Chapter 4

WORLD HUNGER, MORAL THEORY, AND RADICAL RAWLSIANISM

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INTRODUCTION

Hunger, starvation, malnutrition, under-nutrition, and absolute poverty are widespread phenomena on our planet. Recent estimates are that, on average, each year about one million people (mostly children) starve to death, about 10 million succumb to complications from severe malnutrition or under-nutrition (often dying from infections easily warded off when not malnourished or under-nourished), and some 1.2 billion people live in absolute poverty (i.e. poverty so severe that their basic needs for adequate nutrition, potable water, minimally decent housing and clothing, and basic health care and sanitation are not met on a continuing basis). But, by all reliable accounts, there is presently more than enough food to feed everyone on our planet and—in almost all cases of large-scale famine—more than enough food to meet everyone’s nutritional needs in the very countries or areas suffering famine.¹ Yet people continue to starve, to be malnourished, and otherwise to live in absolute poverty. This is morally appalling—and intolerable.

In order to approach this exceptionally important issue in a logical and clear-headed manner I provide a set of questions which can help to organize our thinking about it by acting as a flow chart for a decision-making process. Although I certainly would not claim that this is the only way to structure such a process, this problematic will, I believe, help us to see more clearly the normative and empirical issues that divide theorists on this question and, thus, help us plot a course through what sometimes seems to be an almost impassable wilderness of cross-cutting analyses. After setting up this problematic I will indicate what I believe to be the best answers to these questions and argue for a theory that, I believe, best

accommodates these answers. I propose this to be my modified version of John Rawls's theory of social justice, and in particular its Basic Rights principle which requires people's security and subsistence rights to be respected and protected as the first principle of social justice. Since—as of his 1993 work Political Liberalism—Rawls is on record as specifically accepting three of my four proposed modifications of his theory, including my proposed Basic Rights Principle, the analysis I am offering here will, in this respect, hold for that version of Rawls's own theory, as well as my version of his theory. However, I will also argue that Rawls's views on these matters as expressed in his more recent The Law of Peoples are inconsistent with his earlier account and are altogether unacceptable. A "Radical Rawlsian" theory such as the one I am defending is more adequate, comparing favorably to Amartya Sen's "basic capabilities" theory, which I take to be its major rival.

My modified Rawlsian theory of social justice is composed of the following principles, listed in order of lexical priority:

(1) Everyone's basic security and subsistence rights are to be met. That is, everyone's physical integrity is to be respected and everyone is to be guaranteed a minimum level of material well-being including basic needs, i.e. those needs that must be met in order to remain a normally functioning human being and citizen.

(2) There is to be a fully adequate scheme of equal basic liberties, including:

(a) freedom of speech and assembly, liberty of conscience and freedom of thought; freedom of movement and free choice of occupation, freedom of the person along with the right to hold (personal) property, and freedom from arbitrary arrest and seizure as defined by the concepts of due process and the rule of law, and

(b) the political liberties such as the right to vote and to run for (and hold) political office. And these political liberties—including the rights to free political speech and assembly—are to be guaranteed their (approximate) equal worth.

(3) There is to be fair equality of opportunity in the competition for social positions and offices.

(4) Social and economic inequalities are justified if and only if they benefit the least advantaged consistent with the just savings principle, but are not to exceed levels that will undermine (a) (approximately) equal worth of the liberties required by due process and/or (b) the good of self-respect.

(5) There is to be an equal right to participate in decision-making processes within social and economic institutions of which one is a member.

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Let us call these principles (1) the Basic Rights Principle; (2) the Equal Basic Liberties Principle; (3) the Fair Equality of Opportunity Principle; (4) the Modified Difference Principle; and (5) the Social and Economic Democracy Principle. Now a Radical Rawlsian theory, on my conception, is one which (A) accepts a Basic Rights Principle as the most fundamental principle of social justice; (B) guarantees the approximate equal worth of political liberties (by limiting the material resources that can be used by private parties to influence the political process and/or by limiting the differentials of material wealth allowed in society); (C) does not allow differentials in income and wealth to exceed levels which undermine the (approximately) equal worth of our political liberties and rights of due process or the good of self-respect; (D) applies the economic components of the theory—specifically, the subsistence-rights component of the Basic Rights Principle as well as the Difference Principle—internationally; and (E) accepts the empirical view that in order for the theory to be genuinely instantiated in any particular society—and in the world as a whole—all social hierarchies based on socio-economic class (or caste), religion, race/ethnicity, sex/gender and sexual preference must be abolished.

Although Rawls is on record as accepting the first three of these theses and, until the publication of his The Law of Peoples, it seemed as though he had accepted the claim that the principle demanding that people’s subsistence rights be met must be applied internationally, he never accepted the claims that the Difference Principle should also have mandatory international application or that all social hierarchies must be abolished in order for his theory to be genuinely instantiated. Among the philosophers and social theorists who are Rawlsians in a general sense but, I believe, also accept most if not all of these views—and thus are classifiable as Radical Rawlsians—we may identify Charles Beitz, Thomas Pogge, Darrel Moellendorf and an indefinite, perhaps growing, number of others.⁴

**A PROPOSED PROBLEMATIC**

The world starvation/absolute poverty problem can be analyzed along a number of different dimensions, some normative and some empirical. As an organizational matter, I shall list eight germane questions constituting the flowchart through which one might progressively narrow the field of viable theoretical contenders for its resolution. Theories are eliminated if they are empirically unsupported in terms of their analysis of the problem (and/or their recommendations aimed at solving the problems) and/or if they are unsupportable in terms of what I would take to be widely accepted core moral intuitions in the design of the principles, rights, duties, and/or obligations they propose.

The first major issue is the primarily empirical one of whether the earth as a whole has, or certain societies in question have, already exceeded their “carrying capacities” such that there is simply not enough food to go around to feed people or whether, even if they are not presently at that point, their carrying capacities are likely to be exceeded in the near, medium, or distant future.

The second major issue—which is primarily normative although it may be said to have an empirical component in that questions of efficiency may be relevant to its answer—is whether the world hunger problem should be addressed primarily in terms of (a) the duties and/or obligations of individuals to other (perhaps distant) individuals, or (b) the structures (and possible restructuring) of various social, economic, and political institutions, policies, and programs and, consequently, in terms of our duties and/or obligations to do our fair share in creating and maintaining such just social structures. I shall refer to the former as the “individual approach” and to the latter as the “social approach.”

The third issue is whether saving people from starvation (and other forms of severe deprivation) is a matter of charity (or beneficence) or a matter of justice. This question, which cuts across the traditional division between consequentialist and non-consequentialist (or deontological) moral theory, is of the utmost importance since, by definition, if it is a matter of charity then no one can be compelled to give some of the resources they would otherwise have available to them to aid the severely deprived, whereas if it is a matter of justice then people could be compelled—through compulsory taxation, for example—to aid them. This issue also cuts across the division between the individual and social approaches to this problem, although it seems plausible to suggest that most of those who view this as a matter of justice adopt the social approach to it, whereas most of those who view it as a matter of charity favor the individual approach.

Now if we assume that the world hunger problem is to be viewed in terms of justice, the fourth issue is whether we should analyze it primarily in terms of duties of justice and principles of distributive justice, on the one hand, or primarily in terms of moral rights, on the other. (Although these normative categories are perfectly compatible in some theoretical configurations—including those of Rawls, Sen, and myself—there can be some important differences between the “justice” and “rights” vocabularies or problematics.)

Fifth, if it is decided that we should address this problem in terms of moral rights then the question arises as to exactly which rights should be recognized and how they should be characterized and related to other parts of an overall adequate moral theory. As the reader already knows, I defend a Basic Rights Principle specifying that people’s security and subsistence rights must be respected and protected as the first principle of social justice. But as recent debates among theorists who also accept such a principle indicate, there remain important unsettled issues.

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5 Although I shall follow Rawls’s distinction that obligations arise between persons who are enmeshed in the same social arrangements or institutions and that duties—or at least those that Rawls calls “natural duties”—hold among persons whether or not they are so enmeshed, I often mention them both since we may well have both obligations and duties towards people to do (or not do) something. For example, within our own societies we may have both a (natural) duty of justice and an obligation of fairness (or fair play) to see that justice is done toward our fellow citizens.

6 See the writings on such a rights principle as applied to the problem of world hunger, in the articles in William Aiken and Hugh LaFollette’s anthology World Hunger and Morality 2nd ed. (New York: Prentice Hall, 1996) by Henry Shue, James Nickel, Xiaorong Li, and Radhika Balakrishnan and Uma Narayan. It has also been discussed by Thomas Myr Haloed-Hansen, “Hunger and Private Property.” (unpublished manuscript, 2001).
The sixth issue concerns the comparative moral strength of all the components of an adequate theory of social justice and what impact this ranking has on theoretical approaches to the world hunger problem. Such a theory, I suggest, would include: security rights; subsistence rights; civil liberties; political rights; property rights; the rights that may be said to be entailed by other possible principles of social justice (such as principles of equality of opportunity); principles demanding more egalitarian distributions of income, wealth, and public resources (such as access to public parks and wilderness areas) that go beyond meeting people’s subsistence rights; and principles of social and economic democracy.

The seventh issue is whether individuals in one society or state have obligations and/or duties to aid only those within that society or state, or have obligations and/or duties to aid other persons outside the boundaries of those (artificial?) groupings. If the latter, do they have the same moral obligations to distant persons that they have toward fellow citizens or only some of them? And if so, precisely which obligations do they have from either an individual or social point of view? In this context I shall critique John Rawls’s claims in his recent The Law of Peoples that our obligations or duties in this regard are rather limited. It is here that I shall examine Amartya Sen’s approach to the world hunger problem, an analysis that will be carried on in the context of the next issue.

Eighth: which institutions, programs and policies can best solve the world hunger/absolute poverty problem? This can be broken down into a number of sub-questions, such as (A) how these issues ought to be decided (and by whom); (B) what kind of development and developmental aid (if any) is most desirable (from a moral point of view); (C) whether the current international economic system is basically just between the developed and developing nations and, if not, what sort of system would be; (D) how the status of women enters into the analysis of world hunger and whether women should be given special consideration in this context; (E) what connections, if any, exist between democracy and self-determination, on the one hand, and the elimination of hunger and absolute poverty, on the other.

Having laid out the central issues in the world hunger/absolute poverty problem, I now turn to the main arguments under each heading.

