

**An Enquiry into The Effectiveness and Feasibility of
Theories of Global Justice**

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Declaration

15 December 2009

I declare that, except where otherwise indicated, this thesis is entirely my own work, and that no part of it has been submitted for any other degree or professional qualification.

Dominik Zahrnt

Abstract

Theories of global justice are often criticised for being ineffective or unrealisable. The aim of this interdisciplinary thesis is to examine whether this motivational criticism holds regarding Singer's Principle and Pogge's theory of global egalitarian justice. First, I will show that the effectiveness argument is unconvincing: the underlying effectiveness criterion is either incoherent or not defined, and existing effectiveness predictions are empirically unsatisfactory. Second, I will analyse whether Singer's interactional Principle satisfies the 'ought implies can' (OIC) criterion, which holds that obligations must be within the capacities of individuals. Having discussed the rationale and standard of the OIC criterion, I will show that the philosophical literature does not offer a convincing empirical justification of possibility evaluations. Drawing on psychological explanations of moral heroism, I will conclude that compliance with Singer's Principle is possible for ordinary persons, i.e. that 'every person is a hero in waiting'.

Third, turning to the feasibility of Pogge's theory of global egalitarian justice, I will discuss how the standard, time-frame, weight and rationale of the feasibility criterion should be defined. Based on psychological and sociological explanations about moral behaviour, social norms and identity, I will evaluate the empirical arguments advanced in the philosophical literature. In addition, I will consider how the long-term trends of globalisation are likely to influence the role of nationality, identity and global institutions. I will conclude that Pogge's theory of egalitarian global justice is conditionally feasible, i.e. if we assume that domestic egalitarian justice is feasible. This implies that nationalism will not necessarily play a dominant role during the centuries to come. Overall, possibility and feasibility evaluations remain uncertain and partly subjective. I will thus argue that a burden of proof should be established to limit the negative effects of false evaluations.

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Chapter 1: Introduction

But if there is a sense of reality, and no one will doubt that it has its justifications for existing, then there must also be something we can call a sense of possibility. Whoever has it does not say, for instance: Here this or that has happened, will happen, must happen; but he invents: Here this or that might, could, or ought to happen. If he is told that something is the way it is, he will think: Well, it could probably just as well be otherwise. So the sense of possibility could be defined outright as the ability to conceive of everything there might be just as well, and to attach no more importance to what is than to what is not.

Robert Musil (1968: 16)

One year after the MakePovertyHistory Campaign and the G8 Summit 2006 in Gleneagles, I was distributing leaflets about the Edinburgh World Justice Festival to be held annually in remembrance of the G8 Summit. A young woman passed by, and when I asked whether she was interested in the MakePovertyHistory Campaign, she replied with an Eastern European accent: “I wish somebody would make my poverty history.” Then she took a bunch of leaflets out of my hand and angrily marched on.

While the plight of the woman is vivid if one considers her situation from a local perspective, this picture changes if we adopt a global perspective. Given the fact that over one billion individuals live in absolute poverty¹ having to fight for their physical survival, the situation of immigrants or families living on social welfare in Western countries appears to be relatively less problematic. In his seminal article ‘Famine, Affluence, and Morality’ published in 1972, Singer claims that individuals should make the reduction of suffering, regardless of where it takes place, the dominant aim of their lives. In fact, Singer’s Principle holds that “if it is in our power to prevent something bad from happening, without thereby sacrificing anything of comparable moral importance, we ought, morally, to do it” (1972: 231). To live up to this Principle, nearly all citizens of Western countries would have to fundamentally change their lives. In

¹ Whereas ‘relative poverty’ is the condition of having less than other individuals being part of a social group or society, ‘absolute poverty’ refers to the material living conditions of individuals. The World Bank defines absolute poverty as living on less than US \$1.25 per day at purchasing power parity (PPP) (see Sachs 2005: 20).

practice, however, only rare individuals act in accordance with Singer's Principle; an enormous gap between the demands of moral theory and practice exists.

While most philosophical debates focus on the desirability of demanding principles like Singer's (Fishkin 1982; Murphy 2000),² the focus of this thesis lies on the motivational foundations of Singer's Principle. The first question of this thesis relates to the possibility of compliance with Singer's Principle. This question is based on the Kantian 'ought implies can' (OIC) which holds that, for an obligation to be valid, an agent must have the capacity to comply (Kant 1991; Griffin 1992; Elster 2007). The challenge here is to offer an empirically justified evaluation about which agents have the capacity to comply or should be exempted from the obligations of Singer's Principle. Would it be possible for the young woman from Eastern Europe, for example, to put aside her personal desire to escape from a situation of relative poverty and to donate all money not necessary for her survival towards the eradication of absolute poverty?

The second question relates to the effectiveness of the moral demands propagated by Singer's Principle. Should Singer's Principle be rejected for being ineffective? To answer this question, the rationale of the effectiveness criterion must be defended and a coherent definition of the effectiveness standard must be offered (Carens 1996; Gross 1997). Thereafter carrying out empirical effectiveness evaluations would further support these steps. Would it be more effective, for example, to ask individuals to come a meeting of the World Justice Festival than to ask them to make the reduction of poverty the dominant aim of their lives?

