GLOBAL INEQUALITY AND INJUSTICE

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Abstract: In this paper I shall argue that much of the existing global inequality is unjust, and that this injustice is not only because reducing inequality could serve the important goal of poverty reduction. I reject arguments of John Rawls and Thomas Nagel that limit the importance of distributive egalitarianism to states. I argue in contrast that a commitment to respect for human dignity has egalitarian distributive implications for the global economy. Injustice in the existing institutional order provides reasons for reforming the global institutional structure to reduce inequality. Copyright © 2009 John Wiley & Sons, Ltd.

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1 INTRODUCTION

Our world is marked by deep and persistent inequalities.¹ The World Development Report 2006 offers several examples, which make terribly vivid the nature of some of this inequality. One comparison is under five mortality rate. ‘A baby born in Mali in 2001 had an approximately 13 per cent chance of dying before reaching the age one, with this chance declining only slightly (to 9 per cent) even if the baby were born into the top quintile of the asset distribution. By contrast, a baby born in the United States the same year had a less than 1 per cent chance of dying in its first year’ (World Bank, 2006a). More generally, in 2001 the mortality rate for children under five was nearly 26 times higher in the countries of sub-Saharan Africa than in the Organisation for Economic Co-operation and Development (OCED) countries (UNDP, 2003). According to the World Health Organisation, ‘Over 60 per cent of deaths in developed countries occur beyond age 70, compared to

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about 30 per cent in developing countries’ (WHO, 2002). Returning to the Mali–US comparison, consider education inequality: ‘The average American born between 1975 and 1979 has completed more than 14 years of schooling (roughly the same for men and women, and in urban and rural areas), while the average school attainment for the same cohort in Mali is less than 2 years, with women’s attainment less than half that for men, and virtually zero in rural areas’ (World Bank, 2006a). With the onset of adulthood the cumulative effects of these childhood inequalities is enormous income disparity. In 1994 the average income in Mali was less than $2 PPP per day, or $54 per month; in the US it was more than 20 times greater, $1185 per month (World Bank, 2006a). Considering the broader picture, the richest five per cent of the world’s population earns 114 times that of the poorest five per cent. The total income of the richest 1 per cent is equal to that of the poorest 57 per cent, and the income of 25 million richest Americans is nearly as much as that of the 2 billion poorest people in the world (Milanovic, 2002). Income inequality, however, is less severe than wealth inequality. The assets of the richest three people in the world are more than the combined gross national product (GNP) of all of the least developed countries (UNDP, 1999).

In this paper I shall argue that global inequality of the sort highlighted above is unjust, and that this injustice is not only because reducing inequality could serve the important goal of poverty reduction. Although the reduction of absolute poverty is morally urgent, the injustice of inequality is morally distinct from the terrible injustice of absolute poverty. This recognition of the injustice of global inequality has consequences for global institutional reform. Injustice in the existing institutional order provides reasons for reforming the global institutional structure to reduce inequality. The project, then, is not only theoretical, but also ultimately practical although I lack the space to discuss here the kind of institutional reforms that I believe would help to remedy these injustices.²

2 THE DISTRIBUTIVE FOCUS

Inequalities in health outcomes or longevity, educational attainment and income and wealth are deep and pervasive globally. These are not the only kinds of inequality in the world to be sure, and not the only kinds that are cause for moral concern. Inequalities in political power and social status also pervade domestic and global life. However, levels of health, education and income have special importance in an account of distributive justice. They are taken by the United Nations Development Programme, for example, as constitutive of a development index. This is due in large part to the work of Amartya Sen, whose arguments that social justice must be concerned not merely with resources, such as wealth and income, but with human capabilities have profoundly affected both the debates among political philosophers about the ‘currency’ of justice and the measure used by development specialists of development levels.³ Moreover, health, education and income are directly affected by distributive institutions. Finally, inequalities in one of these three areas are often causally related to inequalities in another. Insofar as the focus of this paper is distributive justice, then, it is inequalities in health, education and income that are particularly relevant to my purposes. Moreover, given the wealth of data on income