ARGUMENTS AND ELABORATIONS

(1) Although “carrying capacity” is ambiguous, I believe that on any coherent rendering of the concept it is demonstrably false that the earth has exceeded its carrying capacity or will do so in the near future (barring some unforeseen catastrophe), as Garrett Hardin and other Neo-Malthusians contend.7 Perhaps the most devastating argument against the Neo-Malthusians’ position, however, exposes a crucial blurring of a vital distinction from which they illegitimately proceed to derive their conclusion that wealthier countries ought not to aid starving people in the poorest societies (since they have exceeded their “carrying capacity”). As William Aiken has elegantly argued, the position often fails to distinguish between the “biological limit” definition of this expression and the “socio-economic limit” definition. While there is a strongly established, and relatively clear, “carrying capacity” thesis in

population dynamics theory within the discipline of biology, this cannot be directly extended to the "carrying capacity" of humans since human survival and health are vastly affected by the overall socio-economic arrangements within which they live: from the local village or neighborhood to international social, economic, and political arrangements. As Aiken states:

International purchasing power extends a nation’s carrying capacity because this is not a biological limit—it is a complex social, economic and political limit. It is not fixed by "nature" but by trade practices (for example, protective tariffs, currency exchange rates, concessionary prices, multinational corporation interests, militarily motivated "loans") by the international market in terms of who has what to sell (goods, resources, alliances), who wants to buy it, what price you can get for what you have to sell, and by the influence of international interests on indigenous production and distribution (for example, neo-colonialism with its emphasis upon the mass production of nonfood export crops).8

If oil is discovered within its territory, the supposed limit on population suddenly bolts upward to whatever extent the oil reserves last. A nation's carrying capacity is a by-product of the market (or other prevailing economic arrangements)—nothing more. It is never merely a biological limit.9

Moreover, as Amartya Sen and others have demonstrated, it is hardly ever the case that mass starvation occurs from a literal lack of food within particular societies.10 As they argue, famines and starvation are not the consequence of lack of food but of lack of social entitlements to food, i.e. the lack of an adequate entitlement system to adequate nutrition. In fact, many countries have actually exported significant amounts of food during the very periods in which starvation was occurring.11 These facts are extremely important since they disprove Hardin's argument that we on this planet are now in a "lifeboat" situation and that "lifeboat ethics" permits (or even requires) those who are fortunate enough to be in the lifeboats—i.e. those in the wealthy countries (or, more accurately, the wealthy wherever they may live)—not to aid the starving, especially the starving in the worst-off nations. This is not to say, of course, that there is no significant danger that if the world community, through its member societies, does not take appropriate steps to curb population growth then particular societies and, possibly, even the entire planet may exceed their socio-economic carrying capacities at some point in the future. Thus, any analysis that is based on the claim that carrying capacities have been exceeded must be rejected, but any analysis that is oblivious to the problems of high populations and the dangers of continued population growth must be rejected as well.

Yet even if it could be established that such a lifeboat situation existed it is not immediately clear that Hardin's "let the starving eat cake" solution would be the only (or

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9 Ibid., p. 20.
10 See the works cited in n. 1, and Amartya Sen, Development as Freedom (Oxford: Oxford University Press, 1999), pp. 160–188.
11 See Sen, Poverty and Famines, op cit., p. 161 on Bangladesh's exports during the 1973 famine and pp.131–153 for his analysis of that famine which, among other things, notes that the United States stopped food aid shipments to Bangladesh on the grounds that Bangladesh was selling jute (used to make gunny sacks) to Cuba. As Sen states, "only after Bangladesh gave in and sacrificed its trade with Cuba was the flow of American food resumed. By then the autumn famine was largely over" (p. 136). Although this probably was a relatively small contributory cause of the starvation that occurred at that time, it does seem to have been part of the cause, with whatever moral culpability that may imply.
most) reasonable one. Should we say that the conditions of morality were no longer extant and, thus, that it was “every man for himself” or “dog eat dog,” as Hardin seems to suggest? Or should we say that in a situation in which not all can survive, fair methods of chance should be used to determine who should live and who should die? Or would it be proper to save first those who are more valuable to the community or the world in some sense—e.g., doctors and other medical professionals who could contribute more to the quality of life of the survivors—whatever country they happened to live in? Thus, even the moral component of Hardin’s theory is not beyond dispute, especially since his rather thin veneer of utilitarian reasoning does not completely cover up what seems to be his more basic normative view: the group egoism which yields the “lifeboat” way of looking at his (misdiagnosed) problem in the first place.

(2) I contend that the world hunger/absolute poverty problem can only be solved through the social approach. Due to the limits of people’s altruism as well as to social coordination problems (such as the assurance problem and the free-rider problem) the individual approach of contributing money and/or time to various charities is not, by itself, going to solve it, although it is not morally insignificant if it can help alleviate it to some degree. As Henry Shue writes:

Individual donations by individual donors—I give $50 to Wanda, who is already malnourished—are at best too little, too late, too uncoordinated. They may also be myopically off-target by focusing too directly on food itself; for many Third World countries, more or less food assistance, or even agricultural development aid, is far less important than some solution to their staggering burdens of debt to foreign, rich-country banks, which is one of the main forces driving the diversion of land and other resources out of the production of food. . . . The design of effective institutions for food security (is what is necessary to solve the world hunger problem). 12

In addition, it is usually not the case that there are individually identifiable people in need whom more affluent people have a specific obligation to aid. Nor are there determinate limits on how much one is required to give in aid. Moreover, it is arguable that the individual approach does not sufficiently focus on the dignity (and, possibly, the rights) of the individuals in need of aid. Finally, this approach all too easily lets people off the hook, both because some people may delude themselves into thinking that a pittance they may contribute to a charity is sufficient to meet their moral duties or obligations, and because it can misdirect the attention of people—even generous people—away from the injustice of the social arrangements, institutions, policies, and programs that are usually the cause of these severe deprivations. 13

To quote William Aiken from a slightly different context, the individual approach:

disregards other potential causes for the starvation such as the economic factors within that nation (for example, production and distribution of wealth, land, and capital ownership, effective social services), the political factors within that nation (for example, expenditure on


13 See Mark Evans’s contribution to this collection, in which this problem is formulated in terms of “imperfect obligation.”
arms development is given priority over food or population control programs), and the social factors within that nation (for example, the maintenance of an affluent elite at the cost of the impoverished masses).  

As Frederic Bender observes: "(t)he causes of world hunger are primarily, although not entirely, social and economic in origin and typically are perpetuated through political and institutional violence, i.e., through the violation of human rights of the impoverished." If this is true (which I believe the evidence shows) and if private charitable efforts have not succeeded in solving this problem (as they most surely have not) then, if one is really serious about solving it, the only reasonable thing to do is to concentrate on establishing social arrangements that can do so. This is not to say that direct charitable aid is unimportant but, rather, to say that establishing more just social and economic arrangements that will assure people food security is—in the long run—even more important. This is, in fact, part of OXFAM's philosophy and program.

Another important issue is whether it is primarily national governments of developing countries that are responsible for eliminating hunger and absolute poverty in their own territories or whether this responsibility falls more or less equally on governments in the developing world, wealthier nations, and international organizations (such as the United Nations, International Monetary Fund, World Bank, World Trade Organization, or their future analogues). James Nickels claims that:

responsibilities for upholding the right to adequate food lies primarily with national governments, but recognizes that they may be unwilling or unable to meet their responsibilities. Every government has the duty to protect its people from hunger and starvation by adopting policies and creating institutions that make it possible for people to provide for themselves and their families, and to assist those who are unable to provide for themselves. Which government has the main responsibility to provide food assistance depends on which territory one is in. The people of a particular country share in the responsibility of creating and maintaining an economic and political system that facilities self-provision and adequately assists people to provide for themselves.

On the other hand, Radhika Balakrishnan and Uma Narayan divide this responsibility more or less equally:

The primary responsibility of guaranteeing the basic welfare rights of all individuals falls on the national and international institutions—economic institutions, nation states, and international bodies—whose policies and choices are responsible for the occurrence of world hunger and poverty, and who have the means to act so as to guarantee these rights. . . . National and international institutions that have primary responsibility for many economic decisions and development policies need to recognize that the provision of basic economic

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16 Three of OXFAM's beliefs which are relevant here are: (1) people's vulnerability to poverty and suffering is increased by unequal power relations based on, for example, gender, race, class, caste and disability; (2) women, who make up a majority of the world's poor, are especially disadvantaged; (3) working together we can build a just and safer world, in which people take control over their own lives and enjoy their basic rights. To overcome poverty and suffering involves changing unjust policies and practices, nationally and internationally, as well as working closely with people in poverty. See http://www.oxfam.org.uk/atrwork/mission.html.
and social welfare rights to all is a binding moral and political obligation, one that cannot be overridden for reasons of economic convenience.\textsuperscript{18}

That the social approach is the only reasonable one can be even more easily seen if we compare the morality of protecting people from severe deprivation (e.g. starvation) with the morality of protecting them from serious physical harm directly inflicted by other humans. While there is, admittedly, the disanalogous feature that the former is usually not intentionally caused while the latter is, the point I am making is that no one would claim that the morality of protecting people from murder in a modern mass society begins and ends with our abiding by the duty not to murder people, a duty to be discharged only as private citizens, individuals aiding other individuals who are in imminent danger of being murdered (at least if we can do so without substantial risk of serious harm to ourselves). Instead, it is obvious that we also need \textit{institutions}—including a criminal justice system—to help protect us against murder and other crimes and, further, that social revenues can legitimately be raised (through a fair taxation system or other fair means) to fund these institutions.

Since non-voluntarily starving to death is as serious a harm as being murdered it is absurd to claim that we should approach the former solely from an individual point of view and the latter from both an individual and a social point of view. In fact, this is usually recognized in most modern societies, although it is certainly not the case that all societies have successfully created and maintained the institutions necessary to meet their populations’ subsistence needs. Moreover, it is probably easier for people in one state to help people in severe deprivation than it is for them to help ensure foreign people’s security rights. Nevertheless, to help secure their security rights we could indirectly encourage more efficient and just criminal-justice institutions in other countries as well as less abuse by the police and military (by working with Amnesty International, for example). But to help secure people’s subsistence rights in other countries we can give directly to appropriate charities, support fairer international trade and aid policies designed indirectly to encourage greater respect for such rights (or at least lobby First World governments not to oppose such measures, as too often has been the case).

Consequently, it is supremely important to concentrate our moral attention on the social rather than the individual approach, while at the same time explaining that the social approach is not really disconnected from obligations and/or duties at an individual level since, arguably, we all have a natural duty of justice, i.e. a duty to abide by the dictates of social justice and to do (at least) our fair share in the social effort to create and maintain just social arrangements. Further, it will probably be a relief to a great many people to learn that it really serves no useful purpose to agonize over whether, as Singer and Cullity maintain, we must give away our income and wealth (and expend our time and energy) to the point of marginal utility—i.e. to the point just before we would start to become as bad off as the starving and malnourished people we’re trying to aid—or whether, as Arthur contends, we are morally justified in giving considerably less than this because we have a right to give our own projects and purposes (and special relationships) tremendously more weight in our moral calculations.\textsuperscript{19}


Perhaps it might be argued that the same sort of issue arises within the social approach in deciding how much effort we have to exert towards creating and maintaining just social institutions or how much we can legitimately be required to forego within the context of such institutions. But there are plausible answers to these questions. In short: (A) we must do our fair share; (B) we can never be (justly) required to forego having our own security and subsistence needs being fulfilled; (C) we can never be (justly) required to have our basic personal liberties severely restricted or our (justly held) property expropriated except if this were absolutely necessary to secure people's security and subsistence needs (which may hardly ever be the case in the real world).