The motivational analysis of Singer's Principle represents the first part of this thesis. The nature of the analysis is interdisciplinary. On the one hand, a philosophical examination of the rationale and definition of the two metaethical criteria – the OIC criterion and the effectiveness criterion – needs to be offered. On the other hand, the analysis has to draw on psychological and sociological theories to evaluate what is possible for individuals and which moral principles are likely to be effective (Oliner and Oliner 1988; Colby and Damon 1992; Gross 1997; Zimbardo 2007).

While the first part of this thesis considers the motivational foundations of Singer's interactional Principle, the second part deals with the motivational foundations of

² The 'demandingness' of moral duties refers to the height of the sacrifices demanded from an agent; Murphy speaks of 'extreme demands' if an agent is unable "to live the life of one's choice" (2000: 12).

institutional principles of global justice.³ While principles of justice refer to the regulation of social institutions in general, theories of global justice examine the moral principles and institutions that should regulate the global realm. Considering the motivational assumptions of principles of global justice, the fundamental difference of the analysis of Singer's Principles is a concern with the capacities of collectives.

While political actors and political scientists are concerned with short- and middle-term aims like the Millennium Development Goals or the end of absolute poverty,⁴ the moral aims propagated by philosophers relate to long-term goals. Historically, philosophers were primarily interested in an ideal of social justice; the ideal societies propagated by Plato, Aristotle and More – and also Rawls (1999a) – focus on social institutions of domestic societies. The regulation of the global realm was limited to a law of nations concerned with legitimate wars and means of warfare (Grotius 1913) and, more progressively, with the establishment of a league of nations (Kant 1932). During the recent decades, however, philosophers increasingly focus on principles of global justice. While some philosophers argue that the global realm should only be regulated by principles of basic justice lacking a distributive component (Miller 1995; Rawls 1999b), other philosophers argue for more demanding theories of global justice which would include a distributive component (Beitz 1979; Pogge 1989; Caney 2005).

The focus of this thesis lies on Pogge's (1989) theory of global egalitarian justice. Challenging the moral significance of nationality, Pogge maintains that the Rawlsian principles of social justice should be extended to the global realm. The resulting theory

³ Pogge (2002: 45) makes a distinction between 'interactional' moral principles (regulating the interaction between moral agents independently of institutional relationships) and 'institutional' moral principles (assigning rights and duties in a political entity). It resembles Rawls' (1999a: 98) distinction between 'natural duties' and 'obligations of justice'.

In moral philosophy, the study of interactional principles is often said to belong to the field of 'ethics' (Singer 1993) whereas the study of institutional principles corresponds to the field of 'justice' (Rawls 1999a). In sum, it would be best to speak of principles of 'global morality' to refer to both Singer's Principle and to institutional principles of global justice. In the literature, however, it is common to use the term 'theories of global justice' to broadly refer to all kinds of global moral principles; this use is adopted in the title and occasionally also in the body of this thesis.

⁴ The moral aim propagated by the Edinburgh World Justice Festival and the MakePovertyHistory Campaign (MPH) is a world free of absolute poverty; this ideal is also considered to be feasible: "World poverty is sustained not by chance or nature, but by a combination of factors: injustice in global trade; the huge burden of debt; insufficient and ineffective aid. Each of these is exacerbated by inappropriate economic policies imposed by rich countries. But it doesn't have to be this way. These factors are determined by human decisions" (MPH 2009).

of justice is egalitarian since the fundamental focus lies on an equal distribution of social goods independent of morally arbitrary factors. The theory is global since the scope of the principles of justice is the world at large; the ideal of global egalitarian justice would be realised if global, national and local institutions were regulated by the same fundamental principles of justice.⁵

As in the case of Singer's Principle, this project focuses on the motivational assumptions of Pogge's theory of global egalitarian justice, and not on its desirability. The first question relates to the 'feasibility criterion' which requires that it must be possible to bring about the social ideals recommended by a moral theory (Nagel 1991; Rääkkä 1998; Rawls 1999a). The question is, therefore, whether the ideal of global egalitarianism is feasible. The second question is the application to the effectiveness to Pogge's theory (Carens 1996; Gross 1997). Is the propagation of demanding moral ideals likely to be ineffective? If so, how does this evaluation affect the cogency of principles of global egalitarian justice?

Again, the nature of the feasibility and effectiveness analyses is interdisciplinary. To begin with, the rationale and definition of the feasibility and effectiveness criterion must be explored. Subsequently, feasibility and effectiveness evaluations must be based on empirical explanations of moral behaviour and institutional change (Nagel 1991; Miller 1995; 1999a; Hurrell 2001; Caney 2005; Beck 2006). Drawing on these insights, philosophers have to offer their own feasibility and effectiveness evaluations.

In sum, this thesis offers a motivational analysis of two highly demanding theories of global justice. It applies two motivational criteria (OIC/feasibility and effectiveness) to Singer's Principle and to Pogge's theory of egalitarian global justice. The primary analysis consists in the definition of the OIC criterion (Chapter 3) and its application to Singer's Principle (Chapter 5). The secondary analysis consists in the definition of the feasibility criterion (Chapter 6) and its application to global egalitarianism (Chapter 7). The final analysis offers a joint discussion of the effectiveness criterion, Singer's Principle and Pogge's theory (Chapter 2).

