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“Human Rights, Development, and Global Justice”

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“Human Rights, Development, and Global Justice”

by

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Chapter I

General Introduction

According to the World Bank, almost 1.4 billion people worldwide live in extreme poverty.¹ Every year, approximately 18 million people die prematurely from poverty-related causes. This number amounts to nearly 1/3 of annual worldwide deaths.² The statistics illuminate the stark reality that roughly 20% of the world's population does not have the financial means to support minimally adequate living conditions.

Specifically, 884 million people do not have access to potable water; 924 million do not have adequate shelter; 1.02 billion have chronically insufficient nutrition; 1.6 billion do not have electricity; 2 billion do not have access to necessary medicines; 2.5 billion do not have access to improved sanitation; and 1.377 billion consume less per month than could be bought for \$35 in the US in 2005.³ Moreover, and most shockingly of all, despite the enormous number of people in extreme poverty, the total shortfall between the poor's actual incomes and the World Bank's currently favored international poverty line of \$1.25 per day amounts to only 0.28% of global household income, or \$76 billion.⁴ If there had been a distributional shift in global household income of merely 0.28% over the last 30 years, the resulting rise in the incomes of the poor would have been sufficient to lift the vast majority of the global poor above the current international poverty line.

¹ Thomas Pogge, "Response to Cohen," *Thomas Pogge and His Critics*, ed. Alison M. Jagger (Cambridge: Polity Press, 2010), p. 186.

² Thomas Pogge, *World Poverty and Human Rights: Cosmopolitan Reforms and Responsibilities, Second Edition*, (Cambridge: Polity Press, 2008), p. 2.

³ "Response to Cohen," p. 177.

⁴ "Response to Cohen," p. 185.

Statistics, of course, can do only so much to reveal the extent of the suffering due to poverty in the world. The reality is that the life of a person in extreme poverty is a near constant battle for survival. Inadequate nutrition, lack of clean water, and poor sanitation lead inevitably not only to disease and desperation, but also to a poverty cycle. People in poverty are trapped. If they are struggling constantly for survival, there is no possibility of ascending the social ladder. What is especially disheartening is the disparity between the suffering of the poor and the relatively small difference between their actual incomes and the international poverty line. They suffer on an unimaginable scale, and yet the difference between their incomes and the international poverty line is only \$76 billion. For perspective, that figure amounts to 0.54% of the GDP of the United States in 2009.⁵

This extreme inequity and suffering has garnered the attention of political philosophers whose work over the better part of the last four decades has focused primarily on issues of *domestic* justice. In contemporary political philosophy, John Rawls's framework of justice continues to be the dominant account. He offers a strikingly robust vision of domestic distributive justice, arguing that social and economic advantages ought to be arranged to be of the greatest benefit to the most disadvantaged members of society. At the heart of his theory is a commitment to moral egalitarianism, and especially the conviction that accidental advantages and disadvantages should not unfairly benefit or punish different members of society. In *The Law of Peoples*, however, Rawls develops a surprisingly conservative approach to global justice, not extending the same distributive

⁵ US GDP Figure from "World Development Indicators," *World Bank*, Last updated December 2010, http://data.worldbank.org/data-catalog/world-development-indicators?cid=GPD_WDI

guarantees to members of the global community as he does to those within an enclosed domestic society.⁶

Rawls's critics, however, have maintained that his theory of international justice is rife with inconsistencies and so have developed cosmopolitan theories of global distributive justice, which are more rooted in the egalitarianism of his earlier work. For these cosmopolitans, the basic strategy is to extend the Rawlsian domestic framework to the entire globe.⁷ On the other hand, statist, including Michael Blake and Thomas Nagel, have defended Rawls's more conservative account of global justice by explicating how the moral significance of state borders arises in the need to justify the kind of coercion that the state practices against its citizens.⁸

Thomas Pogge is among the foremost of the cosmopolitan theorists who argue that Rawls's basic account of justice should recommend far-reaching principles of distributive justice that are global in scope. Though Pogge endorses strong cosmopolitan principles, he has more recently freed himself from this 'cosmopolitan/statist' debate by developing an argument for global justice in terms of more minimal moral premises. In *World Poverty and Human Rights*, Pogge argues that affluent nations harm the global poor by sustaining international institutions that foreseeably and unnecessarily violate their human rights.

Pogge's account, then, rests only upon the reasonably intuitive idea that people have a moral obligation not to harm others. In this way, the account rests not in the

⁶ John Rawls, *The Law of Peoples* (Cambridge: Harvard University Press, 1999).

⁷ For example, Thomas Pogge, *Realizing Rawls* (Ithaca: Cornell University Press, 1989) and Charles Beitz, *Political Theory and International Relations* (Princeton: Princeton University Press, 1979).

⁸ Michael Blake, "Distributive Justice, State Coercion, and Autonomy," *Philosophy and Public Affairs* 30, no. 3 (2001) and Thomas Nagel, "The Problem of Global Justice," *Philosophy and Public Affairs* 33, no. 2 (2005).

controversial idea that wealthy nations have *positive* duties to redistribute their wealth to the global poor, but rather only on the much less controversial idea that we have *negative* duties not to cause harm.

The distinction between positive and negative duties is important for Pogge. Normally, he says, we think of our duties to the global poor as positive duties. Positive duties are duties to perform particular actions. They are normally conceived as duties to aid, save, provide, etc. So, with respect to the global poor, we usually think that our duties to the poor are to aid them in order to help to alleviate their poverty. The problem from the policy perspective is twofold. First, we have some discretion over how to discharge this duty, and as a result, we do not give nearly enough. Second, and more importantly, many people (libertarians, especially) do not think that human rights claims entail positive duties *at all*. So, they resist the idea that we have duties to aid the global poor.

So, Pogge wants to develop his account in terms of negative duties. A negative duty is a moral duty against some particular action, normally conceived as a duty of non-interference. Common examples include duties against murder, theft, and coercion. *Nobody*, Pogge thinks, doubts that we ought not to violate negative duties. Thus, if he can formulate an account of global justice purely in terms of our violation of negative duties, then, in theory, everybody should support the reforms that those violations entail.

Pogge thinks that we harm the poor insofar as we sustain a global order that produces a human rights deficit. The specific human rights in question are those to the necessities of human life: adequate food, potable water, improved sanitation, and perhaps education and essential medicines as well. In the case of global poverty, wealthy,

developed nations violate a negative duty not to harm others by maintaining a global order that leads to massive human rights deficits.