But, of course, one's justly held personal property is not any amount of property or wealth that one can gain under any set of rules or institutional arrangements. Rather, it is the amount that one can fairly gain under just social arrangements, which would specify property rights, taxation policies, and policies concerning the provision of public goods according to all of the principles of an adequate theory of social justice including—in the Rawlsian view—the Difference Principle (which specifies that inequalities in material goods, such as income, wealth, and leisure time, are justified if and only if they are to the maximal advantage of the economically least well off members of the community).\(^{20}\) Although we may agree that there is some inevitable uncertainty concerning the requirements of our duty of justice and the related obligation of fairness (i.e. the obligation to do our fair share in supporting institutions from which we have benefited), which leaves considerable room for the workings of our own consciences, this duty and obligation are not normally thought to require the type of sacrifices Singer and Cullity demand nor the type of agonizing that many people suffer when trying to refute this extreme view without seeing themselves as being immoral. And the view that we need not become completely obsessed about these issues is considerably reinforced by the (apparent) empirical fact that the most important factor in eliminating starvation and hunger in any particular country is for that country to establish basically just social arrangements; e.g. a policy of national food self-reliance which will include an entitlement system assuring adequate nutrition for the population.\(^{21}\)

(3) By now we should already be able to see the force of the claim that aiding those in severe necessity (in either an individual or social context) is not a matter of charity or beneficence but a matter of justice. This is extremely important because duties of justice are enforceable while duties of charity or beneficence are not. (In Kant's terms, the former is a perfect duty and the latter an imperfect one.) Even strict libertarians often claim that we have a duty to be charitable so long as this duty is not defined as a perfect (i.e. enforceable) one. This not only allows one off the moral hook as soon as one ponies up one's minimal contribution. It also allows one to argue that we need not have social arrangements that ensure people don't starve and, in fact, that it would not be morally allowable to have any kind of taxation to fund social programs aimed at solving these problems because solving them is a matter of beneficence, and taxation—according to the strict libertarian—is a violation of

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one’s property rights (which is a matter of justice). Since the moral requirements of justice always trump the moral requirements of beneficence (or other parts of morality that are not part of justice), it follows—according to the strict libertarian—that taxation or any other such interference in an individual’s life aimed at satisfying a duty of charity or beneficence is morally impermissible.\textsuperscript{22}

Onora O’Neill’s Kantian approach to the world hunger problem offers a robust contrary view that aiding those in dire need is a matter of beneficence rather than justice. She claims that “since hunger and the risk of famine are always and evidently highly damaging to human autonomy, any action that helps avoid or reduce famine must have a strong claim on any Kantian who is thinking through what beneficence requires.”\textsuperscript{23} It might seem that O’Neill is indicating that the duty of beneficence is an enforceable one when she notes that Kant:

speak(s) of justice as a \textit{perfect duty} and of beneficence as an \textit{imperfect duty}. But he does not mean by this that beneficence is any less a duty; rather, he holds that it has (unlike justice) to be selective . . . . beneficence isn’t just an attractive but optional moral embellishment of just arrangements (as tends to be assumed in most theories that take human rights as fundamental).\textsuperscript{24}

But that this is not her position is shown by the following quotation:

(b)ecause Kantians are concerned for justice and beneficence, they would never see beneficence alone as an adequate response to poverty, homelessness, and hunger at home or abroad. Mere charity is too capricious to secure for the poor capabilities to lead their own lives.\textsuperscript{25}

But, according to O’Neill, “(d)uties of justice arise whenever (and only whenever) there is some involvement between parties.”\textsuperscript{26} Therefore, in any case in which there has been insufficient (institutional?) interaction between the parties there is no duty of justice. Thus she is claiming that the duty of beneficence (to eliminate hunger) is “mandatory” but not justifiably enforceable. But this leaves the duty entirely toothless. Given this fact, it can only be concluded that those in dire necessity have no assurance that they will receive the aid they need to survive even if there are many other individuals who are living lavish lives and have more than enough resources to save the deprived from starvation without themselves coming anywhere close to complete deprivation.

Another problem with her theory is that what the duty requires is extremely vague. As she puts it: “Kantians are required to do what they can to avert, reduce, and remedy hunger. They cannot of course do everything to avert hunger: but they may not do nothing.”\textsuperscript{27} Although O’Neill gives an admirable list of suggested types of actions that one can take at both an individual and institutional level,\textsuperscript{28} this general formulation of the duty isn’t of much

\textsuperscript{22} This is Robert Nozick’s position in \textit{Anarchy, State, and Utopia} (New York: Basic Books, 1975) although he actually repudiates it in \textit{The Examined Life} (New York: Simon and Schuster, 1989), pp. 286–293.


\textsuperscript{24} Ibid., p. 99.

\textsuperscript{25} Ibid., p. 109.

\textsuperscript{26} Ibid., p. 103.

\textsuperscript{27} Ibid., p. 99.

\textsuperscript{28} Depending on circumstances, such action may have to take the form of individual contribution to famine relief and development organizations, of individual or collective effort to influence the trade and aid policies of
help in determining how much we are required to do. Finally, many theorists, including Singer and O’Neill, seem to hold that the state can tax people to provide aid to the severely deprived even in distant countries even though, on their views, this is a matter of beneficence rather than justice. But it is very difficult adequately to justify why the citizens of one nation ought to aid the citizens of another, distant nation—or even the citizens of their own nation—if beneficence alone is at stake. Most such justifications appeal either to the long-term self-interest of the donor nation (and its citizens) or to the claim that it is a matter of justice, not merely a matter of charity or beneficence. After all, if it truly is only a matter of charity then why wouldn’t the citizens of the donor nations be within their rights to claim that the state has no right to tax them for charitable purposes since they should be free to choose when to be charitable and to whom? And it is, of course, never going to be certain that a plausible case can be made that saving people in other countries by expending resources—or forgoing resources due to changed trade and/or financial arrangements—is going to be in the self-interest of the donor nation or its population.

It must be recognized, it seems to me, that we have a general duty (i.e. a duty towards all humans, not just towards those with whom we are socially close) to aid people when they are in dire necessity and a social duty (i.e. a duty of social justice) to establish social arrangements that address the standard threats that we might all face. Arguably, no rational and reasonable person would deny this because all rational and reasonable persons know that the exigencies of human existence mean that we all may need such help at some point in our lives. Therefore, out of respect for ourselves and others we must recognize the duty to aid those in dire necessity. At least in A Theory of Justice, Rawls recognizes this in his theory of natural duties which includes the duty not to harm other individuals as well as the duty to aid those in dire necessity (i.e. “the duty of mutual aid,” although this duty does not require there to have been mutually advantageous relations or social relations of any sort between people in order for the duty to apply). Rawls writes that:

(a) feature of natural duties is that they hold between persons irrespective of their institutional relationships; they obtain between all as equal moral persons. In this sense the natural duties are owed not only to definite individuals, say to those co-operating together in a particular social arrangement, but to persons generally.29

Arguably, at the social level no rational and reasonable person would choose to have duties correlative to their basic security or subsistence needs classified as a matter of discretionary charity rather than a matter of obligatory justice, since having one’s security and basic physical needs assured is a necessary condition for enjoying any other good or right. Both a morality based on mutual advantage and one based on mutual reciprocity will recognize such duties at both the individual and social level, although some mutual advantage theorists hold the morally perverse view that we only have such a duty towards persons who might actually

developed countries, or of attempts to influence the activities of those Third World elites for whom development does not seem to be an urgent priority. Some approaches can best be undertaken by private citizens of developed countries by way of lobbying, publicity, and education; others are best approached by those who work for governments, international agencies, or transnational corporations, who can ‘work from within’ to influence the decisions and policies of these institutions. Perhaps the most dramatic possibilities to act for a just or an unjust, a beneficent or selfish, future belongs to those who hold positions of power and influence within the Third World”; ibid., pp. 102-103.

be in a position intentionally to harm us (i.e. those with a “mutual threat advantage”). But a reciprocity-based theory, such as Rawls’s or O’Neill’s, that recognizes the human dignity of all individuals will, of course, reject this view; and this is the type of theory that I am taking to be correct for the purposes of this article.

However, accepting the view that aiding those in dire necessity is an enforceable duty of justice does not imply that the state or society—or the international community—must automatically give people the goods or money necessary to assure that their basic needs are met, regardless of the effort people are willing to put forward. Although the state (or society) must surely provide for essential public goods such as health care and potable water, when it comes to food and shelter, for example, the state or society need only make sure that people have **adequate opportunities** to meet their needs by their own productive efforts. It goes without saying, however, that if such opportunities, e.g. jobs or land to farm, do not exist for everyone (or if some persons cannot avail themselves of such opportunities due to physical and/or mental disabilities) then the state or society must make sure that those people’s needs are met by direct provision, if necessary. There may be other principles of distributive justice that would ensure people an even higher standard of living but this would still only be to say that society and the economy should be arranged such that if a person is able-bodied (and able-minded) he should be able to achieve this standard of living by her own efforts.

(4) Although duties and principles of distributive justice will undoubtedly be part of any overall adequate theory of social justice, it is the concept of **rights** that must be emphasized with respect to the problem of world hunger. If it is not claimed that everyone has subsistence rights as well as security rights there is no guarantee that everyone will have their subsistence needs targeted even if a duty of aiding the severely deprived is recognized as incumbent on all moral agents. And this would seem to be true even if we hold that such duties of mutual aid must be applied at a social as well as an individual level. Again, this is partially due to limited altruism (when people get to decide within broad limits what their duty to be charitable requires) but also partially due to familiar social coordination (e.g. free-rider and assurance) problems. Moreover, there is a sense in which it doesn’t matter whether or not people do their duty to aid the severely deprived. What really matters is, first, that people should not suffer severe (non-voluntary) deprivation and that this state of affairs should be brought about in some way or other and, second, that, so far as possible, people should be empowered to meet their needs through their own freely chosen activities. If this state of affairs were to be brought about by governments in First and/or Third World countries or by wealthy philanthropists even when most non-impooverished people either refused to recognize their duty to aid the severely deprived or refused to act on it, this wouldn’t really matter from a moral point of view, except for purposes of judging people’s moral character. This is why it is much more perspicuous to view the situation from the viewpoint of the rights of the individuals who need the aid rather than from the duties of individuals (qua individuals) to provide it. (Of course, one may justifiably worry about a situation in which the subsistence

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rights of the extremely poor depended on the largesse of wealthy philanthropists or foreign governments, but this is a different—empirical—point, which need not detain us here.)