This Chapter offers an overview of each of the three analyses. In this respect, due time will be given to the normative justification of Singer's Principle and Pogge's theory of egalitarian global justice.

⁵ In the following, the terms 'global egalitarian justice' and 'global egalitarianism' are meant to refer exclusively to Pogge's theory.

1.1 Singer's Principle, the OIC criterion and individual capacities

As outlined before, Singer's Principle holds that "if it is in our power to prevent something bad from happening, without thereby sacrificing anything of comparable moral importance, we ought, morally, to do it" (Singer 1972: 231). To understand the moral demands of Singer's Principle, three aspects have to be interpreted. First, Singer makes the fundamental assumption that suffering and death caused by a lack of food, shelter or medical care are 'something bad'. Second, the argument is based on the empirical assumption that most citizens of Western states have the financial means that can, in light of technological progress, prevent suffering in many other places in the world (Singer 1993: 232).

Third, the term 'comparable moral importance' signifies that compliance must occur "without causing anything else of comparably bad to happen, or doing something that is wrong itself, or failing to promote some moral good, comparable in significance to the bad thing that we can prevent" (1972: 231). Negative side-effects, deontological constraints and duties to promote the good may thus override the obligations of Singer's Principle. The most important aspect in this is that the suffering of the duty-bearer is equal to the suffering of any other individual. It follows that, under circumstances of extreme suffering, individuals have to give "to the point of marginal utility, at which by giving more one would cause oneself and one's dependants as much suffering as one would prevent in Bengal"⁶ (ibid: 234).⁶ The Singer's Principle thus demands impartial behaviour in the face of suffering.

We can now situate Singer's Principle in its philosophical context. Dealing with the moral obligations between individuals independently of institutional relationships, Singer's Principle can be regarded as an interactional moral principle (Pogge 2002: 245). Accordingly, the obligations of Singer's Principle do not depend on social ties like friendship, a shared nationality or citizenship. Next, there is a wide array of notions to describe moral obligations being concerned with the prevention of suffering or the promotion of another person's good.⁷ While obligations to benefit others can be

⁶ The point of marginal utility is reached when the positive and negative effects of giving are equal; any further action would increase the amount of overall suffering.

⁷ Shue (1996: 60) refers to the duty 'to aid the deprived', Murphy (2000: 5) speaks of 'duties of beneficence', Miller (2002: 107) of obligations of 'altruism' and Barry (2006: 724) to 'duties of humanity'. The difference of these duties lies in the formulation of the content and not in the terminology.

subsumed under the heading of ‘positive’ duties,⁸ Singer’s Principle does not directly fall into this category since it deals with the reduction of suffering. But under present circumstances, this distinction is hardly relevant: given the large amount of suffering in this world, duties to promote the well being of the worst-off lead to similar demands as duties to prevent suffering. Finally, note that compliance with Singer’s Principle is considered to be morally obligatory, as individuals cannot chose to comply from time to time but are, by its very definition, always obliged to do so.⁹

Given the enormous amount of suffering caused by absolute poverty in today’s world, the wealth of the inhabitants living in industrialised countries and the technological means to affect living conditions in other parts of the world, Singer’s Principle leads to extreme demands. To comply with Singer’s Principle, citizens of Western states would have to give away a large share of their possessions and dedicate their lives to the fight against absolute poverty. In this respect, the claims that domestic or global institutions should do the job, or that it is unfair if other duty-bearers remain inactive, does not alter the demands of Singer’s Principle. Singer’s Principle thus belongs to the sphere of ‘non-ideal theory’, dealing with the moral obligations of an agent under “circumstances where at least some others are not doing what they are required to do” (Murphy 2000: 5).¹⁰ The question is therefore not whether institutions should do the job, but what each individual should do if others remain inactive.

While compliance with Singer’s Principle is incompatible with a materially abundant lifestyle, it is not incompatible with a high level of well-being of duty-bearers. In fact, the demands of Singer’s Principle can be summarised by the maxim: ‘Maximise your

⁸ While ‘positive’ duties refer to the protection or promotion of the good of another individual, ‘negative’ duties require not harming other individuals (Rawls 1999a: 98). In this respect, a hotly debated question is whether positive and negative rights can be distinguished by the nature of their corresponding duties (positive rights only entailing positive duties and *vice versa*). See Shue (1996) and Tasioulas (2007).

⁹ Obligatory duties can be contrasted with supererogatory (or voluntary) duties, where it would be good to comply but not morally required. Kant (1974), for example, argues that the moral demand to benefit others should be seen as imperfect duty of charity, since it cannot be known how frequently and to what extent individuals should benefit others. The OIC criterion is only concerned with obligatory duties; it would make little sense to examine whether an individual can comply if she is not obliged to do so. For a discussion on the relation between charity, justice and the status of duties see Buchanan (1987).