Pogge identifies four primary specific harms that he thinks directly cause the global human rights deficit. The first involves global trade policy. In essence, aspects of global trade policy (especially farm subsidies and tariffs) allow rich nations artificially to drive down the costs of crops on the international market while offering protections to their own farmers. However, since subsidies, especially, are unavailable to farmers in developing nations, they are forced, in some instances, to sell their crops for less than the cost of production. In this way, trade policies lead to a human rights deficit because they deny a necessary source of income and economic development to poor people and nations, respectively.

The second and third harms are the resource and borrowing privileges. The resource privilege is the privilege leaders of countries have to sell the resources of their countries on the global market. The borrowing privilege is the privilege leaders of countries have to borrow money from international lending institutions, especially the World Bank. Both, says Pogge, incentivize autocratic rule and coups by giving privileges to leaders through which they stand to amass a great deal of revenue that they can then spend without democratic checks on its appropriation. The money, Pogge claims, is often used in ways that contribute to the deepening of poverty. In this way, the resource and borrowing privileges also contribute to a human rights deficit.

The final harm is Trade-Related Aspects of Intellectual Property Rights (TRIPS). TRIPS is an aspect of World Trade Organization (WTO) trade policy that governs intellectual property rights on pharmaceuticals. In essence, it strengthens pharmaceutical

companies' intellectual property rights by extending their monopolies on patents, which then delays the development of cheaper generic drugs. TRIPS, then, harms the global poor in two ways. First, it makes necessary medicines unaffordable, which exacerbates their disease burden. Second, because profit margins are so low on drugs for diseases that disproportionately afflict poor nations, drug companies have little incentive to develop these drugs in the first place. For these two reasons, TRIPS leads to a human rights deficit.

As a result of these harms, he claims, affluent nations are morally obligated to make reforms to the global institutional order to the extent that it would no longer harm the poor. Additionally, some of these reforms would take the form of repayment programs justified via retributive duties stemming from our violation of the negative duty. Specifically, Pogge has defended a 1% tax on the sale of natural resources that would be used to lift the poorest nations out of poverty. The essential idea is that when we harm people, our obligations to them are not merely to discontinue harming them, but rather also to offer repayment in proportion to the harms committed. Pogge's claim is that his proposed reforms would be sufficient to eliminate most global poverty with very little cost to affluent nations.

Leaving aside, for the moment, an evaluation of the argument itself, it is important to understand why the argument is innovative. First of all, it does not depend upon international institutional structures being coercive in the way that statist demand. So, in other words, it does not depend upon the Rawlsian framework's applicability to international institutions. Second, if it succeeds, its moral claims are minimal. His primary reason for appealing only to minimal moral claims (negative duties, in particular) is that he wants his account to appeal to people with a variety of moral views. In particular, he wants

his arguments to appeal to libertarians, who, he claims, reject the moral egalitarianism of other cosmopolitans and think that human rights entail only negative duties.⁹ By resting an argument for global distributive justice on only these minimal moral premises, Pogge hopes to justify significant global reforms on terms that all should be able to accept.

Pogge's argument is not, of course, without its critics. One of the most fundamental challenges to his view comes from Joshua Cohen in *Thomas Pogge and His Critics*. In his essay, "Philosophy, Social Science, and Global Poverty," Cohen contends that Pogge's theory depends upon social scientific claims that cannot be supported by the best available evidence.¹⁰ Cohen contends that the relationships among global institutions, domestic institutions, and poverty are muddier than Pogge believes and that the social scientific evidence is unclear on the extent to which reforms to global institutions would impact global poverty. In particular, he sees no evidence for the claim that most poverty could be eliminated with only a slight impact on affluent nations. The substance of Cohen's argument against Pogge, then, is that his claims about the effects that reforms to global institutional structures would have on poverty alleviation are likely not nearly as significant as Pogge thinks.

This chapter has offered an outline of the primary issues with which I will be concerned in Chapters II and III. Chapter II is concerned with the finer details of Pogge's position, especially his notions of harm, human rights, and negative duties. At the end of Chapter II, I will raise an objection to Pogge's notion of harm, in particular, the extent to which a libertarian could really accept his conception of the term. Nevertheless, I argue, he

⁹ *World Poverty and Human Rights*, p. 70.

¹⁰ Joshua Cohen, "Philosophy, Social Science, and Global Poverty," *Thomas Pogge and His Critics*, ed. Alison M. Jaggar (Cambridge: Polity Press, 2010).

has an available strategy that both eliminates the controversial aspect of his notion of harm and allows him to make his case on distinctively minimal libertarian premises. Chapter III is concerned with the Cohen/Pogge debate and especially Cohen's reference to the 'Institutional Thesis', which states that minimally adequate institutions are necessary in order for development to take place. At the heart of Cohen's objection is the worry that the available empirical evidence is not nearly conclusive enough to recommend the strong conclusion that Pogge offers. Cohen admits that wealthy nations through their support of the existing global institutional order likely cause *some* harm to poorer developing nations, but he is unsure about the extent of this harm, and especially of Pogge's suggestion that it is easily remediable. My aim is to defend Pogge against these criticisms. While it is certainly true that the empirical claims can lead into muddy waters, Pogge's reforms would generate so much revenue that the success of his claims seems to be the most plausible position. Finally, and importantly, despite the tangled empirical thicket, our moral obligations remain clear: we must make reforms to the global institutional order.

Chapter II

Pogge's Argument: Harms, Human Rights, and Negative Duties

In *World Poverty and Human Rights*, Pogge contends that we *harm* the global poor by reproducing a global institutional order that unnecessarily and foreseeably violates their human rights. The human rights presupposed are those to the basic necessities of human life or, more accurately, moral agency: adequate food and clean water, basic sanitation, shelter, and also education and access to medication and healthcare. This harm is in violation of a negative duty of justice, a duty against a particular action.

Pogge conceives this harm as the contribution to “the imposition of unjust institutional arrangements.”¹¹ Some critics have wondered if the global order really *harms* the poor rather than merely *disadvantages* them. In particular, Kok-Chor Tan argues that Pogge’s notion of harm depends upon a prior conception of social justice.¹² On this view, the global order only harms the poor if there is a prior conception of social justice in place that grants to the poor certain rights, which the global order then violates. The question is, then, as much whether we are harming the poor as it is whether the institutional arrangements are just. Pogge’s view accommodates this idea. He supposes that the global poor have particular rights, human rights, that, insofar as we deprive them of their access to the objects of these rights, we harm them.

¹¹ Thomas Pogge, “Response to Tan,” *Thomas Pogge and His Critics*, ed. Alison M. Jaggar (Cambridge: Polity Press, 2010), p. 194.

