expected, based on what I've argued thus far, from individual members of affluent society.

Throughout this paper I have argued that the actions performed by individual members of affluent society that turn out to be faulty and contributory to harm are routine, everyday sorts of actions. So, it seems probable that at least some of what can be demanded of such individuals, in response to their contributions to harm, will have to do with those sorts routine of activities. However, I've also argued that simply ceasing participation in one's society, particularly in its consumer aspects, does not constitute a genuine choice for most, if not all, members of affluent society. The conclusion I drew from this was that the violation of negative duty that seems part and parcel of participation in affluent society generates a range of positive duties which individuals can choose whether or not to act upon. I suggested that many of those activities would likely be outside the norms and even the laws of the individual's society or state. Among these things could be a range of social, economic and political activities ranging from things like peaceful protest, to civil disobedience, or perhaps more revolutionary activities. For reasons already stated, I won't attempt to make the case for any particular course of action, but I would like to say a bit about how we might determine the most appropriate course(s) of action.

If individual members of affluent society can't effectively refrain from participating in, contributing to, and benefiting from the harm-causing collective (affluent societies, nation-states) of which they are a part, it seems, as I suggested in section 3.5, that what they ought to do, then, is attempt to stop their token acts from translating into harm(s) or contributions to harm(s). This will mean making changes to the collective itself and the manner in which it functions or the

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<sup>103</sup> Primarily because such an argument would require much more argumentation and evidence than I have provided thus far or have the space to provide at this point.

processes it participates in. As I also noted earlier, some of this may be accomplished through altering token consuming and benefiting actions, but such activities can't eliminate the harm. The point I wish to make here is that profound change in the functioning and harm-causing activities of affluent societies is quite likely to have profound impact on the benefits enjoyed by individual members of those affluent societies. While there are a number of "costs" we might associate with taking steps to make substantive change in affluent society by acting outside of its generally internally accepted parameters, perhaps including (but not limited to) being socially ostracized, facing legal penalties like fines or jail, and even, perhaps, personal injury or loss of life, one of the most widespread and oft-cited "costs" may be a reduction in the standard of living amongst such affluent societies. In effect, this would amount to enjoying less of the types of benefits that are derived from the lopsided global economic order and the harm(s) it causes.

What I'd like to suggest here, at the end of this paper, is that it is, indeed, not too much to ask of individual members of affluent society to bear some such costs. If we take the negative duty not to cause harm seriously, as I think most would agree we ought to, then a reduction in the benefits enjoyed by members of affluent society at the expense of the global poor is not a good reason not to attempt to eliminate such harm(s). If, in fact, the objection is raised that such a reduction in benefits enjoyed would itself constitute a harm to the members of affluent society, then this must also mean that a reduction in or lack of such benefits to the global poor also causes a harm and, on such a view, it seems quite clear that the latter of the two is far more severe. However, as I pointed out above, such arguments rest on a fairly straightforward consequentialist view that, in principle, ought not to be an argument stopper for those accepting the negative duty not to harm.

What this means in practice is that individual members of affluent societies do not and can not do enough by altering the quality and quantity of their contributions to the collective, but rather must seek ways to contribute to the fundamental altering of their harm-causing collective's functioning. Given the close relationship between the individual's contributions to the collective and the benefits derived from harm(s) caused, as argued in section 3.6, this will mean that many of the benefits gained simply by virtue of membership in affluent society may be reduced and in some cases eliminated altogether. Individual members of affluent society may no longer be able to enjoy many cheap consumer goods produced using the labour of impoverished foreign workers or made from resources bought from dictators or exported from countries the citizenry of which is destitute. Relinquishing a benefit unjustly acquired at the expense of the impoverished and nearly powerless does not seem to constitute, on any

reasonable standard, a harm and the cessation of such activities is, by most standards, not only a "reasonable cost," but generally, the least that one is obligated to do.

This examination and the conclusions I have drawn demonstrate the depth of our involvement, as individual members of affluent societies, in global poverty and, despite arguments to the contrary, our moral closeness to those suffering under such poverty. If I am correct in my assessment, and even many of the seemingly most innocuous routine activities we perform implicate us in harm(s) caused to the distant needy, then a range of responsibilities and obligations to stop contributing to that harm attaches to nearly every single member of affluent societies like Canada, including you and I. The society we find ourselves in and the benefits we enjoy as a result may not be our choice. We may not be blameworthy simply for their existence or their unnecessary harm-causing features. But so long as we continue to knowingly and willingly participate in such societies, enjoying the benefits of doing so without taking steps to eliminate those harm(s) (and harm-causing features), as well as demanding the same of our fellow citizens, our institutions, and our representatives, we most certainly are culpable. If what I've argued above and what Pogge has argued in his work hold true, such is the position of nearly every individual member of affluent societies. We, as individual members of affluent societies, do in fact have duties to aid the distant needy, and those duties, contrary to the prevailing common wisdom, have precious little to do with charity.