¹⁰ The distinction between ideal and non-ideal theory has been introduced by Rawls (1999a: 8). While ‘ideal theory’ is concerned with designing a blueprint for a perfectly just society and assumes full compliance, ‘non-ideal theory’ deals with questions of injustice and partial compliance.

contribution to the reduction of suffering, giving equal importance to you own suffering'. Whether the maximisation of an agent's social impact requires a sacrifice of well-being is an open question. A life of moral commitment, even under conditions of material poverty, may lead to a high level of well-being; the study of 'moral exemplars' will offer various examples (Colby and Damon 1992). In other cases, compliance is likely to lead to both material deprivation and a sacrifice of well-being. Consider the example of a person who lives at subsistence level, donating all further funds to the fight against absolute poverty. Unless the person draws extraordinary internal rewards from her moral commitment, she is likely to lead an unhappy life.¹¹

It is now time to shortly outline the debates about the normative desirability of Singer's Principle. Since its first promulgation, Singer's Principle has provoked fierce resistance among philosophers and the wider public. A first line of argument is that Singer's Principle is too demanding, i.e. that individuals should not be asked to give up most of their personal aims to reduce the suffering of distant strangers. In this respect, Fishkin (1982: 72) claims that a legitimate 'cut-off for heroism' should limit the demands of positive obligations.¹² A second line of argument is that Singer's Principle would be unfair to those who comply if most other individuals do not comply (Miller 1999a; Murphy 2000).¹³ Despite the intense debates taking place over various years, the philosophical literature is still divided regarding the normative adequacy of Singer's Principle. It seems as unjustified to ask individuals to dedicate their lives to the service of others as to allow individuals to pursue their personal pleasures in the face of suffering and starvation. The analysis of this thesis, however, does not depend a particular stance on the normative desirability of Singer's Principle.

Finally, the gap between the theoretical demands of Singer's Principle and practice

¹¹ Although a luxurious lifestyle is incompatible with Singer's Principle, a relatively abundant lifestyle may be required for some agents to participate in the political and social life of Western societies thus influencing decision-makers (Singer 1972: 238).

¹² Wolf (1982) and Nagel (1991) defend a similar viewpoint. Murphy (2000: 15), by contrast, defends Singer's Principle against the charge of 'over-demandingness'. His argument is that either every demanding principle (referring to positive and negative obligations) should be rejected for being over-demanding or none. Since demanding principles are accepted by most philosophers in other spheres, Murphy concludes that the charge of over-demandingness is unconvincing. See Unger (1996) and Singer (1993) for a further defence of Singer's Principle.

¹³ Murphy (2000: 84) advances a 'principle of collective beneficence' requiring agents only to do as much as would be required of each agent under conditions of full compliance. This suggestion is rejected by Mulgan (1997) who argues that considerations of fairness amongst duty-bearers are of limited importance when compared with prevented suffering.

also deserves note: only rare individuals live up to the obligations of Singer's Principle. Although Singer's Principle often has a strong initial effect, few individuals think they should comply, and even fewer actually comply. Although it is tempting to reject Singer's Principle in light of the gap between theory and practice, this line of argument is unconvincing. The problem is that a direct link between people's beliefs, desires and behaviour and the content of moral principles cannot be established: the 'is' and the 'ought' cannot be linked in a direct way. This position can be expressed by Hume's (1992) claim that the ought can never be derived from the is; it is equally contained in Moore's (1903) 'naturalistic fallacy' argument challenging Mill's (1962) justification of utilitarianism. Taken together, the arguments by Hume and Moore represent "one of the best-known ways of drawing a sharp distinction between moral facts and all other, between description and evaluation" (Mackie 1990: 64).¹⁴

The OIC criterion

The OIC criterion represents an indirect way to evaluate moral principles in light of empirical findings. As Albert (1991: 92) puts it, the OIC criterion thus functions as a 'bridge-principle' (*Brücken-Prinzip*) allowing for the empirical evaluation of moral principles. In its basic form, the OIC criterion holds that an agent must have the capacity ('can') to comply with a moral obligation ('ought'); the concept of a duty is thus said to presuppose the possibility of compliance (Kant 1991: 61). In addition, it can be said that it would be 'absurd' or 'pointless' to demand the impossible (Singer 1993: 242; Griffin 1992: 123). Summarising these claims, we can refer to the 'conceptual rationale' of the OIC criterion. The form of possibility evaluations is dichotomous: compliance is either considered to be possible or not. If compliance is impossible, an individual is exempted from the moral obligation in question. The OIC functions as an absolute constraint that must be satisfied to assign a moral obligation to an agent.¹⁵

¹⁴ A further question about the relation between the 'is' and the 'ought' relates to the relevance of people's moral judgments. Miller considers the latter to be relevant, claiming that the adequacy of principles of justice "is to be tested, in part, by its correspondence with our evidence concerning everyday beliefs about justice" (1999a: 51). Elster, by contrast, maintains that, "the idea that a theory of justice can be refuted by experiment seems hopelessly naïve" (1995: 95). He thereby explicitly refers to Oppenheimer's (1992) rejection of the Rawlsian difference principle in light of empirical evidence. For an overview of experimental studies showing the arbitrariness of people's moral judgments, see Unger (1996).

¹⁵ The OIC criterion is pitched at the individual level. The question is whether a specific

Furthermore, a distinction can be made between the physical, cognitive and motivational capacities required for compliance. In the case of physical capacities, many obvious examples for impossible demands can be given; evaluating whether an action is motivationally possible, by contrast, it is often more difficult. As Griffin (1992: 128), Elster (2007: 73) and Huber (2008: 5) point out, the evaluation of an agent's motivational capacities is a highly uncertain and challenging task.

