The applied ethics aid political philosophy of world poverty and famine

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THE APPLIED ETHICS AND POLITICAL PHILOSOPHY OF WORLD POVERTY AND FAMINE

A Thesis for the Degree of M.A. in Philosophy

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ABSTRACT

In essence, this thesis is concerned with whether manifest gross inequalities in wealth and evidence of 15,000 deaths each day attributable to poverty are consistent with the concept of a morally just world, and, if not, whether the affluent and those in a position of power are morally obliged to challenge the status quo and provide food and security for all.

At the centre of the debate lies an examination of the nature of justice. A survey of utilitarian and Kantian theory lead to the conclusion that neither provide a satisfactory basis upon which to base one's moral principles and thus properly address the problem of poverty and famine. Despite a failure to discuss the specific problem of world poverty in any detail, John Rawls' doctrine of "justice as fairness" is found to provide a more adequate description of justice, reconciling liberal and egalitarian traditions, and forming the theoretical basis from which is derived an overriding obligation to bring about global redistribution to end poverty and guarantee basic standards of liberty and material wealth for the whole of humanity.

The debate about world poverty and famine not surprisingly centres around redistributive justice and this raises many questions within the sphere of political philosophy. Significantly, given the important influence which the basic structure of society plays in determining the outcome of our lives, Rawlsian justice is shown to have considerable implications for the reform of contemporary social, political and economic institutions. While a blueprint for the eradication of poverty is beyond the scope of this work, it is clear that a solution is at hand given the necessary political and moral will. In conclusion global government, itself under an obligation to strive for justice, far from being a humanistic pipedream, is seen to be an end that humanity is under an obligation to achieve.

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CONTENTS

INTRODUCTION

"Within a decade, no child will go to bed hungry, ...no family will fear for its next day's bread and ...no human being will be stunted by malnutrition."[1]

Such lofty declarations adopted by the World Food Conference in Rome in 1974 have not been matched by deeds. If anything the incidence of absolute poverty has increased over the past twenty years, and is now widely acknowledged as, "probably the principal cause of human misery today".[2] According to the Food and Agricultural Organisation of the United Nations (FAO) up to 15,000 deaths per day can be attributed to malnutrition and associated disease, and projections made by the World Food Council in the mid-1980s suggested that about one billion people were chronically hungry.[3] Yet in the face of this the amount of aid given to developing countries by Britain, as a proportion of GNP, has actually fallen significantly.

Famine is self-evidently widespread in the world today. The first section of this thesis will be devoted to examining the extent of the problems involved in poverty. The last decade or so has seen a vast increase in public awareness. The media coverage of the Ethiopian famine in the mid-1980s in Britain, for instance, made aid an issue of great popular concern, albeit for a rather brief period of time. However hunger is more than a temporary phenomenon expressed in localised areas as a result of ecological disasters. Rather it is a result of a permanent cycle of poverty, sickness and death. For many in the Third World, life does not go beyond the early stages of childhood, for the rest, life is short, uncertain, and harsh:
"Famine episodes are only the tip of an iceberg whose invisible and larger part is endemic hunger and deprivation: not all the South is Ethiopia."[4]

Indeed while to the casual observer, reference to the plight of the poor will probably evoke images of the latest famine to have been brought into the home by the world's media, whether it be Somalia, Mozambique, Ethiopia or Bangladesh, it is important to note that all countries in the Third World are permanently poor. Factual matters such as this, and whether anything can be done about it are as important as those philosophical perspectives taken. Diametriacally opposed conclusions can be drawn by those sharing the same ethical premises according to the factual conclusions that they draw.[5] Nevertheless most agree with Susan George who observes that:
"Hunger may have been the human race's constant companion, and the poor may always be with us , but in the twentieth century, one cannot take this fatalistic view of the fate of million's of fellow creatures. Their condition is not inevitable but is caused by identifiable forces within the province of rational, human control."[6]

With this in mind, the rest of the thesis is primarily concerned with what moral responsibility the affluent nations of the world , or those individuals in them, have towards the deprived. In a sense this is a relatively new moral problem. Of course millions have died throughout the course of human history as a result of sheer starvation or poverty. The Book of Genesis recounts the story of seven years of famine "in all the lands"[7], and further examples of poverty and famine can be found to have occurred in every part of the world since the dawn of civilisation. Yet distance appears to have made a great deal of difference: no one until very recently was in a

position to do anything about far away deaths and so the question of aid was never seriously considered. Consequently moral theorists throughout most of the last two millenia have had little to say on the issue. Today however the means are available to come to the aid of the suffering. This fact in conjunction with the increased awareness facilitated by global communication means that the moral question cannot be ignored.

Before the nature of the moral obligation involved is examined, an investigation will be made into the relation between ethics and politics, and in particular into whether the moral obligations of individuals are binding also on governments and other institutions in the public domain, or vice-versa. A private citizen may feel obliged to give a tenth of her/his income away to help the poor in far off countries, but only if the obligations of a nation state qua nation state are the same will the resulting action have much effect. But then the consequences would also have a much greater impact at home, doubtless leading to a drop in domestic standards of living across the nation.

There is a strong tradition in political thinking which sees it as a sphere where necesity rather than morality takes precedence. Those in the Machiavellian tradition, such as Stuart Hampshire, argue that public and private morality must be distinct,
"A fastidiousness about the means employed, appropriate in personal relations, is a moral dereliction in a politician."[8]
In this school of thought, aid is regarded as a merely prudential question to be considered only in the light of the political benefits to be gained in giving or not giving economic and material assistance to the needy. Yet if this is the case then ethical deliberation will be largely irrelevant, unable to address the problems of famine and endemic poverty throughout the Third World today. However poverty seems to be as much an ethical problem as any other and it may appear intuitive that one nation has redistributive obligations to another in the same way as one individual to the next.

However such a question cannot be settled until a satisfactory moral basis is found upon which one can justifiably ground an obligation to help the disadvantaged. The establishment of the United Nations in the post-war era means that there is now an institution which begins to approach the "concept of global government"[9], with a concern for the welfare of every global citizen. Article 3 of the U.N. Universal Declaration of Human Rights(1948) states that "everyone has a right to life, liberty and security of person', and similar language is found in the European Convention on Human Rights (1953) and its American counterpart (1973). Acceptance of such principles carries with it an obligation to protect human life from natural as well as man-made threats. The U.N. 'Declaration on Social Progress and development' (1969) sanctions the right of all persons in all countries to "proper nutrition" and "equality of opportunity".[10] It is therefore difficult to disagree with Yoram Dinstein who states that "the human right to life is entrenched in customary international law".[11]

In the late twentieth century 'rights' jargon is very much at centre-stage, and as fear from persecution perhaps lessens it is natural that political elites, as well as the public at large, focus on the question of hunger and human rights. Significantly a U.N. World Conference on Human Rights, the biggest such gathering for twenty-five years, was held in Vienna in June

1993. But the fact that reality is so different from the theory; that despite the acquistion of new found rights the plight of the poor shows no sign of improvement, should alert one to the deficiencies of concentrating too much on the 'is' rather then the 'ought'. By philosophically divorcing positive law from any ethical foundations, "the system lacks any motive for action or goals for future development".[12]

Therefore while the position of human rights in international law will be briefly examined it is more important to discover what, if anything, makes certain rights universal, moral and important. Does existence of these rights automatically oblige us to give aid ? Or are they merely a useful tool in helping to gain their recognition ?

If such rights are fundamental it is necessary to show that they have a more secure foundation than that of the basis of many institutional rights established in positive law. It is first necessary to work out a coherent set of principles which might address the 'ought' question, and to discover whether a persuasive system of rights, or any other morally significant reasons to aid the poor, exist.

The succeeding chapters of this thesis will be devoted therefore towards examining arguments from the leading schools of moral thought. While at one level the general adequacy of each theory as a guide to moral thinking will be assessed, at another their specific relevance to the debate concerning world poverty will be examined. Hence particular attention will be paid to their implications for human rights, the value of human life, nature of justice and beneficence, and moral obligation will be explored. Utilitarianism and Kantianism will be explored in turn, and specific attention will be paid to recent works in each tradition concerning world poverty and famine, especially the contributions made by Peter Singer and Onora O'Neil. Convincing reasons why each cannot be accepted will, it is hoped, be provided. To discover an all embracing, objective and coherent ethical theory without any flaws or pitfalls is probably beyond one's grasp. But one of the most important criteria of any principle upon which one bases a duty to aid the famine stricken and poor, is that it must satisfy to a reasonably exact degree both the level of sacrifice that the donor countries or individuals are obliged to make, and to what point the 'victims' are to be aided.

In an attempt to reach this goal particual attention will be paid to John Rawls' 'A Theory of Justice'(1972). The Rawlsian principle of "Justice as fairness" was designed by Rawls to lay down principles of social justice within individual civil societies, ignoring for the most part questions of global redistribution and global justice. However it can be convincingly argued that an altered version of Rawl's account can be formulated allowing principles of international justice to be produced, without destroyng the coherence and attractiveness of Rawls' original argument.

Much of the debate about world hunger and poverty centres around redistributive justice. The majority of people in the Third World have less than they need to live in an acceptable manner, but a minority of the world's population, mostly those in the developed world, have many more goods than they actually need. While focussing on the dispossessed and needy in the Third World, consideration will also be made as to whether there is

any real morally significant difference between inequality throughout the world and inequality at home. Poverty is not resticted to the Third World. Many people are poor, and even defined as living in poverty, in this country and the rest of the industrialised world,
"Determinedly and irrevocably ...has come the modern reference to the 'underclass'".[13]
The conclusion that there is little or no difference between poverty at home or abroad inevitably questions the moral significance of national boundaries, whether one nation might have a duty to intervene in the affairs of another, or whether the autonomy of the nation state is sacrosanct.

A chapter in this thesis will also be devoted to the interesting and important intergenerational debate. Not only is it pertinent to ask whether reparations, over and above one's normal obligations, are owed by excolonial powers like Britain for past exploitation in the Third World, but it is also extremely important to decide whether actions taken in the present should take into account their effect on future generations. If it is decided that they do then it will have far-reaching ethical implications with respect to both the form and amount of aid given to poor countries.

It has been suggested that the topic of famine and poverty is a relatively new moral problem. It is however unusual for one ever to come across an entirely novel ethical issue. Instead it may well turn out that the moral choices are familiar ones, just applied on a wider scale. Should it emerge that the rich are undeniably under a moral obligation to reduce absolute poverty, however, it might still be reasonable to ask whether we can do what should be done without creating a world state. Once it is agreed that an obligation exists there is still much to be discussed, especially the action one should take in discharging this obligation.

The acceptance of the existence of a moral obligation will not be enough itself to seriously challenge the plight of the poor. Such is the nature of man that "sanctions of law and social pressure"[14] will probably be always necessary to ensure that common standards are not violated. The convincing arguments of the moral and political philosopher may go some way to creating the latter, as demonstrated by the changing attitudes towards slavery and sexism. But global redistribution will never occur to any significant degree until there is a body capable of enforcing it with the necessary legal and physical sanctions.

1 George S. "How The Other Half Dies -the Real Reasons for World Hunger" (1976) p.298.

2 Singer P. "Practical Ethics" (1979) p.158.

3 See Baraclough S.L. "An End To Hunger?" (1991) p.3.

4 O'Neill O. "Faces of Hunger" (1986) p.3.

5 Compare G.Hardin with P.Singer and N.Eberstadt on the effectiveness of famine relief (Refer to Chapter 4)

6 George S. op. cit. p.15.

7 Genesis 41:54 (RSV)

8 Hampshire S. "Public and Private Morality" (1978) p.49.

9 George S. op. cit. p.214.

10 Shrader-Frechette K.S. "Environmental Ethics"(1981) p.174 (quoting 'Human Rights' U.N. 1973 p.99).

11 Dinstein Y. "The Right to Life, Physical Integrity and Liberty" quoted by Meron T. (ed.) "Human Rights in International Law" (1984) p.121.

12 Meron T. op. cit. p.80.

13 Galbraith J.K. "The Culture of Contentment" (extracts of) New Statesman and Society(NSS) Vol.15 No.201 p.14.

14 Singer P. op. cit. p.220.

CHAPTER ONE: FACTS AND THEORIES

"In the early 1980s, the mass media dramatically brought us the picture of hunger from Africa- starving children, skin and bone, with their bloated bellies, too weak to even stand up. People in the industrialised western countries responded with an outpouring of funds for famine relief. But the persistent malnutrition experienced by people living in poverty in other areas of the world was largely ignored."[1]

Precise estimates of the extent and severity of poverty and famine in the world differ vastly according to the methods used and the allegiances of those making the point. However the fact that hunger is widespread, and that millions have died in recent years as a result of an inadequate diet is indisputable. However, in spite of this, it not viewed as one of the most urgent issues facing the international community at this time. Though, ten years after the World Food Conference, hundreds of millions of people were afflicted by malnutrion, Philip Alston pointed out that, "for the most part, it is a problem which has to date been perceived by most (well fed) policy makers, academics, human rights activists and others as a painful but inevitable fact of 'life'..."[2] Little has changed since 1984, except that poverty persists and worsens, and aid from the affluent countries has if anything fallen.

At one end of the spectrum the statistics estimating deaths each year in the Third World are bad enough. The United Nations Childrens Fund (UNICEF) estimated that in 1984 15 million young children die each year from malnutrition and related infection.[3] In other words this amounts to some 40,000 children each day. The UN Food and Agriculture Organisation (FAO) made a more conservative estimate in their "Assessment of the World Food Situation" prepared for the 1974 World Food Conference. Some 400- 450 million people, thirty per cent of the Third World population, were said to be malnourished. But at the same time a World Bank report calculated that this figure was actually well over 900 million. This should be balenced by Brian Walker, former Director General of OXFAM, who in 1982 argued that 90,000 die each day from starvation and malnutrition. This amounts to well over 32,000,000 lives each year. Furthermore according to the United Nations Development Programme (UNDP) some 1.5 billion, out of a world population of 5.3 billion live in poverty.

There is little prospect that an undisputed figure will ever be agreed upon by all those concerned. What is clear however, irrespective of those figures one chooses to believe, is that the suffering involved is immense and that it is no small problem which will go away of its own accord in time. On the contary, as a result *inter alia* of the prolonged world recession, Third World Debt Crisis, wars in Ethiopia, Sudan, Mozambique and El Salvador, and a failure to come to terms with these problems, the situation is gradually worsening. During the 1980s hunger according to the World Food Council, increased considerably in the pooorer countries of the World, food consumption falling per capita between 3 and 4 per cent in 1987 alone.[4] The UNDP, argued by many to be amongst the most reliable providers of statistics, estimates that the rural population in 114 Third World Contries living a life below poverty was in 1988, 940 million: a rise of 40 per cent since 1965-70. Further to this the UNDP believe that of 41 countries for which more detailed information is available, 25 experienced

an increase in poverty in the same years. For example in Bangladesh the numbers rose from 45 million in 1965 to 82 million in 1988, in Kenya from 3.5 million to 9.9 million, and in the Philippines from 12 million to 23 million. Morover each of these represent a proportionate as well as absolute rise in poverty.[5]

At the same time one might, in the face of ths inexorable rise in poverty, expect aid from the richer nations to be growing. In fact quite the reverse appears to be occurring. In 1960 the amount of aid given to Third World Countries by Britain, as a proportion of GNP (Gross National Product), stood at 0.56 per cent. By 1990 it had fallen significantly, to a mere 0.27 per cent. Despite the pledge given by all donor countries at the 1992 Rio Earth Summit Conference to reach the UN target of 0.7 per cent "as soon as possible" there is little evidence to suggest that the levels of development aid are due to increase in the future. There is even evidence to suggest that Britain now receives more than it actually donates from the Third World:
"A landmark for British relationships with the Third World in 1990 was the record inflow of £6,847 million from repayments on previous debts by developing countries. It meant a net inlow of funds from the poor world after overseas aid and investments had been deducted of £2,600 million. This was the first time for the UK that repayments on past loans exceeded official aid and new loans."[6]

Indeed in the period 1983-90 payments totalling some £98 billion net of all aid and new loans to the rich countries in the world were made by 114 Third World Countries. In recent times therefore the poor have been subsidising the rich rather than vice-versa as is commonly presupposed.
Before continuing any further it is worth pausing in order to define some of the terms which have already been frequently referred to, and which will continue to feature regularly throughout this entire thesis. It is worth noting that many terms dealing with, and many descriptions of world poverty and hunger actually embody ethical positions. Since this work is primarily an investigation into the ethical issues involved, it is important to try not to begin with too many assumptions and presuppositions.

Perhaps the most notorious example is use of the word 'charity'. "Is it right or wrong to give charity to those less fortunate than ourselves ?" This is a very common way to begin a discussion of this topic in layman's terms. Yet the word 'charity' implies that what is done is an act of beneficence, over and above any demands of duty and justice. An act of 'charity' is viewed by almost all as morally praiseworthy, but at the same time as supererogatory, in other words more than can or should be expected. It is the contention of many in this field, a view to which I will eventually subscribe, that the transfer of resources from the affluent to the poor is instead an act which is demanded by a concept of social justice. Consequently reference to 'charity' will be kept to a minimum, used in contexts only where it is appropriate. Instead the transfer of resources will be referred to as 'aid' in general, whether it be through the work of voluntary aid agencies (commonly referred to as 'charities' e.g. OXFAM or Save the Children), national governments, or international institutions such as the UN. At times it will be necessary to be more specific, and the form of aid will be specified e.g. food aid, grants, loans. technological assisstance and so forth, but when the principle is being discussed the term

'aid' will be employed, in the belief that it does not carry with it too many preconceptions and subconcious implications.

Similary the use of group nouns to describe numbers of countries linked together by affluence or poverty, but otherwise heterogeneous, has been widely criticised. Peter Berger argues that the largely rich West has been engaged in "a sort of negative baptism"[7] towards the poorer countries. Terms such as "the less civilised", "underdeveloped countries", "developing countries" tend to suggest, argues O'Neill among others, that the problems of the poor are a consequence of a lack of Christianity, or 'normal' economic achievement. Morover such terms also suggest that the problems of the poorer nations are all of one nature. Whilst this is true insofar as poverty and hunger affects them all, the deeper problems which cause such symtoms cannot be so easily labelled under one heading.

It has already been pointed out that in many cases the problems of the poor countries of this world are growing worse. Therefore, as Susan George points out[8], to describe them as "developing countries" (D.C.s) is inaccurate, as well as euphemistic. Since the publication of the Brandt Report in 1980 the use of phrases such as "North-South problems", has gained currency. Such phrases are designed to stress the active involvement of the industrialised "developed" countries (mostly Western: North America and Europe, both East and West, together with Japan and a few others such as Australia and New Zealand) with the problems of the poor. On the whole, however, the terms most frequently employed will be "rich" and "poor" nations, and where more convenient "Third World" and the "West".

The definition of an inadequate diet must also be clarifed. The FAO initially employed the term "undernutrion" to describe an inadequate intake of calories, or energy. On the other hand "malnutrition" was used to describe a deficient diet, lacking vital amounts of protein, vitamins or minerals. However for the sake of simplicity, the term "malnutrion" will be employed in this thesis to describe a deficient diet, whether it is a result of a lack of calories, protein or anything else. It is important to bear in mind that very often illness and even death can be caused as much by lack of a varied diet, as by the lack of enough calories in general.

Associated with this is the problem of defining "poverty". Robert McNamara, former President of the World Bank, described poverty as:
"A condition of life so limited by malnutrition, illiteracy, disease, high infant mortality, and low life expectancy as to be below any rational definition of human decency."[10]
On the other hand a more widely accepted definition is that advanced by Adam Smith in 1776, who described poverty to be:
"Whatever the custom of the country renders it to be indecent for creditable people, of the lowest order, to be without."[11]
Before examining these two conceptions of poverty in greater detail, it is first worth noting that poverty must be distinguished from famine. Amartya Sen describes famine as a "sudden collapse of the level of food consumption"[12] and cites various examples such as the Irish potato famine of 1845-51 which killed one fifth of the total population of Ireland, and the famine in Bangladesh in 1973/4. It is only perhaps worth adding that such falls in food consumption exclude those which are self-imposed. Sen further notes that,

"Famines imply starvation, but not vice versa. And starvation implies poverty, but not vice versa. It is possible for poverty to exist, and be regarded as acute, even when no serious starvation occurs."[13]
Indeed whilst many thousands die in famines, hundreds of thousands dying of starvation in the mid-eighties in Africa where famine is said to have been serious in at least twenty-four countries, despite the focus of attention upon Ethiopia alone; many more suffer illness, malnutrition, and an early death through the effects of poverty every day throughout the world.

Definitions of poverty can be grouped under two headings. Those such as McNamara attempt to describe poverty as an "absolute" concept, wheras others in the Smithian tradition view poverty more as a "relative" concept. Seebohn Rowntree in a study of poverty in York at the turn of the century defined those in poverty as those whose "total earnings are insufficient to obtain the minimum necessities for the maintenance of merely physical efficiency."[14] In common with McNamara, Rowntree approaches poverty from a biological aspect. Such an approach, however, does have its drawbacks. For a start dietary requirements vary considerably with physical factors, climatic conditions and work habits. Morover the cost of one's minimum food requirements can be extremely low, yet such a diet would be extremely boring and food habits are not determined in this way. Furthermore it is far less easy to define non-food requirements in such a way.

However while such a concept of poverty ,is loose and probably not ideal, there is, "no reason to suppose that the concept of poverty must itself be clearcut and sharp"[15] Sen points out that in its favour is the one simple criterion when assessing poverty is to check whether a person is meeting his or her nutritional requirements, something which can be done without going through the medium of income level. Furthermore while malnutrition represents only one side of poverty, it is extremely important: "malnutrition must have a central place in the conception of poverty."[16]

The concept of "relative poverty" is widely employed. Peter Townsend describes the poor as those who "are unable to participate in the activities and have the living conditions and amenities which are customary in that society."[17] Most would agree that poverty is culturally specific to each country and that to create a universally acceptable poverty line is not possible. Indeed to disassociate "feelings of poverty" from "conditions of poverty" is an almost impossible task. One's sense of poverty will doubtlessly be partly formed by viewing others in one's community with which one compares oneself. Morover it will also be related to one's expectations of what is both right and fair.[18] The living standards of the poor in countries like Britain and the United States is only in very isolated cases comparable to that of many in Africa, yet it cannot be denied that poverty is widespread in both countries. Townsend points out that, "mortality rates for males in Harlem are currently worse than in Bangladesh."[19] Estimates for those living in poverty in Canada in 1982 ranged from 17 per cent (Statitic Canada) to 25 per cent (Canadian Council on Social Development)[20] Much of this is caused by an unequal distribution of wealth and gross inequalities in income, a fact of life in most of the West. Between 1979 and 1989 the real disposable income of the richest 20 per cent rose by £5,304, at 1989 prices, wheras that of the poorest 10 per cent fell by £208.

However whilst the "relative" approach definitly supplements any more objective approach it cannot replace it. Poverty and inequality are closely aligned but nevertheless distinct. There is a powerful case for retaining, to some extent, a more biological approach:
"Indeed, there is a irreducible core of absolute deprivation in our idea of poverty, which translates reports of starvation, malnutrition and visible hardship into a diagnosis of poverty without having to ascertain first the relative picture."[21]

The existence of endemic poverty is beyond dispute. More controversial, however, is whether it can be avoided and, if so, what measures might eliminate, or partially eliminate, the problem of poverty from the face of this earth. Some question whether the earth can continue to support a rapidly rising population, or whether western standards of living can be extended to all areas of the world. Others believe that all attempts to eradicate poverty will be counterproductive, leading to an increase in population and yet more hungry mouths demanding to be fed. On the other hand others are less pessimistic about the situation. Even if there are limits to the amount of food that can be produced, much if not all of the poverty today could be eradicated by judicious redistribution of resources, attained through political and economic change. A survey of these issues is especially important, for if those who are most pessimistic are in fact correct, "ethical reasoning, which is to the point only where action can make a difference, could have few implications for famine or hunger."[22]

The 1970s saw famine and persistent hunger become an issue of heightened public awareness following the oil price boom in 1973, famine in Bangladesh and the Sahel in 1973/4 and the World Food Conference in 1974. At the same time Neo-Malthusian theories concerning the issue were advanced by many. In particular Paul Elrich's "The Population Bomb"(1971), Garret Hardin's "Lifeboat Ethics: The Case Against Helping the Poor"(1974), and "The Limits of Growth"(1972) by Meadows et al. were especilly influential.

The Neo-Malthusians differ in their interpretations, but as a group take their name from the eighteenth century political economist Thomas Malthus, who in 1798 published his "Essay on the Principle of Population". His primary point was that, "population, when unchecked, increases in a geometrical ratio. Subsistence increases only in an arithmetical ratio".[24] In other words Malthus believed that unrestricted population growth would be faster than growth in food supplies, consequently leading to hunger and famine. Many in the next hundred years or so thought events had proved him wrong. The standard of living and availability of food has certainly improved vastly since 1798 in many countries. However most Neo-Malthusians believe that this cannot be sustained , and that the starvation so prevelant in the world today prove him all too right.

The rapid rise in population in many Third World centuries is regarded by the Neo-Malthusian school of thought as a bomb which cannot be defused. Elrich argued in "The Population Bomb" that hundreds of millions would die in the 1970s due to overpopulation and a consequent lack of food. It was his view that the Third World countries would remain poor unless their populations were controlled. Food aid, he argues, should be given to those countries with a comprehensive birth control programme. The influential Malthusian Club of Rome Report[25] predicted serious land shortages by the

year 2000, and that the limit to global growth would be reached within a hundred years.

Most Neo-Malthusians believe that Malthus' prediction was postponed by two factors. Firstly the discovery of virgin land outside Europe in the New World is said to have absorped surplus population. Secondly the exploitation of fosil fuels, minerals and the discovery of of new technology is said to have created a "myth of limitlessness"[26] However the Neo-Malthusians point out that finite supplies of fosil fuels are beginning to run out, and that there is no guarantee that technological advance can be sustained. Morover the problems caused by pollution and declining yields present further obstacles which must be overcome if sustained growth is to be achieved.

The world's population stood at approximatly 4.72 billion in 1985. By the year 2000 it is expected to exceed 6 billion, and finally stabilise at about 10.1 billion by the year 2045. Furthermore the rapid increase in population will take place mainly in the poorest parts of the world. The population of India is expected to rise from 765 million in 1985 to 1,678 million in 2045, the Nigerian population from 100 million to 529 million, and the Chinese population from 1,040 million to 1,683 million.[27] In the 1970s one hectare of land was required to support an average of 2.6 persons, by the year 2000 the same amount of land will have to support 4 persons, and by 2045 many more. Population control is therefore seen as the key to avoiding famine by most Neo-Malthusians. Famine it is thought can be minimised by bringing the rate of population growth down below the rate of achievable economic growth. Birth control measures, in the form of sterilisation or contraception is called for urgently in all parts of the Third World.