²For more on these institutional reforms see Moellendorf (2009), chapters 4 and 7.
³Sen’s approach was first presented in Sen (1979). It has been refined and applied in a variety of papers and books. (See for example, Sen, 1999; Nussbaum and Sen, 1993.)
inequality and given the frequent causal interrelationships between these three, I sometimes simply use income as a proxy for the package of items that are relevant to distributive justice. This does not imply that income inequality is the only relevant concern of global distributive justice. The purpose of this paper is not to adjudicate between the claims of the currencies of justice, but to defend the global application of an egalitarian perspective.

The focus on distributive justice that I take in this paper does not deny either the moral or the explanatory importance of inequalities of political power and status. However, it does assume that distributive justice is in significant ways analytically distinct, that we can morally evaluate distributive inequalities and the justice of various remedies without bringing to bear either a full account of global justice or a complete explanatory theory of inequality. Nancy Fraser has recently written about a fuller account of global justice (Fraser, 2005). David Held, and other cosmopolitan democrats, lay special emphasis on reforming the political institutions of global society (Held, 1995; Archibugi and Held, 1995). My focus, in contrast, is on global distributive inequalities, the conditions in which, and the extent to which, they can reasonably be judged to be unjust. The hope is that this can provide a piece that is needed in a practical plan for a more just world order. My own view is that this methodological modesty allows a degree of clarity otherwise unobtainable. Others may disagree.

There is a great deal of longitudinal evidence about income inequality. Branko Milanovic shows that whether the trend is towards greater or less inequality depends crucially on the concepts of inequality and methodology used. When one derives a Gini coefficient from the unweighted (for population size) GDP per capita of all countries, there is a strong trend towards increasing inequality (Milanovic, 2005). But when the GDP per capita is weighted for population, the trend is towards decreasing inequality, slightly if the Gini coefficient is used, strongly if the Theil is used (Milanovic, 2005). Milanovic (2005) observes that this trend is reversed if China and India are excluded, and concludes that the rapid economic growth in these countries is responsible for the decreasing trend. Finally, if the GDP per capita of countries is not used at all, but instead the incomes of persons are compared, the nature of the change over time varies depending on the methodology used for gathering the data (Milanovic, 2005). Milanovic sees an overall increase from the late 1980s to the late 1990s, but a decrease from the early to the late 1990s.

Despite the differences, by all measures income inequality remains extremely high. As noted in the comparison between persons in Mali and in the USA, income inequality is only one of the several kinds of morally salient inequality, but it is quite plausibly causally related to other kinds. Inferior healthcare and education as a child grows up in Mali predictably leads to less income as an adult than the income of the citizen of the USA. The low income of the parent in Mali results in fewer resources to devote to the health and education of his/her children and so it is not surprising that global inequality is so persistent. Given the depth and persistence of global inequality it is certainly not idle to consider its justice.

3 STATIST EGALITARIANISM

Not everyone who has studied global inequality judges it to be unjust. Jagdish Bhagwati, for example, condemns the absolute poverty that exists in various places around the world, but considers it ‘lunacy’ to condemn inequality. ‘[W]hat sense does it make to put a
household in Mongolia alongside a household in Chile, one in Bangladesh, another in the United States and still another in Congo? These households do not belong to a “society” in which they compare themselves with the others, and so a measure that includes all of them is practically a meaningless construct’ (Bhagwati, 2004). Bhagwati is not alone in rejecting the application of norms of egalitarian justice globally. The most influential egalitarian political philosopher of the 20th Century, John Rawls, agrees. He is followed in this judgment by several other egalitarian political philosophers; the most prominent is Thomas Nagel. All these philosophers (and perhaps Bhagwati too), however, would reject the inequalities cited above as unjust if they were within a single state, even though they do not do so globally. Since it is impossible in a relatively brief article to discuss every important argument made in defence of the view that inequalities can only be injustices within states, in this section I will focus on Nagel and Rawls as exemplars.