To deal with this task, a precise definition of the research question is a requisite for the application of the OIC criterion. Though the OIC criterion is endorsed by most philosophers (Griffin 1992: 122), no standard definition of the OIC criterion exists. The first part of the analysis consists in the definition the research question via the following four parameters. First, the evaluative standard defines under which conditions compliance should be considered 'possible'. Moreover, it determines whether the OIC criterion only applies to cases where individuals are already motivated to act or whether it applies to all individuals independent of their present motivational state.

Second, the parameter motive defines whether compliance has to occur for a specific set or reasons. Third, the degree of compliance defines the conditions under which the behaviour of an individual should be considered as in line with Singer's Principle.¹⁶ Fourth, the parameter agency indicates for which specific individuals or groups compliance should be considered to be possible or impossible.

Throughout Chapter 3, a research question will be developed that is both philosophically convincing and which can be connected to empirical studies about moral behaviour. The critical research question is: *Can ordinary persons chronically, or at least once, comply with Singer's Principle?* The discussion of the OIC criterion will also show that many philosophers do not offer a precise definition of their research question. This criticism holds regarding the definition of the standard, the degree of compliance and the agency of compliance. Considering these three parameters in a systematic way, the present work will offer a more extensive and coherent definition of the research

individual has the capacity to comply with a moral principle. Thus, the OIC criterion does not attempt to evaluate the motivational validity of moral principles; this task, by contrast, is performed by the feasibility criterion regarding institutional principles.

¹⁶ Following Zimbardo's (2007: 481-482) empirical distinction between 'acute' and 'chronic' heroism, I will make a philosophical distinction between acute and chronic (or sustained) compliance with Singer's Principle.

question. This will improve the applicability of the OIC criterion.

Application

The aim of the application of the OIC criterion is to offer an empirically justified evaluation whether ordinary persons can chronically, or at least once, comply with Singer's Principle. Considering philosophical literature, the stunning result is that empirically informed applications of the OIC criterion are, apart from one or two exceptions, entirely missing. This result echoes Miller's claim that "almost without exception political theorists have failed to consider the bearing that empirical findings might have on their formulations" (1992: 555). In fact, most philosophers writing on the OIC criterion neither offer their own possibility evaluations nor discuss those of other philosophers (Griffin 1992; Elster 2007; Huber 2008). While the difficulties in applying the OIC criterion are mentioned, the implications of this 'epistemic problem' (Elster 2007: 73) are barely considered. Other philosophers like Singer (2004) make possibility evaluations but do not offer an empirical justification for their judgment. For this reason, the present work will concentrate on Miller's (2002) analysis of the relation between studies on altruism and demanding moral principles like Singer's.¹⁷

The second step is the examination of empirical explanations of moral behaviour; our capacity to evaluate what is likely to be possible in the future depends on our understanding of the determinants of moral behaviour. Since social scientists do not focus on the explanation of compliance with abstract moral principles, we have to identify forms of moral behaviour that are (i) researched by social scientists, and (ii) in line with Singer's Principle. If it can be shown that a certain form of behaviour is either possible or impossible for an agent, it can be inferred that compliance with Singer's Principle is also likely to be classified as either possible or impossible. In the scientific literature, extreme forms of moral behaviour are summarised under the heading of 'moral heroism' (2007). Most empirical studies about moral heroism consulted in this thesis belong to the field of social psychology; the underlying assumption of this field is that "behaviour is best explained as the result of an interaction between personal and external social, or situational, factors" (Oliner and Oliner 1988: 10).

¹⁷ A sign for the neglect of the empirical application of the OIC criterion – and also the feasibility criterion – is that, in his taxonomy of the empirical study of justice, Elster (1995) does not mention possibility or feasibility evaluations.

The distinction between personal and situational factors – i.e. whether moral behaviour should be seen as ‘Fixed and Within’ or ‘Mutable and Without’ (Zimbardo 2007: 6) – fits well with the argumentative structure of possibility evaluations. (i) The more important personal factors are, the better we are able to predict the behaviour of specific individuals. If it could be shown that a dispositional factor is a necessary requirement for a certain kind of action, the prediction would directly follow from the explanation. While necessary determinants can be found in the natural sciences, they scarcely exist with regard to human affairs. The best we can hope for is to find personal factors that are ‘almost’ necessary for a certain type of behaviour. (ii) The more important situational factors are, the more likely it is that individuals can act in a large array of ways – including acts of heroism and extreme cruelty. Consequently, it becomes more difficult to predict the behaviour of specific persons.