## Bibliography

- Abdel-Nour, Farid. "National Responsibility." *Political Theory* 31.5 (October 2003): 693 – 719.
- Anderson, Scott A.. "Coercion, Agents and Ethics." Ph.D. diss., University of Chicago, 2002.
- Anwander, Norbert. "Contributing and Benefiting: Two Grounds for Duties to the Victims of Injustice." *Ethics & International Affairs* 19.1 (Spring 2005): 39 – 45.
- Bates, Stanley. "The Responsibility of 'Random Collections'." *Ethics* 81.4 (July 1971): 343 – 349.
- Cannon, Laura. "The Butterfly Effect and the Virtues of the American Dream." *Journal of Social Philosophy* 34.4 (Winter 2003): 545 – 555.
- Corlett, J. Angelo. "Collective Moral Responsibility." *Journal of Social Philosophy* 32.4 (Winter 2001): 573 – 585.
- Feinberg, Joel. "Collective Responsibility." *The Journal of Philosophy* 65.21 (Nov. 7, 1968): 674 – 688.
- Green, Karen. "Distance, Divided Responsibility and Universalizability." *The Monist* 86.3 (2003): 501 – 515.
- Held, Virginia. "Can a Random Collection of Individuals be Morally Responsible?" *The Journal of Philosophy* 67.14 (July 23, 1970): 471 – 481.
- Hooker, Brad. "Sacrificing for the Good of Strangers – Repeatedly." *Philosophy and Phenomenological Research* 59.1 (March 1999): 177 – 181.
- Jaspers, Karl. *The Question of German Guilt*. Trans. E.B. Ashton. New York: Capricorn Books, 1961.
- Kamm, F.M. "Rescue and Harm: Discussion of Peter Unger's Living High and Letting Die." *Legal Theory* 5 (1999): 1 – 44.
- May, Larry. "Collective Inaction and Shared Responsibility." *Nous* 24.2 (April 1990): 269 – 277.
- Miller, David. "National Responsibility and International Justice." In *The Ethics of Assistance: Morality and the Distant Needy*, ed. Deen K. Chatterjee. New York: Cambridge University Press, 2004.
- Miller, Richard. "Moral Closeness and World Community." In *The Ethics of Assistance: Morality and the Distant Needy*, ed. Deen K. Chatterjee. New York: Cambridge University Press, 2004.
- Nagel, Thomas. "Moral Luck." In *Ethics: History, Theory, and Contemporary Issues*, 2<sup>nd</sup> ed., eds. Steven M. Cahn and Peter Markie. New York: Oxford University Press, 2002.

- Narveson, Jan. "We Don't Owe Them a Thing! A Tough-minded but Soft-hearted View of Aid to the Faraway Needy." *The Monist* 86.3 (2003): 419 – 433.
- Nell, Onara. "Lifeboat Earth." *Philosophy and Public Affairs* 4.3 (Spring 1975): 273 – 292.
- Pogge, Thomas W.. *World Poverty and Human Rights: Cosmopolitan Responsibilities and Reforms*. Cambridge: Polity Press, 2002.
- Pogge, Thomas W.. "Severe Poverty as a Violation of Negative Duties." *Ethics and International Affairs* 19.1 (Spring 2005): 55 – 83.
- Pogge, Thomas W.. "Eradicating Systemic Poverty: brief for a global resources dividend." *Journal of Human Development* 2.1 (2001): 59 – 77.
- Pogge, Thomas W.. "The Influence of the Global Order on the Prospects for Genuine Democracy in the Developing Countries." *Ration Juris* 14.3 (September 2001): 326 – 343.
- Pogge, Thomas W.. "Critical Notice: Rawls on International Justice." *The Philosophical Quarterly* 51.203 (April 2001): 246 – 253.
- Pogge, Thomas W.. "An egalitarian law of peoples." *Philosophy and Public Affairs* 23.3 (1994): 195–224.
- Pogge, Thomas W.. "A global resources dividend." In *Ethics of Consumption: the good life, justice, and global stewardship*, eds. David A. Crocker and Toby Linden. Lanham, MD: Rowman & Littlefield, 1997.
- Radzik, Linda. "Collective Responsibility and Duties to Respond." *Social Theory and Practice* 27.3 (July 2001): 455 – 471.
- Rawls, John. *A Theory of Justice*. Cambridge: Harvard University Press, 1971.
- Satz, Debra. "What Do We Owe the Global Poor?" *Ethics and International Affairs* 19.1 (Spring 2005): 47 – 54.
- Schmidtz, David. "Islands in a Sea of Obligation: Limits of the Duty to Rescue." *Law and Philosophy* 19 (2000): 683 – 705.
- Shue, Henry. "Thickening convergence: human rights and cultural diversity." In *The Ethics of Assistance: Morality and the Distant Needy*, ed. Deen K. Chatterjee. Cambridge: Cambridge University Press, 2004.
- Singer, Peter. "Famine, Affluence, Morality." *Philosophy and Public Affairs* 1.3 (Spring 1972): 229 – 243.
- Unger, Peter. *Living High and Letting Die: Our Illusion of Innocence*. New York: Oxford University Press, 1996.



Williams, Bernard and Smart, J.J.C.. "Utilitarianism: For and Against (excerpts)." In *Ethics: History, Theory, and Contemporary Issues*, eds. Steven M. Cahn and Peter Markie. New York: Oxford University Press, 2002.