¹² Kok-Chor Tan, “Rights, Harm, and Institutions,” *Thomas Pogge and His Critics*, ed. Alison M. Jaggar (Cambridge: Polity Press, 2010), p. 59.

Pogge has a rather different conception of human rights than most philosophers. In particular, he advocates an ‘institutional approach’ to human rights. The institutional approach conceives human rights as tied specifically to what Pogge calls ‘official disrespect’.¹³ According to this position, a human rights violation only occurs when an institution blocks access to or otherwise condones the denial of one or more objects of human rights. As a result, agents make claims of human rights violations specifically against institutions rather than against other agents.

His motivation for developing the “institutional approach” is “to transcend the terms” of the standard human rights debate between minimalist libertarian accounts of human rights and maximalist interactional accounts.¹⁴ Libertarian accounts conceive of our duties with respect to human rights purely in terms of negative duties. We are only duty-bound not to deprive others of their human rights. But if a person happens not to have access to the object of a human right X, we are not required to ensure that that person gains access to X. The maximalist account, however, makes the opposite claim. According to this view, if a person has a human right to X, we are all duty-bound to ensure that that person gains access to X.

The institutional approach, however, fixes the language of human rights specifically in the arena of institutions. The social system, says Pogge, ought to be structured, to the furthest extent, so that all people have secure access to the objects of their human rights. On this view, when group A contributes to the imposition of an institutional order that deprives group B of these rights, group A harms group B in violation of a negative duty.

¹³ *World Poverty and Human Rights*, p. 65.

¹⁴ *Ibid*, p. 70.

The negative duty is the duty against contributing to the imposition of unjust institutional arrangements. In this way, on the institutional approach, our duties to the poor are still couched in negative duties, and so, says Pogge, they should appeal to libertarians and those with libertarian sympathies.

The appeal to libertarian principles is important to Pogge. But it should not be a source of confusion. Pogge is not advocating a libertarian approach to global justice. Rather, his aim is to argue that *even on* libertarian premises, he can still justify large-scale reforms to global institutions. His goal in appealing to libertarian premises, then, is practical. Pogge wants to motivate people to action, and he thinks that the best way to accomplish that goal is by justifying reforms to which people of many moral persuasions could agree.

So, having staked out his normative position, Pogge is ready to make the specific harm claims upon which his argument rests. He identifies four primary aspects of the global institutional order that, he claims, harm the poor: global trade policies, the resource privilege, the borrowing privilege, and TRIPS.

First, global trade barriers contribute to the crippling of the economic capabilities of the poor. Specifically, Western affluent nations design global trade rules, especially through the WTO, in such a way that they liberalize international trade markets but maintain protectionist barriers for themselves. As a result, they receive all the benefits of free trade while denying these benefits to developing nations. The most obvious example is agricultural subsidies. Because rich countries can afford subsidies, they have the power artificially to drive down the global market price of crops. In doing so, farmers in developing nations must sell their crops at the same prices, but without the subsidies to

make up for the loss in income. Depending on the value of the subsidy, farmers in affluent nations could end up selling their crops for less than the cost of producing them. If farmers in developing nations face the same consequence, they end up making no profit from their labor and are pushed further into poverty.

Take, for example, the US cotton industry. US cotton farmers receive subsidies that allow the US to control the global market price for cotton. In particular, the US is able to drive the price down without inflicting any financial burdens on the farmers themselves. But cotton growers in developing nations are not offered these protections. In a moment of gross indifference to the fate of the global poor, US and EU trade negotiators jointly proposed that farmers in developing nations grow different crops so as not to be affected by subsidies. In response, economist Paul Collier writes, “I personally felt they had crossed the line beyond which the normal diplomatic act of lying for your country becomes too shaming to accept. The US South really does have alternatives to cotton....But cotton growers in Chad?”¹⁵

Second, Pogge identifies the resource privilege as a harmful element of the global order. The resource privilege is the privilege that state leaders, regardless of how they came to power, have to extract and sell their countries’ resources on the global market. Because the leaders stand to make a great deal of money from the countries’ resources, the resource privilege incentivizes coup attempts and autocratic rule. Nigeria, for example, exports nearly 2 million barrels of oil per day, which amounts to a quarter of its GDP. Additionally, for nearly $\frac{3}{4}$ of the last 40 years, military strongmen have ruled Nigeria without democratic checks, allowing them to sell the country’s resources and use the

¹⁵ Cohen, p. 27.

revenue to oppress their people further.¹⁶ In particular, Pogge notes that Nigeria's election of Olusegun Obasanjo, though initially met with optimism for the future of the country, has been disappointing. Nigeria still ranks poorly in measures of corruption because Obasanjo knows that if he were to use oil revenues "for the benefit of the Nigerian people, military officers could—thanks to the international resource privilege—quickly restore their customary perks."¹⁷

Third, the borrowing privilege, like the resource privilege, gives undemocratic regimes international privileges that they can use to burden their own people. The borrowing privilege is the privilege the leader of a country has to borrow money in the country's name from international lenders, such as the World Bank. Again, the borrowing privilege incentivizes coup attempts and autocratic rule because the leader of the country can borrow money without any intention of paying it back. Then, after he has been removed from power, the country is still stuck with the crippling debt that the autocratic leader incurred in its name. Again, take the example of Nigeria. Pogge writes, "As of 1998, Nigeria's foreign debt, run up by its succession of military dictatorships, stood at 79 percent of GNP."¹⁸ The borrowed money was not used for important projects such as education and infrastructure, but rather the dictators took much of it for their own use. Once they left power, the Nigerian people were still strapped with foreign debt for which they were not responsible.

¹⁶ *World Poverty and Human Rights*, p. 119.

¹⁷ Thomas Pogge, "'Assisting' the Global Poor," *The Ethics of Assistance: Morality and the Distant Needy*, ed. Deen K. Chatterjee (Cambridge: Cambridge University Press, 2004) p. 271.

¹⁸ *Ibid.* Footnote 40, p. 285.