In understanding Nagel’s argument, it is important to note that he is not denying that absolute poverty around the globe is a source of moral duty:

The gruesome facts of inequality are familiar... The facts are so grim that justice may be a side issue. Whatever view one takes of the applicability or inapplicability of standards of justice to such a situation, it is clearly a disaster from a more broadly humanitarian point of view. I assume that there is some minimal concern we owe to fellow human beings threatened with starvation or severe malnutrition and early death from easily preventable diseases, as all of these people in dire poverty are. (Nagel, 2005)

Nagel goes on to draw upon a distinction that is widely endorsed, but of course not entirely uncontroversial, among contemporary moral philosophers between duties of humanity and duties of justice. He believes that the eradication of extreme global poverty is required by a duty of humanity, but not by justice.

The details of the difference between duties of humanity and duties of justice are matters of controversy, even among those who affirm the distinction. But generally the difference incorporates at least the distinction between imperfect and perfect duties. Those who affirm the distinction between perfect and imperfect duties contend that with respect to the latter we have some latitude in the fulfilment of our duties. We do not fail to fulfil the duty of benevolence, for example, if we do not help needy persons on every occasion that we have to help. We may choose when and whom to help, but we must generally live our lives disposed to help the needy. Although there are cases in which almost everyone believes that this latitude vanishes—when the need is great and urgent and the costs of helping comparatively low—these are the exceptions to the general rule of the duty.4 Moreover, although the fulfilment of duties of humanity might sometimes be best done through collective action, it does not require institutional mediation. Duties of justice, however, are fulfilled by variously obeying, reforming or building institutions as the circumstances require. Indeed, justice and injustice are properties of social institutions of the right sort, whereas beneficence is a property of actions (individual or collective).

4Often the example offered by Peter Singer (who does not accept this distinction), of encountering a small child drowning in shallow pool that one could save at only the cost of getting one’s trousers wet and being a bit late for work, is invoked to put pressure on any latitude involved in duties to help (see Singer, 1972). Most of those who maintain the distinction generally would accept that there is no latitude in this case. They are pressed then to offer an account of why it cannot be generalised to helping the needy in all other easy instances. There is an extensive literature on this and related issues. Several recent contributions to it are included in Chatterjee (2004). For a review of this volume see Moellendorf (2007).
Those, such as Nagel, who deny that we have duties of justice to eradicate desperate poverty around the world and to reduce inequalities, are not necessarily claiming that there are no moral duties to help those in need. Many would affirm that the United State’s foreign aid budget, which is just 0.18 per cent of its gross national income (GNI), is far too paltry and often (politically) misdirected (OCED, 2007). Nagel is, however, denying both that the moral duties that exist in virtue of poverty require reforming current international institutions or building new global ones and that any moral duties exist at all in virtue of the deep and persistent global inequality.

Why then does Nagel deny that duties of justice exist in virtue of global inequality? Here is one place where he seems to address that question directly:

Insofar as those [state] institutions admit arbitrary inequalities, we are, even though the responsibility has been simply handed to us, responsible for them, and we therefore have standing to ask why we should accept them. This request for justification has moral weight even if we have in practice no choice but to live under the existing regime. The reason is that its requirements claim our active cooperation, and this cannot be legitimately done without justification—otherwise it is pure coercion. (Nagel, 2005)

The first sentence of the passage seems to offer one kind of answer: as citizens we are responsible for the laws of the state. This responsibility conveys standing upon us to demand a justification of laws promulgated in our name. The only kind of justification that would be adequate apparently is the one that includes a presumption against laws that permit arbitrary inequalities. Two matters are worth noting here. First, the claim seems to be that the responsibility of a citizen is sufficient for demanding a justification. But this will not do to rule out the possibility of non-citizens also being able to demand justification. Nagel needs to argue, but does not, that co-membership in a state is a requirement for establishing duties of egalitarian distributive justice. Second, even if it is the case that only citizens have standing to demand justification, it does not follow that what they can demand justification for is limited to the laws that affect only them. The scope of justice, in other words, is not necessarily limited by the claim, which as I have just shown Nagel in any case does not defend, that only citizens may demand justification. For example, why do citizens have no standing to demand a justification regarding immigration policy for which they are responsible, but for which according to Nagel ‘no justification is required’? (Nagel, 2005).

