

140:Matters of Life and Death – 24 – Famine (2): a matter of Justice?

1 A matter of justice? – Why does it matter?

I argued in #22 that Charity (beneficence) may oblige those in the 1st world to do a fair bit (perhaps one tenth of income?) for those in the 3rd.

But perhaps we *also* owe duties of *justice* to those in the 3rd world? I shall consider three arguments, one unsuccessful, one doubtful, and one (I claim) successful.

But why does the issue *matter*?

E.g. suppose the present ratio of wealth between rich nations and poor is **140 (1st) : 20 (3rd)**.

(The US uses oil at $\times 7$ the rest of the world, *including* Europe.)

And suppose that attempts to improve the lot of the 3rd world would lead to economic collapse in the 1st, giving a ratio of, say, **50 (1st) : 30 (3rd)**.

But suppose this is required of us by Justice. *Can* Justice demand so much of us? Are there any limits on how much Justice can demand?

Thesis: there are *no limits* to what Justice can demand.

E.g. I have a kidney-dialysis machine necessary for my survival, but it was *stolen* for me by my friends. I am *obliged* to return it, even if this costs me my life? (Contrast the Famous Violinist example, where a life is far too much to ask out of Charity.)

This is connected with the idea that requirements of Justice are enforceable *by force*.

So: if it can be shown that the world situation is substantially unjust, then we may owe the 3rd world a very great deal – perhaps major restructuring, even if this makes us *much* worse off.

2 Inequality and injustice

Is the mere fact of substantial *inequality* between 1st and 3rd worlds sufficient to show that there is injustice? I argue not, by means of an imaginary, simplified, example –

The example of α and δ – two islands in the Pacific a few hundred miles apart, with no contact with one another.

On δ the life is hard, but good. The soil is not very fertile, there is no clay to make bricks, and the fishing boats have to travel great distances for fish. But there is enough for all.

The inhabitants of α are much luckier. Their land is fertile, giving two crops each year; they have herds of goats providing cheese and milk; they live in brick houses; and there are plentiful fish around the coast.

Now suppose the δ fishing fleet discovers the existence of α by accident, and returns home with tales of their wealth. Naturally the inhabitants of δ are jealous. Do they have any claim of right, for rectification of injustice, against α ?

Surely not. Good luck cannot, by itself, give rise to injustice.

3 Responsibility and injustice

(A) Now suppose that α and δ start to trade, which as a result of their *unequal bargaining position* leads to even greater inequality. E.g. a change from a wealth-ratio of 100:50 to 150:60.

Is this *unjust* exchange? Can the losers make a claim of justice for a return from the winners? This is controversial. After all, both sides benefit from the exchange, and neither side is forced to trade.

What is much less controversial is that if δ needs to trade *to survive*, and thus has to settle for inequitable exchange, then this is *coercive*, and results in injustice.

\Rightarrow To the extent that differences in wealth between 1st and 3rd world result in ***unjust exchange***, then we owe reparation.

(B) Now it is discovered that there had been contact between α and δ 100 years ago, and the people of α had *stolen* the only herd of goats from δ . This is part of the cause of the unequal wealth.

Then δ is *entitled* to claim an equal return, plus any interest that might have accrued?

The fact of lapse of time, and that there are no living agents who were responsible for injustice, is irrelevant to present injustice?

Those whose wealth results from past injustice (by others) have *no valid claim* to it?

⇒ To the extent that differences in wealth between 1st and 3rd world result from historical *pillage and theft*, then we owe reparation.

We would then need some estimate, through historical research, of *how much* we have acquired unjustly, and some estimate of how much wealth *would have* accumulated if it had not been removed? Justice would require us to pay back that much, but no more.

These claims are very controversial! On the one hand: why should contemporary people be penalized for something they themselves didn't do? But on the other hand: inherited property is justly owned only if it was held with due title (justly?) in the first place.

Question: should there be a *statute of limitations* on injustice, just as there is for crime generally?

4 Economic interdependence and injustice

A third possible way of showing the issue to be a matter of justice – suppose that over time the economies of α and δ become thoroughly intertwined, although the islands retain their political independence.

Is this then sufficient to make applicable whatever principles of **distributive justice** are entailed by Contractualism?

If so, then the resulting distribution may be unjust, even if it is *not* arrived at by either theft or unfair exchange.

Rawls argues that *within a society* the principle of distribution should be the Difference Principle, which requires us to choose the alternative that leaves the worst off group best off.

From **Scanlon's** perspective the just distribution is the one that there is *least reason* for anyone to reject who shares the aim of reaching free agreement.

Rawls' Contractualism is mostly focused on arrangements in a *particular society*, and he doesn't consider applying the Difference Principle *across* societies.

Is this essential to Contractualism *as such*? No. Moral rules are to govern the interactions of *rational agents*, and Rawls makes clear that individual duties not to kill or cause harm apply to all, irrespective of society membership.

Rawls' main interest is in **institutional justice** – particularly in trying to resolve the debate within liberal democracies between *freedom* and *equality*.

He asks – what sorts of *institutions* are just? What distributions of burdens, benefits, and freedoms within those institutions are just?

These questions *only make sense* when we are thinking about members of a common society, who are to share a common set of political and economic institutions.

Suggestion – Contractualism generates principles governing all forms of human interaction, where the principles *differ in scope depending on the scope of the interactions*. Thus we have –

(a) **institutional justice** (free speech, offices open to all, no discrimination against groups in employment practices etc.) – applies to all within a particular society, or body politic.

(b) **individual justice** (murder, theft, kidnap, enslavement, rape, promise-breaking etc.) – applies to all human beings, irrespective of society.

(c) **distributive justice** (economic distribution) – applies to *all who are economically inter-dependent* (i.e., now-a-days, virtually world-wide).

⇒ There are claims of justice between 1st and 3rd worlds even if there has been no theft or unfair exchange. Applying the Difference Principle (or Scanlon's variant) may require very large redistributions.