Finally, Pogge writes extensively about the effects of patent laws on essential medicines. His primary target is the TRIPS agreement. The agreement strengthens the intellectual property rights of pharmaceutical companies by allowing them to extend their monopolies on patents and, in doing so, delay the development of cheaper generic forms of prescription drugs. Driven by profit, these companies harm the poor in two ways. First, in blocking the development of generic drugs, they make the cost of necessary medicines unaffordable for the poor. Second, because the profit margin is so low in marketing drugs to poor countries, the drug companies have little incentive to develop drugs to fight the kinds of tropical illnesses that disproportionately afflict many impoverished countries. As an example of the harmful effects of TRIPS, consider India. When India joined the WTO in 1994, as a condition of membership, they also had to agree to TRIPS. At the time, however, India had an industry in manufacturing generic pharmaceuticals, which TRIPS protocol effectively shut down. The resulting effect on the global poor was “a double hit—cutting off the supply of affordable medicines and removing the generic competition that drives down the cost of brand-name drugs.”¹⁹

Pogge claims that each of these aspects of the global order harms the poor. Because of these harms, we violate a negative duty of justice in sustaining them. While a negative duty is a duty against a particular action, a violation of a negative duty *does* entail positive obligations, obligations *to perform* an action. These obligations can come in several forms. The first is to discontinue violations of the negative duty. But merely ceasing the violation hardly seems adequate. Those who were harmed deserve some measure of repayment in proportion to the harms committed against them. This consideration is uncontroversial. If

¹⁹ *World Poverty and Human Rights*, p. 227.

I break your nose, my obligation to you is not merely not to do it again. I am also obligated to pay for your medical treatment and pain and suffering. For example, on the international scene, Pogge proposes a Global Resources Dividend (GRD) to counteract the effects of the harmful aspects of the global order. The GRD is essentially a 1% tax on all natural resources bought and sold on the global market, the profits of which are put into a fund to counteract poverty and aid development. This point is important because it helps to justify some of the sweeping reforms that could be used to counteract poverty.

So, for Pogge, here is where the normative question of our duties to the global poor rests. We have performed (through our elected officials) some actions (the development and maintenance of the global institutional order) that have violated the human rights of the poor. The strategy of identifying our duties to the global poor in terms of our violating a negative duty against harming is markedly different from the 'usual' understanding of our duties to the poor. The 'traditional' view is that the global poor are poor for reasons for which we are not culpable. So, our duties to them amount to charitable donations. On Pogge's view, we are not innocent bystanders. We are culpable in their poverty.

So, to summarize, Pogge argues that affluent nations harm the global poor. For the sake of remaining morally ecumenical, he restricts his understanding of harm only to negative duty violations couched in human rights violations. The human rights in question are those to basic necessities including, but not limited to, adequate food, water, shelter, medical care, and education. If we violate this negative duty, we are morally obligated to stop harming the poor through institutional reform and to offer monetary repayment in proportion to the harms committed.

While Pogge's argument rests on only minimal moral premises, one might nevertheless raise worries about it, especially the institutional conception of rights. Recall that Tan argued that Pogge relies surreptitiously upon a prior conception of social justice. In doing so, says Tan, Pogge must postulate that affluent nations have a positive duty to establish institutions in accordance with this conception of social justice in the first place. So, because Pogge must appeal to a positive duty, his argument will not appeal to libertarians.

A similar objection might take this idea and focus it on the institutional approach to human rights. The institutional approach works on the claim that society ought to be structured in such a way that members have secure access to the objects of their human rights. But such an "ought" applied to institutional design must depend upon a positive duty. The duty must be a duty to design institutions in a particular way, but this duty goes well beyond simple duties not to harm.

Pogge could object that I formulate the duty incorrectly. The duty should be formulated in a negative way: it is a duty not to design institutions in such a way that they do not grant people secure access to the objects of their human rights. But this formulation is implausible for two reasons. The first is that institutional design and implementation are clearly actions and not just situations in which non-interference is required. The second is that human rights need to be understood as claims. For that reason, if we are going to postulate that institutions ought to be arranged so that people have access to the objects of their human rights, then people have claims against the institution to provide the objects of their human rights. But if a person has a claim on some object X, then, in Pogge's case, the institution has a positive duty to honor that claim. The problem, then, is that if Pogge must

rely on positive duties, he will not appeal to libertarians and those with libertarian sympathies, and he will thereby lose the distinctiveness of his account.

Pogge offers two propositions in defense of his account against Tan's objection and, by extension, against my objection. The first is that "any institutional order that foreseeably gives rise to a substantial and reasonably avoidable human rights deficit is unjust."²⁰ The second is that "by contributing to the design or imposition of such an unjust institutional order, affluent people are violating a negative duty and, in particular, are harming those whom this order renders worse off than anyone would be if this order were just."²¹ Effectively, these two propositions amount to a reassertion of the fundamental tenets of his theory. He suggests that he could defend them, but does not do so. Thus, the propositions do not help us much in understanding how he overcomes the objection.

To be clear on the objection, Pogge's first proposition tells us that an institutional order that gives rise to a human rights deficit is unjust. But he must couch this injustice in terms of human rights, which, in turn, he must couch in terms of the institutional approach to human rights. And as I have just argued, the institutional approach must rely on a positive duty in order to justify the claims it makes about how institutions ought to be structured.

Pogge does have an available strategy through which he can preserve the distinctiveness of his position while getting the same results. Specifically, he should no longer think in terms of controversial human rights claims, which are unpalatable to libertarians. But if there were a list of actions that libertarians find morally repugnant,

²⁰ "Response to Tan," p. 196.

²¹ Ibid.

coercion and property rights violations (both violations of negative duties) would be at the top. *But that is exactly what the global order does.* For example, global trade policies rely on coercive contracts. Impoverished countries have no feasible alternative other than joining the WTO, but many of the policies of the WTO are incredibly unfair. So, because poor countries are essentially forced to agree to terms that are unfair, WTO policies coerce poor countries. It is not that developed nations harm developing nations insofar as they sustain a global order that leads to a human rights deficit. Rather, it is that developed nations *force* a global order on the poor that disadvantages them and to which they would never have agreed had they had enough political power to negotiate fair contracts.

One might object that these contracts are not *really* coercive. No one is literally forcing developing countries to join the WTO. But this objection is implausible for two reasons. First, abstention from the WTO is not a feasible alternative given the current geopolitical state of the globe, so membership is often not really freely chosen. Second, many nations that join the WTO are not democratic. As a result, it is not clear how their membership is justified to their people.

Next, consider the resource privilege. In many cases, it condones theft of a particular kind. Concerning property rights to natural resources, libertarians generally believe one of two claims. Either they believe that natural resources are equally the property of everyone in a society, or they believe in private ownership rights. Both of these beliefs, however, are inconsistent with an autocrat's sale of natural resources. In the first case, autocrats clearly take resources, but they only have a claim to a small proportion of them. They own an equal share of the resources as everyone else. In the second case, simply being the leader of a country does not justify private property rights on all of the

natural resources in a country. So, when autocrats sell their countries' resources on the global market and do not use the revenues for the benefit of the country, they are stealing those resources from the citizens of their countries. So, when we purchase those resources, we are purchasing stolen goods, and in using those resources, we are using products to which we have no right.