Nagel’s third sentence in the passage above seems to make a different kind of point. Here the concern seems to be that the laws claim the willing cooperation of citizens. If the laws fail to gain this, they merely coerce citizens. According to this claim, it is not responsibility that confers standing to demand justification, rather it is the need for cooperation in order that the social structure not to be unduly coercive. But if certain laws are otherwise approximately just, search and seizure laws for example, in the absence of background distributive justice, then arguably citizens have a prima facie moral reason to follow those laws. Good moral reasons to follow the law stave off the threat of coercion. And if the laws are unjust, laws that do not require warrants for searches for example, but there is background distributive equality, the moral case for the unjust law is not strengthened by the background equality. Distributive justice is neither required nor by itself adequate to prevent coercion in the rest of the legal system.

Nagel offers no compelling argument in defence of the claim that coercive institutions acting in name of those they legally coerce is a necessary condition for the standards of
distributive justice to apply. Indeed this seems implausible. Consider a case in which only Nagel’s first necessary condition is met: a set of institutions—market institutions for example—unavoidably structures opportunities and outcomes for persons, using various features of their natural and social circumstance over which they have no control, such that from an early age some are more likely to be privileged than others. Moreover, these privileges dramatically affect their most important interests, such as the likelihood that they will die before the age of five. This set of institutions serves powerful private and collective interests benefitting from its system of incentives and disincentives. All of this is alterable by the collective social effort of persons, by for example by exerting pressure to change the existing institutional rules and to establish different institutions that structure incentives and disincentives differently. It is not a matter of natural fate that people’s lives must be affected by these institutions in this way. To deny that any standards of distributive justice apply in this case is to claim that although it is possible to improve the well being of those faring the worst under common institutions, which they individually cannot avoid, but which we collectively can change, we have no prima facie duty of justice to do so. However, both the lack of privileges and the privileges result from the manner in which institutions use persons’ social and natural features, which persons do not choose; and the conditions for persons in each group are not the result of any consensual transactions. Instead, choice is constrained within institutional arrangements that individually persons do not control. If the differential institutionally conferred outcomes for the worst-off are not better than those of an institutional rival, if they are not deserved, if they do not respond to differential need or if they are not the result only of choice, then it seems highly implausible that they are just.

Several political philosophers have argued that Rawls’s robustly egalitarian principles of distributive justice can be applied globally. Rawls, however, disavows such an application. Moreover, he also does not believe that global poverty per se is unjust. In contrast, he defends a principle of assistance to what he terms burdened societies (Rawls, 1999a). These are societies lacking in sufficient ‘political and cultural traditions, the human capital and know-how and, often, the material and technological resources needed to be well ordered’ (Rawls, 1999a). Well-ordered societies include liberal and decent hierarchical societies. The latter possess institutional structures that respect (at least) a minimal set of human rights and include institutions that (at least) incorporate consultation procedures among social groups. So, the goal of assistance to burdened societies is not the eradication of poverty as such, but to reduce it sufficiently so that it is not a hindrance to a society becoming liberal or decent.

Rawls offers the following three guidelines for assisting burdened societies: (1) A society need not be wealthy to be well ordered. (2) The causes of wealth and poverty lie in the political culture and the religious, philosophical and moral traditions that support public institutions and political virtues and in any case, (3) assistance should aim to promote the self-determination of the political and economic affairs of a liberal or decent society (Rawls, 1999a). The upshot of (1) and (3) is that poverty eradication per se is not a goal of international re-distribution although some relief from poverty could perhaps be required in order to achieve the goal fostering a self-determining liberal or decent society.