Other Neo-Malthusians, however, believe that famine and poverty cannot be avoided by such means. Not only is the possibility of sustained economic growth doubted, but also it is believed that attempts to curb fertility will be unsuccessful. Contraceptive measures are poorly understood, and lack reliability. Morover they are both difficult to use and expensive for those living in poverty. Psychological obtacles also stand in the way of such progress. In the minds of many Neo-Malthusians famine and poverty is inevitable, and in a sense the reduction of population by starvation is the only factor which prevents global disaster from occurrring sooner. This is how the most pessimistic Neo-Malthusians, such as Garret Hardin, see the situation at least. The ethical implications of this approach will be examined in Chapter 4.

The Neo-Malthusian appraoch is not shared by all. Critics from diverse backgrounds have been quick to point out the flaws in the Neo-Malthusian argument. Orthodox economists, dominant in organizations such as the World Bank and the International Monetary Fund (IMF), Marxists, and radical political economists like Susan George all take different points of view concerning poverty and famine and offer their own solutions. To offer a blueprint for the eradication of poverty is beyond the scope of this thesis and warrents a major work of its own. It is more important, at this stage, simply to reach the conclusion that solutions are at hand; and that given the political will, poverty can by one means or another be eradicated.

Representatives of the schools of thought mentioned above are virtually united in their belief that the Neo-Malthusians are mistaken to think that

an improvement in the standard of living can be achieved by limiting population growth. It is commonly noted that in the West a demographic transition took place, reducing the average family size and overall population growth, following an improvement in the standard of living. Economic growth will lead to a halt in the rapid rise in population rather than vice versa. Whilst families remain poor, they have a vested interest in large families since they provide insurance against their parents' old age or sickness, and begin earning money and adding to the family income from an early age.

Critics of the Neo-Malthusians are more divided about the correct strategy for growth which is needed to bring about an envisaged demographic transition in the Third World, and especially about the part which redistribution needs to play in this.

The orthodox position of the World Bank is typified by the 1981 policy statement on Africa entitled "Accelerated Development in Sub-Saharan Africa"[28] The Bank recommended a reduction of state spending on food subsidies and other basic human needs, reduced emphasis on food self-sufficiency, stressing instead the "comparative advantage" of exporting cash crops, and overall "freeing of the market". It is held in orthodox circles that only a minimum programme for hunger is needed, including a continuation of loans and aid to foreign countries. Food aid would only be required where famines were taking place. A basic faith is placed in the so-called "freemarket" system, and as a rule distributive justice, egalitarianism or any other theory of justice outside the capitalist tradition is rejected.

More radical economists believe that the current problems are caused as much by the existing capitalist system as anything else:
"Third World countries can go increasing their production until hell freezes and hunger will remain, for the production will go to those who already have plenty- to the developed world or to the wealthy in the Third World itself...every time weaker nations have attempted to reallocate their resources and undertake land reform, powerful interests emanating from the rich world and its multilateral bodies have thwarted their efforts."[29]

At the heart of the matter is the fact that there exist gross inequalities of wealth, income and influence. Poor countries are said to be exploited by multinational corporations, who control much of the land, and Western governments. Poor countries are are forced to cultivate cash crops and sell much of the food that they produce to earn foreign currency in order to repay foreign loans. Warnock points out that a consequence of this is that, "The poor in the Third World, therefore, are unable to feed themselves, because they do not have access to their own resources".[30] There is therefore an urgent need for redistribution of wealth and resources. By common consent, there is enough food in the world to feed the present population. The food surpluses of the West are contrasted with the deprivation and scarcity in the Third World:
"The world has ample food, the growth of global food production has been faster than the unprecedented population growth of the past 40 years."[31]
"...Some disasters aside...the basic problem is not one of food, but poverty."[32]

Redistribution, on a large scale that is needed, will only come about as a result of social and economic change. There is disagreement about the precise measures demanded, but agreement that action within contemporary economic structures will not be sufficient. Indeed most orthodox economists also believe that questions concerning distribution will also have to be tackled. O'Neill states that, "On either view the reduction and remedy of hunger and poverty demand enormous economic and political changes."[33]

It is important to stress that poverty and famine are separate entities. Most people do not die from starvation caused by lack of food. Instead premature deaths are caused by persistent poverty, resulting from the lack of a balenced diet, education, access to health services, social security and employment. There is agreement that adequate food supplies are being produced in the world to nourish everybody. The central issue is therefore distribution. Food aid, by itself however, except in cases of extreme need caused by famine or civil war, is usually counter productive. Tony Jackson argues persuasively that, "Free hand-outs of food do not address the problem, they aggravate it".[34] Unless food aid is controlled carefully it tends to create a dependence upon imported commodoities, to destroy local markets and the livelyhoods of local farmers and thus work against development. Redistribution of wealth, not just food, is therefore called for. In a world where much of the wealth of the West has been built upon the exploitation of the natural resources and labour of the Third World, this for many more radical thinkers is a demand of justice.

CHAPTER TWO: ETHICS AND POLITICS

"Ceux qui voudront traiter séparément la politique et la morale n'entendront jamais rien à aucune de deux."[1]

"Individualist assumptions persist in ethical theory, although it is widely acknowledged that individual action and efforts alone are unlikely to bring an end to hunger or to poverty."[2]

If estimates by the World Bank that 40 per cent of the population in the Third World (something like one billion people) live in absolute poverty are at all accurate then it should appear obvious that the efforts, however strenuous, by private individuals alone will not be enough to bring about any significant change to the situation. If one is serious about tackling problems faced, it appears that concerted action on behalf of more powerful institutions is necessary.
"...in this day and age, especially, isolated acts of charity on an individual basis, or even extensive and moderatly popular solicitations such as those made by the International Red Cross must be rather ineffective by comparison with the potential of government action..."[3]

The work of the leading aid agencies is of course very important. Organisations such as OXFAM, Save the Children and CARE, funded largely through individual voluntary donations, work tirelessly throughout the Third World bringing short-term relief to areas stricken with famine, and more importantly, educating peasants to fend for themselves, giving them the know how to avoid calamity in the future. Yet such programmes only affect the tip of the iceberg of world poverty as a whole. Millions at any point are probably affected by famine (where the emergency relief of the aid agencies remains the most visible). But many times this number suffer in a state of persistent poverty at the same time, as is highlighted in the previous chapter. Despite their valuable work in the field of long term development, this is a state of affairs which the voluntary aid agencies are largely unable to change significantly. Moreover although the amount of money that they control has grown, it is still a fraction of that already given by governments. For example in the year up to 1991 OXFAM(UK/Ireland) received an income of $124 million in comparison with total UK government aid of $2,587 million.[4] Not only therefore is the money given by private individuals not enough to contain the most obvious symtoms of poverty in the world, but it is also not likely to lead to a cure for the causes. The contemporary significance of institutional power is recognised by Thomas Nagel:
"The growth of political power has introduced a scale of massacre and despoilation that make the efforts of private criminals, pirates and bandits seem truly modest."[5]

Indeed not only does the scale of poverty call for concerted government action, but also the nature of the problem suggests that government action alone is equipped properly to deal with it. As discussed in Chapter One, real solutions will only be found through economic and political change. Western governments continue to demand repayment of all previous loans, causing Third World countries to gear production towards the export market and valuable foreign currency. Powerful groups want food prices to remain at

scarcity-value levels, and multinational institutions wish to grow crops cheaply and sell them at inflated levels to the rich West. Susan George's comment is that the goal of the West, "is not, and never was, to feed today's undernourished or starving millions, but to perpetuate poverty and dependence for altogether 'valid' political and economic reasons."[6]

However while moral obligations are taken seriously by most individuals, despite the lack of concensus about what precisely they entail, there is far less agreement about whether the same sort of obligations are binding on governments and other institutions in the public domain. Moral reasoning is considered by many to be an intrinsically personal matter: an Aristotelian struggle with one's desires in pursuit of virtue perhaps. Moreover there is a strong tradition which sees politics as a sphere where necessity rather than morality takes precedence. It is well known, for instance, that Niccolo Machiavelli argued that, "...no considerations of justice or injustice, humanity and cruelty, nor of glory or of shame, should be allowed to prevail."[7] This appears to be very much the order of the day in practice. Many of the leading US statesmen at the time of the Vietnam War, responsible for the killing of hundreds of thousands of innocent civilians, continued to hold high office after their part in such attrocities had been exposed. Robert McNamara became president of the World Bank and the secretary of defense, Elliot Richardson, became attorney general.[8] Yet if morality is divorced from politics then ethical deliberation is unable to address the problems of famine and endemic poverty throughout the developing world today.

Much ethical reasoning is guided towards an audience of individual agents, rather than collectivities such as governments or multinational corporations. It is often assumed that moral principles apply, and are supposed to guide, individual human beings alone. By the same token the activities of institutions and collectivities are by definition only concerned with fulfilling their particular role, such as furthering the interests of their citizens or shareholders. But if this is the case then there is no place for the redistribution of wealth by governments through the imposition of taxation for the sake of moral ends. However most would think it selfevident that it is right and proper for goverments to do just this.

While moral agents are fundamentally individual beings, larger institutions such as states are also moral agents in a sense since they are composed of individuals, and can act only through the actions of persons. Thus the actions of a state might be expected to be directed with moral principles in mind, if not directly then certainly indirectly. In the same way as they deliberate about policy or economic issues, they might be expected to deliberate about ethical issues. However those in public life, do in the eyes of many, acquire with their office a certain immunity from moral criticsm. In some way it is considered that a government minister is not personally morally responsible for the actions that he initiates:
"Even if one is in no doubt about the merits of the acts in question, the agents seem to have a slippery moral surface, produced by their roles or offices."[9]

For instance one of the reasons why the careers of McNamara and others survived the Vietnam War is that even those who believe that US policy was

undoubtedly criminal may hesitate from linking the crimes with those individuals who perpetrated them. Ironically the morality of a politician's actions in his private life is considered more important.

However even though the actions of an officeholder tend to be depersonalised, surely one must accept that office alone cannot change the moral nature of an act. Thomas Nagel strongly emphasises that, "...there is no reason to think that individuals in public roles are released from traditional moral requirements on the treatment of others , or that in public life, the end justifies the means."[10] The trial of Eric Honecker, former leader of the GDR, is evidence that this contention is publicly accepted occaisonally at least, as were the Nuremberg Nazi war crime trials. Indeed the exercise of power, as practised by politicians, is descibed by Nagel as, "One of the most personal forms of individual self-expression, and a rich source of purely personal pleasure."[11]

It is also important to note that for most people the rules of morality are not merely a standard with which to judge the actions of oneself. If ethics were so subjective that all one meant by saying that something,such as slavery or abortion, was wrong was that one disapproved of it, there would be little basis for further debate with someone who thought it right, for both could be right. Indeed one uses moral judgements to decide what one would direct other people to do. "In the end", writes Narveson, "they are the rules or principles by reference to which one will criticize or appraise the behaviour of any body, not just oneself."[12] In other words they are codes of conducts for groups, and thus ultimatly for all those in the same community. Therefore it seems natural that they should apply to the politicians responsible for law making and law enforcement within the community.

Nevertheless there remains a strong tradition of thinkers who concur with Machiavelli's implication that public and private morality must be distinguished. Stuart Hampshire, for instance argues that, "A fastidiousness about the means employed, appropriate in personal relations, is a moral dereliction in a politician, and the relevant moral criterion for a great national enterprise is lasting success....: continuing power, prosperity, high national spirit..."[13] Obviously a politician must bear in mind the wish to stay in office, which may have as much to do with a desire to continue bringing about a state of justice, as with personal ambition. Bernard Williams notes that "trying to stay in office", "must count as a political activity anywhere."[14]

However Machiavelli assumes that politics is an end in itself, the sole purpose of which is to preserve and increase political power. Religious, social or moral considerations are divorced by Machiavelli from political measures, except where the manipulation of the former might be political expedient:
"A Prince therefore who desires to maintain himself must learn to be not alwatys good, but to be so or not as necessity may require...For, all things considered, it will be found that some things that seem like virtue will lead you to ruin if you follow them; whilst others that apparently are vices, will, if followed, result in your safety and well-being"[15]

While this is part of the function of a politician it is certainly not the whole story. What is achieved during the period in office is certainly for most observers more important than merely the length of that spell. Margeret Thatcher was Prime Minister in the UK for longer than anyone else this century, but this does not necessarily make her the most successful.

For the most part Machiavelli is non-moral rather than simply immoral, by absracting politics from the rest of life he treats the 'legitimacy' or 'justice' of any particular act with a great deal of indifference. His assessment of Christianity is not based upon its message but rather its effect upon men. The Christian virtues, he argues, makes man feeble and easy prey to evil-minded men. Behind almost all Machiavelli says is his belief that man is essentially selfish, and that really all that keeps society together is the Prince and the power behind the law. The significance of morality is therefore limited to its use as a device for maintaining discipline among the people, and in this respect Machiavelli considered the civic virtues of the ancient Romans most effective, and in this sense the Prince is above the morality to be enforced within the group.

But Hampshire's above statement seems to concern not so much whether the morality expected from politicians qua politicians must differ from their morality as private people, but more to do with a belief that the moral obligations of a government go no further than obligations towards its own citizens. Indeed, in his article 'Public and Private Morality', Hampshire stresses both "accountability to one's followers" and the adoption of "policies that are to be justified principally by their eventual consequences."[16] According to some nationalist thinkers the goverment of each nation state has an obligation only to make sure that its own citizens are fed, clothed and protected. The obligations of the British goverment would, therefore, go no further than the shores of the British Isles, and "we should feed other countries if and only if it is to our own enlightened self-interest and does not entail too big a sacrifice on our part."[17] Thus decisions regarding world hunger are said to be prudential rather than moral, justified solely on the grounds of political expediency.

It is commonly acknowledged that the goverment of a particular nation does have a special relationship with its people. However it is to many, counterintuitive to think that this relationship is as strong and exclusive as some nationalists might imagine:
"Whoever takes on a public or official role assumes the obligation to serve a special function and often the interests of a special group... [but]... Obligations to the state also have limits, which derive from their moral context."[18]
It is probably fair to say that the idea that moral obligations do not extend beyond the national boundary strikes most people as repugnant. William Frankena is unequivocal in his dismissal of such an idea:
"... they may contend that, while we should act on non-egotistic principles in our relations to fellow citizens, such principles are not binding across national boudaries and we may and should be egoists in dealing with peoples in other other countries. Such a combination of altruism and egoism strikes me as simply incedible; it implies ...that while it is morally wrong for me to cause a fellow American to starve ...it is not morally wrong for me or the United States to cause Africans or Britons to starve..."[19]

Nevertheless the belief that moral judgements cannot be applied to actions that have effects across national borders has been defended on several grounds.

First, it is argued that no obligation can exist in cases where the agent is unable to act. That 'ought' implies 'can' is a tenet to which most moral philosophers subscribe. For example an infertile couple could not be said to be morally obliged to have children. Along these lines some have argued that there is nothing one can do to improve the welfare of foreign peoples, and hence that there is no obligation upon one to try and do so. It might not have been possible in the past for one nation to have much effect upon another, and even this is rather doubtful especially when they were geographically close together, but clearly today it is no longer the case. Much can be done by individuals and governments in any one country, which has influence abroad. This is especially true of rich western countries such as the United States or Britain. The USA is described as a 'superpower' simply because decisions made in that country have repercussions throughout the world. For instance today there exists a truly global economy and the economic decisions taken in one country will affect others. The outcome of the current round of GATT talks will be felt throughout the world. Much in this sphere can be done to ensure, at least, that matters in the Third World are not made worse. Sacrifices may be necessary, but this is not the point.

Second, it is argued by others that the legal autonomy of each nation state removes concern for the welfare of each nation's citizens from other countries. If the prescence of International Law is put to one side for the time being (though in Chapter 3 it will be considered) it is certainly true that each nation state is legally independent. However there is no reason to believe that once a body of people declare themselves to be a sovereign state, that all other nations are automatically released from any obligations that they might have had towards them. Once the international community recognised the existence of Bosnia as a separate nation it did not cease, in practice or in theory, to feel morally responsible for the humanitarian plight of its peoples. There is it seems little reason to accept that "legal autonomy entails moral nonresponsibility".[20] Within one country two individuals may be legally independent, yet this does not mean that they are not bound by moral obligations in their dealings with one another.

There is of course a danger that a nation may be tempted to universalise the morality peculiar to itself and, "oppose each other as the standard bearers of moral systems, each of national origin, and each of them claiming to provide universal moral and political standards which all the other nations ought to accept."[21] Some contemporary observers feel that this is the goal of US foreign policy, as it is seen acting as a quasi-world policeman. However, while ignoring the motivation of US policy, it is wrong to believe that morality is so relative and that there is not in fact concensus among most players on the international stage about the moral norms that should be observed. Few would accept the proposition that ethics is always relative to a particular society. The influence of warnings of such dangers tends merely to justify and reinforce acquiescence in the face of acts of inhumanity.

Third, the view that international politics is an amoral affair is reflected by some social contract theorists. Machiavelli certainly hinted that moral obligations must ultimatly be derived from law and goverment, but Thomas Hobbes gave a much more systematic account why the state alone creates morality as well as the law. Geoffrey Goodwin quotes The Leviathan where Hobbes notes explicitly: "There is neither morality nor law outside the state."[22] Morality, it is maintained, depends entirely upon the existence of an actual social contract, albeit implicit rather than explicit: "By covenant we are obliged; by law we are held to our obligation."[23] Therefore, it is argued, members of one state (whether individuals or the government itself) cannot have obligations towards members of another if they have not made a contract with each other. However even if the existence of law presupposes such a contract, it does not follow that morality does so too. Howard Warrender observes that:
"A moral obligation to obey the civil law cannot logically be extracted from a system in which man has no moral obligations before or apart from the institution of that law"[24]

Strictly speaking Hobbes argues that one must obey the law, and do what one does not wish, because otherwise the consequences will be even more unpleasant: that, in that overquoted phrase, life would be "solitary, poor, nasty, brutish and short."[25] Once a contract has been made those who give their consent are under an obligation to obey the covenant even if in practise it is in one's interest to break it. The natural moral vacuum is filled by the sovereign, a single determinate body, who by issuing laws will create moral distinctions and regulate relations between men. However in this respect the laws of nature are more like "doctors advice of a peculiarly compelling kind"[26] than moral obligation. Consequently Sabine is led to the conclusion that, "in no other sense is there logically any obligation whatever in Hobbes' system."[27] Frankena points out correctly that if an actual social contract forms the basis of our moral obligations then it would be virtually impossible to apply moral judgements to foetuses, young children and future generations.

Some of the features of political life certainly indicate a lack of moral consideration. The spectacle of man's inhumanity to man, selfishness and indifference combine to paint a very disturbing portrait. In their introduction to "The Morality of Politics" Bhikhu Parekh and R.N.Berki express their concern at how, "The standard of living has been elevated to the status of the highest moral and political value." They add that:
"The poverty, disease and starvation of millions are facts apparently coexisting with the frenzied pursuit of material prosperity in the more affluent reaches of human socity. In the domestic politics of most countries the same philosophy of narrow selfishness dominates...placing individual or sectional selfinterest before the common good."[28]

There are perhaps signs that attitudes might be changing in the dawn of a New World Order. The willingness of the US army to intervene in Somalia is certainly encouraging, even if it can be easily lost sight of in the face of continuing hypocrisy and double standards. However even if domestic and international politics is lacking signs of moral standards it would be wrong to suppose that "moral issues are therefore quite irrelevant to political action..."[29] The stress must be on what states ought to do rather than what

states actually do. Virtually all goverments view their own population very differently from the way they view other people, but nevertheless:
"It is hard to see how moral oughts can apply only to our relations to other Americans...it seems to be characteristic...that they apply to our relations with all rational beings if they apply at all."[30]
Indeed Peter Singer makes the point that ethical justification must go beyond the narrow terms of any partial or sectional group. Moral philosophers from the Greeks, those in the Christian tradition, Kant, Bentham and Rawls all "agree that ethics must in some sense be universal"[31]

It is worth mentioning that utilitarianism, that moral theory believed by so many to shed most light on the difference between right and wrong, was thought of by its founding fathers as a, "system of social and political decision, as offering a criterion and basis of judgement for legislators and administrators."[32] Given a belief in the existence of universally valid principles, utilitarian or otherwise, valid for all times and all places; and the acceptance of the notion of the moral responsibility of states, the idea of 'dual morality' must be dismissed. In the words of former US President Woodrow Wilson, "the same standards of morality should apply to states as apply to individuals."[33]

Assuming the existence of an applicable theory of global distributive justice, the conduct of institutions, and the individuals who act for them, must be judged by the same standards as private citizens when it comes to judging what they have done to contribute towards the solution or otherwise of the problems of poverty. The most important difference between those in public office and private individuals is the form their personal acts might take.

It is perhaps open to question whether every individual agent should apply the basic principles of morality directly, and give a large proportion of one's income to the disadvantaged to see that some are at least minimally well fed, or whether the obligation falls upon us to act indirectly through political means to ensure that each goverment fulffills its political and moral obligations. At present the emphasis seems to most people to be on the former to some degree, yet if any significant change is to occur this ought to be reappraised. Frankena concludes that:
"...what is most imperative is for all of us to do what we can to bring into existence a national and international set of institutions such that, if all agents act on its rules.. then everyone's basic needs will be supplied insofar as nature permits"[34]

1 Rousseau J-J, "Emile" (1762) Quoted by Hampshire S, in "Public and Private Morality" (1980). An English translation is ' Those people who treat politics and morality separatly will never understand either of them'.
2 O'Neill O, "Faces of Hunger" (1984) p.6.
3 Narveson J, "Aesthetics, Charity, Utility, and Distributive Justice" Monist 56 (1972) p.530.
4 Source: New Internationalist No.228 February 1992.
5 Nagel T, 'Ruthlessness in Public Life' (1980) in Hampshire S, (ed.) "Public and Private Morality" p.75.
6 George S, "How the Other Half dies" (1976) p.19.
7 Machiavelli N, "The Discourses" (1531) 111, 41.
8 See Nagel T, (1980) p.75.
9 Ibid, p.75.
10 Ibid, p.81.
11 Ibid, p.77.
12 Narveson J, 'Morality and Starvation' in Aiken W, & LaFollette W,(ed.) "World Hunger and Moral Obligation" (1977) p.60.
13 Hampshire S, "Public and Private Morality" (1980) p.49.
14 Williams B, 'Politics and Moral Character' (1980) in Hampshire S, (ed.) p.57.
15 Machiavelli N, "The Prince" (1532) Ch.15.
16 Hampshire S, op, cit, p.52.
17 Frankena W.K, 'Moral Philosophy and World Hunger' (1977) in Aiken W, & LaFollette H, (ed.) p.68.
18 Nagel T, op, cit, p.80.
19 Frankena W.K, op, cit, p.69.
20 Ibid, p.70.
21 Goodwin G, 'An International Morality?' in Parekh B, & Berki R.N, (ed.) "The Morality of Politics" (1972) p.111.
22 Ibid p.110.
23 Hobbes T, "De Cive" xiv.2.
24 Warrender H, "The Hunting of Leviathan".
25 Hobbes T, "The Leviathan"(1651) Ch.13 p.62.
26 Watkins J.N.W, "Hobbes System of Politics" p.75.
27 Sabine G.H, & Thorson T.L, "A History of Political Theory" p.434.
28 Parekh B, & Berki R.N, op, cit, p.7.
29 Goodwin G, op, cit, p.110.
30 Frankena W.K, op, cit, p.70.
31 Singer P, "Practical Ethics" (1979) p.21.
32 Williams B, 'A Critique of Utilitarianism' in Smart J.J.C, & Williams B, (ed.) "Utilitarianism: For and Against" p.135.
33 Wilson Woodrow quoted by G.Goodwin op, cit, p.102.
34 Frankena W.K, op, cit, p.82.

CHAPTER THREE: HUMAN RIGHTS AND INTERNATIONAL LAW

"It is paradoxical, but hardly surprising, that the right to food has been endorsed more often and with greater unanimity and urgency than most other human rights, while at the same time being violated more comprehensively and systematically than probably any other other right."[1]

"A declaration of rights would be but a lop-sided job without a declaration of duties."[2]

When seeking for a morally secure basis for asserting the duties of those in the affluent West to take responsibility for, and counter the prevailing poverty in the Third World it is fashionable among some campaigners to focus on the rights of the underprivileged. Encouragement was given to such writers, concentrating upon the 'rights' idiom, by the U.S. Carter Administration in the late 1970s following the President's commitment to secure "human rights" overseas. There is also a close similarity (as well as important differences) between the concept of moral, human or natural rights and institutional human rights entrenched in national or international positive law. 'Rights' jargon is therefore very attractive and has enormous resonance both with the lay man and with the specialist, whether moral philosopher or jurist. Indeed the role of human rights in the development of international law is especially important. Frequently appeal is made to the United Nations Universal Declaration of Human Rights(1948) and other international declarations and charters. There is certainly no doubt that the right to life is entrenched in human international law. As a result it is not uncommon to attempt to derive an obligation, both legal and moral, to respect this right to life which in the eyes of Third World lobbyists entails a duty to aid the poor and hungry.

There are however, it hardly needs saying, numerous problems with this approach. Firstly the sources of such ambiguous rights must be considered. The rhetoric of rights is employed by many with widely differing concepts of morality. As Onora O'Neill points out:
"The ambiguous rhetoric of rights allows the partisans of various accounts of human rights to share the slippery ground of international declarations and charters."[3]
It is necessary to discover what, if any, fundamental ethical standards underpin such institutional rights if it is to be determined whether these rights are universal and moral. Secondly it is necessary to decide whether the precepts of international law can be considered legal imperatives in the same way as domestic statutes. Thirdly the question of agency is vital. Rights without specific correlative duties amount to very little. Unless holders of 'human rights' can claim respect for these rights from specific individuals or institutions they are practically meaningless.