The empirical literature on moral heroism can be split into studies on ‘acute heroism’ and ‘chronic heroism’; this distinction corresponds to the research question of whether ordinary persons can chronically, or at least once, comply with Singer’s Principle. The research on acute heroism focuses on single instances where an individual has accepted a significant risk to their own well being to assist another person (Zimbardo 2007). The principal question is whether acute heroism is largely influenced by the personality of individuals or by situational factors.¹⁸

Next, the study of chronic heroism focuses on the lives of individuals who showed sustained moral commitment over an extended period. The principal question is whether chronic heroes are exceptional people with fundamentally different qualities or whether each individual has the developmental potential to become a chronic hero. To answer this question, the present work focuses on Colby and Damon’s (1992) in depth study of 23 contemporary moral exemplars.¹⁹

¹⁸ With regard to the nature of moral motivation, the distinction between empathy-based (Hoffman 2000) and rationalistic accounts (Kohlberg 1981) will play an important role throughout this thesis. In opposition, the conceptual distinctions between reasons, desires and intentions, emphasised by the ‘reasons-for-action’ literature, are hardly considered in the literature from social psychology. In this respect, see Davidson (2006) for a classic defence of the view that reasons possess motivational force. This view is also endorsed by Scanlon, who argues that “[a]ny attempt to explain what it is to be a reason for something seems to me to lead back to the same idea: a consideration that counts in favor of it” (2000: 17). For an overview of the ‘reasons-for-action’ literature, see Mele (2003).

¹⁹ An interesting aspect of this study concerns the relationship between sustained moral commitment and the well-being of the moral exemplars. The question is whether the following

Third, based on the empirical explanations of moral heroism, philosophers have to offer their own possibility evaluations. These evaluations have to be based on the empirical explanations of moral heroism and on predictions about the potential of ordinary persons offered by social psychologists (Oliner and Oliner 1988; Colby and Damon 1992; Zimbardo 2007). In this respect, it is important to explore whether these predictions can be linked to the standard of the OIC criterion. If no exact correspondence can be established, I will offer an account of my own possibility evaluations in an attempt to provide an explanation and fill this gap.

1.2 The conditional feasibility of Pogge's theory of global egalitarian justice

The second analysis of this thesis deals with the feasibility of Pogge's (1989) theory of global egalitarian justice. Since Pogge's theory is an extension of the Rawls' (1999a) theory of domestic egalitarianism, this section considers the normative justification of Rawls' and Pogge's theories.

To begin, the distinction between a full and conditional feasibility evaluation will be examined. A 'full' feasibility evaluation of global egalitarianism includes, as a first step, an argument about the feasibility of domestic egalitarian justice.²⁰ A 'conditional' feasibility evaluation, by contrast, starts with the assumption that domestic egalitarian justice is feasible. The conditional evaluation thus examines whether the empirical differences between the domestic and global level are sufficiently important to justify diverging feasibility evaluations.²¹

'grim' popular image (characterised by Colby and Damon) is correct, namely that "moral exemplars endlessly reflect on what is right or wrong, that they constantly struggle with temptation, fear, and doubt; that they lead grim, joyless, or dreary lives; that they fight many of their battles in splendid isolation" (1992: 4-5).

²⁰ It seems plausible to defend the view that the feasibility of domestic egalitarian justice is a requirement for the feasibility of global egalitarian justice. This assumption is based on the view that the adoption of egalitarian values positively depends on the existence of a shared identity, a feeling of solidarity and a similar standard of living (Nagel 1991: 177; Miller 1999a: 18-19). Since these conditions are more likely to be met at the domestic than at the global level, it is reasonable to assume that, if domestic egalitarian justice is considered unfeasible, global egalitarian justice should also be considered unfeasible.

²¹ The conditional feasibility evaluation resembles Caney's 'domestic-compatibility' criterion, which requires philosophers to show "how one can consistently adopt certain principles at the domestic level and yet not adopt them at the global level" (2005: 132). The criterion of 'domestic-compatibility' is satisfied if it can be shown that certain factors, which are required for

This thesis focuses on the conditional feasibility of global egalitarianism. The first reason is that, given the complexity of the feasibility debate about domestic egalitarian justice (Nagel 1991; Rawls 1999a), a full feasibility evaluation of global egalitarianism is beyond the scope of the present project. As will be shown in Chapter 6, the breadth of debate makes it questionable which psychological, social or political theories are most relevant to the justification of feasibility evaluations. The second reason is that the main interest of this project refers to theories of global justice and the empirical differences between the domestic and global level. Taking these differences into account, Boswell argues that once liberal conceptions of rights or justice “are applied to international questions of human rights, distributive justice or humanitarian assistance, then liberal theory faces a serious problem of feasibility” (2005: 1). A conditional feasibility evaluation allows us to evaluate whether this different treatment of the domestic and global realm is justified.

Rawls’ theory of domestic egalitarian justice

In *A Theory of Justice*, Rawls (1999a) offers a blueprint for an ideal society regulated by two fundamental principles of justice. These principles apply to the ‘basic structure’ of a bounded domestic society, that is the major institutions affecting the life chances of individuals via the distribution of primary social goods; justice is thus regarded as the ‘first virtue of social institutions’ (*ibid.*: 3). Rawls’ conception is political (and not metaphysical) in that it seeks to find an ‘overlapping consensus’ behind a set of moral principles regulating political institutions while each individual is free to pursue their own conception of the good within this framework (*ibid.*: 16). Furthermore, it is individualistic since people – and not social groups – are considered to be the primary units of moral concern.²²

the feasibility of a theory of justice, exist at the domestic but not at the global level. A shared national identity is an example. The distinction between Caney’s ‘domestic-compatibility’ criterion and my conditional feasibility evaluations is that the former can only be used to evaluate the positions of philosophers like Miller (1999a) who make feasibility evaluations regarding both the domestic and global level. A conditional feasibility evaluation, by contrast, can be led independently of a domestic feasibility evaluation.