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5See for example (Barry, 1972; Beitz, 1979; Moellendorf, 2002; Pogge, 1989; Peffer, 1990; Richards, 1982; Scanlon, 1989).

6The extent to which I would now qualify that view is presented in my Moellendorf (2009), chapter 3.
In asserting that poverty is homegrown, the point of (2) seems to be to rule out other reasons, deriving from the functioning of international institutions and the action of external agents, to mitigate poverty. Rawls underscores this point by considering two hypothetical examples; in each example the differential development paths of two imagined liberal or decent societies are compared. In the first example one society pursues development and savings while the other prefers a more leisurely life. In the second example, one society decides to curb its rate of population growth, but the other one, due to freely held religious values, does not. From these examples he concludes that, ‘Given that both societies are liberal or decent, and their peoples are free and responsible, and able to make their own decisions, the duty of assistance does not require taxes from the first, now wealthier society...’ (Rawls, 1999a) Rawls contrasts the international case with the domestic in which he thinks that there are three reasons in favour of an egalitarian distribution of resources: first, to relieve the suffering and hardship experienced by the poor so that conditions of reciprocity between the rich and poor are maintained; second to prevent the unjust stigmatisation of the poor and third to ensure fairness in the political process and the distribution of opportunities to pursue positions of privilege (Rawls, 1999a).

Now Rawls also holds the view that justice is a property of social institutions (Rawls, 1999b). Domestic institutions should ensure fair terms of cooperation among persons, while international institutions ensure the fair terms of cooperation between societies (or peoples, as he calls them), each of which is responsible for the well being of its individual citizens (Rawls, 1999a). He seems to assume that persons do not cooperate with one another sufficiently to consider justice to be the property of international institutions that mediate relations between persons. This assumption would explain why the justificatory arguments that Rawls employs for the domestic case and the international case are structurally different.

Rawls’s justificatory arguments for both domestic and international justice include a central place for reasoning by means of the original position, which places parties behind the veil of ignorance with respect to various social and natural facts about themselves. In the domestic case, the original position contains parties who represent the interests of persons. But in the international case the original position contains parties who represent the interests of liberal or decent societies. In the domestic case Rawls is well known for arguing that parties behind the veil of ignorance with respect to their social and natural fortune would choose principles of justice that ensure equal basic liberties and a strongly egalitarian distribution of wealth and income. From within his international original position, Rawls contends that eight principles of international justice—the Law of Peoples—would be affirmed by parties. These include, among others, respect for sovereignty, non-intervention, self-defence, respect for a minimal set of human rights and a duty of assistance to burdened societies, but no principle of egalitarian distributive justice (Rawls, 1999a).

There are several features of Rawls argument that are highly questionable.7 But for present purposes it is enough to cast doubt on the empirical basis of the justificatory

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7For example, Pogge argues that even if the parties in the original position are representatives of societies, not individual persons, it is unclear why, if deliberating behind a veil of ignorance about their wealth and resources, they would not choose an egalitarian distributive principle (see Pogge, 1994) and I argue that the justification fails to provide an adequate defence of human rights and to the extent that one can be derived from the justification it would also produce a justification of global egalitarianism (see Moellendorf, 2002).
argument. Increased economic integration calls into question Rawls’s assumption that fair terms of cooperation are needed only between societies and not between persons. There are now global markets in labour, resources, consumer goods, services, financial instruments and investment opportunities. Indeed there is a global division of labour, an example of which is described in The New York Times in a recent discussion of the global economic downturn: ‘When China makes fewer computers, it needs fewer computer chips forged in Taiwan and designed in the United States. It needs less steel, and so less iron ore from Brazil and Australia. Which means those countries need less construction equipment made in Germany, Japan or Ohio’ (Goodman, 2008).