Human rights theory is considered to be grounded upon the theories of natural law developed during the Enlightenment. Theories of natural law stress that it is a system of law binding on men by virtue of their humanity. It is independent of all positive or customary law. Natural law is seen by most thinkers as underpinned by reason, or rationality. As a rational being man recognises natural law, and it is binding upon him because he recognises it. Natural law, however, was first expounded by

philosophers relying upon Greek and especially Stoic conceptions of justice, functioning as a standard upon which positive law could be judged. Medieval philosophers, based firmly in the Christian tradition, also employed the concept of natural law. However, typically, Aquinas viewed natural law as part of the natural law of God or divine law, thereby reducing natural law to a form of positive law, albeit laid down by God rather than man. In fact Aquinas went as far as to suggest that positive law could itself be wholly generated by divine law:
"...man has a natural inclination to know the truth about God and to live in society. In this respect, there comes under natural law all actions connected with such inclinations."[4]

The modern secular theories of natural law can be traced back to Hugo Grotius whose enunciation of natural law was detatched from religion:
"Natural law is so immutable that it cannot be changed by God himself."[4]
According to Grotius man has a natural impulse to live peacefully and in harmony with others, and therefore whatever contributes towards this natural and rational impulse is right and just, and whatever upsets the social harmony and does not contribute to this impulse is wrong and unjust.

Since at least the Enlightenment natural law has been recast in order to prescribe natural rights, which have subsequently been remoulded in the rhetoric of human rights, and which can be defined as those principles which dictate how men ought to be treated irrespective of custom or institution. Natural rights are said to be rights belonging to all human beings by virtue of the fact that they are human. Perhaps the most famous natural law theorists are Thomas Hobbes and John Locke. Locke argued that man had a natural right in defence of "life, liberty, and estate"[5], implying that at least man's right to life is inalienable, as well as universal. According to Locke such rights exist independently of the social order; the law of nature being implanted by God in all reasonable beings.

Such reasoning might immediately be questioned by the modern reader. Such metaphysical facts as the law of nature which are supposedly ready to be discovered are as unintelligible and as objective nonsense to many today as they were to Bentham who firmly stated that "natural rights is simple nonsense: natural and imprescritble rights, rhetorical nonsense -nonsense upon stilts."[6] Moreover if the right to life is an ultimate moral principle with priority over all others, then it commits one to a position of absolute pacifism, which most would not be happy with. But if it is just one of many rights it collapses into a mere rule of thumb which can be easily disregarded. Jonathon Glover points out that a case of similar coherence could be made for there being a "right to happiness"[7]

A philosophy of 'rights' is also problematical because it is unclear whether such rights are merely rights of freedom from the interference of others (i.e. "liberty rights"), or whether they should include positive or "welfare Rights". The latter concept of rights imposes a duty on others, either individuals or the state, to intervene and act as the provider of certain services or goods not otherwise accessible. To suggest that noninterference respects the rights of others if it denies them the minimum sustenance to exercise these rights, is described by Henry Shue, among others, as fatuous:
"The classic liberal's main preoccupation for the good life- do not interfere with thy neighbour- is the only poison they need."[8]

Ironically, since respect for the 'rights' of man would seem to entail positive action as well as noninterference, those who employ the rhetoric of rights are often the very same people whon do nothing worthwhile to respect such 'rights'. Alan Gewirth notes that:
"For a person to have human rights, then, is for him to be in a position to make morally justified stringent, effective demands on other persons that they not interfere with his having the necessary goods of action and that they also help him to attain those goods when he can not do so by his own efforts."[9]

In effect unless any corresponding individual has a corresponding duty to give food to the hungry refugee, any 'rights' that he or she might have are rendered wholly academic. A social contract theorist would argue that the state is obliged to respect such rights[10], but where the state has broken down or is not in a position to offer any tangible assistance, such obligations are harder to allocate. Focussing upon rights alone is a mistake, it seems, whether or not one accepts that they objectively exist. While many frequently invoke the concept of rights, this is perhaps more to do with the existence of quasi-analogous rights established institutionally in the positive law of many states, than anything else.

The place of human rights in the constitutions of modern states goes back at least two hundred years. American constitutional rights were born in the eighteenth century and drew heavily on contemporary European ideas. Paine's "Rights of Man"(1791) was a strong defence of the declaration of natural rights and of revolution in this cause, written very much in the spirit of Locke and influenced by the French Revolution(1789) and U.S. Independence. It was Paine's views about rights which were adopted by the Founding Fathers of American Independence. The U.S. Declaration of Independence(1776) states that:
"...all men are created equal, ...they are endowed by their Creator with certain inalienable Rights, ...Life, Liberty and the pursuit of Happiness."[12]
Such rights now form the basis of many institutional rights now established in the positive law of many countries: the right to life, to free speech, and to assembly for example.

Despite the philosophical shortcomings of such a concept of rights, based as it is on natural law, the international human rights movement draws heavily upon American constitutionalism. After the brutality of the attrocities associated with Nazism, it is not surprising that the search for immutable principles which would protect humanity from such deeds should come back into fashion. Professor D. Sidorsky explains that:
"To find logical faults in the theory of equality of persons in society where human worth is respected is one thing; to intellectually undermine the theory when human dignity is systematically denied is another thing."[13]

The existence of 'fundamental human rights' was a declared article of faith by the "Peoples of the United Nations"[14] in the U.N. Charter. The Universal Declaration of Human Rights notes that:
"Recognition... of equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world..."[15]
Similarly article 55 of the U.N. Charter states that:

"Respect for, and observance of, human rights will help create conditions of stability and well-being which are necessary for peaceful and friendly relations among nations..."[16]

The post-war zeitgeist is captured neatly by Professor H.L.A. Hart:
"... it is plain that a theory of rights is urgently called for. During the last half century man's inhumanity to man has been such that the most basic and elementary freedoms and protections have been denied to innumerable men and women... It remains to be seen whether it will have as much success as utilitarianism in changing the practices of governments for human good."[15]

Whether or not the widespread intellectual and rhetorical employment of human rights will lead to the "human good" is, perhaps, the central question which needs to be examined. There is no doubt that the idiom of human rights is a very useful rhetorical tool, recognised in argument by almost all. But therein, I propose, lies its weakness. The Universal Declaration of Human Rights is typical of charters of its kind by virtue of its eclectic nature, designed to appeal to diverse peoples governed by diverse political systems, and thus its framers shunned philosophical exploration of anything but a superficial nature. It is therefore characterised in such a way that it is impossible to describe it as simply utilitarian, intuitive or natural rights-based.

However despite the lack of any coherent or philosophically justifiable basis to the concept of human rights as expounded by the U.N., this renaisance of human rights theory may still be justified by its supposed beneficial influence. It is argued that if certain human rights such as freedom and the right to life are accepted as norms then a certain form of society will develop; and if such a society is desirable one should adopt such norms and call them absolute principles. Such a circular or tautological argument is unsatisfactory.

First, it must be examined whether the recognition of such principles by the International Community has in fact had a beneficial impact. Experience suggests that nothing more than lip-service has been paid to the sentiments behind such U.N. Articles in the majority of cases, though the manner in which they were drafted has made it easier to follow the actual letter of international law. For example although most countries outwardly respect the 'right to life', since it apparently entails no correlative positive duties, this means little to the starving and diseased. Second, it must be discovered whether there are watertight ethical arguments behind the rights which are ascribed by international positive law. Unless one is automatically obliged to respect such rights merely by their status as tenets of international law, it is necessary to discover independent moral reasons in order to feel obliged to act in their accordence. As Jerome Shestack notes:
"By philosophically divorcing a legal system from the actual foundations of society, the system lacks any motive for future development."[17]

Such a positivist outlook is widely criticized, not least because it encourages the belief that law, however morally abhorrent, must be obeyed because it is the law. No doubt this was the justification many people gave for their compliance with the misdeeds of the Third Reich. There undoubtedly appears to be confusion between moral and legal rights. Indeed much of the

argument of the human rights lobbyists appears to be based on the view that international law demands aid for the Third world, and therefore an obligation of not only a legal nature, but also a moral nature exists to provide it. This is understandable insofar as since such legal rights are unenforceable another motive for action is necessary.

However there are important differences between legal and moral rights. First, moral rights are universal wheras legal rights are not. Legal rights differ from person to person according to age or status but moral rights surely remain the same. Second, moral rights are equal rights and cannot be possessed to a greater degree by the peoples of one country than another, as argued in Chapter Two. Lastly moral rights are inalienable and cannot be transferred or lent to another whereas legal rights can by agreement be given up or sold. Legal justice and moral justice may coincide, but on the other hand they may not. Moral laws may not be recognised as legal laws and legal laws may not per se be morally just. Hence merely if a right to aid the poor exists in international law, and this is by no means certain, it cannot be immediatly assumed that a moral obligation exists as well. It is unlikely that such a law would be immoral but a moral judgement must be made independently.

Indeed the powerful influence of moral attitudes is shown in domestic law by the fact that laws tend to be transgressed regularly if public disapproval does not follow detection of such transgressions. For example in Britain non-payment of the Community Charge was endemic precisely because the overwhelming view of the public was that the law was unfair and immoral. Similarly assuming international law does insist on a transfer of resources from rich to poor, one of the reasons why it will not occur is because the majority of governments, and the public in the West, do not feel morally obliged to do so. Little is likely to change unless stronger reasons, other than various statements in the U.N. Charter, to transfer resources from the West to the Third World can be found to exist.

Furthermore it is even doubtful whether the letter of international law does insist that the West make efforts to protect Third world citizens from starvation or poverty. This is clearly argued by Philip Alston:
"In the area of international law dealing with food, the proposition that the continuation of hunger in the world is unacceptable and that the notion that individuals have a right to not to die from hunger and not to suffer ...from malnutrition ...,have long been accepted by the international community. Whether in the context of global statements of policy such as the Universal Declaration on the Eradication of Hunger and Malnutrition or the strategy for the Third United Nations Development Decade ...all states have unambiguously committed themselves to these principles [is uncertain] ...By and large, international law dealing with food issues has succeeded in remaining hermetically sealed from human rights considerations."[19]

In the context of world poverty and famine, the right to food is the most pertinent element of a wide range of human rights instruments. The sole direct reference to food is contained in Article 25 paragraph 1 of the Universal Declaration of Human Rights:
"Everyone has the right to a standard of living adequate for the health and well-being of himself and his family, including, food, clothing, housing and medical care and necessary social services."[20]

Although the Universal Declaration was conceived at its time of adoption not as international law in itself, but rather as a "common standard of achievement" to which all aspired,
"it has since been argued that it now forms part of binding international law by virtue firstly of the fact that it is an authoritative interpretation of the Chater provisions, and secondly of the extent to which it has been reaffirmed and cited by the international community and individual States"[21]

For a more detailed and specific reference to the right to food, attention must be turned to the International Covenant on Economic, Social and Cultural Rights which was accepted by the U.N. General Assembly in 1966 and came into effect in 1976. Article 11 states that there exists:
"A right of everyone to an adequate standard of living for himself and his family, including adequate food ...[and a] ...right of everyone to be free from hunger."[22]

Furthermore Article 2(1) of the Covenant commits those states which ratify it[23] to "take steps" towards the realisation of those rights "recognised in the present covenant" and to use "all appropriate means" in doing so, "to the maximum of its available resources".[24] It would appear that this at least suggests that nations should give priority to social welfare over allocation of resources to other areas such as defence or industrial development.

One of the most important questions is whether the Economic Covenant obliges Developed Countries in the West to render assistance to Third World Nations in order to promote economic, social and cultural rights in those countries where perhaps most needs to be done to gain their recognition. While Article 11 demands that all states take steps to realise the right to an adequate standard of living for all, including "international cooperation", this is said to be based upon "free consent". Moreover the Carter Administration in the USA noted that:
"It is also understood that paragraph 1 of article 2, as well as Article 11... imparts no legally binding obligation to provide aid to foreign countries."[25]
And Trubeck notes that:
"One could read articles 11 and 23 of the Economic Covenant as support for the argument that the drafters wished to leave the question of assistance from developed countries up to individual states, ...it would seem inappropriate to try and ground such an obligation on the Economic Covenant..."[26]

However Alston draws a different conclusion. He states that:
"'free consent' cannot be reasonably be interpreted as rendering the commitment to international cooperation ...as entirely meaningless ...It should thus be taken as meaning that while an obligation exists, the form which such cooperation will take is to be determined in accordance with the free consent of the State concerned."[27]
On this interpretation the proposed reservation, noted above, to be attached to their ratification by the U.S. Government would have been inadmissable.

What, however, is not uncertain is the fact that Article 11, the Covenant on Economic, Social and Cultural Rights as a whole, the Universal Declaration, and most U.N. declarations and charters are all framed in such a way that it

makes it difficult to draw any firm conclusions. Alston is forced to conclude that one reaches "a somewhat ambivilant conclusion as to the present status of the right to food now in international law."[28] The provisions made in international law lack both sufficient detail and clarity to make anything else possible. Both the cynical and the pragmatic will doubtless realise that the framers had little option to do anything differently. Trubeck concludes that:
"A principal purpose of this chapter has been to highlight the weakness of the existing machinery to implement international economic, social and cultural rights."[29]

The immense chasm between reality and the rhetoric employed by international statesmen and bureacrats, and codified in international law, suggests that this 'human rights' approach has been unsuccessful. In reality world poverty and malnutrition is not a high priority for most governments. In this light the examination of the problem of hunger from a human rights perspective appears to be an unsuccesssful and ultimately futile academic exercise. Alston optimistically believes that "focussing on the right to food provides a rallying point around which to mobilise the starving masses."[30] However, unless it is possible to address those in authority, these calls will simply remain unanswered.

Because "rights discourse often only carries with it only a vague message to those whose action is needed to secure respect for rights"[31], there is inevitably a widespread failure to secure respect for such rights. Legal and institutional rights carry with them correlative obligations. For instance the right to one's property in domestic law means that others are obliged not to trespass or to steal. However , despite their pseudo-legal character, 'human rights' do not seem to have similar correlative obligations. Whatever the status of the United Nations and international law (and this is an area which is beyond the scope of this thesis), the character of many of its declarations on issues such as development appear to be of a moral nature. The importance of such moral norms can easily be understated because they do at the least:
"serve to underline the ethical/moral dimensions of issues which are too often portrayed as excessively technical matters."[32]

However, as has been shown, proclaimed programmes of human rights lack coherence as a justifiable set of ethical principles in themselves. It is therefore hardly surprising if governments are reluctant to be persuaded to act in their accordance. It is therefore necessary to discover whether such rights exist as secondary principles derived from the moral obligation incumbant upon a government. Inevitably this demands an enquiry into normative ethics, in other words an attempt to determine those principles by which individuals, and for that matter large institutions and governments as well, ought morally to be guided. This is a process which cannot be avoided by applied ethicists if correct moral judgements are to be arrived at. To do this it necessary to examine alternative moral systems which in which one might satisfactorily ground an obligation to aid the poor and starving. Jennifer Trusted argues that:
"In our society anyone who is starving has a right to food and this is because we think that one of the duties of the state is to care for the destitute... It is now obvious that rights can only exist within society

because they are a result of obligations between people, not a cause of such obligations."[99]

1 Alston P. 'International Law and the Human Right to Food' in "The Right to Food" (1984) Alston P. & Tomasevski K.(ed.) p.9.

2 Bentham J. "Anarchical Fallacies: being an Examination of the Declarations of Rights Issued during the French Revolution" quoted by O'Neill O. in "Faces of Hunger" p.120.

3 O'Neill O. "Faces of Hunger" (1986) p.107.

4 Aquinas T. "Summa Theologica" I IIae 94 art2 in "Selected Politcal Writings" (ed.) D'Entreves A.P.

5 Grotius H. "De Jure Belli ac Pacis"(On the Law of War and Peace) (1620-25).

6 See Locke J. "Two Treatises of Government" (1690).

7 Bentham J. op. cit. p.120.

8 Glover J. "Causing Death and Saving Lives" (1977) p.85.

9 Shue H. "Basic rights: Sustenance, Affluence and US Foreign Policy" (1980 p.19. For a fuller discussion see chapter 5.

10 Gewirth A. "Human Rights: Essays on Justifications and Applications" (1982) p.11.

11 See Chapter Two where the logical flaws of the social contract analysis are dealt with at greater length.

12 U.S. Declaration of Independence. See Henkin L. 'International Human Rights and Rights in the United States' in Meron (ed.) "Human Rights in International Law" (1984) p.30.

13 Sidorsky D. "Essays on Human Rights-Contemporary Issues and Jewish Perspectives" quoted by Shestack J.J. "The Jurisprudence of Human Rights" in Meron (ed.) op. cit. p.86.

14 See Henkin L. op. cit. p.32.

15 Ibid. Universal Declaration, preamble.

16 See Henkin op. cit. p.32/3. This is incidentally very much in the humanist tradition of Grotius.

17 Hart H.L.A. 'Law in the Perpective of Philosophy' in "Essays in Jurisprudence" (1983) p.151.

18 Shestack J.J. op. cit. p.80.

19 Alston P. op. cit. p.13/14.

20 Ibid. p.22.

21 Ibid.

22 Article 11 para. 1 & 2 quoted by Alston op. cit. p.32.

23 Eighty-one countries had signed the Covenant on Economic, Social and Cultural Rights by the mid-1980s.

24 See Trubeck D.M. 'Economic, Social and Cultural Rights in the Third World' in Meron (ed.) op. cit. p.214.

25 Alston P. op. cit. p.41.

26 Trubeck D.M. op. cit. p.217.

27 Alston P. op. cit. p.41.

28 Ibid. p.49.

29 Trubeck D.M. op. cit. p.254.

30 Alston P. op. cit. p.61/2.

31 O'Neill O. op. cit. p.117

32 Ibid. p.61.

33 Trusted J. "Moral Principle and Social Values"(1987) p144.

CHAPTER FOUR: UTILITARIANISM AND JUSTICE

"Nature has placed man under the governance of two sovereign masters, pain and pleasure. It is for them alone to point out what we ought to do, as well as to determine what we shall do."[1]

"The utilitarian habit of mind has brought with it a new abstract cruelty to politics, a dull destructive political righteousness: a mechanical, quantitative thinking, leaden academic minds setting out their moral calculations in leaden abstract prose , and more civilised and more superstitious people destroyed because of enlightened calculations that have proved wrong."[2]

Many moral philosophers writing on the subject of poverty and famine in the Third World attempt to avoid the problems encountered by viewing the situation from the perspective of the rights of the poor by looking instead at the obligations of the affluent. Rather than attempting to locate what rights human beings possess and then decide who has a duty to ensure that these rights are not violated, it is accepted by many that it is more profitable to discover what obligations or duties each agent might have and what in the circumstances of world hunger one must do to meet them. Obviously this immediatly raises the question of how such obligations are to be established; that is, how one is to decide what duties one has an obligation to perform. Furthermore it is commonplace to sub-divide such obligations into those one merely 'ought' to do and those it would be wrong not to do. In such circumstances it is normal for moral philosophers to appeal to a general moral principle, and then argue from these principles to various prescriptions.

Whilst it is correct to say that "it is doubtless an exaggeration to suggest that...[utilitarianism]...is widely accepted as an ultimate moral principle by plain men and philosophers alike"[3], it is nevertheless true that many modern moral philosophers have appealed to the general consequentialist principle of utility in order to justify their respective positions on the debate on Third World Aid, and for that matter on every point of ethical dispute. The first philosopher to explicitly promulgate the theory of utilitarianism was Jeremy Bentham, who as mentioned in chapter 2, primarily saw it as a means to providing a criterion for legislators and other social decision makers. However not surprisingly this was difficult to isolate from principles of private morality, and John Stuart Mill in his celebrated text "Utilitarianism" first developed the doctrine to apply to personal moral deliberation. In the following 130 years much has been written on the subject and for every critic there has been at least another ready to advocate a utilitarian approach, with or without some slight reformulation. However within the context of poverty and famine the fact that arguments for the West to further aid the poor, to give no aid to the poor, or to maintain the status quo immediatly raises suspicion as to the adequacy of such an approach.

The basis of the utilitarian doctrine is the Greatest Happiness Principle whereby the morality of an action is assessed in terms of the happiness it produces, or perhaps the diminuation of human suffering it causes. Just as an individual when he or she has only himself or herself to consider, makes

up his or her mind what to do in terms of what will give the greatest pleasure, so a member of society concerned with the interests of others as well as as his or her own, must make up his or her mind in terms of what will produce the greatest happiness for the greatest number. Thus according to the theory of utilitarianism actions are to be judged solely in terms of their consequences; in terms of the pleasure and happiness they involve:
"By the principle of utility is meant the principle which approves or disapproves of every action whatsoever, according to the tendency which it appears to have to augment or diminish the happiness of the party whose interest is in question: or, what is the same thing in other words, to promote or to oppose that happiness."[4]
"The creed which accepts as the foundation of morals, Utility, or the Greatest Happiness Principle, holds that actions are right in proportion as they tend to promote happiness, wrong as they tend to promote the reverse of happiness. By happiness is intended pleasure, and the absence of pain; by unhappiness, pain, and the privation of pleasure."[5]

There is no doubt that the utilitarian principle has proved a powerful reforming weapon. Bentham himself worked hard for social reform, fighting against slavery, for the extension of the franchaise and for the improvement of penal conditions. Furthermore he put forward forward thinking plans for free education, sickness benefit and even a minimum wage, not yet even accepted today. In the past utilitarian thinking has contributed towards the undermining of positions of privilege and helped elevate the well-being of the whole community to be the primary objective of both political and economic action.

Moreover utilitarianism is also an attractve ethical principle on a theoretical level for several reasons. Above all it avoids any appeal to transcendental notions of right and wrong, preferring an appeal to the simple concept of happiness to metaphysical or religious speculation. Indeed for many it is merely commonsense that happiness is good and that unhappiness is bad. Few after all would claim that the aim of happiness is anything other than indisputable. Both Bentham and Mill believed this to be self-evident: happiness they believed to be the ultimate end of all actions and should be acknowledged as self-evidently good needing no further appeal for support. This theory is intelligible and simple, restricting itself to the facts and avoiding the sort of fanciful notions and idealistic chatter often associated with morality. Concepts such as natural rights (dismissed by Bentham as "nonsense on stilts") are avoided and the morality of an action can supposedly be easily determined, merely by assessing the utility of the consequences. All cases of moral obscurity are merely matters of technical limitation where the consequences of an action might be deemed to be in doubt. Furthermore such a doctrine also almost complete sidesteps the problem of agency, discussed in chapter 2. It matters not whether an individual, a multinational corporation, or goverment carries out an act: its moral worth can be assessed in the same way each case. As O'Neill notes:
"[Utilitarianism] shift[s] easily between talking about the obligations of nations and those of individuals. This ambidexterity has been a part of the utilitarian tradition of thought ever since Bentham wrote "Principles of Morals and Legislation."[6]

This is especially important in a context such as world poverty where as previously concluded governmental action alone will make much impact on the

situation. Also with particular regard to the issues covered in this thesis utilitarian thinking avoids the problems created by the geographical distance often between the suffering and those in a position to do something about it. Often it is argued that since the destitute and poor might be in a different country, or because one is not in any special relationship with such people it therefore follows that one has no obligations at all. Utilitarian arguments cut through such objections: it matters not whether those affected by one's actions are near or far away, whether they are neighbours or strangers, fellow countrymen or foreigners. What matters alone is the net utility of each action. Hence Peter Singer argues that:
"It is difficult to see how any sound moral justification for the view that distance, or community membership, makes a crucial difference to our obligations."[7]

Despite this, or in some people's minds because of some of the above reasons, utilitarianism has attracted a great deal of criticism. One of the most powerful critcisms comes in Bernard Williams' "A Critique of Utilitarianism". Williams concludes his work thus:
"Utilitarianism ....runs against the complexities of moral thought: ....because of its consequentialism ....view of happiness ....great simple-mindedness. The demands of political reality and complexities of political thought are obstinantly what they are, and in the face of them the simple-mindedness of utilitarianism disqualifies it totally ...The day cannot be too far off in which we hear no more of it."[8]

To run through all the criticisms levelled against Bentham and Mill would be both too time consuming and beyond the scope of this thesis. It is more than adequate to concentrate on three main areas of criticism, each powerful enough to render utilitarianism useless as a doctrine for assessing moral judgements. The first revolves around the issue of happiness: how it can be defined, whether it is objective and how it can be measured. The importance of empirical evidence and knowledge of the full outcome of each action will also be stressed. The second concerns the difference or similarity between acts carried out and those which are not, commonly referred to as the acts and omissions doctrine. The third area of discussion will be the connection between utilitarianism and justice. A common criticism levelled against utilitarianism is that it appears that no action can be defined as unjust or absolutely wrong. It appears that public interest, or rather the greatest happiness for the greatest number might easily be allowed to override what is commonly assumed to be just.

Bentham believed that the happiness of particular actions could be calculated through a system of 'felicific calculus', whereby seven aspects of the happiness of an action would be taken ino account: its intensity, duration, certainty or uncertainty, propinquity or remoteness, fecundity, purity, and extent.[9] However it has to be said that it is virtually impossible to reduce happiness to measurable and comparable quantities in such easy terms. As O'Neill points out:
"If we assess Bentham's system soberly and discout some of his enthusiasm, we might conclude that its scope is large but its precision spurious. For if we can't do the calculations, we won't get answers at all."[10]

Mill was more sceptical about the felicific calculus, and also pointed out that there also qualitative differences between different kinds of satisfaction, differentiating between higher and lower pleasures:
"It is better to be a human being dissatisfied than a pig satisfied; better to be Socrates dissatisfied than a fool satisfied. And if the fool, or the pig, is of a different opinion, it is because they only know their own side of the question. The other party to the comparison knows both sides."[11]

Despite Mill's scepticism he still obviously believed that utilitarianism was right in theory. However such practical difficulties do mean that any serious utilitarian will encounter insurmountable problems in daily life. How the moral agent should equate physical pleasures such as eating or sexual intercourse with more aesthetic or spiritual pleasures is left very much unanswered. Moreover happiness or pleasure is a very subjective experience: what some people find enjoyable may bring pain to others. Utilitarian thinkers and legislators tend to base their judgements on the paternalist assumption that each individual desires the same things as everyone else. For instance humanitarian aid is provided on the assumption that the poor desire food and clean water. However were the actual preferences of those in the Third World taken into account, it is pausible to assume that there might be cases where many "care as much (or more) about land, caste, tribe, traditional ways of life and religious affiliations as they do about material needs."[12]

Difficulties are also encountered if one considers how one can compare the distribution of one thousand pounds to one person with the same amount divided between one thousand? More people will benefit in the latter case but their reward will be far less considerable than if it were all donated to just one person. If one is forced to make judgements such as this each time one makes a decision then one would be forced to live a very "morally strenuous life".