Moreover, it is arguable that rights are a necessary concomitant to human dignity or—if this expression is too vague—to the attitude of genuine respect for persons and a person’s self-respect. As Joel Feinberg writes, rights:

are especially sturdy objects to “stand upon,” a most useful sort of moral furniture. . . . This feature of rights is connected in a way with the customary rhetoric about what it is to be a human being. Having rights enables us to “stand up like men” (sic), to look others in the eye, and to feel in some fundamental way the equal of anyone. To think of oneself as the holder of rights is not to be unduly but properly proud, to have that minimal self-respect that is necessary to be worthy of the love and esteem of others.\(^3\)

Rights are not mere gifts or favors, motivated by love or pity, for which gratitude is the sole fitting response. A right is something that can be demanded or insisted upon without embarrassment or shame. . . . A world of claim-rights is one in which all persons, as actual or potential claimants, are dignified objects of respect, both in their own eyes and in (the eyes) of others.\(^2\)

Some theorists still insist that we have rights only to freedoms (or so-called “negative liberties”) and not to well-being. But there are strong arguments against this view. A widely accepted contemporary definition of rights is that given by Joseph Raz. As summed up by Jeremy Waldron: “to have a right is for it to be the case that one’s interest justifies holding someone else to have a duty.”\(^3\) This comports well with my 1978 definition of rights as “valid claims that result in entitlements.”\(^4\) As such, all especially strong or significant interests (and/or needs) will issue in rights protecting them against standard threats. Since the interests of not having one’s physical security violated (by being murdered, raped, brutally assaulted, etc.) and of not having one’s basic physical needs go unmet (by lacking sufficient nutrition, potable water, housing, clothing, etc.) are, arguably, the two most fundamental interests one has, it seems reasonable to claim that these rights must be recognized as the strongest rights we have. These rights are simply the “negative” and “positive” parts of the generally recognized right to life. The former (security) rights are primarily, though not exclusively, negative in that they primarily, though not exclusively, require us to refrain from interfering with people’s bodily integrity, whereas the latter (subsistence) rights are primarily though not exclusively positive in that they primarily, though not exclusively, require us to undertake positive actions to provide opportunities, goods, or services to those who lack them. And these rights would seem to be intimately connected to human dignity and respect for the person. As Radhika Balakrishnan and Uma Narayan write:

Both negative and positive rights can . . . be seen as guaranteeing basic dignity, respect and worth to human beings, and as existing to protect them from being rendered vulnerable in ways that adversely affect their dignity. If we understand rights in this way, we can see an underlying unity between the roles of “negative” and “positive” rights. Meaningful exercise of one’s choices as well as the adequate satisfaction of one’s needs are both vital components of


human dignity and worth. Failures to guarantee either basic negative or positive rights to individuals is tantamount to declaring that their fate and future do not matter, and to be treated as creatures whose vital interests do not matter is to be reduced to the moral status of a creature who is accorded no dignity, respect or worth. Thus any moral framework that is committed to seeing all humans as bearers of dignity and worth needs to guarantee all individuals not merely important negative rights to noninterference, but positive welfare rights to the basic means of subsistence.  

As I have been suggesting, however, in order to respect and protect either type of rights we have to develop social institutions that effectively do so. This is even clearer in the case of subsistence rights since we cannot sensibly be expected to provide—or even attempt to provide—for every person’s subsistence rights in our own society, let alone the rest of the world. But we can, and must, insist that through some combination of individual actions, non-governmental associations (e.g. charities), and governmental policies and programs, people’s subsistence rights be met. We must, morally speaking, do our fair share toward meeting this end and we can be forced to pay taxes aimed at achieving this end, if that is necessary, since this right—as any general right—gives rise to an enforceable duty or obligation on the part of all humans who are in a position to help achieve this goal. As Xiaorong Li puts it:

real obstacles to protection of the right to food are found in current political and economic (distributive) systems, rather than in problems of absolute scarcity. Implementing the right to food thus depends on rearranging relevant institutions. . . . Such rearrangements can be done if there exists a political will to reorganize governments and multinational institutions and to reform distributive systems. . . . We must be careful, however, not to equate what is possible for world food productivity and ideal distributive arrangements to accomplish, on the one hand, with what one person can accomplish, on the other. It is irrational to require any single person to assume an obligation to implement the right to food. But this does not mean that it is nobody’s obligation. . . . (F)or this obligation to be fulfilled, the participation of many (if not all) individuals in institutional efforts is required.  

To quote Balakrishnan and Narayan again:

While . . . the brunt of the moral obligations to alleviate poverty and hunger fall on national and international policy making institutions . . . the existence of widespread hunger and poverty creates certain obligations on the part of individual citizens. . . . Those of us who are citizens of democratic political systems have an obligation to use our political rights to support national and international policies that are conducive to alleviating, rather than exacerbating, hunger and poverty at home and abroad. We have obligations to be active and concerned citizens who support not only the sorts of economic policies that would be conducive to securing the basic welfare rights of all individuals, but also to encourage the growth and survival of democratic regimes in other parts of the world.  

Finally, if these rights are not being met when it is possible to meet them, the people whose subsistence (and/or security) rights are being violated—and, in fact, all persons everywhere—have the right to use the most strenuous political means in order to make sure that these rights are respected and protected. Any population whose basic rights are being systematically violated has the right of rebellion and revolution to remedy the situation if no other political

means have worked and/or can be expected to work in addressing this situation. This, of course, is simply to repeat what John Locke said some 300 years ago.\footnote{See the "The Right to Rebel" section in Locke’s \textit{Two Treatises of Government} (1690) published in many editions, as well as Frederick Bender, "World Hunger, Human Rights, and the Right to Revolution," \textit{op. cit.}}

(5) The moral rights recognized by an adequate theory should include both security and subsistence rights, which should be taken as the most basic principles of morality and social justice. In a sense, these rights can be recognized within a utilitarian theory—or most other consequentialist theories—as firmly fixed rules for maximizing utility (or other good consequences). This is precisely how J. S. Mill handles the rights and principles of justice within his utilitarian system.\footnote{See J. S. Mill’s final section of his \textit{Utilitarianism} (1861), “On the Connection between Justice and Utility,” in any of the many published versions of this work.} Although it would always remain theoretically possible for a consequentialist theory to decide that we don’t have these rights, the basic conditions of human existence make it all but certain that any consequentialist theory willing to endorse general rules governing human conduct will justify these two rights. After all, as has been often pointed out, having one’s security and subsistence rights respected and protected is a necessary condition for the genuine enjoyment of any other right or good.\footnote{On this issue James W. Nickel attacks “Henry Shue’s view that it is impossible to enjoy any rights in the absence of guarantees of the availability of food” by arguing that “if this were true it would be impossible to enjoy the right to freedom of movement if one didn’t enjoy a right to subsistence. But I submit that it is easy to find examples that show that this is not impossible”; James W. Nickel, “A Human Rights Approach to World Hunger,” in William Aiken and Hugh LaFollette (eds.), \textit{World Hunger and Morality}, \textit{op. cit.}, pp. 179–180.) Perhaps Shue should have prefaced his claim with phrases such as “generally speaking” and/or “over the long run,” but surely he should be interpreted here as claiming that in the absence of an effective right to subsistence some people may be so malnourished or undernourished that they would not be able to enjoy (i.e. make effective use of) their other rights. People who are so badly off that they are literally starving or are extremely malnourished may well not be healthy or strong enough to take advantage of a right of movement. Or they may be so poor as to not be able to afford transport or the provisions necessary to move. Nickel’s example that “people leaving the Texas-Oklahoma ‘Dustbowl’ in the Thirties generally enjoyed a well-respected right to freedom of movement in the absence of an effectively implemented right to adequate food” (ibid., p. 180) doesn’t disprove this claim.} Perhaps these rights are more naturally recognized within a deontological (or mixed deontological) system, but the fact that there can be this confluence between consequentialist and deontological theories on this issue seems to me to count in favor of its acceptance.

Moreover, it must be specified that the contents of rights we have are always protections against certain \textit{standard} threats to the interests they guard, not against every possible threat to them. Part of what this means is that the rights for specific goods, services, or opportunities that these general rights translate into depends, in part, on how available and easy to procure these goods, services, or opportunities are. For example, although everyone should be accorded the right to receive standard antibiotics against infections, it is probably not the case that everyone has a right to the most extensive technological medical treatment possible to save their lives. If a particular person could only be kept alive by medical treatments that would cost billions of dollars we would probably agree that the person did not have the claim-right to have his or her life saved under these circumstances, especially since some of this money or resources probably could be used to more efficiently provide protection for other people’s basic rights. As Henry Shue explains:

\begin{quote}
there is an enduring general right to protection against common, easily and cheaply preventable threats to life. . . . As with police protection and all other protections for our lives
\end{quote}
entailed by rights, the measures we judge appropriate do depend partly on cost. . . . We must . . . consider which measures are normal and which are extraordinary, because we must consider cost. It is possible for what can satisfy a vital need inexpensively to be the content of a right, while what could satisfy another equally vital need, but only at great expense, not to be.\textsuperscript{41}

This view comports well with my 1978 proposal for Social Contract rights, namely:

those rights which, as members of society, we can justly claim; they are the rights a just society, given its concrete conditions of production and so on, must guarantee us. These rights are derived by applying the basic normative principles which guarantee the institutional structure of society to be just . . . to the concrete conditions of a particular society at a particular time.\textsuperscript{42}

The result of accepting the notion of social contract rights is an extension of (basic) rights to freedom and of (basic) rights to well-being.\textsuperscript{43}

(6) Although I cannot reproduce the arguments here, I have elsewhere contended that an adequate theory of social justice must recognize the Basic Rights Principle, demanding that security and subsistence rights be respected and protected, as the first principle of social justice followed—in lexical order of priority—by the Maximum Equal Basic Liberties Principle (including the right to personal property); a principle recognizing standard Equal Political Rights (and their approximately equal worth), a Principle of Fair Equality of Opportunity (for jobs and positions); a Modified Rawlsian Difference Principle which states that social and economic inequalities are justified if and only if they benefit the least advantaged, consistent with the just savings principle, but are not to exceed levels that will seriously undermine equal worth of liberty or the good of self-respect; and, finally, a Social and Economic Democracy Principle (under which community- and workplace democracy would be promoted).