Increasing global economic integration is evidenced in both trade and investment. The World Trade Organisation (WTO, 2008) has 153 member states; and its rules govern 97 per cent of all international trade. Successful development strategies are typically led by the development of manufacturing sectors producing for trade on foreign markets (Chang, 2002). In 2005 foreign direct investment (FDI) flows to developing countries reached an all-time high of $237.5 billion (World Bank, 2006b). The globalisation of an array of private investments, including bonds, bank lending and stock portfolios, has been increasing rapidly. Net capital inflows from official and private sources increased from $418 billion in 2004 to $472 billion in 2005 (World Bank, 2006b). Recently the US Federal Reserve has offered AIG an $85 billion loan, needed because of losses it incurred in international credit default swaps, on grounds that if AIG were to fail to meet its obligation to insure the bonds purchased by banks around the world, the global financial effects could be catastrophic (Andrews et al., 2008).

The evidence suggests a very different image than Rawls’s assumption of persons who do not interact globally. Rather, individual interaction mediated by market institutions and property rights regimes is extensive and complex. This interaction has important effects on the well being of persons around the globe. Consider six such effects: (1) In some cases, state supported export-led development strategies have produced significant gains for the social development of countries (Chang, 2002). (2) FDI is very often a requirement of domestic financing as well as financing from third party countries (Sit, 2001). (3) Generally, globalisation has been associated with an increase in job and employment insecurity (Standing, 1999). (4) It has also been associated with a general trend towards increasing inequality within countries (Corina, 2003). (5) Some of the poorest and most vulnerable people in the world have become worse-off in comparison to the rich. In the 1990s children in sub-Saharan Africa were 19 times more likely to die than children in the world’s richest countries. By 2003 this figure had grown to 26 times (UNDP, 2003). (6) With the increased globalisation of speculative investing has come the increased danger of a generalised economic crisis. The current global economic crisis began as a mortgage and financial crisis in the USA, but spread quickly to affect countries around the world. Regardless of whether someone produces for export in a developing country, that person either directly, through demand loss abroad, or indirectly, through various effects on the national economy, has probably been affected by the current global economic crisis.

Contrary to Rawls’s empirical assumption it seems reasonable to conclude that individual interaction mediated by market institutions is extensive and complex with profound effects on important human interests. Regardless of whether persons are directly engaged with the global economy, their local economy is significantly affected by international trade, FDI, finance and speculative investing. For theorists, such as Rawls, who take justice to be a property of institutions, there seems to be no reason to deny that the institutions of the global economy are subject to the standards of justice. In recognition of
this, if a global original position were to include representatives of persons from around the
world, one would expect principles of egalitarian distributive justice to be chosen.

4 INEQUALITY AND INJUSTICE IN SOCIAL INSTITUTIONS

The importance of reducing inequality can be defended on grounds that doing so would
serve as a means to eliminate the absolute poverty that billions of people currently endure.
Thomas Pogge has made this argument very powerfully. A program of transfers to the
desperately poor, the starving and dying children of the world for example, could be
instituted without causing any significant hardship to the very wealthy (Pogge, 2008).
According to the United Nations Development Programme in 1998 the total assets of the
200 richest people in the world were $1042 billion. At a cost of less 1 per cent of the net
wealth of the world’s richest people access to primary education could be provided to every
child around the world (UNDP, 1999). A very slight reduction in inequality could eradicate
absolute global poverty. This is morally one of the most important tasks that humanity
faces. The fact that poverty could be eliminated by only very slightly reducing inequalities
supplies a premise to the argument that the current level of inequality is unjust. Another
reason that global inequality matters is that inequality makes possible, perhaps even likely,
the dominance of poor countries by rich countries in international negotiations and
institutions.8