The need to assess the results of an action so carefully in a consequentialist theory such as utilitarianism, also places a vital importance on the validity of one's factual premises. Unlike some moral theories such as Kantianism, where the motive of the agent assumes predominance; utilitarianism demands that the moral agent bears full responsibility for the complete consequences of every action committed. Thomas Nagel captures the absurdity of such complete concentration on the consequences by noting that by such criteria:
"If one negligently leaves the bath running with the baby in it one will realise, as one bounds up the stairs, towards the bathroom, that if the baby has drowned one has done something awful, whereas if it has not one has merely been careless."[13]

Furthermore consequentialist thinking also demands that when assessing the relative merits or demerits of particular courses of action one considers the long-term as well as short-term results. Bearing in mind the chain reaction that even the most inocuous actions might have this leaves the moral agent in a very difficult, if not impossible position.
"Utilitarians may start out wanting to be realists who can soberly calculate the outcomes and the odds; but there seems to be no natural stopping point before they find themselves trying to be futurologists who seek to uncover

the impact of their actions, or that of their institutions, in a vast and complex web that extends indefinitely into the future."[14]

This objection might be thought to be very much an abstract problem and not in itself conclusive, but the implications for practical ethical reasoning are very great. The problems caused are very well highlighted by the differing conclusions reached by various moral thinkers all in the consequentialist tradition, and who can all be roughly described as "utilitarian", as to the moral status of famine relief. In the opening chapter reference was made to the "Neo-Malthusian" and "Developmentalist" schools of thought. Representatives of the first, such as Garret Hardin or Joseph Fletcher, believe that the West or the rich ought not to relieve famine. On the other hand others with a more developmentalist perspective or more optimistic neo-Malthusians, such as Nick Eberstadt or Peter Singer, believe that on the contary the affluent do have an obligation to ensure that famine is relieved.

Both Hardin and Fletcher base their conclusions on the belief that aid is likely to do more harm than good and is wrong, not because they believe that the lives of the starving are worthless and do not deserve saving, but because in the long term it would lead to more starving and more deaths. Hardin states that:
"However humanitarian our intent, every Indian life saved through medical or nutritional assistance from abroad diminishes the quality of life for those who remain, and for subsequent generations."[15]

Hardin employs a lifeboat metaphor to describe the problems confronting the world. He believes that affluent countries can be likened to lifeboats floating in a sea where the peoples of the poor countries are swimming. He then asks whether the passengers aboard each lifeboat should let others join the lifeboat, and if so by what criteria they should be chosen. Hardin accepts that the people in the lifeboats have the capacity to help some of those drowning in the sea, but believes that in reality this can only be a very small number of people, and that in the long run such moves would be disasterous:
"The boat swamps, everyone drowns. Complete justice, complete catastrophe."[16]

Hardin reaches this conclusion on the assumption that once some of those who were drowning are rescued they will multiply at an unsustainable rate creating a demand on the world's finite resources which far outstrips supply. Similarly Fletcher argues that the population of some countries is so large that self-sufficiency is impossible. Therefore to give aid in times of crisis is wrong because it merely stores up problems for the future, and deprives other people of the limited amount of aid available where it might be put to better effect:
"We will contend that in at least a few cases certain countries have exceeded their biological carrying capacity, and therefore to give them food is immoral."[17]

Instead Fletcher believes that aid should be allocated on a triage principle.[18] In other words this means that resources should be given to those who can benefit most: aid should neither be given to those who can probably get by without it, nor to those who it probably wouldn't help

survive. Instead it should be given to those who can benefit most, labelled by Fletcher as "Third and Fourth World countries", as opposed to "Fifth World countries", "which are unlike the Third and Fourth World countries because they are biologically stymied, without a rationally founded hope unless they reduce their population and reconstitute their soil".[19]
In sum Fletcher believes that:
"Even if we feel we ought to help Third and fourth World countries (as I for one do), we ought not to send food to the chronic-famine countries no matter how saddened or upset we are by their plight...Our wealth and ability to relieve hunger are morally irrelevant, because the consequence sometimes of feeding the starving is to make things worse in terms of human well-being. Feeding the hungry in some countries only keeps them alive longer to produce more hungry bellies and disease and death."[20]

Hardin, and Fletcher to a lesser specific degree, have been widely criticised. For example the mataphor employed by Hardin is not flawless. As pointed out by O'Neill[21] persons in lifeboats often have a right to their positions, on the other hand the West in many cases appears to have acquired its wealth through the past and present exploitation of the Third world, and therefore may not be entitled to what they have. It may very well be the case therefore that they have a duty to give up their places in the lifeboat. Moreover those in lifeboats do not generally share the same interests as those drowning -further rescue attempts jeopardise the wellbeing of those already aboard whereas it is not clear that the wellbeing of the affluent is put in serious danger by famine relief. Indeed as O'Neill puts it herself:
"The interests of the rich and the poor are often congruent, while those of the rescued and the drowning are diametrically opposed. Everybody has an interest in the preservation of peace and in the prevention of ecocatastrophes."[22]

More important, since ultimately Hardin's argument is not dependant upon the use of the lifeboat metaphor, are criticisms regarding his reliance upon pessimistic neo-Malthusian premisses. First, Hardin tends to argue that the global population is reaching a point which can no longer be supported by the world's resources. He makes a special point of arguing that only a small proportion of those drowning can be rescued by the lifeboats of the affluent countries. Others however have argued that the world can support a population far larger than even the largest projected popuation in the next century. Nick Eberstadt, for instance, argues that Hardin merely contributes towards the "Myths of the Food Crisis", and provides evidence that the world could produce enough food for "between thirty-eight and forty-eight billion people on a European diet."[23] Present estimates however suggest that the world's population will stabilise at 10.1 billion by the year 2045.[24] Furthermore he also argues that each country should be able given the right conditions to provide enough food for the whole of its population destroying Fletcher's contention that many countries have exceeded their biological carrying capacity.

Second, Hardin assumes that population growth will continue to grow at present levels in the Third World even if resources are transferred from the West, quoting Alan Gregg who it is alleged:
"...likened the growth and spread of humanity over the surface of the earth to the spread of cancer in the human body, remarking that "cancerous growths

demand food; but as far as I know, they have never been cured by getting it." "[25]
However in the West a demographic transition took place following an improvement in the general standard of living and there is no reason to suppose that this might not happen in the poorest countries of the world today. Economic growth and an improvement in nourishment and medical attention, all of which can be stimulated by Western intervention, it must be assumed, will lead to a halt in the rapid rise in population rather than vice-versa.

By contrast those utilitarians viewing the situation from a more optimistic perspective believe that the duty to aid the poor is obvious. Eberstadt concludes that:
"There is no logical justification for hunger of any kind anywhere; enough food is produced each year to feed anyone on the earth comfortably."[26]
Peter Singer adds that:
"We have an obligation to help those in absolute poverty which is no less strong than our obligation to rescue a drowning child from a pond."[27]

Singer reaches his conclusions in his influential article 'Famine, Affluence and Morality'[28] from a set of apparently uncontroversial premises. The first is that poverty is bad, a premiss that would be disputed by few, whose idiosyncratic positions need not be worried about anyway. The second is that if we can prevent something bad without sacrificing anything of "comparable moral significance", we ought to do it. Singer here is deliberatly vague here in an attempt to appeal to those putting more store by individual rights, equality or the principle of universalisability as well as utilitarians. Elsewhere Singer reveals his strong utilitarian leanings and for the purposes of this discussion this second assumption can be interpreted as an appeal to the Greatest Happiness Principle. The third premiss, upon which the argument as a whole relies, is that there is some absolute poverty which can be prevented without sacrificing anything of comparable moral significance. Broadly speaking this can be interpreted as saying that giving money to the Third World will cause more happiness or diminuation of unhappiness than spending the same money on, say, a family holiday or new clothes. This contradicts the pessimistic neo-Malthusian assertion that aid is counterproductive, leading merely to a worsening of the situation:
"So if we think that we ought to do acts that will prevent or reduce suffering, or still better, produce happiness, then it seems that there is little doubt that we ought to relieve famine, even if it costs us a fair amount of minor unhappiness to do so."[29]

There appears little divergence in the moral thinking of Singer or Eberstadt and Hardin or Fletcher. However they reach strikingly different conclusions due to their differences of opinion as to the effectiveness of famine relief. The Principle of Utility demands that one allows nature to take its course according to Hardin, and it demands that one intervene in what ever manner is practical in order to relieve suffering according to Singer. Clearly these two conclusions are incompatible and both cannot be correct. On this basis it may be argued that utilitarianism has failed in its task to define what is right and wrong. Clearly empirical evidence can be studied in order to judge whether famine relief or other aid is likely to be beneficial, and in my opinion the overwhelming evidence is that there are

forms in which it is more than likely that it will be. But this cannot be determined in each individual case where a decision must be made whether money should be given over to the Third World aid cause, and if so in which exact manner. Unless utilitarians are "futurologists" they cannot be certain of the precise effects of their actions and therefore cannot be sure whether proposed action are morally right, wrong or indifferent. Therefore one might have an obligation to those far away, whose individual circumstances are not known to us, but on the other hand one might not, depending upon whether or not aid "actually causes more pain than it alleviates."[30] It must be repeated that utilitarianism is concerned with results alone and confronts the moral agent with impossible calculations.

The second main area of criticism, levelled against utilitarian doctrine, to be considered is what is commonly referred to as acts and omissions doctrine. In essence this is the position, often recited in the euthanasia debate, that killing and allowing to die have an intrinsic moral difference. The doctrine itself states that in certain contexts the failure to perform an act, with certain forseen consequences, is morally less bad than to perform another act with forseen bad consequences of an identical kind. For instance Philippa Foot argues that it is:
"nonsense to ...[not]... make a distinction between allowing people die in underdeveloped countries to die of starvation and sending them poisoned food."[31]

Not surprisingly at face value this doctrine receives alot of intrinsic support. Many would consider it ludicrous that each and every one of us should be branded a murderer just because of our failure to support famine relief and other aid projects to a sufficient degree. The abandonment of it would place an intolerable burden upon everybody, and Jonathan Glover suggests that the acts and omissions doctrine is implicitly accepted by our use of moral language.[32] It can be pointed out that there are also many extrinsic differences. For example often the victim of an ommission cannot be located or that the certainty of any harm arising cannot always be known. Moreover it can be pointed out that many omissions simply occur through ignorance. The difficulties that the widespread adoption of such a doctrine might cause can also be pointed to.

However any serious philosopher appealing to a principle of utility must reject the acts and omissions doctrine. In reaching his conclusion that one's duty to relieve absolute poverty is incumbent upon one until a point of marginal utility, where giving would cause more suffering than it would prevent, Singer appeals to the argument that killing and allowing to die have no intrinsic moral difference. This incidentally might be disputed by those more concerned with individual rights or equity and is one of the reasons why Singer's argument can only be seriously interpreted as a utilitarian tract, despite his attempts to give it wider appeal. It is however a fact which for a utilitarian cannot be disputed.

Singer and other utiltarians such as Louis Pascal argue that it really doesn't matter whether one played any causative role in the plight of the poor, one still has a duty to give aid:
"Imagine you are walking along a river bank when you come upon a man drowning just a few feet offshore. There is a rope lying on the bank, but

you do not throw it to him... In my book, you are as much a murderer as if he had by valiantly struggling made it to the bank, and you had had pushed him back in... Written in this way, we can see clearly why the sins of omission are as serious as the sins of commission: there is really no such thing as omission."[33]

Therefore according to L.Pascal refusal to give aid will in effect make one as guilty as the man on the riverbank. Moreover the more one examines such a scenario the more complicated it becomes: what if the problem is being caused by a government which refuses to spend any money importing grain or agricultural know-how but insists on investing in the latest hitec military hardware, or if the indigenous people refuse to give up an agriculturally nomadic lifestyle, even though environmental changes mean that this is no longer feasible ? Many will consider that one doesnt have a duty to keep throwing the rope into the river, if everytime the helpless victim is pushed back into the river by his government. In fact the more one considers Pascal's analogy the more inadequate it becomes. Throwing a nearby rope into a river while leisurely walking on the bank takes comparatively little time or effort. Taking active steps to relieve poverty in the Third World could never be considered so easy.

One encounters difficulties in the same way when one considers along the same lines how far those on the Third World should be aided. Pascal, as well as Singer, argues that one must continue to provide aid up to a point of marginal utility. Most though would regard this as placing a supererogatory obligation upon oneself. But by the same principles it is very difficult to argue, as some have tried, that one has only a responsibility to ensure that the poor have enough to eat so that they do not starve to death. Such a line of reasoning accords a special status to life in itself (akin to the Biblical sanctity of life) which has no place in utilitarian thought.

However if one does not attempt to do this, there appears little reason why one should not attempt to help, or even enforce one's aid, upon those in any country where the standard of living, or amount of pleasure overall, is not as high as it could be, due for example to the inefficencies of a centralised economy, or a very puritanical state religion. Michael D. Bayles[34] points out that many writers in this field of ethics concentrate on preventing something bad, implying that if famine does not take place then there is no need for aid. But he correctly points out that by the same token such factors as shorter life expectancy must also be addressed and positive aid provided. Yet he is quick to admit that such things as 'normal' life expectancy would be impossible to define.

Another effect of the importance of acts of omission, or negative responsibility is that, as Williams argues, it tends to debase the moral currency. An active and conscious utilitarian must be prepared to carry out pre-emptive acts in order to prevent bad acts from being carried out. Thus in effect one "must always be justified in doing the least bad thing which is necessary to prevent the worst thing that would otherwise happen in the circumstances."[35] Thus a form of Gresham's Law operates as bad men elicit acts from better men which would be bad themselves in other circumstances. For instance if it is known that a terrorist intends to murder three people it is presumably right to kill him first. However the overall effect of this according to Williams is that an escalation of preemptive activity must be

expected, the overall consequences of which, by utilitarian standards as well as any other, will be worse than if none were ever carried out at all. Accordingly it seems utilitarians must not live life according to the principles which they themselves hold dear.

Attempts to solve this problem lead to the third area of controversy to be examined; that of utilitarianism and justice. The lack of regard for matters of justice is a common criticism of utilitarianism. Joseph Butler, for instance, highlighted the numerous crimes which might be justified in the name of benevolence, arguing that the protection of happiness must be contained within the limits of "veracity and justice". Consequently many utilitarians have argued that in the long run it is for the greatest happiness of the greatest number that everyone should be granted basic rights which considerations of public interest should not be allowed to overide.

This is essentially the difference between act-utilitarianism and rule-utilitarianism. Act-utilitarians, such as Bentham himself, argue that the rightness or wrongness of an action should be judged by the consequences of each action itself. Rule-utilitarians however believe that utility can be served best if some actions are carried out at all times, irrespective of the particular consequences in each instance. The Greatest Happiness Principle demands that maxims such as 'Do not kill innocent people' are obeyed at all times it is believed, even if by doing in one case the lives of ten others might be saved. Some argue that by this method one can avoid debaseing the moral currency as described earlier.

One particular type of utilitarian rule are those rules of justice, although they are special in the mind of Mill and many others. According to Mill obligations of justice are those which to which others have a right. Mill explains how justice concerns security, and that those rights which others are obliged to respect relate to one's need to be secure against attack. This is why it is unjust to kill or imprison an innocent person, or steal his property. Duties of beneficence however, it is argued, cannot be claimed by others and thus can be distinguished from duties of justice. O'Neill describes the relationship well:
"As a utilitarian, one may have an obligation to share one's good fortune with needy others, since doing so would presumably increase the total happiness of humankind. But one cannot share with all others, since they are too many, and it is not possible to tell who has the best claim to beneficence. There are no rights to beneficent acts as there are rights to acts of justice."[36]

It is very common for utilitarian thinkers to appeal to the distinction between justice and beneficence in order to avoid reaching the same conclusions as Peter Singer that one should give aid to the needy up to a point of marginal utility. Philippa Foot for instance argues that one has a negative duty to refrain from acts of injustice such as killing, but merely a positive duty to give money to Third World Charities. She suggests that negative duties are far more important than positive duties. It is frequently asserted that it is morally wrong not to observe one's duties of justice, and that while one 'ought' to be beneficent it is not strictly unjust or wrong not to be.

However while the distinction between justice and benevolence may prove to be an excellent device in determining the obligations of the West with respect to the Third World, it is doubtful whether it is difference which utilitarians are logically able to make. This is because a utilitarian must derive all duties from an appeal to utility. Utilitarian Rules of Justice, like any other rules derived from the Principle of Utility by rule-utilitarians will collapse into mere rules of thumb if adequatly formulated. J.J.C.Smart accepts H.J.McClosky's argument that if utilitarianism is correct then a sheriff may be forced to frame an innocent man if this saves lives from a threatened riot. In some cases it might be better in the long run not to do so, and avoid possibly weakening the respect for the law, which might happen were the sheriff to be found out, or cause insecurity among other innocent people. But in other cases the lives saved could easily justify such threats. Even Mill acknowledged that there might be times when rules of justice might be overridden:
"Particular cases may occur in which some other social duty is so important, as to overrule any one of the general maxims of justice. Thus to save a life, it may not only be allowable but a duty, to steal, or take by force the necessary food or medicine, or to kidnap, and compel to officiate the only qualified medical practitioner."[37]

Smart, himself an ardent utilitarian, admits that "it is not difficult to show that utilitarianism could, in certain exceptional circumstances, have some very horrible consequences."[38] The 'triage' principle described earlier could easily fit into just such a category. Preserving as many lives as possible would appear to be a utilitarian goal, yet to deliberatly sacrifice the lives of some would appear to many as unjust and hence immoral. Similarly the advice of Hardin to allow nature to take its course in famine-striken areas also appears to be morally abhorrent. Even Singer, who probably argues that the West should go further to aid the poor than anyone else, takes on a neo-Malthusian stance of sorts in "Practical Ethics". He sees no obligation to give food aid in a country where for religious reasons contraception is banned and where our help today will merely mean that there are more hungry mouths to feed tomorrow. This is undoubtedly extremely harsh on starving individuals who have little or no control upon their government's policies, on account of which they are nevertheless condemned to die. Even mass genocide could theoretically be justified on a utilitarian basis if it were shown that by such means greater suffering could be avoided in the long run.

Justice for many is far more important than the consequences of any given action. Richard Watson takes the view that all human beings are moral equals with equal rights to the necessities of life:
"The higher moral principle is of human equity per se. Consequently the moral action is to distribute all food equally, whatever the consequences... No principle of morality absolves one of behaving immorally simply to save one's life or nation... Indeed in the milieu of morality it is immaterial whether the human species survives."[39]

Whether or not one accepts the importance of justice to this degree, it is certainly true that most people hold conceptions of justice which are incompatible with the principle of utility but equally self-evident. Justice is itself not a simple concept, but it is safe to observe that happiness must be subservient to it. A strict utilitarian can never pronounce that any

action is absolutely wrong, a conclusion that most will intuitively question.

It may of course be true that "there is no ethical theory which will be conformable with all our attitudes"[40] but the concept of justice is such a fundamental idea that it needs to be further examined, and may very well not be able to be squared with that of utility. Nevertheless while arguments based on utilitarian judgements are in my mind ultimately flawed, there is no doubt that those such as Singer have made an important contribution to the debate. Above all else Singer has voiced the opinion that it may not be feasible for the West to wash its hands of all responsibility and claim that poverty and famine in the Third World is not its problem.

1 Bentham J. "An Introduction to the Principles of Morals and Legislation" ed. Ryan A. (1987) p.65.

2 Hampshire S. 'Morality and Pessimism' in S.Hampshire (ed.) "Public & Private Morality"(1980) p.1.

3 Ryan A. Introduction to "Utilitarianism and Other Essays" (1987) p.7.

4 Bentham J. op. cit. p.65.

5 Mill J.S. "Utilitarianism" ed. Ryan A. (1987) p.278.

6 O'Neill O. 'The Moral Perplexities of Famine Relief' in "Matters of Life and Death" ed. Regan T. (1980) p.278.

7 Singer P. 'Rich and Poor' in "Practical Ethics" (1979) p.171.

8 Williams B. 'A Critique of Utilitarianism' in Smart J.J.C. & Williams B."Utilitarianism: For and Against" (1963) p.150.

9 See Bentham op. cit. P.86/87.

10 O'Neill O. op. cit. p.273.

11 Mill J.S. op. cit. p.281.

12 O'Neill O. "Faces of Hunger"(1986) p.67.

13 Nagel T. 'Moral Luck' in Watson G. (ed.) "Freewill" p.179.

14 O'Neill O. op. cit.(1980) p.281.

15 Hardin G. 'Lifeboat Ethics: The Case Against Helping the Poor' in Aiken W. and LaFollette H. (ed.) "World Hunger and Moral obligation" (1977) p.18.

16 Ibid p.12.

17 Fletcher J. 'Give If It Helps But Not If It Hurts' in Aiken W. & La Follette H. op. cit. p.105.

18 See W. and P.Paddock "Famine- 1975!" (1975).

19 Fletcher J. op. cit. p.108.

20 Ibid p.109.

21 O'Neill O. op. cit.(1980) p.276.

22 Ibid.

23 Eberstadt N. 'Myths of the Food Crisis' in Rachels J. (ed.) "Moral Problems" (1979) p.306.

24 See Chapter One "Facts and Theories".

25 Hardin G. op. cit. p.18, quoting Gregg A., former vice-president of Rockefeller Foundation.

26 Eberstadt N. op. cit. p.301.

27 Singer P. op. cit. p.169.

28 Singer P. "Famine, Affluence and Morality" A Philosophy and Public Affairs Reader (1971).

29 O'Neill O. op. cit.(1980) p.277.

30 Pascal L. 'Judgement Day' in Singer P.(ed.) "Applied Ethics" (1986) p.115

31 Foot P. 'The Problem of Abortion and the Doctrine of Double Effect' in The Oxford Review (1967).

32 Glover J. "Causing Death and Saving Lives" (1977) p.94.

33 Pascal L. op. cit. p.115.

34 Bayles M.D. "Morality and Population Policy" (1980).

35 See Williams B. op. cit.

36 O'Neill O. op. cit. p.282.

37 Mill J.S. op. cit. p.336

38 Smart J.J.C. 'An Outline of A System of Utilitarianism' in Smart J.J.C. & Williams B. op. cit. p.69.

39 Watson R.A. 'Reason and Morality in a World of Limited Food' in Aiken W. & LaFollette H. op. cit. p.119/120.

40 Smart J.J.C. op. cit. p.72/73. Smart doubts that some sort of 'balancing up' between deontological and utilitarian considerations can be achieved, as proposed by Sir David Ross.

CHAPTER FIVE: KANTIAN JUSTICE AND MORAL OBLIGATION

"Act only on that maxim through which you can at the same time will that it should become a universal law."[1]

"The classic liberal's main prescription for the good life -do not interfere with thy neighbour -is the only poison they need."[2]

Since 'The Republic' was written, Plato's question "What is Justice?" has been at the heart of both moral and political philosophy, and is considered by many, from Aristotle to Rawls, to be the most important question that can be considered in political thought. For most utilitarian thinkers justice is a concept which cannot easily be described coherently. As explained in the previous chapter, rules of justice, if really based upon principles of utility and adequately formulated, will collapse into rules of thumb. Justice must therefore relegated to being a description that can be applied to those actions commonly seen to most beneficent. This is a description that fails to fully describe the concept of justice and that Kant for one would be extremely unhappy with.

Justice is commonly regarded as being the most fundamental moral category, describing considerations which cannot be easily disregarded in the name of utility. Moreover the distinction between justice and beneficence is frequently employed to explain the difference between those actions which one is under a moral obligation to carry out and which others have a correlative right to demand from one, and those actions which may merely described as morally right. For example one has an obligation not to kill and also a right not to be killed, but although it is reasonable to argue that one is also morally obliged to be generous one cannot demand that others are generous to us.
"If we have a duty or obligation ...then we ought, other things being equal, to do the thing in question, but there are things we ought to do that are not duties or obligations proper. When one has a duty or obligation to someone else ...then that someone else has a right to the thing involved; but, where one simply ought to do something, this is not so."[3]

As Frankena himself admits such subtle distinctions are difficult to apply in ethical thinking because many writers, as well as the public at large, have a tendency to employ the terms 'obligation', 'duty', 'ought' and 'right' as if they were synonymous, in the same way as 'good', 'ethical' and 'moral' are also carelessly used. Precise definition however should be all that is needed to overcome any such problems, allowing one to investigate the concept of justice and the ways that it might point to the responsibilities one has to alleviating poverty in the Third World and elsewhere without reaching the same supererogatory obligations as the theory of marginal utility.

All deontologists are united by the view that people are wronged when treated unjustly, irrespective of the overall consequences that such an action may have. For this reason alone it is necessary to reject consequentialist theories such as utilitarianism. Injustice may be defined as involving "the violation of basic moral rights"[4], assigniable and claimable rights which only the "victim" or claimant can waive. Perhaps the

most celebrated deontologist, whose lead many have followed in the last two hundred years, was Immanual Kant. Following the tradition of many who are convinced that their basic convictions about justice and injustice cannot be chimerical, it is the work of Kant and in particular his "Categorical Imperative" to which this thesis shall turn.

The "Groundwork of the Metaphysic of Morals"(1795) stands as a milestone in the history of normative ethics, that is the enquiry into those principles by which all free, rational beings ought to be morally guided. Asking what character one's moral concepts and precepts must have to make morality as it is possible, Kant concludes that the answer is to be found in the will to do one's duty "for the sake of duty"[5], which presents itself as the obedience to a law that is universally binding on all rational beings.

Kant therefore argues that one's maxim, the general rule which one would formulate in justifying one's action, is moral if and only if one can will that it should become a universal law. On the other hand those maxims which cannot be universalized consistently cannot be regarded as a true moral, or a categorical imperative. By this formal test maxims are divided into moral and nonmoral, categorical and hypothetical. In calling moral imperatives categorical Kant contrasts them with hypothetical imperatives. The latter are conditional upon the desire to attain a certain end, but this is not true of the former. There is no "if" in the categorical imperative, one has an obligation to act in line with the categorical imperative simply because one should.

For Kant the categorical imperative is not an ultimate and mysterious claim that came, as it were, out of the blue. It is grounded above all in a human's nature as a rational being. It is independent of human desires or inclinations which change with altering circumstances, but is instead a criterion of action which is demanded by rationality. Hence the essential requirements of morality are said to be really built into the concept of rationality itself. Thus they must be a priori and acknowledged by any rational being as binding. According to Kant only a body of principles of action corresponding to our principles of morality can be consistently, and thus rationally, be universally adopted by a community of rational beings.