One point that needs to be emphasized, however, is that although there is a fundamental moral right\textsuperscript{44} to own personal property (including small-scale productive property of which one makes direct use), there is no fundamental moral right to own large-scale productive (i.e., income-producing) property on this theory. In this respect, again, I am only following Locke, who did not recognize the right to such large-scale productive property as a fundamental moral right. Even a cursory reading of Locke reveals that the fundamental right he recognizes is only to those kinds of property that meet his famous three provisos—that our labor must be

\textsuperscript{42} Rodney Peffer, "A Defense of Rights to Well-Being," op. cit., p. 82.
\textsuperscript{43} Ibid., p. 84.
\textsuperscript{44} By a “fundamental” right I mean one that is part of the first principles of social justice or one’s most fundamental moral theory. By a “basic” right I mean one that is part of the most important principle of that theory of justice or moral theory. Thus, a basic right—such as people’s security and subsistence rights—is also a fundamental right, but a fundamental right is not necessarily a basic right. Any rights that are part of the first principles of social justice but that are not part of the most important principle are fundamental moral rights but not basic moral rights. If there are morally justified rights that are not specified in one’s fundamental moral theory or theory of social justice they are “secondary” or “derivative” moral rights. Although we would probably want any and all of these rights to be incorporated into the legal system of a just society, whether such legal rights exist is an empirical question, not a moral one. And, of course, there may be legal rights in a system that are not moral rights; e.g., the legal right to beat severely one’s children or spouse or subordinates, which have existed as legal rights in the past and may still be legal rights in some societies even though, most will agree, they are not moral rights (and never have been).
mixed with the property, that we must not spoil or waste perishable property, and that we must leave others as much and as good of any kind of property we appropriate—and not to any and all property that one might be able to appropriate or acquire. This latter right to basically unlimited accumulation of property—which according to Locke emerges only after the introduction of money into societies—requires further moral arguments in order to be established and is, thus, to be conceived as a derivative or secondary right, not a fundamental one. The argument that Locke gives is that a society recognizing a more or less unlimited right to property—including large-scale productive property—will increase productivity and, thus, utility; and that through a trickle-down effect everyone in the society will be made better off over the long run.\(^{45}\)

Whether one agrees with the latter is not the point here. The point is that the only right to property that political philosophers from Locke to Rawls have recognized as fundamental is the right to own personal property (including, of course, small-scale productive property of which one or one’s family directly makes use). In “A Defense of Rights to Well-Being” I argued that:

property rights . . . must derive from the basic moral principles which would govern the structure of a just society. Hence, they are not as strong as our basic autonomy rights or our basic rights to well-being and so are not inviolable or unalterable as libertarians, for example, assert. As Rawls notes, his theory is compatible with both private and public ownership of productive property and there is no a priori reason for choosing one over the other. A decision on this issue is to be made in the second or third stages of (Rawls’s four-stage) decision-making process, not in the original position, and is to be made in light of considerations of political economy and political sociology. If, for example, public ownership of productive property turns out to be more conducive to meeting the demands of the basic principles we choose to govern our social structure than private ownership does, then we shall choose a system of rights which does not include the right to own (large-scale) productive property.\(^{46}\)

In particular, whatever property arrangements are necessary (and sufficient), or at least more likely to protect and fulfill people’s security and subsistence rights are the ones that ought to be chosen. If more than one set of such property rights/economic arrangements are equally supportive of these basic rights then they should be judged by their compatibility with, and support for, the other principles of social justice (in order of lexical priority). The same goes for the existence, and extent, of markets in societies. Markets should be first and foremost judged on the basis of their compatibility with and support for people’s security and subsistence rights. If two or more sets of such economic arrangements are equally supportive of these rights, they should be judged by their compatibility with, and support for, the other principles of social justice (in order of lexical priority). There are obviously many important disputes concerning these matters, some of which I shall consider below.

(7) We should see our duties to protect people’s basic (i.e. security and subsistence) rights as transcending national boundaries. Although some will maintain that we have duties only to those within our own societies or nation-states, this is certainly not the usual way that the right to life—or our general duties with respect to people’s right to life—has been interpreted in the international human rights movement. It is usually thought that we have a duty toward all humans everywhere not (unjustly) to kill them and, arguably, to aid them if

\(^{45}\) See the “Property” section in John Locke’s Two Treatises of Government (1690), published in many editions.

they are severely deprived (although, as I have suggested, this may be an indirect duty to do
our fair share in creating social arrangements that will respect and protect these rights).
According to these extracts from the Universal Declaration of Human Rights:

Article 1
All humans are born free and equal in dignity and rights . . . and should act towards one
another in a spirit of brotherhood.

Article 2
Everyone is entitled to all the rights and freedoms set forth in this Declaration, without
distinction of any kind, such as race, color, sex, language, religion, political or other opinion,
national or social origin, property, birth or other status. Furthermore, no distinction shall be
made on the basis of the political, jurisdictional or international status of the country or
territory to which a person belongs.

Article 25
1: Everyone has the right to a standard of living adequate for the health and well-being of
himself and of his family, including food, clothing, housing, and medical care and necessary
social services, and the right to security in the event of unemployment, sickness, disability,
widowhood, old age or other lack of livelihood in circumstances beyond his control.

Article 28
Everyone is entitled to a social and international order in which the rights and freedoms set
forth in this Declaration can be fully realized.

Moreover, according to (extracts from) the International Covenant on Economic, Social,
and Cultural Rights:

Article 11
1: The State Parties to the present Covenant recognize the right of everyone to an adequate
standard of living for himself and his family, including adequate food, clothing and housing,
and to the continuous improvement of living conditions. The States Parties will take
appropriate steps to ensure the realization of this right, recognizing to this effect the essential
importance of international co-operation based on free consent.
2: The States Parties to the present Covenant, recognizing the fundamental right of everyone
to be free from hunger, shall take, individually and through international co-operation, the
measures, including specific program, which are needed (to fulfil these rights).

It is arguable that we would accept such general rights and universal duties to work
towards their fulfillment if we imagined ourselves to be in Rawls’s original position wherein
we stood behind a “veil of ignorance” such that we did not know in which country or social
background we would find ourselves. (In his most recent work Rawls actually denies that we
would choose such general rights and duties but, as I shall argue below, it is inconsistent for
him to do so both with his earlier works and with his own basic moral commitments.) In any
case, on this interpretation, national boundaries have only practical, not moral
significance. Although it may be easier from a practical point of view to try to ensure that basic rights are
met within one’s own nation-state, this is not to say that our duty to those who live outside
our national boundaries is any weaker than our duty towards people in our own state.47 And

47 But this is not to say that other liberal and socialist egalitarians have not argued for the alternative position. See
even though it is an empirical fact that people are generally more psychologically bound to their fellow members of their societies and, thus, more disposed to aid them, it is arguable that this, too, is not of great moral significance—at least when it comes to respecting and attempting to protect people’s basic rights.

It is more debatable whether other (non-basic) rights or principles of social justice that we may wish to recognize hold internationally as well as nationally—whether, say, Rawls’s Difference Principle should be applied internationally. In the earlier A Theory of Justice Rawls agrees that basic rights, or his equivalent natural duty not to harm and duty of mutual aid, must be applied internationally as well as nationally.48 However, in his more recent The Law of Peoples, Rawls denies this thesis, much to the disappointment of many of the supporters of his earlier works such as myself. But given the arguments offered by the earlier Rawls I think that we would be well justified in rejecting his more recent position.

(7a) Contra Rawls’s The Law of Peoples

In this work Rawls distinguishes five types of society: liberal peoples; decent peoples; burdened societies; benevolent absolutisms; and outlaw states. According to Rawls, “(l)iberal peoples have three basic features: a reasonably just constitutional democratic government that serves their fundamental interests; citizens united by ... ‘common sympathies’; and, finally, a moral nature.”49 They respect human rights. A decent people—i.e. a decent non-liberal or hierarchical people—does not meet all of the above criteria but “is not aggressive against other peoples and accepts and follows the Law of Peoples; it honors and respects human rights; and its basic structure contains a decent consultation hierarchy.”50 Burdened societies, while “they are not expansive or aggressive, lack the political and cultural traditions, the human capital and know-how, and, often, the material and technological resources needed to be well-ordered.”51 However, Rawls adds that “a well-ordered society need not be a wealthy society.”52 Benevolent absolutisms “honor human rights; but, because their members are denied a meaningful role in making political decisions, they are not well-ordered.”53 Outlaw states are either externally aggressive in that they “think a sufficient reason to engage in war is that war advances, or might advance, the regime’s rational (not reasonable) interests”54 or internally aggressive in that they “have a state policy that violates the human rights of certain minorities among them.”55 (That these internal human rights violations are specified to be only against “certain minorities” rather than, for example the general population or a regime’s political opponents—which is perhaps more often the case—is a bizarre restriction since we presumably would want to condemn any regime that violated the security rights of its citizens on a large and/or systematic scale.)

50 Ibid., p. 5.
51 Ibid., p. 106.
52 Ibid., p. 106.
53 Ibid., p. 5.
54 Ibid., p. 90.
55 Ibid., p. 90, n. 1.
Now insofar as all humans on our planet have both security and subsistence rights, we may contend that we have at least an indirect duty to try to see that these rights are respected and protected by trying to create social arrangements — both national and international — that will aim at respecting and protecting them and/or that we have a duty to do this (based on our duty not to harm, our duty of mutual aid, and our duty of justice). But Rawls in *The Law of Peoples* holds only that we have the following two limited duties. First, that among the two types of societies that are "well-ordered peoples" and, thus, which are granted access to the "Society of Peoples" — namely, "liberal peoples" and "decent peoples" — there will be principles for forming and regulating federations (associations) of peoples, and standards of fairness for trade and other co-operative institutions. Certain provisions will be included for mutual assistance among peoples in times of famine and drought and, insofar as it is possible, provisions for ensuring that in all reasonable liberal (and decent) societies people's basic needs are met. These provisions will specify duties of assistance in certain situations, and they will vary in stringency with the severity of the case.56

While an initial response to reading this might be to assume that Rawls is claiming we ought to render assistance to anyone anywhere in "times of famine and drought," it is clear from the context that he is speaking only of human beings within the two types of society to be included in the Society of Peoples. In fact, he makes this clear later in the same sentence when he speaks of "ensuring that in all reasonable liberal (and decent) societies people's basic needs are met" (emphasis added). Thus, in this work Rawls is specifically excluding from this "duty to aid" all humans within the other three kinds of societies which do not rate inclusion in his Society of Peoples: burdened societies, benevolent absolutisms, and outlaw states (whose populations presently comprise the great majority of people on this planet).