As an example, consider Equatorial Guinea. Equatorial Guinea is ruled by a military strongman named Theodoro Obiang. After oil was discovered in the Bay of Guinea, the country became the third most productive oil exporter in Africa, and Obiang became fabulously wealthy, surpassing even Queen Elizabeth II in personal wealth. He does the majority of his business dealings with ExxonMobil and Hess. Meanwhile, while Obiang recently spent \$55 million on a new private jet, the majority of the citizens of Equatorial Guinea live below the international poverty line.²² In actively condoning this behavior by purchasing this oil, we are culpable in the persistence of poverty in Equatorial Guinea.

The borrowing privilege similarly condones theft. When an international lender loans money to an autocracy, the entire country is the recipient of the loan, not just the autocrat. So, when autocrats use the money for a purpose that does not advance the welfare of the country, they are effectively stealing the money from their people. The borrowing privilege condones this practice by not restricting the use of funds to a great enough degree or else by lending to autocratic countries in the first place. Recall, for example, Nigeria's foreign debt problem. If there were more stringent restrictions on lending practices, military strongmen might not have ruled the country for so many years,

²² All of this information about Equatorial Guinea comes from Leif Wenar, "Property Rights and the Resource Curse," *Philosophy and Public Affairs* 36, no. 1 (2008): pp. 6-7.

and its current elected leader might not be so ineffective in moving his country out of poverty.

Finally, consider TRIPS. TRIPS is a difficult case because it depends upon a substantive account of intellectual property rights. It certainly relies on the same contracts as trade policies, so to that extent, it relies on coercive contracts. But at the same time, it seems to rely also on the poor having a right to affordable prescription drugs. This right seems as though it would have to be a claim right, which would entail that drug companies would have a positive duty to honor it. But Pogge does not want to utilize positive duties. So, on the one hand, TRIPS definitely seems to rely on coercive contracts, so to that extent, it seems justifiable to libertarians. But it also seems to rely on a positive duty to ensure affordable prescription drugs, which would not be justifiable to libertarians. The issue is controversial, and I will not insist on arguments against TRIPS.²³

Despite the controversial nature of arguments against TRIPS, the overall strategy is very much in the spirit of Pogge's aim. His aim is to justify his reforms on minimal libertarian premises. As a result, he focuses his arguments on harm. Unfortunately, as I have argued, his method of couching harm in terms of human rights violations forces him to import positive duties into his account, a move that libertarians would not endorse. However, I have offered a way out of this problem that makes use of *even more minimal* libertarian premises, in fact, *cardinal* libertarian premises. So, while I have exonerated the distinctive aspect of Pogge's strategy, I have not yet offered any arguments that justify the empirical claims upon which Pogge rests his case. I turn to those questions in Chapter III.

²³ The problem with TRIPS that I identify in this section also infects Pogge's account, so I still contend that Pogge does not lose anything by adopting my strategy.

Chapter III

Empirical Evidence, the Cohen/Pogge Debate, and the Institutional Thesis

This chapter concerns the empirical side of Pogge's arguments. The most powerful threats to Pogge's claims come from Cohen's argument, which amounts to the claim that Pogge does not have the empirical evidence to support his conclusions, and the Institutional Thesis, which is the claim that minimally adequate institutions are necessary before any serious development work can take place. Pogge addresses Cohen's claims, but he does not defend his conclusions against the Institutional Thesis. At the end of this chapter, I supply such a defense.

Cohen's critique of Pogge's position concerns the strength of Pogge's empirical claims. While Cohen does agree with Pogge that the global order harms the poor, he disagrees with Pogge about the extent to which reforms to the global order would benefit the poor. Cohen's primary target is what he calls Pogge's 'Strong Thesis,' which is the following:

Most of the global poverty problem could be eliminated through minor modifications in the global order that would entail at most slight reductions in the incomes of the affluent.²⁴

Cohen's claim is that the best available evidence does not support the Strong Thesis. For this reason, Cohen adopts what he calls the Conventional Thesis, which is the claim that *some* global poverty could be eliminated through reforms to the global order that would not cause any serious moral injuries to affluent nations. Cohen thinks that the sources and

²⁴ Cohen, p. 19.

explanations of global poverty are murky, and so the effectiveness of proposed reforms ought not to be overstated.

Cohen thinks that there are several potential ways of understanding the causal relationship between the global order and domestic institutions. He contends that most people endorse a view that he calls *Combined Effects*. This view is the idea that global and domestic factors combine to explain poverty. But, he writes, Pogge thinks that most people endorse what Cohen terms the *Purely Domestic Poverty Thesis*, which is the claim that domestic factors *completely* explain poverty. Cohen rejects this view, but he offers two claims that Pogge could make to explain how global factors could still influence poverty rates, even if the *Purely Domestic Poverty Thesis* were true: *Independent Effects* and *Endogenous Institutions*. *Independent Effects* is the claim that domestic and global factors could explain poverty fully and independently. On this view, changes in domestic institutions could be sufficient to alleviate poverty, even if global factors were to remain constant, and changes to global institutions could be sufficient to alleviate poverty, even if domestic factors were to remain constant. *Endogenous Institutions*, which is closer to Pogge's actual view, is the idea that, while poverty arises because of poor domestic institutions, global rules are largely responsible for the quality of those institutions.

Pogge's arguments about the resource and borrowing privileges are made largely in terms of *Endogenous Institutions*. The idea is that changes in global rules concerning these privileges would force bad institutions to become more responsive to their people in order to re-secure these privileges. In this way, changes in global rules would improve bad institutions. Cohen thinks that these arguments are speculative. He argues, "Global rules

might explain bad institutions, but then again, they might not. We want to know if they *do*.”²⁵ And these explanations would need to be grounded in social scientific evidence.

As an example of one particular harm, Cohen cites agricultural subsidies. I already noted Paul Collier’s remarks about the extent to which agricultural subsidies *do* represent one indefensible aspect of the global order (p. 14). And evidence exists to support this claim. But, according to Cohen, the complete elimination of all trade barriers would net only \$22 billion, most of which would not go directly to the poor, but would go to exporters.²⁶ So, while this aspect of the global order is indefensible, its effects on poverty alleviation would not be nearly as significant as Pogge thinks.