The categorical imperative, incorporating the concept of universality, is the supreme principle of morality in the mind of Kant. It is an essential part of a moral attitude, he argues, that any reason for or against a particular action must be capable of being stated in general terms and must apply to anybody without exception given similar circumstances. It would be wrong to assume that Kant believes that one ought to act according to every principle which could be universalised, but he does hold that one ought not to act according to any principle which could not be universalised.

Kant argues that there is a certain category of principles, the universalisation of which it is impossible for man to will. A classic example given by Kant is that of the breaking of promises. The precept that 'one may always break a promise when it is in one's interest' cannot be willed to be universally acknowledged and acted upon. This is because one could not desire a state of affairs in which everybody always made any promise one chooses without any intention of keeping it since there would be

then no point in making promises as they would count for nothing and not be believed:
"...I can by no means will a universal law of lying; for by such a law there could properly be no promises at all, since it would be futile to profess a will for future action to others who would not believe my profession or who ...would pay me back in like coin ...and consequently my maxim would be bound to annul itself."[6]

In short it can be said that two important general ethical points have been made through the investigation of the categorical imperative. These are firstly that the arbitary making of exceptions in one's own interest is essentially immoral and secondly that if an act is right for one to do it must also be right under the same conditions for everybody else.

According to Kant the categorical imperative can also be restated as the Formula of the End in Itself and the Formula of the Kingdom of Ends:
"Act in such a way that you always treat humanity, whether in your own person or in the person of any other, never simply as a means, but always at the same time as an end."[7]
"So act that the will could regard itself at the same time as making universal law through its own maxim."[8]

The metaphysical logic employed by Kant to show each as equivalent is very complicated and need not be examined in depth. The point Kant is trying to make is that human beings, as rational beings, alone have an unconditioned and absolute value and therefore it is wrong to use them as a means to an end which only has relative value. Therefore the maxim of an action must not entail the use of others as mere means, rather others must be treated as ends in themselves. This however, argues Kant, is only possible if one imagines oneself as a member of an ideal community: the 'kingdom of ends'. For example Kant shows that one cannot deliberatly make a false promise to another for one's own exclusive interest and at the same time treat that person as an end in itself:
"For the man whom I seek to use for my purposes cannot possibly agree with my way of behaving to him, and so cannot himself share the end of the action."[9]
In other words:
"To use someone as a mere means is to involve them in a scheme of action to which they could not in principle consent"[10]

Therefore the second formulation of the categorical imperative clearly outlaws those actions which might be described as "the moral prohibitions of common sense".[11] One could not consistently respect the rights of others to be treated as ends in themselves and simultaneously commit murder, rape, theft, dishonesty, fraud and other such acts commonly regarded as 'immoral' (as well as in most circumstances illegal). Furthermore it provides justification to support those notions of justice that most intuitively feel, a goes a long way to protect the "rights" of others. Indeed Jennifer Trusted, among others, describes the categorical imperative as a form of secular intuitionism. Not only does it conform with many of our straightforward intuitions about morality, but also as already shown Kant stressed that all human beings possessed an innate moral sense.

Though at first glance the categorical imperative may appear to have few implications for the problems of poverty and hunger in the Third World, Kantian ethics does require that one does not treat others unjustly, or in other words not as a mere means. Therefore it must be concluded that one has a moral obligation not to treat famine victims and the poor in general as a mere means, though presumably one is under no obligation to aid the poor and suffering providing that one has played no part in their condition. Though the demands imposed by such Kantian justice are far fewer than those imposed by utilitarian moral theorists such as Singer, it is nevertheless possible to argue that they are nevertheless demanding and far more precise. Above all in common with Singer's principles , application of the Formula of Ends is enough to demonstrate cogently that the status quo is unacceptable.

Kant's dictum that one should never treat others merely as a means implies as already stated that one cannot justly involve another in a scheme of action to which they couldn't in principle consent. Consequently this precludes both deception and coercion. The individual one deceives cannot know what one's real intentions are and therefore does not have the opportunity to consent. Similarly one cannot truly consent to an action if one does not have the option to resist. Deception and coercion are thus said to be wrong and unjust.
"Successful false promising depends on deceiving the person to whom the promise is made about what one's real maxim is. And since the person who is deceived doesn't know the real maxim, he or she can't in principle consent to his or her part in the proposed scheme of action... In Kant's view, it is this that makes false promising wrong... Another standard way of using others as a mere means is by coercing them."[12]

On this basis in order to avoid being unjust to famine victims and others on the poverty line one must play no part in any practices employed against the Third World in which coercion and deception play a part. Not only would this preclude playing a role in the kind of action that historically was often employed in the colonialisation and subsequent economic penetration of the Third World, but also it would appear, in much of the financial and political manipulation institutionally practised today. The offer of free powered baby milk to mothers in the Third World by a well-known multinational company would appear to be unjust because mothers are both deceived into believing that this is good for their children and also because this will soon mean that they are unable to resume breast feeding and will be expected to begin paying for the powdered milk after an introductory period. They are thus coerced into buying a particular product that most can ill afford. Similarly moneylenders often make offers to reschedule payments or renew a loan at often adverse terms to the borrower; an offer the debtor might be unable to refuse if threatened with the forced takeover of land upon which the debtor may depend for his livelyhood. The moneylender thus treats the debtor as a mere means and coerces him into an agreement he wouldn't otherwise make.

As noted in Chapter One such deception and coercion occurs on a vast scale. Multinational corporations and Western governments control much of the land and industry in the Third World and dictate how much of the remaining land is used. In 1985 Third World Debt to the West stood at some $865 billion meaning that annual debt service payments stood at $139 billion. By 1981 debt service accounted for 75.3% of all new loans, and a staggering 85% of

all new loans in Latin America. Such a situation has led in the minds of many radical economists to "debt peonage or enslavement"[13] Warnock notes that:
"The 'degree of exploitation of labour and resources' is reminiscent of the old colonial days when the imperial state directly intervened on behalf of capital to suppress wages, make land grants to foreign enterprises, and control trading rights so as to be sure of making profits outside the more competitve world market."[14]

Indeed the scale of these loans which many poorer countries are unable to cope with, coupled with world-wide recession in the early 1980s led to a rescheduling of loans to many Third World countries. However such resceduling has primarily been to serve the interests of overstretched banks and safeguard the international financial system rather than to protect the debtor nations. In return for the restructuring of debt repayments to slightly more manageable proportions, many countries have been forced to surrender "considerable sovereignty over internal economic decision-making"[15] to employees of the IMF frequently given the responsibility to oversee the settlement. Governments have standardly been requested to devalue their currency, substantially reduce spending on social programmes, reduce food subsidies, and limit their borrowing. For instance health spending in Latin American countries where the IMF was involved was cut by 60% between 1980 and 1985. This was accompanied in most of these countries by a dramatic increase in malnutrition as food subsidies were cut. In Peru pre-school malnutrition rose from 41% to 68% between 1980 and 1983.[16]

There is no doubt that debt repayments have drained many Third World countries of foreign currency, forced them to structure their economies around the need to repay debt and "for a great many people in the under-developed world, the crisis has brought a reduced standard of living and a poorer diet."[17] They were deceived by promises of a Western-style future into accepting loans, and then coerced into making changes in domestic policy in order to meet repayments. Much malnutrition in the Third World is caused by the fact that farmers are forced to cultivate cash-crops and sell much of the food that they produce in order to earn foreign currency to repay foreign loans. Moreover such measures have done nothing to improve the long-term prospects in these countries. In Kantian terms such policies carried out by Western banks and governmental institutions are unjust.

The above example is an example of deception and coercion with perhaps the gravest consequences but it is by no means unique. In Kantian terms it would also be wrong to force sterilisation upon women to control population growth, to threaten to use military force to win commercial or military advantages, or to make aid conditional at all. Clearly there are many more examples of common practice which a Kantian must condemn. It is as dicussed in Chapter Two ('Ethics and Politics') fashionable to differentiate between the obligations of an individual and those of institutions, however this does not make coercion and deception permissable for government's to carry out. As O'Neill notes:
"Kantians would generally play down any distinction between a person's own responsibilities and his or her role responsibilities... we add to our responsibilities those that the job requires; but we do not lose those that are already required of us."[18]

It was pointed out in Chapter Two that a government itself is not a peculiarly amoral institution but rather a body composed of individual moral agents, which can only act through the actions of individual persons. It will also be recalled that President Woodrow Wilson argued that "the same standards of morality should apply to states as apply to individuals". Morover there is no particular reason why the categorical imperative should not apply to a government as an institution, since it is reasonable to argue that a government is a partially rational being in the same way as human beings.

It is certainly true that, in the context of international affairs, coercion and deception are sometimes difficult to identify. Political and commercial negotiation always carries with it an element of threat, and the point at which it becomes overtly coercive is difficult if not impossible to define. However it is not difficult to see that the examples described above are certainly coercive. The agreement of treaties and trade deals cannot be described as non-coercive simply if they are agreed by the representative of sovereign powers. Outward agreement may well conceal implicit threats or blackmail.

The demands of Kantian justice are more strenuous therefore than it first appears: The Formula of an End in Itself has considerable implications upon the activities that individuals, multinational corporations or governments may justifiably engage in. However unlike the demands of utilitarianism which were seen to be supererogatory, those imposed by the categorical imperative might still appear to go too far in the opposite direction. It can too easily be taken to imply that providing that one goes through life without doing any harm then one is a morally just person. Not surprisingly many describe this as "an extremely erroneous, albeit very seductive way of thinking."[19]

Even if changes were made in the global economy so that one could justifiably claim innocence from all charges of coercion and deception, there would without doubt remain, to some extent, areas of poverty in the world. Poverty and hunger are caused by a multiplicity of factors, and certainly not always by the actions of Western Nations. The West might always be in a position to offset the consequences of famine or poverty but it is certainly not always the cause. Poverty can be caused by civil war, natural disaster or other factors outside the control of the Developed World. Third World countries might be better equipped to deal with such problems if not weakened by the coercive and deceptive policies currently employed by the rich, but it cannot be safely assumed that outside assistance and aid would never be needed. The belief that if left to themselves Third World Nations would automatically become richer and eradicate hunger is utopian, and in any case poverty is a world-wide phenomenon and is certainly not confined to the poorest countries.

Kantians might argue that an obligation to give aid in such circumstances can be derived from the general Kantian duty of beneficence. The principle of non-beneficence cannot be universalized and so it follows that all complying Kantians must be beneficent. However even though "relief of famine must stand very high among duties of beneficence"[20], it is a weak basis upon which to ground an obligation to aid those in desperate need. Such obligations place the duty to help the suffering upon no particular

individuals, and any mildly beneficent individual can claim that he or she is already fulfilling his or her Kantian obligations. William Aiken points out with much justification that:
"The belief that a person in dire need has no stronger claim against those who can help him or her than a plea for benevolence (which is no real claim at all) is unacceptable. Dire need creates obligations and rights.... It is a reprehensible neglect of moral duty."[21]

Indeed it is a common criticism of the categorical imperative that it is largely silent about what one ought to do, concentrating instead on what one ought not to do: break promises, cheat, kill, commit suicide etc.. In effect Kant gives little indication as to the direction in which one's life ought to go, and to the activities one ought to engage in. Either he believes that morality sanctions any way of life which is compatible with those acts prohibited by the categorical imperative; or he believes over optimistically but in a manner characteristic of Enlightenment thought, that man will be brought to a consensus as to the good life through the exercise of reason.

Furthermore there is also no obvious way to rank those actions that the categorical imperative does demand in any particular order of merit when they conflict or need to be prioritised. Those actions with maxims to solely foster the ends of others, while obligatory in a general sense are not so in any specific sense. There appears to be no prima facie obligation to help any particular starving individual, and even O'Neill's claim that famine relief must for a Kantian be one of the most important forms of beneficence seems more intuitive than anything else. For these reasons there is a powerful case for claiming that Kantianism is dependent and parasitic upon some form of existing morality.

Nevertheless Kantianism retains its appeal for many, and such a theory does have many obvious attractions. The principle of universalisability is fundamental to the conception of ethical thinking held by most. Kant was one of the first moral philosophers to stress the importance of the need for moral principles to be stated in general terms and to applicable to everybody without exception in given circumstances. By this principle it must follow that if persons in Britain have a moral right to life then they must, too, in every nation of the world.

The autonomy of ethics is also an extremely attractive feature of Kantianism. The "Groundwork of the Metaphysic of Morals" begins with the statement that the only thing which is unconditionally good is goodwill, which "shines forth like a precious jewel."[22] The goodwill's only motive to act is for the sake of duty and this is contrasted with every other kind of inclination. The rational being utters commands of morality to himself. Thus no external authority can provide criteria for morality: what is right or wrong is said to be independent of religion, custom or convention and needs no justification from above. Indeed Kant argues that inclination belongs to the heteronomous will of the sensible world which is alien to the wholly rational will of the intelligible world. Moral obligation is argued to be a result of the conflict between these two dimensions of the will:
"The moral 'I ought' is thus an 'I will' for man as a member of the intelligible world; and it is conceived by him as an 'I ought' only insofar as he considers himself at the same time to be a member of the sensible world."[23]

Inclination and desire are argued to be alien to one's rational nature and therefore to one's duty. Such an argument purports to demonstrate that any appeal in ethics to happiness is fallacious and wrongheaded. The appeal of such a position is obviously that injustice cannot be justified in the name of utility. Hugo A. Bedau notes that:
"... this amounts to the claim that when the principle of overall social welfare conflicts with the moral principle of the individual's right to life, the latter shall prevail."[24]
Indeed Kantianism is considered attractive because it denies any appeal to the consequences of an action. Attention is focussed from the outset on an agent's motives and intentions, rather than the actual consequences of an action. Neo-Malthusian utilitarians such as Hardin might argue that famine relief is wrong however well intentioned the motives, but nevertheless most would probably still agree that the idiom of morality applies a special importance to the motives of an agent rather than any particular unforseen consequences.

The attractiveness of the Kantian categorical imperative is apparent to O'Neill, one of the most prolific writers on poverty in the Third World and moral obligation. Despite stating in her article "The Moral Complexities of Famine Relief" that the Kantian demands on one in such circumstances are "harder to see"[25], O'Neill nevertheless in "Faces of Hunger" bases her prescription on a Kantian, albeit "maverick", assessment. O'Neill's conclusions have already been the referred to when discussing the implications of Kantian with regard to world poverty and hunger. However it differs from pure Kantianism in two ways:
"The theory proposed here is mainly Kantian in origin and in aspiration, but supplemented in two ways. Firstly it seems human beings not as abstract or ideal rational choosers but as finite and vunerable rational beings, who must take other's varied limitations into account when asking what obligations they have to others. Secondly, it includes a theory of ethical deliberation which suggests how we can move from the abstract and widely understood principles of obligation to their determinate implications for particular circumstances."[26]

One of O'Neill's overiding aims is to overcome the common criticism of Kantianism that the Categorical Imperative is both incomprehensible and too abstract to sufficiently guide action. However as already discussed the obligation not to act unjustly, in particular not to deceive and coerce, does have very practical implications. Depending upon the context and one's position, O'Neill explains how this could oblige one to try and secure stable commodity prices, guarantee secure markets for the exports of poor countries, demand larger and more effective 'aid payments', ensure that investment is made in appropriate technology for the Third World, or prevent the export of hazardous waste to poor countries. Indirectly, she argues, one could try and secure some of these aims, or others through political action, education, publicity or campaigning.[27] Kantian justice, it is argued, does not demand particular specific action from individuals because it depends on their abilities and social position and responsibilities. But once these factors are known abstrct principles can be converted into very tangible actions.

O'Neill also attempts to meet the criticism that the demands of Kantianism are insufficient, demanding too little from the affluent and leaving the

many problems of the poor to be remedied merely by isolated acts of benevolence. First, she argues, that to not place further obligations upon the affluent would take no account of the human limitations of the victim which mean that the obligations of justice are in fact much greater than at first thought. Second, it is argued, that the limitations of the agent mean that acts of benificence are nevertheless unavoidably selective.

Accordingly O'Neill states:
"Any just global order must at least meet standards of material justice and provide for the the basic material needs in whose absence all human beings are overwhelmingly vulnerable to coercion and deception"[28]
Kant's failure to appreciate the physical vunerability of human beings means that he did not recognise that those with insufficient food to meet their material needs were almost unavoidably the subject of coercion, argues O'Neill. Those with material needs are unable to act autonomously and thus are coerced into certain actions and into refraining from others. While this is in a sense logical it does not go far enough or sufficiently place the burden upon any particular individuals.

O'Neill states that one's basic material needs must be met but does not believe it necessary that "high standards of living or of satisfaction of desires be achieved."[29] However the sort of gross inequality prevalent in western societies is likely to be equally coercive. While the poorest might have enough to survive there are powerful social and psychological pressures urging them to aspire to levels of wealth they cannot reach. Consequently the poorest members of even the richest societies are coerced into accepting employment conditions, unreasonable hours, or exploitative loans which they would otherwise reject. Justice must address questions of distribution as well as minimum standards of welfare.

Furthermore O'Neill does not adequately address who must ensure that a just global order is achieved. As noted above the obligations of each individual are said to be dependent upon their position and ability. However the obligation to be non-coercive and non-deceptive does appear as if it could be completely met by an individual or whole nation if it completely withdraws from interaction with others. If a nation became totally self-sufficient it would not be coercing or deceiving others but on the other hand it would not appear to be just, assuming that there were others who were poor and hungry. Neither O'Neill nor Kant appear to make any specification that ommissions are as important as acts. Ommissions, as discussed in the previous chapter, it would appear, are a utilitarian or consequentialist concept.

O'Neill might respond to this charge with the retort that such a self-sufficient nation would be failing in it's obligation to be beneficient. Wholly rational beings, argues O'Neill, would live in a completely just society (akin to the 'kingdom of ends') where beneficence would be unnecessary, but the vunerability and finitude of humans in this world makes them dependent upon the beneficence of others:
"Human vulnerability also entails that justice cannot be the only human obligation. There are also principles of imperfect duty to others for finitly ratiional beings who are limited in various others ways...[which] requires conformity to principles of mutual respect and help and

development, without which the agency of needy and limited beings is insecure."[30]

Even if it is accepted that such obligations exist and are obligatory in the same sense as obligations of justice, problems still persist. O'Neill concedes herself that:
"Since no agency or agent can meet all needs or develop all talents (so much follows from human finitude) obligations to help those in need and to develop needed skills and capacities are unavoidably selective."[31]
While this is perfectly satisfactory, and indeed a product of common sense, in conditions where all basic demands of those suffering from lack of food and living in poverty are met by the obligations of justice; it is not so acceptable where justice might merely ensure that the poor are not harmed but not actually aided. O'Neill offers little indication as to the extent of beneficence morally expected from each individual, and to the criteria to be employed when deciding the object of one's benificence. Is someone who is kind to his neighbours and supports the local animal hospice, but who ignores appeals for aid to the starving in far-off lands adequately beneficent? This seems to be a question for which there are no ready answers. If one bases one's decisions upon where the greatest need exists or where one's money or energies will be put to best effect, one appears to be employing a form of felicific calculus, so alien to the spirit of Kantianism. While it is true that the amount of 'good work' anybody can do is limited, it is morally objectionable if it is left to the individual to decide whether or not to try and save lives.

O'Neill's 'Faces of Hunger' does go some way to making Kantianism both more accessible and more prescriptive. Quite rightly she concludes that "practical reasoning about hunger has an audience only when it reaches those with the power to bring that change."[32] However O'Neill fails to counter many of the main charges levelled against Kant. Most importantly perhaps is the fact that Kant, in divorcing morality from self interest or happiness, takes it too far from the consequences of one's actions and thus from reality. For example in instances where moral principles clash, Kant accepted that one might take the consequences of an act into account before deciding whether to take a particular course of action -lying to save life perhaps- and acknowledged that it might have a great practical effect. Nevertheless it is said to have no influence on the morality of an act itself. This can be criticised with much authority since most would regard themselves under an obligation to save life at all costs. Similarly O'Neill maintains that some acts of injustice can be justified to prevent greater injustices (enforced sterilization to prevent an uncontrollable population explosion is her example). This however cannot be strictly justified on Kantian grounds. Morover Kant denied that any moral worth could be accorded to actions if not morally motivated however well they might conform with the moral law. It does however appear strange to deny moral merit to an action merely if carried out more through a sense of love than of duty.

With two hundred years between them, Kant and O'Neill both importantly spend much time elaborating a concept of justice. Ultimately, in my opinion, neither succeeded in producing a concept sufficiently sophisticated to address properly the problems of poverty and famine. The vitally important questions such as 'how far one must aid others?' and 'what sort of international social order is required?' are left unanswered. Nevertheless

the value of human life is truly recognised. Unlike the inevitable consequences in a strictly utilitarian society,
"nobody will have been made an instrument of other's survival or happiness in the society of complying Kantians."[33]

1 Kant I. "Groundwork of the Metaphysic of Morals"(1795) II-52 Translated by Paton H.J. "The Moral Law"(1949) p.84.

2 Shue H. "Basic Rights, Subsistence, Affluence and US Foreign-Policy" (1980) p.19. Quoted by O'Neill O. "Faces of Hunger"(1986) p.113.

3 Frankena W.K. 'Moral Philosophy and World Hunger' in "World Hunger and Moral Obligation" ed. Aiken W. & LaFollette H.(1977) p.74.

4 Regan T.(ed.) "Matters of Life and Death"(1980) p.21.

5 Kant I. op. cit. I-8 (p.63).

6 Ibid. I-19 (p.68).

7 Ibid. II-66 (p.91).

8 Ibid. II-74 (p.95).

9 Ibid. II-68 (p.92).

10 O'Neill O. 'The Moral Perplexities of Famine Relief' in Regan (ed.) op. cit. p.296.

11 Trusted J. "Moral Principles and Social Values" (1987) p.59.

12 O'Neill O. op. cit. p.287.

13 Warnock J. "The Politics of Hunger"(1987) p.232/3. Warnock's statistics are taken from official IMF and World Bankstatistical tables.

14 Ibid. p.233. Warnock quotes from Hoogvelt A.M.M. "The Third World in Global Development"(1981).

15 Ibid. p.235.

16 New Internationalist No.189 (Nov.1988) p.9. Taken from "Adjustment with a Human Face" A Study by UNICEF 1987.

17 Warnock J. op. cit. p.236.

18 O'Neill O. op. cit. p.291.

19 Pascal L. 'Judgement Day' (1986) in "Applied Ethics" ed. Singer P.(1986).

20 O'Neill O. op. cit. p.292.

21 Aiken W. 'The Right to be saved from Starvation' in Aiken & La Follette(ed.) op. cit. p.86.

22 Kant I. op. cit. I-3 (p.60).

23 Ibid. III-113 (p.115).

24 Bedau H.A. 'Capital Punishment' in Regan(ed.) op. cit. p.159.

25 O'Neill O. op. cit. p.290.

26 O'Neill O. "Faces of Hunger"(1986) Preface p. xiii.

27 Ibid. See p.153.

28 Ibid. p.141.

29 Ibid. p.150.

30 Ibid. p.141.

31 Ibid. p.146.

32 Ibid. p.163.

33 O'Neill O. 'The Moral Complexities of Famine Relief' op. cit. p.296.

CHAPTER SIX: RAWLS, SOCIAL JUSTICE & INTERNATIONAL RELATIONS

"...the guiding idea is that the principles of justice for the basic structure of society are the object of the original agreement. They are the principles that free and rational persons concerned to further their own interests would accept in an initial position of equality as defining the fundamental terms of their associaton. These principles are to regulate all further agreements; they specify the kinds of social cooperation that can be entered into and the forms of government that can be established. This way of regarding the principles of justice I shall call justice as fairness."[1]

"Our problem, then, is to relate the just political principles regulating the conduct of states to the contrct doctrine and to explain the moral basis of the law of nations from this point of view."[2]

Rawls' work, the culmination of a series of articles and papers stetching back to "Justice as Fairness" in 1958[3], not only presents a consistent and logically coherent theory of justice but also attempts to reconcile a major political division between liberal and egalitarian traditions. Issues raised by the American civil rights movement or the Black Liberation Movement in the 1970s highlighted the tension in modern democatic societies between strands of the libertarian tradition, stressing the importance individual freedoms as articulated in the eighteenth century, and strands of egalitarian or socialist principles, stressing the need for the fair distribution of material goods, which combine to form the basis upon which Western democracies are founded. Critics from the right argue that goverments have undermined the freedom of the individual to earn and dispose of income as he pleases, while critics from the left argue that welfare programs and redistributive taxation are under threat and do not go far enough. Rawls, standing as a mediator between these two schools of thought, argues that the liberty of the individual is compatible with an equitable distribution of wealth. His work can thus be seen as a philosophical defence of the sort of liberal democratic society that exists in large parts of the Developed World.

John Rawls' "A Theory of Justice" has been hailed as a classic contribution to political and moral philosophy since its publication in 1971. Brian Barry, while arguing that as a theory of justice it is ultimately flawed, still believes that its influence will be permanent. Stuart Hampshire descibes it as "the most substantial and interesting contribution to moral philosophy since the war"[4] and Robert Nozick goes as far as to say that one "must either work within Rawls' theory or explain why not"[5] Indeed most would now rank Rawls' contribution to moral and political theory alongside such recognised masterpieces as John Locke's "Two Treatises of Government" or Mill's "On Liberty".

Rawls' theory of justice is consequently of great interest to those wishing to address practical moral problems, naturally including poverty and famine in the Third World, without subscribing to the predominant utilitarian point of view. For those concerned to have a theoretically sound basis upon which to base their presciptions it is not surprising that Rawls should generate so much interest. Rawls, himself, admits that contemporary thinkers:

"...often seem forced to choose between utilitarianism and intuitionism. Most likely we settle upon a variant of the utility principle circumscibed and restricted in certain adhoc ways by intuitionistic constraints."[6]

Such a predicament is well highlighted by the current debate on poverty and famine in the Third World. In the light of the problems faced when attempting to apply any of the traditional moral theories, demonstrated in the previous two chapters, it is not surprising that many are either forced or find it more profitable to appeal to basic intuitions and accepted norms. Rawls freely admits that:
"...there are questions which we feel sure must be answered in a certain way. For example, we are confident that religious intolerance and racial discrimination are unjust."[7]

A good example of such an approach is provided by M.D. Bayles in "Morality and Population Policy". In short Bayles argues that the poor must be helped so that they can attain a minimum quality of life, and the affluent must make a substantial sacrifice at some point between zero and marginal utility, involving a sacrifice of one's 'lifestyle' if not one's 'lifeplans':
"If people in Developed Countries can promote a minimum quality of life in Less Developed Countries without a more than substantial sacrifice, they have duty to do so."[8]

Bayles argues that this might justify a significant sacrifice of material goods since they pertain to one's lifestyle rather than lifeplan, and that his argument applies to both individuals and governments, the most effective and largest provider of aid. Such a doctrine, though not without its faults (not least the fact that the commitment to providing a minimum quality of life for each individual is disregarded when the activities of that person's country are deemed as a whole to be unacceptable) is nonetheless very attractive. This however is hardly surprising when one takes account of the basis of Bayles' doctrine:
"...correct moral principles are those which reasonable self-interested persons with limited benevolence have good reasons to accept."[9]

While Bayles avoids reference to any strange epistemological roots, it does nevertheless appear to be a rather artificial theory based upon preexisting codes of morality. Indeed Bayles remarks that:
"Appeals may be made to generally accepted moral principles such as those in the U.N. Declaration of Human Rights ...the fact of their widespread recognition is some evidence that reasonable persons have good reasons to accept them."[10]
However as Chapter 3 was designed to demonstrate, further evidence than widespread adoption is needed if any moral principle is to be deemed satisfactory and truly 'moral'. For example it was universally agreed in Ancient Sparta that sick infants should be left on the mountainside to die, but few today would agree that it was right then any more than it is today.

