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Chapter 8

Poverty and Responsibility

Stefan Gosepath

- Sterba, J. (1980), *The Demands of Justice* (Notre Dame/London: Notre Dame University Press).
- Stiglitz, J. (2006), *Making Globalization Work* (New York: Norton).
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In this world, it is all too often the case that people exist in absolute and not just relative misery. Large parts of the earth's population live in poverty; they suffer from diseases; they are subjected to natural disasters or cruel wars accompanied by displacements and depredation; they die in famines, or at the least suffer greatly from a lack of food, access to basic health commodities, water, housing, and basic sanitary facilities; or they find themselves subject to other forms of plight. These are all states of need that threaten the very existence of those people. It is both generally and reciprocally accepted that such states constitute disadvantages that entitle these people to compensation, if the following conditions are met: As a rule, these persons must have entered into these circumstances through no fault of their own, and they must be unable to remove themselves from them without extraordinary sacrifices and external help. The persons in question must be unable to deliberately influence their circumstances, or at least only be able to influence them to an insignificant degree. The restrictions the circumstances place upon these people must objectively stop them from achieving things that are universally regarded as essential, including first and foremost the satisfaction of basic human needs.¹ Under such conditions, people are threatened with the violation of basic needs, including bodily integrity, security and subsistence. People who cannot afford a combination of the various goods and abilities sufficient to satisfy these basic needs and to achieve those things we regard as essential are called destitute; they exist in a state of need.

According to a widely shared understanding, circumstances that are generally and reciprocally accepted to be states of emergency entitle those in need of help through no fault of their own to social support. When confronted with poverty, destitution and misery – possible qualifications for self-inflicted poverty aside – we have a very clear intuition as to what we should do. Destitute persons are entitled to the help of those who live in better circumstances. Almost everybody would agree that such conditions are truly terrible for those affected. Their plight is a moral wrong, that is, an immoral situation, and therefore, for moral reasons, it should be eradicated without fail. Most people would regard helping other persons in urgent, life threatening need and deferring one's own interests while doing so as an obvious moral obligation. Very few would be so cold-hearted as to deny any feeling of obligation at all to help in an emergency.

¹ Cf. Hinsch (2002, chap. V); Gosepath (2004, chap. V.1.5).

Even if one agrees that all 'decent' people share the idea that states of need justify a claim for support, it is still difficult to give a plausible concept of help in case of need, not just for a random 'man on the street', but also for philosophical conceptions of morality. The answers to the following questions are especially unclear and contentious: (1) Who should help in case of need? Who is responsible for correcting the state of need? (2) Who exactly should receive help in case of need – just the people nearby or all members of a society, or even those living far away? (3) To what extent should we provide help in case of need? What should we deny ourselves in order to help others in case of need? (4) Are we at all *obligated* to help in case of need and if so, in what sense?

Out of this complex of problems, we will for now single out the first question for a brief discussion: (1) Who should help in case of need? Who is responsible for correcting the state of need?

Firstly, moral agents are generally responsible in a weak sense and to varying degrees for all things they can influence (or could have influenced) with their acts. If one accepts this position, one must turn to the question of attributing this general responsibility for removing wrongs to certain persons (or groups). If persons as members of groups are also responsible for the correction of wrongs they did not cause, which member of these groups exactly should be the one to correct the wrong or the state of need? The principles of morality must always refer to identifiable subjects who must be specified in the moral principle in question.² The difficulty lies in the identification of the persons who should actually correct the morally wrong circumstances. In some cases there are a number of persons who would be able to act accordingly, and some of them must be attributed a special responsibility; in other cases, the task of correcting the wrong or the states of need places excessive demands on individual persons. In both cases, the obligation is in danger of eroding, because in these cases of emergency nobody actually acts although everybody agrees that there is a need for action. It is morally unacceptable to be confronted with a real, massive plight and with misery that could be eradicated and then to simply allow it to continue and implausibly claim that no one is responsible for helping. Instead, one must ensure that at least in extreme cases of emergency the responsibility to help can always be attributed to someone. It is not a question of rights: They are always empty if no actual addressees for the obligation to implement them are named. Rather, the question is how to identify the right responsible agents out of the large contingent of persons able to fulfil the obligation and, according to secondary moral reasons, obligated to afford the help that is needed.