I believe that there is another less instrumental reason for holding that justice requires
reducing global inequality. This reason is less instrumental in the sense that it does not
do not derive from the service that reducing inequality plays in realising other morally important
social arrangements, such as freedom from absolute poverty. The argument in defence of
this reason begins where many of the most important human rights documents of the 20th
Century begin, namely the inherent dignity of persons. For example, the Preamble to the
Universal Declaration of Human Rights begins, ‘Whereas recognition of the inherent
dignity and of the equal and inalienable rights of all members of the human family is the
foundation of freedom, justice and peace in the world…’ (UDHR, 2008) and the Preambles
of both the International Covenant on Civil and Political Rights and the International
Covenant on Economic, Social and Cultural Rights postulate a basis in human dignity:
‘Considering that, in accordance with the principles proclaimed in the Charter of the
United Nations, recognition of the inherent dignity and of the equal and inalienable rights
of all members of the human family is the foundation of freedom, justice and peace in the
world…’ (ICCPR, 2008; ICESCR, 2008). These documents assume a special moral status
for persons, a status captured by the terms inherent dignity. Recognition of the special
moral status of persons constrains and directs the use of institutional power that affects
them. These constraints and directions are enumerated as human rights in the statements.
Because the inherent dignity of persons is a status possessed equally by all, human rights
are equal rights for all. Equal treatment under common institutions is required.

Taking each person as an equal possessor of human dignity also constrains the kind of
justification of moral principles that guide the use of institutional power. The institutions
are justified if they, or their guiding principles, can be reasonably accepted by those who

8 Although this seems obvious to many who write about global inequality, there is very little that is being done
about it in the contest of international negotiating. For examples of this criticism see Miller (2008), Pogge (2007)
live under them. The principle ‘institutions should be arranged so as to realise maximally the interests of persons in group G’ cannot be reasonably accepted pro tanto by persons who are not members of group G. In contrast the principle ‘institutions should be arranged so as to realise equally the interests of all those living under the institutions’ can be reasonably endorsed pro tanto by everyone living under them.

There are four plausible exceptions that could support a difference between the pro tanto endorsement of a principle of equality and a complete justification of a principle in particular cases: some persons could deserve to have their interests treated less well because of something they have done to harm the interests of others; some persons could voluntarily consent to lesser realisation of their interests or to taking certain risks of this outcome; there might be differences in morally relevant needs requiring more resources to satisfy; or offering incentives that produce differential outcome could benefit everyone in comparison to their condition under equality. In any particular case the prima facie principle of equality might not, then, upon further consideration, be appropriate because of one of these exceptions.

Taking persons as possessors of inherent dignity establishes a prima facie principle of equality under institutions, including distributive institutions. This suggests a method for considering whether distributive inequalities between people who share common and unavoidable institutions are all-things-considered just despite their violation of the prima facie equality principle: one can ask whether the exceptions to equality adumbrated above apply. As my response to Nagel in the previous section argued, it is highly implausible to believe that they apply when considering a great deal of the current global inequality. The child growing up in Mali has done nothing to deserve her inferior health prospects. Nor has she voluntarily chosen them or put herself at risk of having them by her choices. Differential needs between her and the child growing up in the US cannot justify the difference. Finally, the arguments of Pogge and the UNDP concerning the relative costs of eliminating absolute poverty also make it credible to believe that alternative institutions can be devised that would better realise the child’s interests in health education, and income. If we assume the inherent dignity this child and children like her around the underdeveloped world, we have good reasons to believe that the inequalities between their life prospects and children growing up in OCED countries are seriously unjust.

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9Compare this to the account of a right to justification in Forst (2005) and Forst (2007). Compare also to Darwall (2006): ‘[O]ne demand that anyone has the authority to make is that he not be subject to demanding (coercive) conduct that cannot be justified by second-personal reasons.’ See also Gosepath (2004) and finally see Rawls (1999b): ‘[R]espect for persons is shown by treating them in ways that they can see to justified’.

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