However while many persist to base their moral judgements upon utilitarian principles modified by intuitionist constaints, the influence of intitionism as a formal moral theory, as proposed by G.E. Moore and others, has waned since the beginning of the century. This is hardly surprising when one considers that there is simply no answer that one can make should two people

'intuit' opposite conclusions: that the hungry should or should not be fed for example. The argument that one's intuitions are also heavily dependent upon one's 'moral upbringing' is also very persuasive.

Rawls, of course, while acknowledging a role for one's intuitions, based his theory of justice firmly in the tradition of Locke, Rousseau and Kant, realising that "an intuitionist conception of justice is ...but half a conception."[11] While Rawls' work does mark a re-emergence of Natural Law theory it does, in certain respects, also represent a clear break from the Kantian tradition:
"The uniqueness of Rawls' approach is that rather than make an appeal to reason he devises a decision-making technique designed to provide a perspective from which a fair, unbiased and unanimous choice of principles to sructure can be made. In arguing that some principles of justice provide a reasonable foundation for the structure of society and others do not, Rawls appeals to economic game theory to provide an objective basis analogous to utilitarian calculus."[12]

The remainder of this chapter will be divided into two clear sections. The first will consist of a consideration of Rawls's theory of justice. Particular attention will be paid to the basis upon which it is constucted including the concept of the "original position" and also to criticism of the principles of justice derived therefrom. The latter section of the chapter will concern whether the principles of justice devised by Rawls to lay down principles of social justice within individual civil societies can be applied as principles of global justice and therefore pertain to the debate on world poverty and famine.

The primary aim of Rawls "A Theory of Justice" is to develop a "viable alternative" theory of social justice to utilitarianism. Closely connected to this is the interrelated subject of the general moral judgements made by man. Rawls also proposes to account for these in developing several general priciples of justice. Rawls outlines his position in the first chapter:
"Many different kinds of things are said to be just and unjust: not only laws, institutions, and social systems, but also particular actions of many kinds, including decisions, judgements, and imputations. We also call the attitudes and dispositions of persons, and persons themselves just and unjust. Our topic, however, is that of social justice."[13]

Rawls' principles of justice, viewed as the general concept of right, in their final form are:
"First Principle. Each person is to have an equal right to the most extensive total system of equal basic liberties compatible with a similar system of liberty for all.
Second Principle. Social and economic inequalities are to be arranged so that they are both:
(a) to the greatest benefit of the least advantaged, consistent with the just savings principle, and
(b) attached to offices and positions open to all under conditions of fair equality of opportunity."[14]

As already mentioned these two principles apply to the basic structure of society, including all major political, social and economic institutions. This, in Rawls' mind, is the most important area of justice because it

exerts such influence upon an individual's life from birth to death. The inequalities of an unjust structure to society discriminate against some and advantage others favouring "certain starting places to others".[15] The First Principle, described by Rawls as the Principle of Greatest Equal Liberty, concentrates on the distribution of "basic liberties". By these Rawls means political liberty (the right to vote and stand for public office), freedom of speech and assembly, freedom of thought, freedom of conscience, freedom to hold personal property and freedom from arbitary arrest. Rawls describes these as "liberties of citizenship" and contrasts them with the goods of wealth, income, power and authority which are the concern of the Second Principle. Together they are described by Rawls as "primary goods" which he descibes as "things that every rational man is presumed to want. These goods normally have a use whatever a person's rational plan of life."[16]

The Principle of Greatest Equal Liberty states that each person must have equal right to the liberties of citizenship described above, and that such liberties can only be restricted if the result is that a more extensive system of liberties for all results. The Second Principle is divided into two principles: the Difference Principle and the Principle of Fair Equality of Opportunity. The Difference Principle requires that inequalities in obtaining wealth, income and the remaining primary goods must be arranged to be to the greatest benefit of the least advantaged. The Principle of Fair Equality of Opportunity requires that equal oportunities exist for those of comparable skills and abilities irrespective of their social position. As Rawls notes:
"While the distribution of income and wealth need not be equal, it must be to everyone's advantage, and at the same time, positions of authority and offices of command must be accessible to all."[17]

However as Barry comments "merely to state the two principles, however is only half the story and that, perhaps, the less important half."[18] The most significant aspect of Rawls' principles of justice is the priority that they are given. The First Principle is lexically prior to the Second, and the second part of the Second Principle, the Principle of Fair Equality of Opportunity is lexically prior to the first, the Difference Principle. In other words:
"This ordering means that a departure from the institution of equal liberty required by the first principle cannot be justified by, or compensated for, by greater social and economic advantages. The distribution of wealth and income, and the hierachies of authority, must be consistent with both the liberties of equal citizenship and equality of opportunity."[19]

The justification provided by Rawls for his principles of justice is essentially contractarian. However, in contrast to others in the social contract tradition, Rawls' contract is not an historical event and therefore overcomes some of the problems encountered by contractarian theorists, dicussed in Chapter Two. Rather it is a hypothetical contract which he claims that rational individuals would make under certain specific conditions:
"Justice as fairness begins from the idea that the most appropriate conception of justice for the basic structure of democratic society is one that its citizens would adopt in a situation that is fair between them and in which they are represented as free and equal moral persons. This situation is the original position..."[20]

According to Rawls the most important condition to apply to those drawing up the principles of justice in the "original position" is a "veil of ignorance" which deprives them of the knowledge of most particular facts about their society and the place in it that they would eventually occupy. In this way people are said to be deprived of the knowledge needed to further their own individual interests. For this reason the parties to the original position are unaware of their gender, race, wealth, physical and intellectual abilities or the particular political, economic or cultural characteristics of their society. However they are aware that they are contemporaries and that they know the general facts about human society, including the principles of economic theory, the basis of social organisation, and the laws of human psychology. In other words Rawls argues that the parties have sufficient knowledge of all general information to make informed choices without knowing how different choices will affect their personal circumstances:
"The principles of justice are chosen behind a veil of ignorance. This ensures that no one is advantaged or disadvantaged in the choice of principles by the outcome of natural chance or the contingency of social circumstances. Since all are similarly situated and no one is able to design principles to favour his particular condition, the principles of justice are the result of fair agreement or bargain."[21]

Given this conception of the original position Rawls argues that those constructing the basic structure of society would choose the two principles of justice already set out. This is because what is at issue for the parties to the hypothetical contract are purely "primary goods" which being "generally necessary as social conditions and all-purpose means to enable human beings to realise and exercise their moral powers and pursue their final ends"[22] are goods desired by all, regardless of whatever else is desired. Furthermore Rawls argues that the parties to the original position would choose to maximise their primary goods and not choose to lower their expectations to the advantage of others.

Such a decision, where the parties are required to choose principles which will profoundly affect their lives unsure how any particular set will affect them personally, is described by decision theorists as the "problem of rational choice under uncertainty."[23] In such circumstances Rawls argues that the maximin rule applies. In effect the maximin rule directs one to choose the safest alternative, maximising the payoff to the least advantaged position irrespective of others fare. Rawls describes that in selecting alternatives one must imagine that one's worst enemy assigns one's position in society, which therefore would be the least advantaged position. Therefore "we are to adopt the alternative the worst outcome of which is superior to the worst outcomes of the others."[24]

According to Rawls the Principle of Greatest Equal Liberty, along with the Principle of Fair Equality of Opportunity and the Difference Priciple would provide the best outcome for the least advantaged. Rawls contrasts the outcome under these principles with the outcome based on total or average utility. The interests of the worst-off in society could justifiably be sacrificed under utilitarian principles (as also argued in the fourth chapter of this thesis) for the sake of overall utility. On the other hand the Rawls' Principle of Greatest Equal Liberty guarantees standards of basic liberty for all preventing such utilitarian trade-offs from occurring.

Moreover the Difference Principle ensures that "inequalities are permissiable [only] when they maximise, or at least contribute to, the long-term expectations of the least fortunate in society."[25]

Despite the attention drawn and importance attached to Rawls' theory it has nevertheless attracted a great deal of criticism. The first main area of criticism surrounds the concept of the original position. The argument has been put forward by some that hypothetical agreements in the original position provide no criteria for fairness in the real world. For example Ronald Dworkin argues that the mere fact that somebody would agree to do something in the circumstances of the original position provides no reason why he should stick to such an agreement in everyday life. Dworkin provides an example of an unvalued painting. Supposing, he argues, one would agree to sell it to another for $100. If one then discovers that it is worth a great deal more, the fact that earlier one was prepared to sell it for less does not oblige one not to demand the full value in the light of this extra knowledge.[26] However this argument does not necessarily mean that no hypothetical agreements are morally binding anymore than Rawls argument implies that all hypothetical agreements are morally binding. By analogy James Sterba argues that the fact that some actual agreements are not binding (he cites an agreement to commit murder), does not mean that all actual agreements are not binding.[27]

Others have argued that the original position "requires us to view persons stripped of their rightful natural and social assets."[28] In other words critics such as Nozick in "Anarchy, State and Utopia", believe that Rawls' contention that a person's natural and initial social assets must be regarded as common assets fails to pay significant attention to the distinction between people. However to others Rawls' purpose is merely to question to what extent constraints must be placed on the use of one's natural and social assets in the pursuit of one's personal goals. Even libertararians, such as Nozick, argue that one should not interfere or harm others. Rawls however argues that one must go further and positively ensure that the basic minimum is provided for others. Therefore Nozick's argument is essentially the charge that Rawls goes too far and places too many constraints on the activities of others. However in the absence of overriding arguments why this is so, such criticisms can be safely ignored. Indeed it is difficult to argue with Rawls that:
"...once knowledge is excluded the requirement of unanimity is not out of place and the fact that it can be satisfied is of great importance. It enables us to say of the preferred conception of justice that it represents a genuine reconciliation of interests."[29]

The second main area of criticism centres around the principles of justice derived from the hypothetical contract in the original position. Many critics strongly contest the priority given by Rawls to liberty, questioning his assertion that beyond a certain point basic liberty should never be sacrificed in the name of additional wealth. Such an argument calls to mind the example of life in the Chinese Republic where civil and political liberties are greatly restricted but where the standard of living is considerably higher than in many comparable nations in the Third World.

Rawls reacted to such challenges by introducing into his argument the premis that the parties in the original position have the capacity for both a sense

of justice and a sense of the good. The former capacity implies the capacity to understand, to apply, and to be motivated to act from principles of justice. The latter capacity implies the ability to form, and pursue a conception of what is regarded as a worthwhile life. As Rawls states:
"We take moral persons to be characterized by two moral powers and by two corresponding highest-order interests in realizing and exercising these powers. The first power is the capacity for an effective sense of justice ...The second moral power is the capacity to form, to revise, and rationally to pursue a conception of the good."[30]

Given Rawls' revision of his argument in "A Theory of Justice" it is not difficult to argue that the legislators of the basic structure of society would indeed make liberty sacrosanct, even if it does mean that it is possible to argue that the premises employed are too idealistic. As Rawls expresses it "the parties are simply trying to guarantee and to advance the requisite conditions for exercising the powers that characterise them as moral persons."[31]

Barry also strongly contests the 'safety first' stategy of Rawls' two principles arguing that:
"A man with a neutral attitude to risk will rationally accept a small risk of a catastrophic outcome for a high probability of a moderate gain. It would appear that most of us will rationally accept a small risks of catastrophe: we take planes across the Atlantic instead of going by ship, we drive cars instead of taking trains and we travel instead of staying at home... Since it is not a priori irrational to accept risks of catastrophe in this way it cannot be said to be a priori irrational for those in the 'original position' to be prepared to accept catastrophic outcomes."[32]

Indeed those such as Barry believe that there is no reason why the parties to the hypothetical contract should deem it necessary to be so cautious, arguing that it is equally rational to gamble upon creating a more liberal basic structure to society where the rewards for the successful are higher but where the penalties for the unsuccessful are greater. Barry and Buchanan both point out that the maximin rule is not the only decision rule that has been proposed for making decisions under uncertainty. It is argued by some that those in the original position, since their place in society will not be chosen by their greatest enemy but in fact will depend upon chance, will "select the alternative with the highest average expected utility."[33]

However while on this basis those in the original position might be seen to favour a society where a poor minority live below the poverty line, but where the majority are much better off than they might otherwise hope to be, there is no reason why the distribution of utility payoffs would not be taken into account. On this basis a less wealthy but more egalitarian society would be selected. Bearing in mind the moral nature of those in the original position it is this factor which would appear to be decisive. Moreover it is important to recognise that in the liberal world that exists today a majority happen to live in poverty.

Though one of the major concerns of Rawls' "A Theory of Justice" is to provide an alternative to the utilitarian account of social justice, it has been argued that "the argument does not appear to ring the deathknell for utilitarianism."[34] Rawls' two principles of justice do certainly, in a

sense, rely upon consequentialist moral judgements: value judgements rely upon an appeal to the justice rather than the happiness of their consequence. However Rawls differs from utilitarianism in three important ways.

First, providing that it maximises the level of overall utility, utilitarians can accept any inequalities that might arise in which some benefit is gained at the expense of others. Second, utilitarians can have no intrinsic objection to the restriction of political rights or the limitation of liberty. Providing, again, it maximises overall utility utilitarians can not object per se to conditions of slavery or serfdom. Third, Rawls' primary goods such as liberty and opportunity, income and wealth, and self-respect, are made available; they are are not converted into perceptible welfare goods as in utilitarianism.

The extent to which Rawls stands as a mediator between different traditions is demonstrated by the fact that others, including Rawls himself, argue that there is a Kantian foundation to his theory of social justice. Stephen Darwall states that:
"The Kantian ideals of autonomy and respect for rational nature and his view of the connection between morality and reason, themes which lie at the very center of Kant's moral thought, find expression, Rawls believes, in the conception of justice as fairness."[35]

As explained in the previous chapter, Kant explains how an autonomous agent is motivated by rational principles rather than miscellaneous desires. Furthermore Kant explains how rational principles are universalizable, serving as principles for everyone. Similarly, under the subtitle "The Kantian Interpretation", Rawls explains that those in the original position also act autonomously since the veil of ignorance excludes knowledge of one's personal desires, meaning that one is motivated as much by a sense of interest in selves, or individuals, as such, as egoism or self-interest. Such motivation is almost identical to the Kantian demand that one treats others as an end in themselves. Furthermore there exists a formal constraint on those in the original position that those principles chosen must be universalizable meaning that they will be rational in the Kantian sense. Rawls firmly roots himself in the Kantian tradition, arguing that:
"My suggestion is that we think of the original postion as the point of view from which noumenal selves see the world... Properly understood, then, the desire to act justly... derives in part from the desire to express most fully what we are or can be, namely free and equal rational beings with a liberty to choose."[36]

It is beyond the scope of this thesis to explore any more deeply the similarities and divergences of Rawlsian theory and the Categorical Imperative. It is adequate for my purposes to note that Rawls manages to incorporate into his theory the fundamental Kantian concepts of universalizability, of the autonomy of ethics and the connection between morality and reason. However in contrast, Rawls manages to derive conclusions from his theory with considerable implications for the social, political and economic institutions of the contemporary world. One of the biggest obstacles to Kant's Categorical Imperative is its theoretical nature and inaccessibility. Darwell concludes that:

egalitarian than humanitarian nature in the eyes of some) demand that the West refrain from executing policies that might presently harm the Third World and initiate a huge transfer of resources from rich to poor.

Global justice may cause special problems for "Justice as Fairness", since for the most part questions of global redistribution are ignored. However Beitz is of the opinion that:
"I do not believe that Rawls' failure to take account of these questions marks a pivotal weakness in his theory."[46]
If this is so, then it is worth retaining the Rawlsian principles of justice as a framework within which to work. Rawls' principles of justice purport to "underlie and account for the various considered moral judgements we make in particular circumstances" including those moral evaluations made about "particular actions, laws, policies, institutional practices, etc."[47] But in so doing Rawls also develops a theory of social justice. Parallels can be drawn with utilitarianism, which itself was regarded by Bentham as more a system of social and political decision than a moral theory in the strict sense. Indeed one of Rawls' main aims is to assert the superiority of "justice as fairness" as a theory of social justice over utilitarian theory. The advantages shared by both is that they are easily accessible to agents of all types, whether individuals or governments. It was concluded in Chapter 2 that the the moral obligations incumbent upon a government and individuals differ only in the way that they might be executed and therefore when determining what these obligations might be it is important that the same principles can be applied in each instance.

Rawls makes it very clear at the beginning of "A Theory of Justice" that the two principles of justice are primarily concerned with domestic social justice and do not characterise "the justice of the law of nations and relations between states."[48] However it is later suggested by Rawls that a similar procedure to that which is employed to arrive at the principles for domestic social justice can be utilised to derive and justify principles of international justice. Interstate relations, it is suggested, could be governed by those principles selected by parties to a hypothetical international social contract. Rawls does not explore the implications of such a contract to any significant degree but comments that:
"there would be no surprises since the principles chosen would, I think, be familiar ones. The basic principle of the law of nations is a principle of equality."[49]

Rawls reinterprets the original position as an international conference attended by "representatives of different nations", each there to advance the interests of the states they represent, who must select "the fundamental principles to adjudicate conflicting claims among states":
"Following out the conception of the initial situation, I assume that these representatives are deprived of various kinds of information. While they know that they represent different nations each living under normal circumstances of human life, they know nothing about the particular circumstances of their own society ...Once again the contracting parties, in this case, representatives of states, are allowed only enough knowledge to make a rational choice to protect their interests but not so much that the more fortunate among them can take advantage of their special situation. This original position is fair between nations; it nullifies the contingencies and biases of historical fate."[50]

The principles selected by those parties to an international social contract include, according to Rawls, self-determination and "the right of a people to settle its own affairs without the intervention of foreign powers."[51] Rawls goes on to list principles of self-defence, that treaties must be kept, and principles defining the just cause of war and justice in the course of war (jus ad bellum and jus in bello). Furthermore the desire for world power and national glory, and the use of war to make economic gains or acquire territory are said to be "contary to the conception of justice that defines a society's legitimate interest."[52]

The implications of Rawls' few remarks on international justice are limited. It is clear that it is unjust for countries to operate a policy of economic imperialism or to invade other countries for their own gain. However it would also appear to be the case that Rawls' principles of international justice preclude foreign intervention in the Horn of Africa to prevent starvation and also in areas of internal conflict such as the former Yugoslav Republics.

Such restrictions on the global rights and duties of individual states are the result of the basic principle of equality among states. It is important to note that Rawls assumes that "independent peoples organised as states have certain fundamental equal rights",[53] in the same way as independent individuals. While the presupposition of a principle which recognises and requires respect for the autonomy of the individual as free and equal moral agents is acceptable, it is not equally plausible to assert that respect for the moral equality of nation-states is a fundamental moral principle. Since the internal justice of each of the world's separate states cannot be relied upon it makes sense to question "why a principle which defends a states ability to pursue an immoral end is to count as a moral principle imposing a requirement of justice on other states."[54] The moral equality of nation-states cannot be used as a premis when determining principles of justice among nations without begging the question.

Another objection to Rawls' conclusions is that he also presupposes each nation-state to be largely self-sufficient. Although Rawls' very consideration of global justice suggests that he does not believe societies to be entirely self-contained, he envisages cooperation between states to be minimal. Beitz suggests that:
"Probably he imagines a world of nation-states which interact only in marginal ways; perhaps they maintain diplomatic relations, participate in a postal union, maintain limited cultural exchanges, and so on. Certainly the self-sufficiency assumption requires that societies have no significant trade or economic relations."[55]
Empirical evidence, however, shows clearly that this is far from being the case. Most economists would agree that many Third World countries "are unable to feed themselves"[56] even if the reasons why are disputed. Moreover some of the richest nations in the world are not self-sufficient in food or other resources and depend upon cooperation with other nations to prosper. Indeed by common consent, whether for good or bad, there today exist a truly "global economy".

Rawls' assumption means that the principles he outlines differ in at least two ways from those which might be chosen by the parties to an international social contract who do not suppose each state to be self-sufficient. First,

Rawls does not suggest that the economic relations of states ought to be bound by principles of justice. In a world where the removal of trade barriers and other restrictions has led to a pattern of interdependence which is designed to favour the West and impose unavoidable burdens on the Third World, this certainly appears to need revising. As previously mentioned, he argues that states should not seek world power or use war for economic purposes, but does not consider whether there should be limits on economic interference. Indeed the purpose of Rawls' principles appears to be merely to ensure peaceful coexistence between separate nations in the same way as Kant's "Perpetual Peace", but Barry believes that such "minimal liberal principles of non-interference and non-aggression are no more than a fraction of what would be agreed upon..."[57]

Second, the parties to a more realistic international contract are likely to be concerned with the issue of natural resources in the same way as those parties to the domestic contract are said to be concerned with natural talents. The distribution of natural talents and the contingencies of social circumstance are said by Rawls to be morally arbitary. The natural distribution is not just or unjust per se; what is morally significant is the way that such inequalities are dealt with by social institutions. Rawls argues that it is unfair to the disadvantaged to expect them to suffer as a result of such arbitary factors unless it is of benefit to them in relation to the initial position of equality:
"In justice as fairness men agree to share one another's fate. In designing institutions they undertake to avail themselves of the accidents of nature and social circumstance only when doing so is for the common benefit. The two principles are a fair way of meeting the arbitariness of fortune ...the institutions which satisfy these principles are just."[58]

Similarly the distribution of natural resources is spread unevenly over the world's surface. Wealth and material advancement are commonly conceived to result from a combination of land and labour. However the scarcity of suitable resources means that some societies are unable to attain the same levels of wealth and standards of living as others. For example the British industrial revolution and ensuing domination of the world in the nineteenth century was in no small measure a result of the accessibilty of coal and iron-ore. In the same way the wealth of many states in the Middle-East has resulted from the reserves of oil which they have controlled. On the other hand the scarcity of fertile land together with the severity of the climate in some Third World countries means that subsistence alone cannot be taken for granted. It would not therefore be surprising for those representing different nation-states in the international original position to view the distribution of resources as morally arbitary, and subject them to an 'International Difference Principle'. Moreover even if each nation were self-sufficient, the parties to the contract would nevertheless be justified in arguing that divergences in wealth between nations would only be permissable if it benefitted all. The people of any particular nation would not acquire the right to all the wealth that might be derived from the oil fields within its territory simply because all neighbouring countries are self-sufficient, not least because Rawls' principles concern fairness and equal distribution rather than adherence to any specific minimum standard. As Barry notes:
"Surely, then the arguments which are said to lead the participants in the original position to insist on maximising the wealth of the worst-off within

any given community would even more strongly lead to an insistence that what this minimum is should not depend capriciously upon the good luck of being born into a rich society or the ill luck of being born into a poor one."[59]

The conclusion that Rawls reaches is therefore based upon at least two premises that are not borne out by the facts of contemporary international relations. The loss of political autonomy as a result of the development of a global economy also acts to demonstrate the inadequacy of the view that moral obligations, including principles of justice, do not extend beyond the national boundary. This suggestion was considered in Chapter 2 and seen to be flawed, but the fact that social cooperation extends far beyond the boundaries of the nation-state serves to destroy one of stronger, but ultimately fallacious, arguments employed by its supporters. Considerations of international justice must take account of empirical evidence and exchange a state-centred view of the world for a conception of the world as a single community. Beitz suggests that:
"The principles of justice for international politics would be the two principles for domestic society writ large, and their application would have a very radical result, given the tendency of the difference principle."[60]

Given that the difference principle states that economic inequality is only permissable if the least well-off benefit; if the expectations of the least advantaged are higher than if the inequalities were less, the consequences of the application of such a principle on a global level would involve a huge redistribution of resources from the industrialised world to less developed countries. Observance of such a principle would, at the very least, make the duty to aid those in famine-stricken areas unmistakeable. Before examining in more detail the implications of an international maximin strategy, it is worthwhile examining the view that its implications are too radical and not worth seriously considering.

The necessity for a huge transfer in resources from the West to poorer nations, together with the disregard for national boundaries, still considered to have an important role in the minds of ordinary people, leads many to give little serious consideration to the sort of proposals which emanate from an 'International Difference Principle'. The reality of the plight of the poor however suggests that solutions devised to ease the situation must be realistic enough to be put into practice.

With this in mind, it perhaps is worthwhile to return to Rawls' conception of an international social contract and determine whether more practical obligations can be derived. Mark Wicclair argues that Rawls' international contract is only plausible if it is seen as the second stage in a two-stage sequence.[61] In the first stage the parties to the contract consider themselves to be members of the same nation-state and select principles in the same way as those parties involved in the domestic social contract. In other words they select principles applicable to the political, social and economic arrangements of individual nation-states. In the second stage they consider themselves to be representatives of nation-states whose institutions satisfy the principles selected in the first stage, given the task of selecting international principles to protect the just institutional arrangements of the nations which they represent. In this light, it is argued an International Difference Principle would not be arrived at, but

the rules chosen by Rawls himself to govern international relations would also have to be reexamined. For example:
"A nonintervention rule would have the status of a norm which would apply in the ideal or limiting case of a world of internally just nation-states ...but this would tell us nothing about the legitimacy of intervention in the event that the domestic arrangements of particular nation-states are unjust."[52]

Therefore in an ideal world a rule of nonintervention would doubtless exist, including a presumption against intervention on behalf of 'human rights'. But in an ideal world such abuses of human rights, as can be seen all too often in the real world, would not occur. It would therefore appear reasonable to suppose that the modified 'veil of ignorance' would not exclude knowledge from the parties to the contract in the second stage of the two stage sequence, of the fact that some societies are likely to be excessively unjust. Such knowledge, one can safely assume, falls within the sphere of "general facts" which Rawls explains that the legislators possess behind the veil of ignorance.