²² To reach an agreement on the content of the principles of justice, Rawls’ (*ibid.*: 15-19) uses the hypothetical device of the ‘original position’ which characterises a situation of equal liberty: being hidden behind a ‘veil of ignorance’, all individuals are unaware of personal characteristics

Rawls' theory is 'egalitarian' since the fundamental emphasis of the two principles of justice lies on the equality of individuals. The first principle of justice holds that "[e]ach person is to have an equal right to the most extensive total system of basic liberties compatible with a similar system of liberty for all" (*ibid.*: 266). The second principle – its first part also being called the 'difference principle' – holds that:

Social and economic inequalities are to be arranged so that they are both (a) to the greatest expected 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.

Rawls 1999a: 266

The underlying assumption of the difference principle is that economic incentives are assumed to be necessary to motivate the 'talented' to work hard, thereby creating extra wealth to be distributed.²³ Normatively, the resulting inequities are justified by the criterion of Pareto optimality. A distribution is Pareto optimal "whenever it is impossible to change it so as to make some persons (at least one) better off without at the same time making other persons (at least one) worse off" (*ibid.*: 58). The absolute level of well-being of the worst-off is considered to outweigh the intrinsic disvalue of inequalities.²⁴

Finally, it is important to note that Rawls (1999a: 96-98) makes a fundamental distinction between the 'obligation of justice' pertaining to the public sphere and 'natural duties' relating to the private sphere. This means that feasibility evaluations of Rawls' principles of justice and of Pogge's (1989) theory of global egalitarian justice only

like sex, religion, talent or other personal preferences. The veil of ignorance thus assures the impartiality of the agreement: the term 'justice as fairness' expresses this focus on the process of finding an agreement (*ibid.*: 12). While the motivation of the parties of the original position are egoistic, Rawls assumes that in real life, compliance with the 'obligations of justice' primarily takes place for moral reasons (*ibid.*: 128).

²³ Rawls does not claim that all talented individuals require incentives to be fully productive, but does claim that it is impossible for a sufficiently large percentage of the population to act in this way.

²⁴ Rawls' theory of justice has been criticised for a range of normative concerns. From the right, libertarians like Nozick (1974) argued that is unduly paternalistic, interfering with the liberty rights of individuals. From the left, so-called communitarian philosophers – emphasising the role of social relationships regarding the formation of identities – criticised Rawls' individualistic conception of the self (MacIntyre 1981; Sandel 1982; Walzer 1983; Taylor 1989). For a response to the communitarian critique, see Rawls' (1996) *Political Liberalism*. For an overview of the debate between liberals and communitarians, see Mulhall and Swift (1992).

relate to the obligations of justice and not to the private behaviour of individuals.²⁵ Accordingly, we then reach a clear distinction between the feasibility analysis of principles of justice and the application of the OIC criterion to interactional principles like Singer's.

Pogge's theory of global egalitarian justice

Pogge (1989) maintains that the Rawlsian focus on the basic structure as well as his conceptions of human beings as free and equal moral persons point to the globalisation of his conception of justice. The argument is that if global institutions affect the life chances of individuals, these institutions form part of the basic global structure and should thus be regulated by the two principles of justice. Accordingly, Pogge infers that the most convincing solution is to envision "a single, global, original position", which does not change Rawls' general argument, but considers the relevant closed scheme "to be the world at large" (*ibid.*: 247).²⁶ Nationality should thus be regarded as "just one further deep contingency (like genetic endowment, race, gender, and social class), one more potential basis of institutional inequalities that are inescapable and present from birth" (*ibid.*). To minimise the arbitrary effects of nationality, Pogge argues that ideally, the parties of the global original position would want a scheme of global justice "to be maximally supportive of basic rights and liberties, to foster equality of fair opportunity worldwide, and to generate social and economic inequalities only insofar as these optimize the socioeconomic position of the globally least advantaged persons" (*ibid.*: 254).

While Pogge rejects the desirability objections made by nationalists against the globalisation of the two principles of justice,²⁷ he maintains that the argument about

²⁵ Cohen (2000) challenges Rawls' distinction between the public and private spheres. Under the slogan "*the personal is political*", Cohen maintains that what ultimately matters is the distribution of benefits and burdens, and since this distribution is a result of "the structure *and* of people's choices within it", principles of distributive justice should apply to both domains (*ibid.*: 122, 130). If the difference principle is needed to motivate the talented, we should not speak of a just society in the Rawlsian sense; the talented do not live up to the fundamental idea of the principles of justice in their daily lives (*ibid.*: 126).

²⁶ Pogge thus rejects Rawls (1999b) argument for two distinct original positions, one at the national and one at the international level where the parties are representatives of states. For an elaboration of this position, see Pogge (1989: 240).

²⁷ Nationalistic authors like Miller (1995) and Tan (2005) criticise the individualistic conception of the self on which global egalitarianism is based, claiming that we should start our

cultural diversity could, to a point, be valid in such a way that the Rawlsian principles of justice, which “may cohere well with *our* cultural heritage and *our* considered judgments” are “nevertheless inappropriate on account of existing intercultural diversity of traditions and moral judgments” (*ibid.*: 267). If the diversity of cultures made it impossible to reach an overlapping consensus of considered judgments, the objection continues, this would provide grounds to question the idea of global principles of justice as some would argue that it would be wrong to impose Western liberal values on other cultures.