Now, who should be the one to help? Who has the specific obligation to do it? The addressees of moral obligations are first of all we as members of the comprehensive community of all human beings, and this means us as individuals and all of us together; and as such members we are primarily required to respect the subjective moral rights of others and to act accordingly. According to the classic

2 Cf. O'Neill (2001).

model of personal responsibility, the individual human being is the subject of responsibility.³ Individuals have the responsibility and the obligation to establish just conditions. Individuals are primarily the subjects of responsibility, first and foremost for their own actions and inactions. As individual persons, we must accept responsibility for our individual actions and their results insofar as we can change them to the best of our knowledge through our actions or inactions. This is required by the moral principle of subsidiarity, according to which individuals are primarily responsible for achieving what is in their power instead of leaving the tasks to the community.⁴ The individual has an obligation as well as a right to personal responsibility and self-help.

Clearly individual attributions of responsibility are not sufficient for all cases of responsibility for changeable, morally wrong states of affairs. To demand that individuals by themselves establish just conditions (everywhere and at once) is often excessive. The individual moral responsibility for the correction of unjust grievances and wrongs must be restricted.⁵ For practical reasons alone a general individual obligation to better the circumstances could not be fulfilled – after all, no one can remove all grievances by themselves. An individual obligation to help in case of need would also be an excessive moral demand for individuals who should be able to arrange their life autonomously according to their 'basic projects' and in accordance with equal chances and liberties for everyone. After all, the autonomous arrangement of the agents' lives is a moral value that is important enough that we have a legitimate interest in affording them the (necessary) space. This is another reason why the individual moral responsibility for removing unjust grievances must be less extensive.

Therefore, individuals cannot be wholly responsible for correcting a generally deficient state of affairs; they may however contribute something towards its improvement. This duty to help those in need addresses all members of the moral community of human beings and demands of them in their capacity as 'citizens of the world' to create institutions which may effectively put a stop to such rights violations, for (all) individuals collectively share a common moral responsibility. Because such states of need can only be remedied through the (coordinated) actions of many, this is a communal task. Thus in such a case individuals assign responsibility to collectives as a means of fulfilling their individual responsibility.

But the responsible collective in question is not necessarily one of perpetrators or of culprits. It is not only those causing injustice who have the duty to alleviate or correct it. Because in many cases injustice is not brought about through culpable causation and because individuals are often not up to the task of rectifying an injustice, those who are capable of doing so at an acceptable cost have the duty

3 Cf. Gosepath (2006, 388).

4 Cf. Gosepath (2004, chap. III.6.1); see also Gosepath (2005).

5 Cf. Schlothfeldt (2006).

to help. This position ascribes the responsibility to help in a crisis to individuals collectively, even though these individuals do not have a 'causal responsibility'.⁶

One could, it is maintained, structure this collective responsibility for the correction of injustice along the lines of the concept of liability. We all have a considerable interest in mechanisms designed to prevent damages (pre-emptive effect of liability regulations) and to correct them or compensate for them in case damages do arise. This is why we together as a society should agree on such mechanisms (i.e. we should do so for moral reasons). In this scenario, a group may be held collectively responsible even though not all of its members bear the blame.⁷ This is a case of vicarious liability without partial responsibility. Collective liability for risk or absolute liability (instead of tortious liability) means to be held responsible for the actions of others. In the case of responsibility or liability for injustices it is often not possible to assign distributive blame to the group, i.e. the blame cannot be allocated among the individual members. Thus the group should be held responsible for correcting such wrongs, precisely because they cannot be imputed to the individual members. There is only one possible way of fulfilling this duty, and that is through effective cooperation. This is why collective liability in the last resort creates a duty to cooperate: Prospectively to provide for possible risks and retrospectively to cope with the shared responsibility for manmade ills and injustices. The duty is to come together to engage in collective action and to create institutions to collectively manage common responsibility.