With this in mind the parties to the international contract would be forced to consider the prospect that they might be unfortunate enough to be representing just such a nation. Consequently the maximin principle, which acts as the guiding principle for those in the original position, will compel the parties to the contract to select principles regulating international relations which take this into account. These principles will permit, and even demand, intervention by just nations in the internal affairs of unjust or merely poor nations in order to bring about a significant improvement in conditions in their respective societies. International law would be framed in such a way that it would be incumbant upon states to intervene and bring about a significant improvement of the situation where basic violations of justice occur.

While the form of intervention necessary (the threat or use of force, economic sanctions or conditions placed upon bilateral economic assistance) would probably depend upon the circumstances of the particular situation, the parties to this revised version of the Rawlsian international social contract would, needless to say, qualify this right to intervene with a clause protecting countries from interventionary activity which would only protect the intervening state. Perhaps they might also consider empowering an international organisation akin to the United nations to decide when such activity was necessary or permissible.

While Wicclair's modifications to Rawls' theory allow one to satisfactorily conclude that interventionary activity is permissible, exploding the myth that the autonomy of the nation-state is at all times sacrosanct and providing justification for some of the world's contemporary injustices, it remains deeply flawed. Wicclair, in common with Rawls, considers each nation to be self-sufficient. When considering the plight of the Jews during the Nazi Holocaust a right of limited intervention appears appropriate. But Wiccair concedes that "when one considers, say, the plight of the poor in less developed nations, it is doubtful that occasional intervention [analogous to that practised by the US in Somalia perhaps] by, richer, industrial nations would be sufficient or appropriate."[53] The conditions of poverty in the Third World have been shown already to be, at least in part,

a result of the existing pattern of international economic and political arrangements, calling for a complete restructuring if global justice is to be achieved. It is, for instance, never questioned whether the world should be divided into politically independent and separate nation-states. This is a fundamental decision which the contracters would doubtless wish to consider.

The implications of Wicclair's conclusions regarding justice as fairness and international relations are much more restricted than those reached by Barry and Beitz. Indeed the justification of limited intervention appears very much in tune with the foreign policy adopted since the end of the Cold War by the USA. However a very important point to consider is whether the fact that any particular moral conclusion is easier to conform to and more in line with contemporary intuitive thought is of any particular significance in assessing its value as a moral imperative. For example Peter Singer urges that the fact that he reaches the conclusion that one is obliged to give aid to the Third World to a point of marginal utility, is both impractical and unacceptable to many, does nothing to diminish its value as what is morally necessary (though in Chapter Four other reasons why it is a fallacious conclusion are offered). Though he does argue that differentiation between what is just and what is publicly advocated is justifiable because setting a lower standard might result in more people attempting to satisfy it and therefore more aid being given.[64] This however can only be justified upon utilitarian grounds.

However John Rawls does in fact go much further and emphasise that the parties must consider whether they would be able to comply with the contract that they make:
"...if we make an agreement, we have to accept the outcome; and so give an undertaking in good faith, we must not only intend to honor it but with reason believe we can do so."[65]
Hence Rawls believes that human nature must be taken into account to determine whether compliance with the proposed principles is possible. If not, since the contract is a sincere agreement, alternative principles must be chosen. Naturally his two principles of justice are said to meet this requirement. Rawls also argues that the "strains of commitment", or in other words the psychological costs, must be taken into account. He argues that the costs of his two principles are less than those of utilitarianism which might demand the sacrifice of the interests of the minority for the sake of overall happiness. However it must be considered whether compliance with Rawls' theory of justice writ large is possible and whether the psychological costs are significantly higher than the costs of the domestic social contract. Given the radical nature of the implications of a Rawlsian international contract it is very possible that on these grounds such principles might be considered unacceptable. Moreover Rawls notes that the natural duty of justice is strictly limited:
"This duty requires us to support and to comply with just institutions that exist and ...constrains us to further just arrangements not yet established, at least if this can be done without too much cost to ourselves."[66]

Perhaps the major difficulty facing the implementation of a Rawlsian theory of global justice is the fact that one would not choose to begin from the position of the world as it is today - a common problem for all politicians and social theorists. Those in the West would stand to lose a great deal if

the world was truly just and an International Difference Principle observed. For example the principle of global justice overrides virtually all other obligations incumbent upon a government, promoting the claims of Third World countries for food aid, development assistance, and monetary and trade reform to a position of the utmost importance. The welfare of those in poorer countries overrides, it seems, the obligations of a government in a rich country to help its own citizens. Moreover the obligation to realise justice also entails attempting to establish just institutions where none presently exist. At a global level this might even entail securing a United Nations with power to redistribute material goods from one country to another, or even establishing a genuine world government. However this should not undermine the role of such an ideal in providing a goal towards which one should strive.

Rawls appears to be somewhat cautious in advocating the use of his theory of justice in daily life, even arguing that in radically unjust circumstances one may even be forced to rely upon a utilitarian calculation of costs and benefits balanced by intuitive reasoning.[67] While in such circumstances his principles might lead to a conflict of duties (considerations of global justice conflicting with duties to one's own countrymen for example) in the same way as all deontological theories, it is nevertheless not difficult to judge where the balance of these obligations lie. For example it is very important to note that considerations of natural justice, said by Rawls to be conditional upon the level of sacrifice one makes, are less important than considerations of global justice itself. Should the demands made by an International Difference Principle appear supererogatory and unworkable this might be a result of the scale of present injustice in the world where two thirds of humankind live in or close to poverty and the unwillingness of the reader to recognise this fact. It is as likely that contemporary arrangements are at fault than the moral theory employed.

It is perhaps necessary at this stage to reappraise one's goals. Rawls himself recognises that "justice as fairness ...moves us closer to the philosophical ideal; it does not, of course, achieve it."[68] I believe that any attempt to spell out an objective and coherent ethical theory without flaws is ultimately doomed to failure. This is not any reason to give up in one's search or to abdicate responsibility. Rawls adds that "all theories are presumably mistaken in places. The real question at any given time is which of the views already proposed is the best approximation overall."[69] By these criterion the fact that "justice as fairness" creates problems as well as present solutions will diminish in importance when the value and importance of a theory that equates liberty with material redistribution, transcends national boundaries, and is able to make allowances for empirical change in global economic and political structures is recognised. Ironically a principle which set out to defend liberal democracy in the West does more to undermine its moral basis than anything else. On Rawlsian grounds it is, at the very least, impossible not to reach the conclusion:
"That the rich countries fail to devote even one per cent of their national incomes to aid, and that they refuse to co-operate in arrangements to pay the poor countries a high price for the foodstuffs and raw materials that they export is scandalously immoral but it is not the result of any logical or physical impossibility."[70]

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28 Ibid. p.412.
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30 Rawls J. op. cit.(1980) p.525.
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32 Barry B. op. cit. p107.
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70 Barry B. op. cit. pp.131-132.

CHAPTER 7: THE RAWLSIAN SOCIAL CONTRACT & INTERGENERATIONAL OBLIGATIONS

"[we] owe to posterity concern of the same quality and degree that [our ancesters] ...devoted to all generations following theirs and that made our present happiness possible."[1]

Closely connected to the question of whether or not one is morally obliged to offer aid to those in desperate need, irrespective of their nationality are the equally complex issues of whether one must take account of the needs of those not yet born and be responsible for the actions of one's predecessors. Though interconnected, these two problems will be considered separately. First, it is necessary to decide whether present people differ in morally relevant ways from future generations, a question described by G.Kavka as the "Futurity Problem"[2] If it is concluded that they do then it will have far reaching ethical implications with respect both to the form and the amount of aid given to poor countries. Not only would it be necessary to ensure that the aid given did not merely create many more hungry humans in the next generation, but also it would place upon everybody a duty not to unfairly deplete the level of natural resources in the world. Second, it is pertinent to consider whether excolonial powers like Britain are obliged to make amends for past exploitation in the Third World. The record of neo-colonial powers must also be taken into account, since the exploition through economic means has, in the post-war era, easily rivalled that of colonial powers in the past two centuries. It is interesting to consider whether reparations for these 'crimes' must be made, and if so what form it must take.

It was concluded in the previous chapter that, at the very least, Rawls' Two Principles of Justice are more consistent with one's considered moral judgements than conclusions reached by the application of any utilitarian rules. Indeed, with certain modifications including the need to widen the definition of those in the original position to make the principles of justice international, it was argued that Rawls' Theory of Justice brings one very close to the "philosophical ideal", the criteria that bring one closest to an objective ethical definition of right and wrong. Part of the intention of this exercise is to employ the Rawlsian principles and demonstrate, further, the contrast when compared to strict adherence to utilitarian principles. To this end, each part of the intergenerational debate will first be considered from a utilitarian perspective and only then, when the deficiencies are highlighted, will the problems be addressed from the Rawlsian approach of liberty and distributive justice.

In utilitarian terms it is almost impossible to avoid concluding that one's obligations to future people are unlimited. Presumably if one is striving to produce the greatest happiness for the greatest number, the important factor is the net utility of an action, not when the reward will be reaped or the happiness enjoyed. Along these lines it would appear that one could quite justifiably sacrifice the lives of an entire generation if the result were to be a vast improvement in the lives of all generations thereafter. Such a scenario might be a little difficult to envisage, but the main point that the lives of all living people could be sacrificed in the name of future generations cannot be disputed. Furthermore on such a basis, more realistic scenarios such as a zero population growth policy could easily be justified,

despite the fact that it would violate the right to life of many Third World peasants, for whom large families are the only insurance against an early death. While most would accept that the welfare of future generations must be taken into account, it is important at the same time to ensure that the rights of the existing poor and socially disenfranchaised are not diminished.

Such a overwhelming regard to the lives of future generations while justified by utilitarian theory is not reflected in practice. A cursory glance at environmental policy offers irrefutable evidence that consideration is all too frequently merely paid to short term factors. While the level of CFC gas emissions have been cut drastically as a result of imminent fears of global warming, problems such as widespread environmental degradation and the disappearance of the Brazilian Rainforests have not been tackled. Furthermore aid to Third World countries often appears to take the form of emergency food and clothing rather than the form of aid designed either to help the poor and their children's children to permanently leave the condition of poverty, or to change the circumstances that created poverty in the first place, whether that might be contraceptives to prevent overpopulation or more ambitious measures designed to prevent the sort of neo-colonialism which exist today. Other measures which might ensure against disaster in the future such as anti-pollution measure, the conservation of non-renewable resources and investment in "survival sciences" also do not appear to have taken place to any significant degree. When asked to make sacrifices for future generations Kavka suggests that there are three equally fallacious reasons often given why they should be overridden.

First, it is commonly argued that the temporal location of future people is morally significant. The fact that they do not yet exists means, it is suggested, that they cannot have 'rights' and cannot demand obligations from those existing in the present. However Kavka argues that "rational morality (which concerns the well-being of people) should attach no intrinsic importance to the temporal location of people."[3] In the same way as it is rational for one to give equal weight to one's present and future desires, it is persuasively argued that one should balance the interests of those in the present with those of those living in the future. Temporal location is no more significant than the one's location in space. Kavka concludes that: "It may be concluded that while there are sound reasons, when deciding whose desires to satisfy, to favor present over past people, the difference in their temporal location does not constitute a reason for favouring present over future people."[4]

Second, and related to the temporal location of future people, it is also frequently argued, by those such as Martin Golding[5], that one's relative ignorance of future people is morally significant for two reasons. Not only is it argued that the desires of future generations are unknown and therefore unable for present generations to satisfy, but it is also argued that even if their desires were known, one would be less able to satisfy them than those of one's contemporaries because "our ability to shape future events generally decreases as they become temporally more distant."[6] However, as Kavka argues, one's ignorance of future generations' conception of the good life does not mean that one is ignorant, to a very high degree of certainty, their basic biological and economic needs. For instance it is known that food, clean air and fuel will be needed as much by those in the

future as by those in the present. Whether one adopts a Neo-Malthusian approach or not, it is clear that there are measures that can be taken towards satisfying these basic needs. For example energy conservation, anti-pollution laws, and population controls could all be enacted. Indeed Kavka draws an analogy with the ignorance of an adolescent's needs in retirement. Despite being unaware of his or her specific needs in forty years time, it would make sense for a young person to invest a proportion of his or her income and to eat properly and exercise regularly to ensure that basic needs such as security and good health are met. Kavka concludes that similarly: "Morality advises us to take steps to insure an adequate supply of resources for future generations, despite our ignorance of the details of the desires that future people will have."[7]

Finally, if the temporal location of those in the future and our ignorance of them are rejected as reasons for not including them in the same moral community as those in the present, the contingency of future people is said to be a reason why they cannot be included in the moral equation. The very fact that the number and identity of future people is dependent upon the actions taken in the present, affects the moral relationship between the two, it is argued. The needs of those in the present are said to take priority because people in the future might not exist at all. For example it is pointed out that it would be immoral for a poor couple, with three children and intending to have three more, to deprive their existing children of essential resources in the interests of those yet to be born. However while under conditions of scarcity the needs of those in the present take priority over those whose existence is dependent upon the decisions of those in the present, this does not mean that they must take priority over the interests of those whom it is known will exist. If the poor couple are determined to have three more children and cannot be persuaded to change their mind then it makes sense, in utilitarian terms, to give those children yet to be born equal consideration with those already alive. Since one can be virtually certain that there will exist in the future a population of equal if not greater size than that in the world today (currently 5.3 billion) the contingency of particular individuals is irrelevant. While it might be right to take steps to reduce the numbers of those living in the future through population control, this does not mean that the interests of those who will inevitably exist should be abandoned.

It may therefore be concluded that utilitarianism overwhelmingly suggests that the needs of future generations be given at least equal consideration to those of the present generation. However, as Derek Parfit points out, the logical implications of a population policy based strictly upon utilitarian lines are repugnant.[8] Kavka argues that existing people have priority over future people "in the sense of warranting population limitation as a means of limiting the total needs of future generations", but adds that "population limitation carried to the utmost extreme, i.e. the end of species by collective decision not to reproduce, would not be morally justified."[9] Yet this very decision, or equally objectionable conclusions, might well be justifiable in utilitarian terms.

Parfit, in his article "Overpopulation and the Quality of Life", compares two rates of population growth. The first can be described as "The Average Principle" which states that it is better if people's lives are, on avearage, better or contain more happiness. The second can be described as

"The Hedonistic Total Principle" which states that it is better if there exists a greater global sum of total happiness. In other words it is implied that a reduction in the quality of life can be compensated for by an increase in the quantity of life lived. The implications of either policy are shown by Parfit to be morally objectionable. If one accepts the Total Principle it implies that:
"Compared with the existence of very many people ...all of whom have a very high quality of life, there must be some much larger number of people whose existence, if other things are equal, would be better, even though these people would have lives that are barely worth living."[10]

This Parfit names the "Repugnant Conclusion" since the conclusion that it would be better for many people with lives containing only "muzak and potatoes" to exist than a much smaller number enjoying far superior lifestyles is hard to accept. However Parfit also devotes considerable space in demonstrating that "The Average Principle" is equally flawed. The Average Principle suggests that a higher quality of life for a smaller number of people is preferable to a lower standard of life for a larger number of people. However such a view is very elitist since it places much emphasis upon the condition of the best-off person in contrast to the Rawlsian view that it is the condition of worst-off person that is of importance. Moreover the logical conclusion of such a view is that the exceptional standard of living for one person is preferable to a lower standard of living for any others. Utilitarian considerations suggest that one must either accept the repugnant conclusion or the elitist average principle. Neither is acceptable and Parfit is forced to introduce the far from utilitarian consideration of "perfectionism", appealing to "what I shall call the best things in life."[11]

The Principle of Utility does importantly take the welfare of future generations into account. Unfortunately the best world along such lines would either be that of an enormous population all of whom have lives that are not much above the level where they cease to be worth living, or that of a very small population with an optimal standard of living. Nevertheless one is intuitively unable to disregard the welfare of future generations and the problems encountered through the employment of the principle of utility do not prevent one from attempting to derive an obligation to future generations by other means.

Much space has already been devoted to the attractiveness of a Rawlsian ethical approach, but upon first glance this too appears to encounter problems when future generations are taken into account. Golding argues that if one accepts that justice and rights are determined by agreements between people, in other words by social contract, intergenerational reciprocity must be possible if future generations are to have any rights. To be members of the same "moral community", he argues, there must be either an "explicit contract between its members" or a "social arrangement in which each member derives benefits from the efforts of other members."[12] Since future generations cannot be party to either form of agreement, he argues, they cannot be said to have any rights in the social contract tradition. If this is accepted then it would appear that Rawls' Theory of Justice, based on the concept of a social contract, is unable to make provision for future people.

On the other hand it is argued by others that intergenerational reciprocity is possible. Walter Wagner, for instance, argues that by recognising the

rights of individuals in future generations, one manages to increase one's empathy and compassion and hence benefit oneself.[13] There is also a long tradition in western ethical thinking maintaining that since our forefathers have benefitted the present generation in many ways, one has obligations to one's descendants. Shrader-Frechette quotes an ancient Benedictine manuscript to emphasise the point:
"...no-one who plants a fir tree can hope to fell it it when it is fully grown... In spite of this the most sacred obligation is to replant and husband these pine forests. If we sweat for the benefit of posterity, we should not complain as we reap the results of the efforts of our forefathers."[14]

However whether or not intergenerational reciprocity is truly possible, and it is perhaps rather unlikely to be the case, is not the real issue. Both Daniel Callahan and John Rawls argue that explicit reciprocity is not a necessary condition for all social contracts. Callahan cites various examples where it is accepted that this is the case. For example, he argues that the obligation of a mother and father to their child is certainly not contingent upon any reciprocal obligation in the years to come. Moreover the child is not asked if he or she wishes to be party to an agreement; the contract exists because a child is in debt to his or her parents and because the parents accept an obligation towards their child.[15]

Rawls accepts that justice between generations "subjects any ethical theory to severe if not impossible tests"[16], but overcomes the problems of reciprocity by assuming that the parties to the social contract to be heads of family or genetic lines "with ties of sentiment between successive generations."[17] He argues that the legislators in the original position, who he says are presently existing persons, would adopt behind the veil of ignorance what he calls the "just savings principle". The just savings principle is included in Rawls' final definition of his two principles of justice reproduced in the previous chapter (although not then referred to), and "can be referred to as an understanding between generations to carry their fair share of the burden of realising and preserving a just society."[18] This takes the form of preserving those just institutions already established and putting aside "in each period of time a suitable amount of real capital accumulation."[19] Capital includes not only resources such as fossil fuels and other non-renewable resources, fertile land, and factories and machinery, but also technology, knowledge, and culture. The means to provide an adequate standard of living together with the preservation of intellectual traditions of liberty and justice are necessary to realise and preserve justice for future generations.

Rawls concedes that reciprocity between generations is not possible but argues that the situation is unchangeable and natural "so the question of justice does not arise."[20] Rather:
"What is just or unjust is how institutions deal with the natural limitations and the way they are set up to take advantage of historical possibilities. Obviously if all generations are to gain ... they must choose a just savings principle ...[ensuring]... that each receives from its predecessors and does its fair share for those which come later."[21]

The only generation, and though the legislators are actually contemporaries Rawls argues that in effect representatives from each generation are party

to the agreement since the same principles would always be chosen, not to benefit would be the first and this problem is supposedly overcome because of their concern for their immediate descendants. However this is an argument not without its critics. Michael Bayles, for instance, argues that familial concern is not likely to extend for more than about two generations into the future. It is certainly true that the implications of some measures to improve the short term plight of the poor may well store up disastrous consequences many years later. Bayles argues that no principle designed to avoid the consequences of ecological disaster or population explosion would be agreed to on Rawls' account.[22] Moreover Rawls himself accepts that the emphasis on sentiment between successive generations involves a shift in the "motivation assumption"[23] made about the parties to the social contract, previously said to be acting upon self-interest alone.

It is therefore tempting to try and conceive the parties or legislators in the original position as representatives of all generations, in other words as being all actual persons (past, present and future) in order to avoid the major charge of short-termism made against Rawls. However there are many problems with such a conception, the most important being its coherence. Since the existence of possible legislators depends upon the principles chosen it makes no sense that those behind the veil of ignorance already know that they exist. In this light it is not difficult to see why Rawls argues that "it is best to take the present time of entry interpretation."[24]

It has already been noted that another reason commonly cited why those already alive cannot be members of the same "moral community" as future generations is their supposed ignorance of a future conception of the 'good life'. As already mentioned, Golding argues that factors such as the rapidity of technological change make this impossible. However Joel Feinberg attacks, in the same way as Kavka, the assumption that our interests will be different merely because of our ignorance of what they will be in the future. As he puts it, future generations "will have interest in living space, fertile soil, fresh air and the like."[25]

Moreover Rawls argues that persons of any generations will desire an ethical code based upon social justice and equity, including a prohibition against an inequitable distribution of resources derived from his two principles of justice, against using others merely as a means, and against failure to protect the homeless. This provides enough information to make it clear that the use of DDT or other chemicals to prevent disease and protect food supplies to aid the poor in the Third World is not permissable. DDT is now known to cause cancer and genetic damage and will continue to do so indefinitly making the present generation suffer at the expense of the lives saved in the past. Thus future generations were used, albeit unwittingly, as a means for the ends of the then present generation. Callahan correctly points out that the most morally secure course to follow is to assume that the social ideal of future generations differs little from our own.

A danger, of course, of recognition of the 'rights' of future generations is the possibility that those of the present generation are too easily cast aside, as can be the consequence of utilitarian deliberation on future people. However Rawls emphasises that "no generation has stronger claims than any other"[26], thereby acknowledging that the only rational and just way to deal with such a problem of conflicts, which is without a simple answer,

is to agree to equal rights between generations. There is no reason why this should harm the interests of those presently suffering, but should instead act as a constaint on those measures considered to help them which would result in even greater suffering in the future. Rather than provide cause to ignore the plight of those starving, in the way of Neo-Malthusians such as Garret Hardin, Rawls' principles of justice should ensure that the measures chosen to alleviate the situation do not store up further problems for the future, denying the known rights of future generations.

Furthermore Rawls makes it clear that the least advantaged in society need not necessarily make any sacrifice themselves "to improve the standard of life of later generations...:
Of course, the saving of the less favoured need not be done by their taking an active part in the investment process. Rather it normally consists of their approving of the economic and other arrangements necessary for the appropriate accumulation."[27]

The just savings principle also makes plain that the consideration given to future generations obviously depends upon the state of society: a rich society clearly must do more than a poor society. As Rawls notes:
"When people are poor and saving is difficult, a lower rate of saving should be required; wheras in a wealthier society greater savings may be reasonably be expected since the real burden is less. Eventually once just institutions are firmly established, the net accumulation required falls to zero. At this point a society meets its duty of justice by maintaining just institutions and preserving their material base."[28]

Rawls readily concedes that a precise estimation as to what the rate of savings ought to be at any particular point in time is not possible. However he coherently argues that general outlines can be discerned which are more than enough to point out the flaws of other suggested doctrines. For example Rawls argues that at the very least his theory demonstrates "that the classical principle of utility leads in the wrong direction for questions of justice between generations."[29] It ought to be remembered that economic and social goods should be allocated according to principles of justice rather than in accordance with the maximisation of utility, or who can pay the highest price for them or who has the most immediate access, whether geographically or temporally. Parallels might be drawn between the just savings principle and the Lockean proviso to property rights that one must leave "enough, and as good left in common for others."[30] It appears that the just savings principle aims to achieve enough and as good for those not yet born as well as merely one's contemporaries, and thus might be described as Lockean writ large. Fundamentally and crucially, Rawls makes it clear that instead of merely concerning oneself with one's obligations to others in the present, man "is bound by the principles that would be chosen in the original position to define justice between persons at different moments of time."[31]

The second, and somewhat briefer, section of this chapter concerns the issue of historical exploitation and the reparations, if any, that those connected with such 'crimes' are obliged to make. Colonial exploitation is commonplace in recent history. Modern or imperial colonialisation was practised by almost all European countries in the last few hundred years and was characterised by the subjugation of the colonialised country in line with

the overriding military, political and economic aims and objectives of the mother country. The impact was profound, hastening the economic development of Europe and retarding progress in those countries colonised. As John Warnock describes:
"For most people in what is now called the underdeveloped world, the effect of colonialisation was impoverishment, hunger and even famine, at least down to World War 1."[32]

Not surprisingly, many Third World countries believe that compensation is owed to them by their former aggressors and occupiers. The wealth of the West today was built upon exploitation in the Third World, so the argument runs, and therefore part of this wealth must be reinvested or rather returned to the countries from where it derived. The classical utilitarian response to such an argument is straightforward. It matters little, it would appear, from where wealth and power was derived in the past and what wrongs were committed in the process. The actual perpetrators of the crime along with the actual victims have no doubt been dead for many years, and the only remaining issue is what action creates the highest net utility. It might well, if Singer is to be believed, be for the greatest good of the greatest number if countries in the West return large amounts of their wealth to the Third World, or it might not if Hardin is correct. Either way, the decision is entirely divorced from the historical events in question.

Rule utilitarians might argue that in the long run it would be better to ensure that reparations are paid in order to discourage acts of colonialism and imperialism from occurring in the future. Such an argument does, from the point of view of commonsense, appear to have some mileage to it. If Iraq had managed to gain from its invasion of Kuwait, for instance, it would appear to encourage other would-be aggressors to follow suit. However if Bernard Williams' analysis is correct, and rule-utilitarianism cannot avoid inexorably collapsing into act-utilitarianism, as has already been shown to be the case, then each individual case must be examined on its merits. Moreover the period of time that has elapsed since the golden colonial age and the vast web of other factors that must also be considerd, means that attempts to calculate what is owed to the Third World would be impossible. An important point in English law is that after a certain time has elapsed many wrongs can no longer be redressed.

No direct reference to such a problem can be found in Rawls' "A Theory of Justice". However it is more important to notice that "although the difference principle is not the same as that of redress, it does achieve some of the intent of the latter principle."[33] The application of the difference principle on a global scale compels one to regard as wealth and other natural talents as a common asset and to "share in the benefits of this distribution whatever it turns out to be."[34] As a result the demands of the Third World would be met not by looking back to crimes carried out in the past, but by redistributing resources according to the international difference principle. Hence though the wealth of the West may have been created at the expense of the Third World, it along Rawlsian lines now has an equal right to enjoy the benefits of it.