The second duty that Rawls proposes in *The Law of Peoples* that is relevant to an assessment of his later theory's response to the world hunger/absolute poverty problem is that "(p)eoples have a duty to assist other peoples living under unfavorable conditions that prevent their having a just or decent political and social regime."57 Notice, first, that Rawls is misusing the term "peoples" here according to his own definition, which states that only the populations of liberal and "decent" societies are to be classified as "peoples". But in the statement above Rawls obviously has in mind what he calls "burdened societies" as the recipient of this assistance. In fact, several pages later he states that "the 'duty of assistance' applies only to the duty that liberal and decent peoples have to assist burdened societies ... societies [that are] neither liberal nor decent".58 Moreover, the aim of this duty of assistance is only to help burdened societies to be able to manage their own affairs reasonably and rationally and eventually to become members of the Society of well-ordered Peoples. This defines the target of assistance. After it is achieved, further assistance is not required, even though the now well-ordered societies may still be relatively poor.59

The upshot of these two duties is that, first, only liberal and decent societies have a duty to strike fair trading relations with each other and to aid each other in times of famine or
The upshot of these two duties is that, first, only liberal and decent societies have a duty to strike fair trading relations with each other and to aid each other in times of famine or drought—to what extent is not specified by Rawls—and, second, that only these two types of society have a duty to assist burdened societies to become well-ordered (i.e., either liberal or decent), having no such duty toward any other type of society (or the population of any other type of society), even if the population of one of them is starving and needs the aid of the well-developed societies (or “peoples”). Although on this matter Rawls does not seem to be completely consistent in this work, his views as expressed here would seem not to support universal security and subsistence rights since, according to these passages, it appears that well-ordered societies have no duties toward the populations of non-well-ordered societies except not to attack them (save, of course, in cases of self-defense and humanitarian intervention when the rights of minorities are being grossly violated on a large scale by those states).\(^{60}\)

Although I am on record as arguing that Rawls had not given up his earlier egalitarianism of *A Theory of Justice* (1971) when he published *Political Liberalism* (1993),\(^{61}\) I can no longer maintain that position with respect to his views in *The Law of Peoples*. Neither my theory nor Rawls’s earlier theory of social justice would assert that people in well-ordered societies simply have no duty to aid humans in dire necessity who happen to live in these other kinds of societies which, keep in mind, today would presumably include billions of people on our planet (according to Rawls’s view of the situation). On my theory of social justice there could be a case made against trying to aid starving people in what Rawls calls “benevolent absolutisms” and “outlaw states.” But it would have to be based on the claim that it would be probable (to a significant degree) that this aid would somehow help such regimes maintain power without modifying their conduct or cause them to become even more repressive or aggressive and, thus, that the principles of justice—including the basic rights principle—would be more likely to be violated or go unfulfilled in these societies or other societies they may affect. Moreover, neither my theory nor Rawls’s earlier theory would claim that humans who live in liberal and “decent” societies have no duties towards people in other societies, as Rawls seems to be maintaining in *The Law of Peoples*. This is not to say that the majority of people in any particular society would be disposed to accept such duties; but this is a different issue altogether. After all, there are people in any real-world example of Rawls’s well-ordered societies who cannot be convinced to accept any of the duties Rawls proposes; but this doesn’t mean that they don’t have them. Even if someone doesn’t accept the fact that they have a duty not to violate other people’s rights we still believe that we can force them not to do so and punish them if, in fact, they do.\(^{62}\)

\(^{60}\) But, as David Miller pointed out to me during a reading of this paper at Nuffield College, Oxford in February 2003, Rawls makes statements on pp. 80–81 and 116 of *The Law of Peoples* which would seem to indicate a general duty to aid any deprived person anywhere. Hence, various statements by Rawls on these matters seem to be inconsistent.


\(^{62}\) But these are not the only problems with that work which, I believe, is replete with conceptual confusions, inconsistent arguments, highly questionable empirical claims and analyses, and unacceptable moral assertions (including the ones just commented on)—not to mention what seems to be special pleadings or even biases in favor of the type of society Rawls happens to live in; i.e. what he calls a liberal society (or “people”). First, the very terminology that Rawls uses in his categorization of the five different types of society will be considered an insult by many people around the world. For example, only liberal peoples are described as having a “moral character” and on Rawls’s definitions, only the inhabitants of liberal and decent societies are categorized as “peoples”; the inhabitants of other societies are not even accorded this appellation, and are not invited to be
Rawls further reveals his new-found inegalitarianism when he argues that we cannot accept a global egalitarian principle of distributive justice—such as Rawls’s own Difference Principle, as suggested by Charles Beitz and Thomas Pogge—because this would require us to continue transferring wealth from the North to the South even after Rawls’s suggested target or cut-off point is reached: the point at which a burdened society becomes a well-ordered society, “so that the least advantaged... have sufficient all-purpose means to make intelligent and effective use of their freedoms and to lead reasonable and worthwhile lives.”

Recall: “(a)fter it is achieved, further assistance is not required, even though the now well-ordered society may still be relatively poor.” Further, once this point is reached, “(a)ccording to the duty of assistance there would be no tax, and that seems right; whereas with a global egalitarian principle without target, there would always be a flow of taxes as long as the wealth of one people was less than that of the other. This seems unacceptable.” But if this is a good argument at the international level then why wouldn’t it be a good argument at the domestic level? What’s good for the goose, it would seem, should be good for the gander. On the basis of this argument, it would appear that Rawls must either give up the Difference Principle within particular societies or apply it internationally.

Furthermore, Rawls’s supplementary argument for not applying the Difference Principle internationally—that unambitious societies could continue collecting from more ambitious societies simply by virtue of being poorer due to not putting forward effort—can also be

included in the Society of Peoples. Second, Rawls doesn’t even keep his own terminology straight. In the first of Rawls’s principles quoted above—“Peoples have a duty to assist other peoples living under unfavorable conditions”—Rawls is misusing his second mention of “peoples,” according to his own definitions, since only the inhabitants of liberal and decent societies are called “peoples” and here he is clearly referring to the populations of burdened societies (which, by his definitions, are neither liberal nor decent). In fact, it is very difficult, if not impossible, to make consistent sense out of his overlapping terminology of peoples, societies, states, etc. and to tell what is supposed to be the sociological and normative significance attached to each. The result seems to be considerable conceptual confusion.

An example of a questionable empirical claim/analysis, I believe, is Rawls’s claim that “(t)he crucial fact for the problem of war is that constitutional democratic societies do not go to war with one another”: Law of Peoples, op. cit., p. 8. This is a facile claim at best; barely above the level of the now popular claim that no two countries having McDonalds hamburger franchises have ever gone to war with each other. What of the War of 1812 between Great Britain and the United States? Weren’t these both constitutional democratic regimes at the time? Or would Rawls want to slither out of this counter-example by claiming that Great Britain wasn’t genuinely democratic until the Reform Acts passed in the early 1830s? If so, his claim would be reduced to something like “in very recent times fully democratic constitutional regimes have—so far—not gone to war with each other.” But there might be other (partial?) explanations for this fact—if it is a fact—such as that such societies have been very well economically developed societies with overlapping commercial interests and similar cultures, etc. Even more questionable is Rawls’s claim that “democratic peoples... will engage in war only as allies in self-defense against outlaw states”; ibid., p. 54. In this case, I suppose, Rawls must claim about the Vietnam War that the US was not democratic or that it was a war of self-defense against an outlaw state (and/or movement?), neither of which is plausible and both of which many people, on either side, would find insulting. And this is not to mention the many other direct and indirect interventions of the United States (and other well-developed capitalist constitutional democracies) in other (usually less developed) nations, including the overthrow of democratically elected governments and the institution of brutal military dictatorships replete with—often American trained—secret police, torturers, and death squads. This Rawls brushes off by writing: “given the shortcomings of actual, allegedly constitutional democratic regimes, it is no surprise that they should often intervene in weaker countries, including those exhibiting some aspects of a democracy, or even that they should engage in war for expansionist reasons”; ibid., p. 53. But is this really sufficient to save his initial claim?


65 Ibid., p. 111.

66 Ibid., p. 117.
applied to its domestic equivalent. But this is not necessarily an argument for rejecting the Difference Principle in either case. Rather, as I have suggested, it is an argument for specifying that this principle should be applied only to (A) able-bodied persons who are willing to engage in productive activities of some sort (including child care and elder care and, possibly, even domestic housework), and (B) non-able-bodied (and non-able-minded) persons. Able-bodied persons who are not willing to engage in productive activities—e.g. so-called “surf bums”—should not be able to take advantage of what this principle would otherwise assure them through, for example, a sufficiently high minimum wage and other social benefits. However, it is arguable that they should still be covered by the Basic Rights Principle, such that their basic subsistence needs would be assured by means, for example, of the provision of soup kitchens, temporary dormitory-type shelters, and the availability of basic health care.

(7b) Amartya Sen’s Analysis: A Critique

Before I comment on the empirical matters mentioned in the original problematic (8), I shall consider Amartya Sen’s moral and empirical analysis of the world hunger problem, perhaps the main rival to the view being presented here. Sen has performed several valuable services in this regard. One is to remind us that “(d)evelopment is not a matter, ultimately, of expanding supplies of commodities, but of enhancing the capabilities of people” and “while goods and services are valuable, they are not valuable in themselves. Their value rests on what they can do for people, or rather; what people can do with these goods and services.”

Another is his observation that “(t)he capability to be (well) nourished . . . is not a matter of entitlement to food only, but depends also on entitlements to other goods and services such as health services, medicine, and education.” A third is his observation that women are often systematically disadvantaged in terms of access to food and that “the distribution of food and other commodities within the family” oftentimes disadvantages women and girls. A fourth is his analysis that “(t)here is no real evidence to doubt that all famines in the modern world are preventable by human action; . . . many countries—even some very poor ones—manage consistently to prevent them.” Thus, “there is, in fact, little reason for presuming that the terrible problems of hunger and starvation in the world cannot be changed by human action.”

Sen has done as much as anyone in his analysis of famines and hunger to show that they are not naturally inevitable and that we can and should take appropriate steps to avoid famines and starvation. The issues that must be addressed in order to eliminate hunger, according to him, include:

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68 Amartya Sen, “Goods and People,” in William Aiken and Hugh LaFollette (eds.), World Hunger and Morality, op cit., p. 188.
69 Ibid., p. 187.
70 Ibid., p. 196.
71 Ibid., p. 196.
72 Amartya Sen and Jean Dreze, Hunger and Public Action, op. cit., p. 47.
73 Ibid., p. 276.
74 See works cited in n. 1.
(1) generating and guaranteeing entitlement to food of households in different occupational groups (involving not merely issues of food production, but also of income security, employment policy, public distribution, and reform, and related structural changes in the economy);

(2) generating and guaranteeing entitlement to complementary goods and services (especially health services and education, possibly through public policy);

(3) working towards the elimination of biases against women and children where they exist (involving long-run economic, political, and social change, and in the short-run possibly various types of feeding programs, especially for children).  

Nevertheless, I contend that Sen’s moral theory of basic capabilities and the valuable human functionings that they make possible is not as good or as feasible a basis for an ethical analysis of this phenomenon and consequent policy recommendations as my modified Rawlsian theory of social justice. Even though Sen began the important debate over “What is Equality?” and should be applauded for encouraging moral philosophers to consider more carefully the relations between utility (or welfare), resources, and human capabilities, Rawls’s social primary goods of basic rights, civil liberties, political rights, opportunities, material resources (i.e. income, wealth, and leisure time), and the social bases of self-respect would seem to provide a perfectly adequate surrogate for Sen’s capabilities. Importantly, they are much easier to keep track of and distribute fairly by means of appropriate institutions, programs, and policies. As Rawls puts this point:

consider primary goods (basic rights and liberties, opportunities, income and wealth, and the social bases of self-respect) as used in justice as fairness. One of their main features is that they are workable. A citizen’s share of these goods is openly observable and makes possible the required comparisons between citizens (so-called interpersonal comparisons). This can be done without appealing to such unworkable ideas as a people’s overall utility, or to Sen’s basic capabilities for various functionings (as he calls them).  