The most important empirical point that Cohen makes is that development depends upon political geography, or the actual location of the global poor in the world. For example, roughly 30% of the global poor live in sub-Saharan Africa, and roughly 50% of the global poor live in India and China alone.²⁷ Cohen claims, “Generalizations about ‘global rules’ and the ‘global poor’ that abstract from these conceptual differences...may obscure these important differences in circumstances and associated differences in possible remedies and actual prospects.”²⁸ The point is that it is important to examine Pogge’s proposed reforms in order to determine the effects they would actually have on the global poor given where they live and to which global rules they are most sensitive.

Take, for example, the resource privilege. The majority of countries that score “Not Free” according to Freedom House, and would thus be affected by reform to the resource

²⁵ Cohen, p. 25.

²⁶ Cohen, p. 27.

²⁷ Cohen, p. 30-31.

²⁸ Cohen, p. 31.

privilege, either have little extreme poverty (Saudi Arabia, Syria, Belarus, Tunisia, and Cuba) or have experienced remarkable growth in recent years without a reform to the resource privilege (China and Vietnam).²⁹ Countries with high poverty rates, including India, Nigeria, and Bangladesh, are well within accountability conditions for valid international contracts, and so reform to the resource privilege (and, for that matter, the borrowing privilege) would have little impact upon their poverty rates.³⁰

Cohen's arguments are meant to cast doubt upon the validity of the Strong Thesis. He argues against several of Pogge's reforms. In particular, if trade barriers were dropped, he claims, the resulting revenue for developing countries would only be \$22 billion, most of which would not go directly to the poor. In addition, because of the political geography of poverty, reforms to the resource and borrowing privilege would likely have little impact upon global poverty rates. So, in light of this evidence, Cohen endorses the Conventional Thesis.

Pogge has numerous responses. His primary focus, however, is to fill in the evidentiary gap that Cohen exposes. In order to do so, Pogge restates the Strong Thesis: "There is at least one alternative design of the global order, or one combination of reforms, that, had it been in place for the last 30 years, would, through direct and indirect effects, have reduced the global poverty problem to less than half its present dimensions."³¹

²⁹ Cohen, p. 39. Freedom House ranks domestic institutions in terms of the extent to which they grant political rights and civil liberties to their people. Countries can receive scores of "Free," "Partly Free," and "Not Free."

³⁰ Cohen, p. 39. By "accountability conditions," I mean that these countries receive at least a score of "partly free" from Freedom House.

³¹ "Response to Cohen," p. 180.

This formulation of the Strong Thesis, however, has a problem: it is not the version with which Cohen is concerned. Cohen's formulation expresses the Strong Thesis as essentially forward-looking. Pogge's counterfactual formulation concerns the trajectory of poverty levels over the last thirty years. Specifically, he aims to provide evidence for the claim that poverty *would be* half of what it is now if the global order *had been* designed in a more poverty-alleviating way. But this formulation is contrary to the practical aim of Pogge's work. If Pogge's aim is to motivate action, he should aim to give evidence for the claim that his reforms would reduce poverty by at least half if they were enacted *now*.

As part of his defense of this formulation of the Strong Thesis, he references the evolution of household income rates over the past thirty years. In particular, between 1988 and 2002, the top ventile in the world in terms of household income gained 6% of the total global share of household income. This figure is *42 times* the 0.14% distributional shift that would be necessary to make up for the income shortfall of half of the people living in extreme poverty.³² While revealing, these statistics seem beside the point. And therein lies the primary problem with this formulation of the Strong Thesis: it distracts us from the greater problem of fighting poverty as it has actually developed in the world. For this reason, I will focus my attention on Cohen's formulation of the Strong Thesis.

Luckily, though Pogge argues for the objectionable form of the Strong Thesis, he provides statistics that are forward-looking. Specifically, he focuses on three primary areas of reform: global trade rules, the Health Impact Fund (HIF), and the GRD. I have already noted that I will not make arguments in terms of the HIF (which is justified in terms of the harm caused by TRIPS), so the rest of this section will focus primarily on changes to global

³² Ibid, p. 188.

trade rules and the GRD, and their expected impact on global poverty. Necessarily, Pogge's defense must be limited in two particular ways.

The first limitation is related to the distinction in Rawls's work between ideal and non-ideal theory. The ideal theory is "a conception of a just society that we are to achieve if we can."³³ The non-ideal theory concerns "how this long-term goal might be achieved, or worked toward, usually in gradual steps. It looks for courses of action that are morally permissible and politically possible as well as likely to be effective."³⁴ The first limit on this defense, then, is one of implementation. The proposed reforms lie within ideal theory because any claim about the success of a proposed reform tacitly relies on the following qualifier: the reform will be successful *if it is implemented as efficiently as possible*. But the inevitable political disputes over proper implementation bear heavily on the success of the reforms. Ideally, their implementation would be smooth and their effects would be beneficial, but we live in a non-ideal world. For this reason, there is good reason, for the purposes of justifying the Strong Thesis, to attempt to justify more than the minimum amount necessary.

The second limitation is not so much a limitation as it is a shift in strategy. Recall my objection to Pogge's account from Chapter II. I proposed to reform his method of understanding the negative duties that developed nations violate. In particular, rather than thinking about global trade barriers as harming the poor by violating their human rights, it is helpful to think about this aspect of the global order as relying on coercive contracts. Furthermore, in the case of the resource privilege, it is helpful to think of it as condoning a

³³ John Rawls, *A Theory of Justice* (Cambridge: Harvard University Press, 1971), p. 246.

³⁴ *The Law of Peoples*, p. 89.

market in stolen goods. The purpose of this revision is to make Pogge's proposed reforms attractive to libertarians.

With these limitations in place, let me return to Pogge's case for the effectiveness of his reforms. First, he discusses global trade barriers. For example, in response to Cohen's \$22 billion figure concerning the impact of dropping trade barriers, Pogge cites a United Nations Conference on Trade and Development (UNCTAD) study indicating that low-tech industries in poor countries could post an extra \$700 billion in gross earnings per year if trade barriers were dropped.³⁵ While this figure indicates total earnings and not profit, it would include \$86.51 billion in net income gains specifically for poverty alleviation and \$203 billion once the dynamic effect on productivity growth is included, which could help raise 500 million people out of poverty.³⁶

These figures, of course, are at odds with Cohen's figure of \$22 billion. Pogge's figure comes from a book-length UNCTAD report, which contains numerous supporting statistics. The problem for Cohen is that his whole point is that the best available evidence ought to be used to determine the extent to which reforms would alleviate poverty. But, as Pogge says, "One might expect Cohen to say a little more about why he takes as conclusive this undocumented \$22 billion figure from an unpublished PowerPoint presentation."³⁷ As a result, I will adopt the UNCTAD figure.