It is more important to note that despite independence, the consequences of colonialism are still felt today and many Third World countries find themselves tied to the damaging "production and export patterns that

developed during the period of colonialism"[35] Indeed the consequences of neo-colonialism, the continuing exploitation practised by the West through the means of the unfettered global market, are said by many to be far more significant. Rawls notes when discussing future generations that earlier generations might have saved or they might not have done, but there is nothing one can do to affect it. What is important, from a point of view of justice, is that just policies are employed in the present and in the future. Far more important than seeking redress for past wrongs is to ensure that comparable unjust acts do not persist. The changes in the global economy that this entails, together with the obligations of international redistribution, may well undermine the significance of the nation state and consequently historical influences upon them. Such changes in one's obligations to one's contemporaries pose many challenges to accepted social, political and economic thinking. At the same time accepted thinking concerning obligations of justice to future people needs similar revision. As Robin Cameron puts it:

"If we take at all seriously the notion that every person matters and is due respect simply as a person -a notion enshrined in our culture in many ways - then our ways of thinking about our responsibility to posterity are in as need of a shake-up as fundamental as that brought about by the anti-slavery campaigners."[36]

1 Faulkner P. 'Protection for Future Generations' quoted by Shrader-Frechette in "Environmental Ethics" p.79.

2 See Kavka G. 'The Futurity Problem' in "Obligations to Future Generations" (ed.) Barry B. and Sikora(1978). Kavka explains how one can affect who lives in the future as well as the way people live.

3 Ibid. p.186.

4 Ibid. p.189.

5 See Golding M.P. 'Obligations to Future Generations' in "Monist" Vol.56 1972 pp.97-98.

6 Kavka G. op. cit. p.189.

7 Ibid p.190.

8 See Parfit D. 'Overpopulation and the Quality of Life'(1986) in "Applied Ethics" (ed.) Singer P.

9 Kavka op. cit. p.201.

10 Parfit op. cit. p.150.

11 Ibid p.161.

12 Golding M.P. op. cit.

13 See Wagner W.C. 'Futurity Morality' in Shrader-Frechette K.S. op. cit. p.69.

14 Shrader-Frechette K.S. 'Technology, the Environment and Intergenerational Equity' in Shrader-Frechette K.S. (ed.) op. cit. p.251 quoting Van Rensselaer Potter Bioscience,27, No.4 (April 1977).

15 See Callahan D. "What Obligations do we have to Future Generations?"(1971) p.270.

16 Rawls J. "A Theory of Justice"(1971) p.284.

17 Ibid. p.292.

18 Ibid. p.289.

19 Ibid. p.285.

20 Ibid. p.291.

21 Ibid.

22 See Bayles M.D. "Morality and Population Policy"(1980) p.114.

23 Rawls J. op. cit. p.292.

24 Ibid. p.294.

25 Feinberg J. "The Rights of Animals and Unborn Generations" quoted by Bayles op. cit. p.115.

26 Rawls J. op. cit. p.289.

27 Ibid. p.292.

28 Ibid p.287.

29 Ibid p.286.

30 Locke J. "Two Treatises of Government"(1690, Everyman Edition 1989) p.130.

31 Ibid p.293.

32 Warnock J.W. "The Politics of Hunger"(1987) p.125.

33 Rawls J. op. cit. p.101.

34 Ibid.

35 Warnock J.W. op. cit. p.149.

36 Cameron J.R. 'Do Future Generations Matter?' in "Ethics and Environmental Responsibility"(1989) (ed). Dower N. p.76.

CONCLUSION

"The belief that a person in dire need has no stronger claim against those who can help him or her than a plea for benevolence (which is no real claim at all) is unacceptable. Dire need creates obligations and rights."[1]

"It is impossible that all persons can be equally moralised, therefore the laws and institutions must be altered so as to prevent the immoral people any longer preying unwittingly on this world."[2]

"There can be no greater error than to export, or calculate upon, real favours from nation to nation."[3]

In discussing the ethical and political philosophical problems raised by the situation of world poverty and famine it is very easy to forget that one is discussing the fate of human beings differing in no obvious way from the reader and writer of this thesis. Human beings with the same emotional and physical requirements as us are dying throughout the world through lack of food, medicine and shelter. Indeed in the time it has taken to read this work (about three hours perhaps) some 11,250 people throughout the world are likely to have died as a result of starvation and malnutrition.[4] This might appear to be extremely evocative language to employ, resorting to a form of moral blackmail to make a point, but the point is that these are the plain facts, which unless presented in this manner can be all too easily put to one side and ignored.

However this is in fact not the end of the matter. For not only are people actually dying through no fault of their own, unable to do anything about it, but many more are living in a perpetual state of poverty. It was concluded in the first chapter that, although famine and lack of basic nutritional requirements is a problem, the basic moral consideration is that of the gross inequalities that exist both within individual societies, and between the West and the Third World. When the living conditions of many, though by all means not all, of those living in the West are compared with those of the majority in countries like Brazil, Nigeria and Malaysia it appears that there exists a strong argument for redistribution of wealth not just food. None are these countries are making headlines in the news in the same way as Somalia, Mozambique and Bosnia but nevertheless the standard of living in each falls a long way behind what most in the West would consider acceptable. The simple question why some of us deserve to live comfortable and rewarding lives while others are forced to undergo deprivation and suffering is not easy to answer. However it evident that such facts remain neatly compartmentalised into one part of the mind, in many people and nothing further is done or thought of it. In the words of E.M. Forster's Mr Wilcox in "Howard's End", "The Poor are poor. One is very sorry for them, but that is the way it is."

One of the reasons for this is that although when looking at the problem rationally it is accepted that a moral obligation to remedy the situation exists, many people do not consider moral obligations to be very important. Indeed a valid criticism of this work is that it has been assumed from the beginning that moral considerations are important to every individual, the

question addressed only that of their nature. Apart from a brief discussion about the relationship between ethics and politics, this thesis has been conducted within the milieu of, rather than about, ethics. But, as Peter Singer puts it:
"If the conclusions of ethics require so much of us, they may ask, should we bother about ethics at all."

Such a question does demand a separate enquiry, though it is perhaps appropriate that a few words be said on the subject. Ethical discussion is very much an accepted part of social life. Most people will have views about the morality of particular actions and motives, and will not refrain from condoning or criticising people accordingly. There is however no universally agreed criterion to apply in each instance. Consequently controversial subjects such as abortion, capital punishment or sexual intercourse will arouse in different people a multitude of ethical reactions. Different societies to have a tendency to foster common values but closer examination of any single issue highlights the differences that remain. Moreover the positions taken by each individual often appear to remain tied to theoretical perceptions rather than what actually occurs in practice. Apart from special considerations made for family and close friends, life, for most people is conducted on a somewhat egocentric basis.

In fact there is a strong tradition in Western philosophy to ground the obligation to concern oneself with ethical considerations in self interest. Aristotle, for instance, attempted to prove that happiness depended upon the cultivation of a virtuous character which by definition included respect for the interests of other people. In other words, it is argued by Aristotle and many others, that the facts of human nature mean that the interests of ethics and self interest coincide. However many believe that such a view demonstates a classic misunderstandng of the nature of ethics. As F.H. Bradley argues:
"What answer can we give when the question why should I be moral?, in the sense of What will it advantage Me?, is put to us? Here we shall do well, I think, to avoid all praises of the pleasantness of virtue. We may believe that it transcends all possible delights of vice, but it would be well to remember that we desert a moral point of view, that we degrade and prostitute virtue, when to those who do not love her for herself we bring ourselves to recommend her for the sake of her pleasures."[5]

Indeed the contrasting Kantian notion of duty for the sake of duty is firmly established to be integral to any conception of ethics in the minds of many philosophers. Ethics is defined, it would appear, by the fact that it guides one by principles other than that of self interest. A key concept to most ethical theories is that of universalisability. If it is morally right to act in one particular way given a certain circumstance then it must be right for anybody else to act in the same way in similar circumstances. Ethics requires that one goes beyond a personal standpoint and takes the view of an impartial third person. This is achieved by Rawls through the employment of the veil of ignorance, preventing one from knowing what would be in one's self interest.

Both Rawls and Kant argue that the reason for acting ethically can be found in reason. Man is a rational creature, it is argued, and as such is compelled to act ethically. As such, reasons why one should act ethically

are difficult to produce because they would be akin to arguing why one should be rational. Appeals to rationality are commonplace in the history of ethics and in Chapter Three various versions of the "law of nature" were discussed. The major shortcoming with such a priori laws, employed by those such as Aquinas, Locke and Grotius, is that it involves an appeal to mysterious epistemological and metaphysical roots which can only really be discovered by intuition or conscience. However Rawls (and also Kant) overcome such problems by arguing that the rational legislators would agree to abide by the principles chosen in the original position.

If the question why one should act ethically is an ethical question itself it is a circular problem and cannot be answered in anything but ethical terms. However to answer the question in non-ethical terms, appears to undermine the status of ethics and reduce it to terms of self interest or happiness. While it may be true that the same overwhelming reason to act ethically cannot be provided for all,[6] it is intuitive to all but the crazed psychopath that one is innately obliged to act in an ethical manner. As Rawls argues:
" A person who lacks a sense of justice, and who would never act as justice requires except as self-interest and expediency prompt ...lacks certain natural attitudes and moral feelings of a particularly elementary kind. Put another way one who lacks a sense of justice lacks certain fundamental attitudes and capacities included under the notion of humanity."[7]

If it is difficult to come up with overriding reasons to act ethically other than that it is an integral part of the nature of man, then this need not be regarded as a flaw in itself. Virtually all will, at some time or other, feel motivated by ethical considerations, and it is perhaps far more important to consider those elements necessary to make an ideal moral judgement. Indeed it is this question which has preoccupied the majority of this thesis. It was concluded at the end of Chapter Six that the philosophical ideal is beyond ones grasp. Rawls readily admits that all theories are mistaken in places, and that one attempt to reach the best approximation overall, a state of affairs he refers to as "reflective equilibrium" in which one either modifies one's existing judgements, or intuitions, or one's principles until they coincide. Rawls states that:
"From the standpoint of moral philosophy, the best account of a person's sense of justice is not one which fits his judgements prior to his examining any conception of justice, but rather the one which matches his judgements in reflective equilibrium."[8]
Furthermore he adds that:
"As I have said, a moral theory characterises a point of view from which policies are to be assessed; and it may often be clear that a suggested answer is mistaken even if an alternative doctrine is not ready to hand."[9]

Tom Regan suggests that at least six different requirements are necessary if one is to come close to an ideal moral judgement. The most important of these is that it must be based on "the correct or the most reasonable moral principle(s)."[10] It is this requirement above all which has, it is hoped, been convincingly addressed by this thesis. During this process it has been possible to discount alternative theories which have been seen to flawed and incompatible with basic moral judgements. The remaining requirements specified by Regan are conceptual clarity, information, rationality,

impartiality, and coolness. Each have also, it is been hoped, been satisfied during the course of the thesis.

The first chapter attempted to provide the conceptual clarity and information necessary to understand the problem of poverty and famine, making clear that it goes far beyond the question of food aid. Furthermore, it was clearly seen that one can not get very far in the debate about world poverty and hunger unless one knows whether there are any solutions available, and make it clear that aid need not be counterproductive.

Rationality involves the observation of the rules of logic, ensuring that contradictory conclusions are drawn. For example if some statements are true then those statements which follow from the first must also be true whereas those which do not need not be true. However while careful regard has obviously been taken to ensure that all conclusions drawn are compatible, care has been carefully taken not to attempt to draw too sweeping conclusions from simple uncontroversial statements. A common failing among many moral philosophers is the tendency to pay little attention to underlying principles but instead to reach intended conclusions through the use of carefully scripted analogies. While the use of analogy does have its place, it must be noted that an attempt to discover a neutral construction which is not biased in one direction or another is in itself a philosophical difficulty.''

Impartiality is described by Regan as not "favoring someone or something above others."[12] As such it is particularly important in this thesis because, as argued in Chapter Two, moral concern for fellow human beings cannot be restricted merely because they are either unknown to one or live in another country.

Finally coolness is said to be the need to make ethical decisions in an emotionally calm state of mind. While at times it is necessary to make emotionally charged statements to highlight the seriousness of the problem the majority of ethical consideration has been carried out in a very calm and sedate fashion, ensuring that sight has not be lost of both impartiality and rationality.

At the end of the first chapter it was concluded that redistribution of wealth might well be a demand of justice incumbent upon the richer countries of the world. Indeed the idiom of justice has been concentrated upon ever since. This should come as no surprise to those who recognise questions of justice to lie at the heart of moral, political and legal philosophy. There is of course much debate as to the nature of justice. For instance it is equated by many with desert and right and is therefore seen by some to be a backward-looking conception. However those such as Rawls who are primarily concerned with distributive conception of social justice view it as a more forward-looking conception. As explained in the previous chapter, Rawls' justice as fairness has many of the same consequences of the principle of redress. There is also much debate as to whether justice is a state of affairs or an attribute of an act. A major achievement of Rawls is to combine different concepts of justice in one single definition.

The importance of a cogent description of social justice in the debate about world poverty and famine is not difficult to understand. The distinction

between obligations of justice and obligations of beneficence is used by many philosophers. If the obligation to aid the poor is grounded upon beneficence alone, then it is neither claimable or enforceable from the point of view of the victim. Aid is then merely a matter of charity and therefore not a matter for public action. On the other hand if the obligation to aid the poor is a matter of justice then it is both claimable and enforceable and can be demanded by the victim. As a result it can be considered a matter for public action. O'Neill describes the distinction:
"Justice is seen as consisting of assignable, claimable, and enforceable rights, which only the claimant can waive. Beneficence is seen as unassignable, unclaimable and unenforceable. This theoretical wedge is reflected in many contemporary institutional structures and ways of thought."[13]

The magnitude and seriousness of the problem of world poverty and famine means that the importance of justice cannot be underestimated. It has been safely concluded that the scale of poverty in the world means that the actions of individuals cannot expect to make much impression on the problem. The resources of each individual are also finite so in order to avoid what is called the 'overload of obligations' problem, personal obligations of beneficence must unavoidably be selective, resulting in the fact that no peasant has the right to claim what might rightfully be his or hers from any particular person. Moreover the causes of poverty are so institutionalised that only the governments of powerful nation-states are equipped to deal with it. However as George Washington's remark makes clear it is unlikely in normal circumstances for a government to behave altruistically or beneficently. For example, one of his successors as President of the United States, Lyndon Johnson said:
"There are 200 million of us and 3 billion of them and they want what we've got, but we're not going to give it to them."[14]

If the prior claims of Rawlsian justice and political action are recognised, selective beneficence need not be ethically offensive. Justice must be viewed as the most fundamental obligation because, in Rawlsian terms, it concerns the basic structure and practices of society. As such the basic criterion of need can remain central to ethical and political action, and need not fall by the wayside as it does when beneficence fails to address the plight of even the most desperately poor. The need for just institutions and practices is important for at least two good reasons. First, it has been shown through the course of this thesis that it is the basic global structure that reinforces and perpetuates poverty. Consequently those supporting charities and humanitarian projects throughout the world may be meeting their obligations of beneficence, but are failing to meet their obligations of justice if they support those institutions which are causing much of the problem. It also means that their beneficent actions will have no long term effect. Second, in a world where it cannot be relied upon that the moral obligations of individuals will be acted upon, it is important that the basic needs and redistributive actions are carried out routinely in the name of the state and can be claimed by those in need. As Charles Beitz, tentatively suggested:
"Obligations of justice, unlike those of humanitarian aid, might also require efforts at large scale institutional reform."[15]

Therefore the primary obligation of each individual is to contribute towards the realisation of a just society. It was concluded in Chapter Six that such a society would recognise Rawls' Difference Principle and as a result material inequalities would be arranged so as to offer the greatest benefit to the worst-off group. As a result, given one's relatively optimistic beliefs about the resources available to man, there is no need for poverty and hunger to exist. The form of government chosen would incorporate transfer and distribution branches to ensure adherence to a "social minimum". Rawls argued that the best form of government at any given time is dependant upon circumstance and historical tradition. The important point, from an ethical and political point of view, is that any morally justifiable form of government will guarantee basic standards of liberty and material wealth for all. This contrasts with a society formed on utilitarian principles, which it was shown in Chapter Four, cannot be guaranteed to preclude trade-offs in the basic rights of individuals in the name of utility. It also contrasts with a society based on Kantian justice. It is difficult to see, both what sort of social order would exist as a result of such principles and how far one's obligations to others would stretch. It is plausible to argue that the Categorical Imperative is too abstract to guide action with sufficient accuracy and direction, and that a society of complying Kantians would have few positive obligations towards each other.

It is worth noting at this point that although obligations of justice are paramount in a Rawlsian society this does not mean that obligations of beneficence no longer exist. However since they will not have to address the basic needs of a multitude of people it does not matter that they are selective and finite. Rawls argues that:
"We can now define a good act (in the sense of a beneficent act) as one which we are at liberty to do or not to do, that is no requirements of natural duty or obligation [i.e. justice] constain us either to do it or not to do it, and which advances and is intended to advance another's good (his rational plan)."[16]

Rawls defines a good person as one who has in above average measure those qualities which those in the original position would like to see in one another. Qualites such as beneficence obviously rank highly in a list of properties because even in a just society it must be assumed that people occasionally fall through the safety net and need support, as well as because these are the sentiments that support adherence to the principles of justice. A just society does not therefore make the realm of morality superfluous to man's needs. As Rawls puts it:
"...a person of moral worth, is someone who has to a higher degree than the average the broadly based features of moral character that it is rational for the persons in the original position to want in one another."[17]

The overall conclusion stressing the importance of justice is shared by William Frankena who states that:
"It does seem to me that what is most imperative is for all of us to do what we can to bring into existence a national and international set of institutions such that, if all agents act on its rules...then everyone's basic needs will be supplied insofar as nature permits."[18]
The need for institutional and political reform is also stressed by the egalitarian arguments of Richard Watson:

"Equal sharing can be accomplished only through total economic and political revolution. Obviously this is what is needed."[19]

However such radical action is rejected by many self-named realists or pragmatists who argue that the sort of international justice called for in Chapter Six is not possible in the real world. Frankena implies that a world state is necessary to achieve international justice and Kant himself argued that a world government is the logical corollary of a universal moral law. The discussion of the International Difference Principle also led very much in the same direction. However the 'realists' argue that "man seems locked as firmly as ever in his national cell"[20] and that there exists in no real sense an international community not to mention the seeds of an international government. Consequently it is argued that all feasible moral obligations must be framed to fit within the existing structures.

For example Garrett Hardin argues that the political atomisation of contemporary international society is a fact of life. "Spaceship Earth", he argues, "certainly has no captain; the UN is merely a toothless tiger, with little power to enforce any policy on its bickering members."[21] Consequently Hardin argues that global government is an irrelevance, dismissing any aspirations of a global society based on sharing and justice:
"Without a true world government to control reproduction and the use of available resources, the sharing ethic of the spaceship is impossible."[22]

However while global government is not a present reality, this does not mean that it is necessarily an impossibility. Moreover it does not also mean that an ethical theory that directs one to work towards such a reality is misguided. Hardin's argument that one is not obliged to share the resources of the world with others because there is no institution in existence to administer the process is deeply flawed. He presents no argument as to why one is not obliged to work towards this goal at all.

The argument for global government is not new. As already mentioned Kant argued that it was the logical corollary of a universal moral law. It was explained in the Chapter devoted to the relationship between ethics and politics that univeral moral 'oughts' must apply to one's relationships with all other humans and not just one's own countrymen. However since individual national governments must almost by definition view their own people differently, it does lend weight to the argument that the two concepts of universal moral laws and the nation state are incompatible. George Orwell criticises "the habit of identifying oneself with a single nation or other unit, placing it beyond good and evil an recognizing no other duty than that of advancing its interests."[23], which he saw as a defining feature of nationalism, itself partly a product of the nationstate.

Looking back further, the sixteenth-century Christian Humanist, Erasmus of Rotterdam, sought an ideal of the unity of Christian peoples. Erasmus believed that man was first and foremost a christian and only then a member of one's nation state, an Englishman or Burgundian for instance. He therefore shared a vision with other humanists of a cosmopolitan Europe with Ciceronian Latin as a common language. National identity for Erasmus was of subsidiary importance. In the contemporary world his Christocentric view of a world which did not extend beyond Europe is outdated. Nevertheless it is plausible to suggest that a view of the world where man is first and

foremost a human being, and where the importance of the nationstate is diminished, is very much in the Erasmian tradition.

The nation state is however considered by many others to be of considerable importance. The existence of independent nations is argued to be a natural phenomenon, based on the principle of self-determination, and bonds of religion, language and culture. The break up of the old Soviet Empire is said to point towards the artificiality of other forms of government, and conflicts throughout the world, from the Middle-East to the former Yugoslav republics, are based on a struggle for the right of self-governance. Although, as Martin Hughes makes clear in his essay on Imperialism[24], self-determination lacks any explanatory central philosophical statement or locus classicus, it is nevertheless widely respected in contemporary thought. Associated with this is the subjectivist view of many academics that the most desirable way of organising human relations in society as well as making all moral decisions "are like acts of choosing between various brands of ice-cream" and best left insofar as is practical to individuals or small groups with common interests.

The arguments in favour of the nation as the most basic and most natural political association are well-rehearsed and need not be investigated any further. The loyalties engendered through a common history and common cultural and ethnic ties are said to provide sufficient motivation to respect political institutions and laws, which is stronger than a mere common agreement to be governed. However a few pertinent points can be made.

First, despite the fact that national loyalties are said to be grounded in human nature, many nations which today exist did not evolve naturally and in that sense are artificial constuctions themselves. Many African States, such as Ghana and Nigeria, have no deep historical roots and are not composed of homogenous groups of people. Indeed any examination of a map of Africa shows it was drawn up by colonial European powers on a blackboard. In this sense in many cases nations represent the unnnatural division of different peoples.

Second, far from being the most efficient form of association, nationalistic considerations often lend itself to an indifference to reality and objective truth. The member of one nation desires to believe that his country is doing well and will hide from facts which suggest otherwise and suggest urgent changes are necessary. Changes in industrial practices or education techniques will be resisted tooth and nail if believed to be "foreign". Furthermore the costs of national administrations together with the costs of wars which inevitably breakout leads to an inefficient use of resources. Reason it appears often becomes subservient to nationalism.

Third, the most artificial nations, such as the United States of America will often inspire the strongest feelings of nationalism and patiotism. Though English is the common language, to many Americans it is not their first, and in all other respects the people of America are heterogenous. Indeed in many ways America represents people from throughout the whole world grouped together in one country all swearing allegiance to the same flag, and could be considered a prototype for a form of global goverment. The people of Rhode Island it could be argued have no more in common with the people of New Mexico than the people of India with the people of Brazil.

Indeed what I propose unites them is the high living standards enjoyed and hence a common interest. The reason why self determination is deemed so important is that the alternative, a form of imperialism, is designed to foster the ends primarily of those other than those being ruled. However global governmemt is nothing other than a national government writ large designed in theory to promote the interests of all its citizens. Irrespective of the pros and cons of different forms of government there appears no a priori reason why nationality should come before the common bond of humanity, and it is wrong to believe that it is unnatural and therefore impossible to achieve.

This digression into the feasibility of global government moves one away from the major point. Justice requires that the wealth of the world is redistributed on a more equitable basis and dictates that each does what is possible within one's powers to realise this goal. The inequalities of social and economic goods must be arranged to be to the greatest benefit of the least advantaged. Perhaps this can be done through a strengthening of the powers of the U.N. but the reluctance of states to pay their present dues to this organisation suggest it is unlikely. Although all that has been argued is compatible with the existence of the nation-state, providing that they learn to operate on a just basis, it is more than likely that global government is needed. Until the moral obligations incumbant upon man are transformed into legal obligations which can be physically enforced selfishness, indifference and ignorance will mean that they are not fulfilled. Global government may appear to be a humanistic pipe-dream but justice dictates that it is strived for. A step towards this goal is convincing others that compliance with the system as it stands means contributing towards the poverty which brings misery and premature death to the majority of our fellow human beings and is a moral outrage. In the meantime as we continue to be content with trying to remedy injustice by placing small coins in the collection box we merely manage, borrowing the words of the far from contemporary Thomas More, to ensure that "...the vast majority of the human race... will inevitably go on labouring under a burden of poverty, hardship and worry... If you try to treat the outbreak in one part of the body politic, you merely exacerbate the symtoms elsewhere."[25]

1 Aiken W. 'The Right to be Saved from Starvation' in "World Hunger and Moral Obligation" (1977) ed. Aiken W. & LaFollette H. p.86.

2 Webb S. in letter to Jane Burden-Sanderson, 25th November 1887.

3 Washington G. During farewell address to people of USA, 17th September 1796.

4 Based on estimation of Brian Walker, former director of OXFAM, that some 30,000 people die each day from starvation and malnutrition. See Chapter One.

5 Bradley F.H. "Ethical Studies"(1876) quoted by Singer P. "Practical Ethics"(1979) p.209.

6 See Singer op. cit. p.220.

7 Rawls J. "A Theory of Justice"(1971) p.486.

8 Ibid. p.48.

9 Ibid. p.286.

10 Regan T. (ed.) "Matters of Life and Death"(1980) p.14.

11 A good example of such an analogy is Louis Pascal's riverside scenario. Unfortunatly the costs involved with saving the lives of the hungry do not compare with those involved with saving a drowning child. Hardin's lifeboat analogy can also be criticised. For a fuller discussion of both see Chapter Four.

12 Regan T. op. cit. p.12.

13 O'Neill O. "Faces of Hunger"(1986) p.102.

14 Quoted by Watson R.A. 'Reason and Morality in a World of Limited Food' in Aiken W. and LaFollette H. op. cit. p.116.

15 Beitz C.R. 'Justice and International Relations' in "Philosophy and Public Affairs", 4 (1975) p.361.

16 Rawls J. op. cit. p.438.

17 Ibid p.437.

18 Frankena W.K. 'Moral Philosophy and World Hunger' in Aiken W. and LaFollette H. op. cit. p.82.

19 Watson R.A. op. cit. 123.

20 Goodwin G. 'An International Morality?' in "The Morality of Politics" (1972) ed. Parekh B. & Berki R.N. p.110.

21 Hardin G. 'Lifeboat Ethics: The Case Against Helping the Poor' in Aiken W. and LaFollette H. op. cit. p.11.

22 Ibid. p.21.

23 Orwell G. 'Notes on Nationalism'(1945) in "Decline of the English Murder and other essays" p.156.

24 Hughes M. "Imperialism" As yet unpublished.

25 More T. "Utopia"(1961, first published 1519) pp.66/67.

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