It doesn’t follow, however, that Sen’s idea of basic capabilities is not important here; indeed, the contrary is the case. His thought is that society must look to the distribution of citizens’ effective basic freedoms, as these are more fundamental for their lives than what they possess in primary goods, since citizens have different capabilities and skills in using those goods to achieve desirable ways of living their lives. The reply from the side of primary goods is to grant this claim—indeed, any use of primary goods must make certain simplifying assumptions about citizens’ capabilities—but also to answer that to apply the idea of effective basic capabilities without those or similar assumptions calls for more information than

77 John Rawls, The Law of Peoples, op. cit., p. 13. It might seem as though I am being inconsistent here in approvingly citing this work, but my criticisms—strong though they have been—are only of his application of the theory at the international level as expressed in this work, not of the components of his basic theory of social justice.
political society can conceivably acquire and sensibly apply. Instead, by embedding primary goods into the specification of the principles of justice and ordering the basic structure of society accordingly, we may come as close as we can in practice to a just distribution of Sen’s effective freedoms. His idea is essential because it is needed to explain the propriety of the use of primary goods. ⁷⁸

Furthermore, Rawlsian theories offer a well-worked out system of priority relations among these goods, whereas Sen’s theory does not. The advantage of this is that the Rawlsian theories allow for much more precise policy decisions when the various goods conflict. Moreover, when it comes to the specifically material goods mentioned above, Rawlsian theories give much more precise indications of which distributions fall within the range of fairness than does Sen’s theory, which lacks a Difference Principle or its equivalent. (Sen describes and discusses such principles in great detail in various works but, to my knowledge, has never firmly endorsed one.) It may even be the case that Sen’s principle of “Equality of Basic Capabilities” lacks application to the distribution of any resources or material wealth beyond what is necessary to assure people their basic capabilities. ⁷⁹ For all of these reasons, I propose that a Radical Rawlsian theory—especially my Radical Rawlsian theory—is preferable to Sen’s.

EMPIRICAL ISSUES AND PROGRAMMATIC SUGGESTIONS

The final set of issues concerns which institutions, programs and policies can best solve the world hunger/absolute poverty problem. In discussing these issues I want to make clear, however, that the empirical analyses and policy suggestions I shall be offering are not specifically Rawlsian (or Radical Rawlsian) in nature for the simple reason that these theories of justice are not identified by any relatively specific empirical theses but, rather, by their normative content. However, they are certainly compatible with these theories and, I would argue, completely within the spirit of the humanitarian and egalitarian thrusts of Rawls’s earlier views and those of most Rawlsians. In discussing these issues I shall also be comparing and contrasting the analyses and policy suggestions I am giving to the analyses and suggestions given by Amartya Sen.

(A) The first question is how these issues ought to be decided (and by whom). Although emergency relief aid must be effectively rendered whenever famines occur, the long-term solution is for societies to pursue appropriate kinds of sustainable development (which could be considerably helped along by appropriate kinds of developmental aid from First World countries and the international community). But, ideally, the decisions about what kind of development (if any) societies (and communities) should pursue ought to be taken primarily by the developing societies (and communities within them) themselves, rather than by the First World nations or international financial institutions. And, of course, the more democratically these policy issues are decided within these countries, the better. This is not to say that “donor nations” and international institutions should have no say in the matter; only

that in a truly just world they would not have the only or even the primary say about these decisions.

As Vandana Shiva has cogently argued, from the point of view of many traditional communities the modernization and "development" that has been foisted upon them by the wealthy nations, international financial institutions, and transnational corporations could often more appropriately be called "maldevelopment."\(^{80}\) Almost all traditional communities were able to meet their basic and vital needs for their entire populations before market penetration and "modernization" changed their traditional economies and other social structures, which often resulted in many people not having their basic and vital needs met - not to mention their cultures destroyed or severely dislocated. Although we may assume that everyone desires that their basic needs be met and that they have access to health care and education, not all desire to be subject to relatively unconstrained market forces that will uproot their traditional ways of life. What kind of development occurs should be left primarily up to the traditional communities affected by it and, secondly, to the governments of the developing nation-states in which they live and, only thirdly, to the wealthy donor nations and the international financial institutions they control (i.e. the World Bank, IMF, etc. or their future analogues). As David Crocker notes:

(b) by the mid-eighties . . . ethicists became increasingly aware that they could not talk about morally justified or unjustified development aid from the outside without first talking about the recipient nation's own development philosophies, goals, strategies, leadership, and will. One marked advantage of the capabilities ethic is that it puts its highest priority on a nation's intellectual and institutional capability for self-development without denying the role of international theoretical and practical help.\(^{81}\)

(B)oth cultural insiders and outsiders should engage in an ongoing critical dialogue that includes explicit ethical analysis, assessment, and construction with respect to universal development ends and generally appropriate means of national, regional, and planetary change.\(^{82}\)

Moreover, as Onora O'Neill has stressed, development should not only be sustainable and primarily decided upon by the developing communities and societies themselves, but it should also increase the autonomy and self-determination of the people in these societies rather than increase their dependence (as, arguably, most developmental aid programs have done).\(^{83}\) Amartya Sen and those theorists who have elaborated his basic views on development and hunger, such as Crocker, would seem to agree with this assessment. As Sen writes, "(d)evelopment has to be more concerned with enhancing the lives we lead and the freedoms we enjoy. Expanding the freedoms that we have reason to value not only makes our

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82 Ibid., p. 224.

lives richer and more unfettered, but also allows us to be fuller social persons, exercising our own volitions and interacting with—and influencing—the world in which we live.84

(B) The next set of issues is what kind of development and developmental aid (if any) is most desirable (from a moral point of view): whether the emphasis ought to be on emergency famine aid or on development and developmental aid aimed at preventing famine; and whether the world hunger problem is best solved by primarily relying on international trade and aid (in one form or another) or primarily by still-developing societies adopting the policy of national food self-reliance. The type of development should be in line with the criteria listed above concerning self-determination and autonomy as well as the other principles of social justice and, of course, everyone agrees that it should be aimed at preventing famine rather than reacting to it. This is also in line with Sen’s perspective. As Crocker explains:

instead of philosophical preoccupation with the moral basis for aid from rich countries to famine victims in poor countries, emphasis should be shifted: from moral foundations to interpretative and strategic concepts; from famine to persistent malnutrition; from remedy to prevention; ... from food availability to food entitlements; from food and food-entitlements to capabilities and a capabilities-based model of development.85

Since the best long-term cure for hunger is national and international development, we must put emergency food aid in a developmental perspective and incorporate an ethics of famine relief into an international development ethics.86

Although I agree with most of this, I may differ from Sen and Crocker in asserting that the most important component of a solution to the world hunger problem consists in nation-states, themselves, instituting a policy of national food self-reliance (and the institutions necessary to implement this policy), with fair arrangements of international trade and developmental aid being the next most important part of the solution. Although all nations need to trade—and should be able to do so on fair terms—and many could certainly use appropriate kinds of aid, the primary way for a developing society to assure that its population’s subsistence needs are met is to institute a policy of national food self-reliance.

This policy, while not excluding the acceptance of trade and aid, demands that societies or nation-states primarily focus on (1) growing (in sufficient quantity) the staple crops that people in those societies traditionally consume (rather than non-staple export crops); and (2) putting in place some sort of food entitlement system to ensure that all members of those societies have access to food in sufficient quantity and variety such that they can maintain at least a minimally healthy diet to avoid starvation, chronic hunger, under-nutrition, and malnutrition (and the complications arising from these conditions). In addition, basic health care, sanitation and the like must be made available to people. Although the second component of this policy is certainly demanded by Sen, it is less clear that he demands the first part of it. More often, Sen seems to be primarily concerned with policies that can help raise the real income of people so that they can buy food and does not seem opposed to the greater marketization and internationalization of economic mechanisms for food production and distribution. However, he points out that real income tracks the ability to acquire food

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86 Ibid., p. 225.
fairly well but that it does not track well the ability of people to purchase other essential goods and services such as health care, transportation, and education. But he also claims that "(t)he real problem is that the decline in food output per head in many . . . countries is going hand in hand with a decline in real income per head, and the entitlement to food is also slipping for many of the occupational groups in these countries."  

Sen thereafter argues that:

in deciding on policy response there is no a priori reason to pursue expansion of food output only, and it is rather a matter of deciding what type of economic expansion would lead to a steady rise of real income in general and that for poor and vulnerable groups in particular. . . . But this line of reasoning points not to the necessity that every country should grow its own food, but that the world supply should keep in line with world demand, which is a very different type of requirement.

It is arguable, however, that without the institution of a policy of national food self-reliance a developing nation will feel almost inexorable pressure to raise more export crops, to buy an increasing percentage of staple foods from abroad (often at exorbitant prices), and to end or reduce food subsidies to its poorest citizens (as well as to end or reduce other social programs) with the almost inevitable result of perpetuating or increasing significant hunger, malnutrition, and under-nutrition. Thus, arguably, the surest path to eliminating hunger is for developing nations to adopt the policy of national food self-reliance.

(C) My analysis has proceeded from the claim that the current international economic system—between the developed and developing nations (i.e. the "core" and the "periphery")—is unjust. Hence, the current neo-liberal trends toward greater and greater free trade; privatization; and reductions of public employment, public subsidies, and public programs are neither basically just nor efficacious in reducing world hunger and absolute poverty. Therefore, the basis of the international economic system should be changed to be more equitable towards the developing nations and neo-liberal policies ought to be abandoned. This would necessitate dramatically altered terms of trade, aid, the cancellation of international debts, and so forth. In fact, it would necessitate the implementation of something like the Programme of Action on the Establishment of a New International Economic Order (NIEO) adopted by the United Nations in 1974. Some of the goals of this program include

(b)ringing an end to all forms of foreign occupation, racial discrimination, apartheid, colonial and neocolonial domination and exploitation; establishing permanent sovereignty of the developing nations over their own natural resources; creating measures to eliminate the instability of the international monetary system (to prevent, for example, the currency fluctuations that can be devastating to developing nations); and regulation and control of the conduct of transnational corporations (proscribing, for example, "their collaboration with racist regimes and colonial administrations" and "regulating repatriation of profits accruing from their operations, taking into account the legitimate interests of all parties concerned").

Two specific institutional proposals that could be extremely significant here are (1) a Tobin Tax on international currency transactions (the proceeds to go into a fund for Third World
development aid); and (2) a Carbon Credit (or Carbon Rights) Scheme which would allow developing societies to barter their carbon credits (or rights) to emit certain amounts of greenhouse gases to industrialized countries, which would need to acquire these rights, for appropriate kinds of developmental aid. It is estimated that at current volumes of currency exchanges a one-half of one percent (.5%) Tobin Tax would raise between $200 to $300 billion per year. And if a genuine carbon-credit scheme were ever fully put in place the result may be many more hundreds of billions of dollars flowing from the developed to the developing world, although some proposals—such as the version I support—would demand that this aid be rendered in environmentally sound technologies and infrastructural support in the form of barter rather than cash transactions, so the exact amount of aid might be more difficult to calculate in dollar amounts.