Aside from this discrepancy in his and Cohen's figures, Pogge also offers several reform initiatives designed to counteract the effects of various aspects of the global order.

³⁵ "Response to Cohen," p. 183.

³⁶ Ibid, p. 184. The discrepancy between the \$700 billion figure and the \$203 billion figure is a result of the fact that the \$700 billion figure is the gross revenue, whereas the \$203 billion figure is profit (after including the dynamic effects of growth).

³⁷ Ibid, p. 183.

Specifically, he cites the GRD and the HIF. The GRD is designed to offset the negative effects of different aspects of the global order. Essentially, it requires that a small portion of the profits from all extracted resources be put into a fund used for poverty alleviation. The annual profits for poverty alleviation would, according to Pogge, amount to upwards of \$300 billion.³⁸ Additionally, the HIF would serve to counteract the effects of the current global rules on prescription drug patents. The program would, according to Pogge, make existing medications more affordable to the global poor and offer drug companies incentives to fund more research and drug development for diseases that disproportionately afflict the poor. I have, of course, already noted my worries about the justifiability of the HIF in terms only of negative duties.³⁹

I have already argued that trade barriers, the resource privilege, and the borrowing privilege are all unjustifiable, even on minimal libertarian premises. But what do these violations justify in terms of reforms? As violations of negative duties, they entail two primary obligations. The first is to discontinue the violation. So, in the case of trade barriers, we have an obligation, as a start, to make the terms of the contracts fair in order to make them justifiable. The resource and borrowing privileges are trickier. It certainly seems clear that we have an obligation both to discontinue participating in a market for stolen goods and to stop condoning theft through our lending practices. But if we discontinue purchasing resources from impoverished countries with autocratic leaders, the effects on the economies of those countries could be disastrous for the poor. The same logic holds for discontinuing offering loans to countries ruled by autocrats. So, the proper

³⁸ Ibid, p. 184.

³⁹ See p. 20.

course of action is to impose sanctions on those governments, requiring them to meet certain standards of legitimacy before they are granted the resource and borrowing privileges. The benefits would be two-fold. First, in dealing exclusively with countries that meet reasonable standards of legitimacy, we would no longer be violating negative duties. Second, the sanctions would help to improve the lives of the poor because they would require their governments to be more receptive to the needs of their people.

The second obligation is retributive. It is at this point that Cohen seems to lose sight of the moral argument. He focuses his attention primarily on the effects of simply ceasing to violate negative duties. So, he inappropriately limits the amount of poverty relief justifiable on Pogge's argument. After all, having wronged the poor, we owe just compensation in proportion to the wrongs committed. I do not know what the exact figure would be. But it would be the sum total of all economic losses from trade barriers and stolen resources over a baseline time period plus some effort to reform repayment of foreign debt. The figure, I suspect, would be enormous. One practical measure to make up for these losses from trade barriers and resources would be the installation of a measure such as the GRD, a measure that Cohen does not even address. Ultimately, the nature of the installed program would not really matter. The only limitations are that it must be efficient, and it must create an annual pool of revenue that would then be used for human development and poverty alleviation around the world.

So, how much revenue would these reforms generate? I already cited the figure of \$700 billion in annual export earnings for poor countries if trade barriers were dropped. \$86.51 billion (and \$203 billion once the dynamic effect of productivity growth is included) of this total would be income for disadvantaged producers. So, if we take the figure

associated with productivity growth, we have justified \$203 billion in income for disadvantaged producers simply from dropping trade barriers. Now, if we include a GRD, we get an additional \$300 billion per year, which is justifiable annually until the total figure from economic losses from trade barriers and stolen resources is reached. So, in total, reforms justifiable on libertarian premises alone would amount to roughly \$503 billion in additional revenue for the poor.

These figures do not address one of Cohen's primary points, namely, the problem posed by the political geography of poverty. Dropping trade barriers, for example, would affect different countries differently. There are two primary points to make by way of response. First, I have already cited that the \$203 billion figure is associated with the poverty relief of 500 million people. This figure is already 36% of the world's poor. Even if we take the more modest World Bank estimate of poverty relief for 320 million people, the total percentage of the global poor lifted from poverty would still be roughly 23%.

Now, Cohen claims that the effects of dropping agricultural protections would likely not have a large impact on, for example, China. But half of the world's poor live in China and India. So, it looks as though dropping agricultural protections would have little impact in one of the countries with the greatest number of poor people. This argument brings me to my second point, which is that the GRD does not depend upon political geography. It is a pool of money that can be sent where it is most needed. So, three-fifths of the total funds available for human development do not depend upon political geography. For this reason, political geography poses no threat to the success of the Strong Thesis.

Let's take stock. Under minimal libertarian premises and using Pogge's reform measures, I have justified the annual diversion of roughly \$503 billion to the poor, which

we get from taking the \$203 billion raised from dropping trade barriers and the \$300 billion from the GRD. Once we add reforms to the borrowing privilege, the total benefit to the poor amounts to \$503 billion per year plus a massive reduction in the burden of foreign debt. Given that the disparity between the actual incomes of *all* of the global poor and the international poverty line is only \$76 billion, I propose that a \$503 billion annual benefit to the poor would be sufficient to lift most of the global poor out of extreme poverty.

There is one final objection that haunts not only the Strong Thesis, but also development work in general. The objection comes in the form of the Institutional Thesis. The basic idea is that development and poverty reduction depend upon the quality of institutions. Specifically, only institutions that ensure basic features of civil society including stable property rights, rule of law, regulation to curtail fraud, etc. can possibly hope to meet any serious development goals.

The objection from this position would work in the following way: Many of the world's poorest countries also have some of the most corrupt and unstable institutions. So, even if the reforms I have cited were enacted, they would have little impact unless the institutions in those countries were fixed. There are two possible claims here, a strong claim and a weaker claim. The strong claim would be that development would not take place *at all* unless good institutions were present from the beginning. The thrust of this claim in the policy world is that institution building ought to precede attempts at poverty alleviation in poor countries with bad institutions. The more modest claim is that development might be possible in poor countries with bad institutions, but that without reasonable institutions, the ceiling on development is much lower than in a country with

good institutions. In what follows, I reject the strong claim and endorse the weaker claim, but argue that my position is amenable to it.

First, the strong claim. The primary problem with this claim is that there is a straightforward counterexample to it: Bangladesh. In the 2005 Transparency International ratings of corruption in the world, Bangladesh tied for last place.⁴⁰ Despite being one of the most corrupt countries in the world, it has experienced a growth rate of 3.6% per year since the mid-1990s.⁴¹ Paul Collier suggests that the most significant factor for stimulating growth is not the quality of institutions, but rather the available opportunities for economic growth.⁴² The strong claim, then, looks to be false.