In order to account for the individual distributive (joint) responsibility in an initially randomly composed group, a responsibility which at the same time opens up the possibility of effectively putting an end to injustices without overly burdening the individuals, it is necessary to institute a coordinated collective based on principles of fairness. If a randomly composed group can transform itself into a collective which is capable of acting and of developing procedures of decision-making in a situation in which rational human beings should have a clear understanding of the moral nature of the action required, then such a group can be said to be responsible.⁸

The collective does not necessarily need to be an established and institutional entity to be able to engage in responsible action. Loose aggregates of people may be considered for the assumption of collective responsibility if they meet the above conditions. This is particularly relevant where deficiencies requiring collective action exist but where responsible institutional collectives have not yet been firmly established, such as in the case of world poverty. In order to account for the particular individual (joint) responsibility a collective must be established according to principles of fairness which can, in a continuous and steady manner, effectively put an end to the existing serious grievances. Based

⁶ For this slightly unfortunate expression for a particular kind of responsibility cf. Hart (1986).

⁷ Cf. Feinberg (1968).

⁸ Cf. Teubner (1994, 118).

on previous experience we can say that a state-like structure would best meet the requirements for a solution of the problem of coordinating shared responsibility. Various alternatives are however presently emerging and are being discussed as part of the concept of 'Global Governance'.

Once an effective collective is established, possibly taking the shape of a state-like organisation, one would expect it to guarantee as a rule the individual adherence to primary moral reasons by means of legal sanctions as well as to regulate the individuals' commonly shared responsibility with the purpose of creating a just state of affairs. Thus one advantage of collective liability is that the compensation for deficiencies is made easier. The second advantage is that responsibility and liability become internalised. For legal rules of liability aside, we wish to achieve and should achieve a situation where certain individuals feel responsible and accept and, if possible, internalise the distribution. Only then can we achieve a viable social practice effectively regulating responsibility. A third advantage is that, ideally, agents begin adjusting their risk calculation and thus improve the level of foresight.

A more precise definition of the individuals' duties is, however, required, if we are to know exactly who is responsible for what. Furthermore, because the group members together defined the desired goal, the group is responsible for the actions undertaken in achieving that goal. The collective responsibility is thus distributed among members in the form of sub-tasks. Therefore, collective responsibility is not a substitute for individual responsibility; instead, the former complements the latter with an additional element, i.e. that amount of partial responsibility assigned by the community of responsibility. The group members meet their shared responsibility by reasonably allocating their duties in the form of a social and moral division of labour, whereby individuals are either evenly taxed or whereby only a few people are assigned tasks for which they are adequately compensated. Thus, when specifying individual responsibilities, a certain degree of re-individualisation of collective liability is involved by which the group determines the internal measure for the distribution of burdens.

Finally, the creation of collective responsibility presents itself as follows: In a first step, actions, rights and obligations are ascribed to the collective agent as such. In a second step, profits and losses are individually distributed among the members according to their causal, moral and functional responsibility as well as to criteria of effectiveness and personal bonds. It is here that different criteria can be combined and weighed against each other. It thus makes sense from a moral point of view to maintain that the causing of an injustice is the most important measure for the attribution of responsibility.⁹ Only where this cannot be applied exclusively because the moral demands on the culpable individual become excessive should different criteria be applied, such as how much individuals contribute to the risk of exacerbating injustices or in how far they tolerate or profit from injustice. The

⁹ For this principle cf. Barry (2005), 'Understanding and Evaluating the Contribution Principle', and 'Applying the Contribution Principle'.

criterion of ability may also be applied. Where even this is impossible, all members should assume an equal share of responsibility. A two-step procedure such as ours is attractive because it combines the advantages of collective liability with the appeals of an individualised approach. Collective liability ensures that the victims of moral ills receive compensation even where no individual causation can be determined; the individual distribution of this approach generates an individually assignable share of the duty to alleviate injustices. Thirdly, in recognition of the joint responsibility, a system of insurances should be introduced along with a statutory duty to insure. This generates a reasonable and fair allocation of individuals' rights to protection from moral wrongs. Where people are generally willing to participate in such a scheme, the burden for the individual member can be kept to a relative minimum, and no excessive moral demands are made. Where people are not prepared to enter into this scheme voluntarily, the coordinated collective must resort to sanctions in order to ensure that all members satisfy their fair share of the collectively shared responsibility for fair conditions.

In conclusion we may say that this political construction of collective responsibility enables us to specify the addressee of the duty to help as well as to solve the problem of coordination and excessive moral demands. We may thus hope that the global social ills, insofar as this is empirically possible, can be corrected or at least significantly alleviated.

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