But is it really possible to establish fair trade and aid? If so, to what degree is this probable (and over what time frame), and can this be accomplished within the current (primarily) capitalist international system? These considerations give rise to the normative question of what should be done by the developing societies if fair trade and aid are not forthcoming (including questions of radical actions, e.g. repudiating international debts or making social revolutions). There are, of course, two very different opinions about these matters. Syfers is very doubtful that such changes can be brought about within the current international system since he claims:

the government of the Group of Seven (wealthiest) developed countries and... transnational corporations... since the 1970s... have worked on many fronts to undermine the UN project to implement human rights through the NIEO. This campaign has involved the World Bank, the International Monetary Fund (IMF), the General Agreement on Tariffs and Trade (GATT) (which now is the WTO), the power of the UN Security Council, and even the overthrow of democratically elected governments.

Sen, on the other hand, like Rawls and many other liberal theorists, is apparently much more optimistic about hunger and absolute poverty being eliminated under the current international order. For, although he is on record as being in favor of a greater equality within and between nations than that which presently exists, he says little that is directly critical of the current international economic system or its neo-liberal trends. Moreover, so far as I have been able to discern, he does not advocate any radical measures to restructure the international economic system (or even the socio-economic systems of capitalist countries in the developing world).

(D) Another issue is how the status of women enters into the analysis of world hunger and whether women should be given special consideration in this context; or, more generally, what connections exist between poverty, population and the status of women. (There may be

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93 Sen seems to refer approvingly to free-market guru Jeffrey Sach’s 1999 newspaper article “Release the Poorest Countries from Debt Bondage”—if this can be considered a radical measure—International Herald Tribune, June 12–13, 1999. See also Amartya Sen, Development as Freedom, op. cit., p. 328, n. 61.
crucial links, too, between these and the destruction and degradation of the natural environment). The short answer is that the elimination of hunger and absolute poverty is connected to increasing the opportunities and social status of women—especially in developing societies—and these are both essential to decreasing population growth rates. Therefore, given the facts that women (and girls) in most parts of the developing world are already disadvantaged in terms of the amount of food to which they have access, and that raising their status is essential to tackling the interconnected problems of absolute poverty and population control, women should be given special consideration in the design of programs and policies aimed at solving them. A good example of such a program is the current micro-loan program being implemented by the World Bank, which specifically targets women. By offering a few hundred dollars in loans to women (upon approval of a business plan submitted by them to the loaning agency) they are able to set up economic enterprises which not only give them a source of more or less independent income but, as a result of this, also help them achieve higher social status in the community and more power within intra-family decisions which results in a lower fertility rate, among other good things.

Sen (along with Martha Nussbaum\textsuperscript{94}) has a perspicacious analysis of this issue, which he often refers to as "the question of women’s agency." As he argues, "the empowerment of women (through more outside employment, more school education and so on) is so effective in reducing fertility rates, since young women have a strong reason for moderating birthrates, and their ability to influence family decisions increases with their empowerment."\textsuperscript{95} Indeed:

the empowerment of women is one of the central issues in the process of development for many countries in the world today. The factors involved include women’s education, their ownership pattern, their employment opportunities and the workings of the labor market. But going beyond these rather "classic" variables, they include also the nature of the employment arrangements, attitudes of the family and of the society at large toward women’s economic activities, and the economic and social circumstances that encourage or resist change in these attitudes.\textsuperscript{96}

The same applies to many other areas of economic, political and social action, varying from rural credit and economic activities, on the one hand, to political agitation and social debates, on the other. The extensive reach of women’s agency is one of the more neglected areas of development studies, and most urgently in need of correction. Nothing, arguably, is as important today in the political economy of development as an adequate recognition of political, economic, and social participation and leadership of women. This is indeed a crucial aspect of "development as freedom."\textsuperscript{97}

I would agree that this is an essential component of a strategy to deal with the interrelated problems of absolute poverty, population, and ultimately environmental destruction and devastation. But I would also suggest that these problems are not going to be sufficiently addressed until the rapacious nature of capitalism is tamed either by much greater social controls over the market and investment being exercised in contemporary capitalist societies or perhaps even, in the longer run, by their conversion into market socialist societies (and,


\textsuperscript{96} Ibid., p. 202.

\textsuperscript{97} Ibid., p. 203.
eventually, the evolution of a world-wide federation of democratic, self-managing market socialist societies). The fact that Sen doesn’t even mention market socialism as a serious alternative to capitalism seems to me to be a serious lacuna in his theoretical corpus. This is particularly so in light of not only the very sophisticated moral and economic arguments being offered for market socialism but also the empirical evidence offered by Yugoslavian market socialism from the early 1950s to the late 1980s and contemporary “post-reform” China which already seems classifiable as having a market socialist economy, and a quite successful one at that.

(E) A final issue concerns the possible empirical connections between Western-style political democracy (in developing societies) and the existence in those societies of starvation, chronic hunger, under-nutrition, malnutrition, and absolute poverty in general. Although there is no space to analyze all of the relevant empirical evidence, I will briefly comment on Sen’s claims on this matter. He seems to believe that Western-style political democracy is strongly causally related to ending famine. He writes that “famines do not occur in democracies. Indeed, no substantial famine has ever occurred in a democratic country—no matter how poor.” He argues, consequently, that in this respect India is to be preferred to China in the post World War II era, since:

there are real handicaps that China experiences compared with India because it lacks democratic freedoms. This is particularly so when it comes to flexibility of economic policy and the responsiveness of public action to social crisis and unforeseen disasters. The most prominent contrast lies perhaps in the fact that China has had what is almost certainly the largest recorded famine in history (when thirty million people died in the famine that followed the failure of the Great Leap Forward in 1958-1961), whereas India has not had a famine since independence in 1947.

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101 Ibid., p. 43.
But that the post-Great Leap Forward famine is taken as strong evidence that famine and starvation cannot be permanently eliminated in socialist societies lacking Western-style democracy (once they have attained a certain level of economic development) is actually gainsaid by Sen himself when he notes that:

the elimination of starvation in socialist economies—for example in China—seems to have taken place even without a dramatic rise in food availability per head, and indeed, typically the former has preceded the latter. The end of starvation reflects a shift in the entitlement system, both in the form of social security and—more importantly—through systems of guaranteed employment at wages that provide exchange entitlement adequate to avoid starvation.102

An obviously related question, of course, is how other measures of human suffering and absolute poverty—such as different degrees of malnutrition and under-nutrition, lack of minimally adequate clothing and shelter; and death and disease due to lack of sanitation and lack of access to basic healthcare—correlate with Western-style political democracy (or the lack thereof). Although Sen is adamant about the fact that India has not had any major outbreaks of massive starvation since independence in 1947, he has to admit that “the Indian political system may prevent famines but, unlike the Chinese system, it seems unable to deal effectively with endemic malnutrition.”103 He amplifies this point as follows:

(...) the success of some countries in eliminating endemic malnutrition and the related morbidities and mortality (e.g. China and Sri Lanka) has been based on a policy package in which a more equal access to food has been supplemented by widespread access to health services and elementary education. Policies of free or subsidized food distribution have been supplemented by an active public policy of health and education. ... On the basis of these policies China and Sri Lanka have been able to achieve levels of health and longevity that are much higher than in countries with comparable GNP per head (such as Pakistan or India), and at least as high as many countries that are many times richer in terms of GNP per head (such as Brazil and Mexico).104

My view is that although political and social-economic democracy are both intrinsically and, usually, instrumentally valuable, the empirical claim that Western-style political (liberal) democracy is either necessary or sufficient to solve a country’s starvation/malnutrition/under-nutrition problem is untenable. On the one hand, there are nations such as Cuba which do not have thorough-going Western-style democracy but which have solved this problem and, in fact, have done an admirable job in protecting all of the subsistence rights of their populations, including universal free healthcare and education, without violating security rights in order to do so.105 On the other hand, there are many developing nations (such as

102 Amartya Sen, Poverty and Faminies, op. cit., p. 7.
105 This is not to say that Cuba does not have political democracy; it does. Since the political reforms of 1992–1993 Cuba has had an electoral system—Poder Popular, or People’s Power—that ensures that all public political offices at the municipal, provincial, and national levels are elected by secret ballot. See Arnold August, Democracy in Cuba and the 1997–1998 Elections (Havana: Editorial Jose Marti, 1999). However, Cuba’s electoral system is not based on “multi-party democracy” and, thus, would not qualify as a genuine (i.e. Western-style) political democracy for either Sen or Rawls. It should also be noted in this context that the people of Cuba also have quite substantial opportunities to engage in democracy at the social and economic levels through participation in various so-called “mass organizations” such as the Confederation of Cuban
India) which have had Western-style political democracy for quite some time but which have not even come close to a full resolution of the malnutrition problem, as Sen himself makes clear.

When it comes to deciding what sorts of social, economic, and political arrangements are to be most highly recommended in the developing world I would suggest that we should judge Third World societies—indeed, all societies—first and foremost on how well they respect and protect peoples subsistence rights and security rights. I would further suggest that the most worthy Third World societies judged on these criteria fall into two categories: (1) social-democratic Third World societies such as Sri Lanka, Costa Rica, and the Indian province of Kerala (which have nationalized their banks and insurance industries and successfully instituted both land reform and a social safety net including universal education and healthcare); and (2) socialist Third World societies that also have good records on protecting and respecting both subsistence and security rights. At the present point in time, Cuba would seem to be the only Third World society that falls into the latter category, but if China and Vietnam were to make substantial progress on their human (security) rights record they would also be included in this category.

In light of this, perhaps the duty of all moral persons under present historical circumstances can be said to be to support and promote social democratic and socialist societies in the developing world, on the assumptions that the former can maintain their social safety nets in the face of neo-liberal pressures and that the latter will evolve to protect their population’s security rights as well as their subsistence rights (if they have not already reached that point). They should also support social-democratic (or “basic income”) capitalism as well as the emergence of democratic market socialist societies in the First World, all with the long-term objective of creating a world-wide federation of democratic market socialist societies.

Workers, Federation of Cuban Women, and the Committees for the Defense of the Revolution—opportunities not generally available in most other developing societies. In many Third World countries one would be risking torture and extra-judicial execution even to advocate or participate in such organizations. And whatever criticisms one may have of Cuba, it is simply not true that this is the way that the Cuban government treats its political dissidents. Political dissidents are sometimes arrested and even tried for crimes within their legal system and sent to prison for persistent public agitation against the socialist system, but there is no credible evidence of torture or extra-judicial execution (or death threats) in contemporary Cuba which, again, are all too common in many Third World countries.

106 See my “Equality, Socialism, Democracy: Cuba as a Test Case” in Cheryl Hughes and Yeager Hudson (eds.), *Cultural Integrity and World Community* (Lewiston, Canada: Edwin Mellen Press, 2000).

107 North Korea, the only other clearly non-capitalist society in existence today, currently has not been able to assure its population’s subsistence rights as well as having a very poor record on security rights, so it has much further to go to become a minimally just society.