But there are two distinct objections to my line of reasoning here. The first is that Bangladesh could simply be the exception that proves the rule. It could be the case that the success of Bangladesh is a statistical blip made possible by strong economic opportunities. The second and more fundamental objection is that while Bangladesh ranks high in corruption, it nevertheless could have the kind of institutional features that the Institutional Thesis requires including checks on fraud in the economic sector. But these two objections point to a fundamental problem with the Institutional Thesis as a threat to the Strong Thesis. The political geography of poverty just does not fall disproportionately on countries with poor institutions. A huge proportion of the global poor reside in countries with reasonably stable institutions. For example, approximately half of the global

⁴⁰ Paul Collier, *The Bottom Billion: Why the Poorest Countries Are Failing and What Can Be Done About It* (Oxford: Oxford University Press, 2007), p. 65.

⁴¹ "Economic Growth and Poverty Reduction in Bangladesh," *Asian Development Bank*, 2004, http://www.adb.org/Documents/Studies/Eco_Pov_Ban/Eco_Pov_ban.pdf

⁴² Collier, p. 65.

poor live in India and China and another 100 million live in Nigeria.⁴³ So, the extent to which this objection threatens the Strong Thesis is suspect.

The weaker Institutional Thesis, however, makes an important point about development. Without the basic features of quality institutions, it is highly unlikely that significant development could take place. There are, however, two reasons to suppose that my position is amenable to this fact. The first is that there is evidence to suggest that development induces democratization. For example, Lee suggests that economic growth positively influenced democratization in several Asian countries in the 20th century.⁴⁴ Additionally, Burkhart and Lewis-Beck argue, “the notion of economic development as a ‘requisite’ to democracy has survived increasingly sophisticated statistical tests.”⁴⁵ If the claim that growth induces democratization is true, then an initial boost in development could have a positive benefit on institutional quality, which, in turn, could boost development even further. The second point is that global institutional arrangements have an impact on domestic institutional quality. This point is controversial, but it is at least plausible to suppose that sanctions on autocratic rule stemming from the resource and borrowing privileges could incentivize autocratic leaders to be more sensitive to the needs of their people.

The objection from the Institutional Thesis is really an indicator of the types of reforms worth pursuing in corrupt nations. I certainly do not want to suggest that if we can eliminate poverty in reasonably stable countries while leaving the poor in unstable

⁴³ Cohen, p. 31. China, though not free, certainly qualifies as stable.

⁴⁴ Junhan Lee, “Primary Causes of Asian Democratization: Dispelling Conventional Myths,” *Asian Survey*, vol. 42, no. 6 (2002): p. 823.

⁴⁵ Ross E. Burkhart and Michael S. Lewis-Beck, “Comparative Democracy: The Economic Development Thesis,” *American Political Science Review*, vol. 88, no. 4 (1994): p. 903.

countries destitute, we have done all we can. Rather, I think the weaker Institutional Thesis suggests to us the types of reforms that we ought to pursue in unstable countries. After all, we have some discretion in how we utilize the funds from the GRD, especially. We ought to use them in a way that would maximize poverty alleviation in country-specific ways. So, in unstable countries, we should focus on institution building. In stable countries, we should focus more on human development. Either way, the best available empirical evidence should guide our efforts in stimulating development.

The real problem with the Institutional Thesis is that it sometimes takes on a fatalistic tone. For example, it sometimes seems to imply that our development efforts are not worthwhile, taking for granted that what has happened in the past has strong, determinate implications for what will happen in the future. But as with any social scientific claim, it can only rely on data that is currently available. The world has never seen a massive, sustained effort at poverty elimination, so it is quite difficult to predict exactly how domestic institutions would respond to large revenue gains and increased development efforts. Failures in the past should not discourage our efforts in the future. Rather, we should learn from our failures and double our efforts.

Most importantly, the Institutional Thesis has absolutely no bearing whatsoever on our moral obligations, only on the manner in which we discharge them. The Strong Thesis is the claim that in fulfilling even our most minimal moral obligations, we would reduce global poverty by at least half. Given that we have some discretion in how we use GRD funds, we must turn to social science to give us an idea of which development efforts are most likely to be successful. Here, the Institutional Thesis helps us to hone in on which reform efforts we ought to pursue in developing countries. In sum, the Institutional Thesis

should not be conceived as an empirical claim “proving” that our development efforts in the face of bad institutions are worthless. Rather, it is an indicator of the sorts of reforms we ought to pursue in fulfilling our moral obligations.

So, to paraphrase Pogge, the *rejection* of the Strong Thesis amounts to the following: a \$503 billion annual inflow of revenue to the global poor would be insufficient to create conditions that would lift the majority of their incomes above the international poverty line, given that the total disparity between the actual incomes of *all* of the global poor and the international poverty line is only \$76 billion. At the very least, these figures ought to stimulate action. The moral imperative is defensible even on minimal libertarian premises. Failure to act would represent one of the greatest moral catastrophes the world has ever seen.

Chapter IV

Conclusion

Marx said, “The philosophers have only interpreted the world, the point is to change it.”⁴⁶ Many philosophers are now in the business of practical application. Global justice is one such area. Pogge argues that the global order harms the poor and insofar as it does, we owe them obligations of retributive justice. I have argued that Pogge’s conception of harm is not consistent with his goal of appealing to libertarians, but that the key is to locate more specific negative duty violations within the global order that *utilize* libertarian moral premises. Cohen places strong empirical demands on the justifiability of Pogge’s proposed reforms. I have cited evidence to suggest that Pogge’s reforms would amount to \$503 billion in annual revenues for the poor before factoring in the effects of reforms to foreign debt repayment.

The moral situation is dire, and yet, affluent countries have been remarkably slow to assist the poor. Pogge’s strategy is to justify massive poverty alleviation reforms on minimal libertarian moral premises. The moral case is clear. Empirical questions, however, are difficult. In order for reforms to be successful, they must be tailored to the needs of the individual countries. More research needs to be done in this area, but for now, morally necessary reforms could raise \$503 billion annually for the poor. It strains credulity to suppose that this money could not make a huge dent in extreme poverty. The time for argument has passed; now is the time for action.

⁴⁶ “Karl Marx,” *The Stanford Encyclopedia of Philosophy*, Published August 26, 2003. <http://plato.stanford.edu/entries/marx/>

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