Pogge responds, however, that “[t]he fact of disagreement is no reason not to act in light of whatever (factual) and moral beliefs we now think are best supported. Our considered judgments support a conception of justice whose scope is universal, even though the present appeal is not” (*ibid.*: 270). Western philosophers should not feel disheartened by pessimistic expectations about finding an overlapping consensus, but propagate their own conception of justice and enter a cross-cultural discourse about substantive moral issues. Such discourse may render moral conceptions less parochial, since participants may accommodate what they find “tolerable or even valuable in other cultural traditions” (*ibid.*: 271).²⁸ The parties of the global original position may, in light of the cultural diversity argument, decide to allow the principles of global justice to be sensitive to cultural differences.

Incorporating cultural differences, Pogge suggests that the globalised first principle of justice

might be viewed as requiring a ‘thin’ set of basic rights and liberties (analogous to the *Universal Declaration of Human Rights* and including an effective right to emigrate), which each national society could, in light of its national conception of domestic justice, ‘inflat’ and specify into its own bill of rights.

ibid.: 272

Pogge argues, for example, that the first global principle may allow for enforced religious fasting in some domestic societies. Torture, in contrast, would have to be ruled out by all domestic societies.

reasoning from existing forms of social cooperation.

²⁸ Pogge adds that a Rawlsian conception of justice is especially suitable for such an cross-cultural discourse, since “[i]t is based upon a small set of widely accepted values and ideas, and it can offer a good deal of flexibility for acknowledging and incorporating cultural diversity” (Pogge 1989: 271).

Regarding the globalised second principle, the requirements for the organisation of domestic societies

would be less stringent than Rawls' requirement that each society must satisfy the difference principle internally. This may be so because a country's choice among various forms of economic organization (more or less egalitarian than Rawls's national difference principle would require) does not affect the globally worst representative share of social primary goods or because this choice is protected by the basic political liberties which allow the citizens of each nation to choose, within certain limits, their own mode of economic organization.

ibid. 272

In light of these adaptations of the two principles of justice, Pogge concludes that the "global institutional ideal would then allow each society a good deal of choice regarding its internal practices (and moral principles)" (*ibid.*). At the same time, he concedes that, "these details are only illustrative speculation" (*ibid.* 273). In sum, the most important aspect is that the second principle of global justice demands the maximisation of the well-being of the globally worst-off.

At this point, Pogge's principles of global egalitarian justice can be compared with alternative suggestions advanced in the literature. While Miller (1999a) and Rawls (1999b) reject the view that any substantial principles of global distributive justice should be endorsed, cosmopolitans generally endorse principles of global distributive justice (Beitz 1979; Caney 2005). In summary, Pogge's theory has the advantage that it is derived in a straightforward way from the premise that individuals are the unique bearers of moral concern and that nationality is an arbitrary factor. Alternatively, we should be critical about Pogge's claim that the two globalised principles of justice pay a good deal of attention to cultural diversity: to maximise the share of the globally worst-off strongly limits the ways in which economic systems may be arranged. Having described the content of the principles to be tested, we can now turn to the definition and application of the feasibility criterion.

The feasibility criterion

The aim of the 'criterion of feasibility' is to ensure that the ideal proclaimed by a moral theory can be implemented (Räikkä 1998: 31). While the OIC criterion relates to individual capacities, the criterion of feasibility focuses on the collective capacities of social entities like nation-states and humanity at large are. The common rationale is that

neither individuals nor collectives should be obliged to pursue moral ideals beyond their capacities. In the philosophical literature, several authors subsume the analysis of collective capacities under the heading of the OIC criterion (O'Neill 2004: 250; Elster 2006: 41);²⁹ others do not stress the link (Miller 1999a; Boswell 2005; Laegaard 2006). Apart from agency, the fundamental difference between OIC and the feasibility criterion concerns the standard and time frame of the analysis. While the OIC criterion asks whether an individual can comply with a moral obligation at a specific point of time, the feasibility criterion examines whether a moral ideal can be realised within a certain time frame. Accordingly, the feasibility criterion does not refer to the present capacities of a collective but to its future capacities, that is, its potential.

Since the philosophical literature does not offer a standard definition of the feasibility criterion, we are confronted with an extremely limited range of more or less precise definitions (Nagel 1991; Miller 1999a; Rawls 1999a; Caney 2005; Rääkkä 1998).³⁰ Consequently, the first task of this project is to develop a coherent and systematic definition of the feasibility criterion. The discussion of the feasibility criterion in Chapter 6 will lead to the following definition of the research question: *Are the chances that the social ideal recommended by a moral theory will be brought about – by legitimate means and within the time frame T – unequal to zero?* The conditional feasibility question is: Should, if we assume that egalitarian justice is feasible at the domestic level, Pogge's theory of global egalitarian justice also be considered feasible?

Application

Having defined the feasibility criterion, the second task is the conditional feasibility evaluation of Pogge's theory of egalitarian justice. Starting with the assumption that domestic egalitarian justice is feasible,³¹ empirical arguments must be offered as to why

²⁹ O'Neill, for example, holds that: "Only if we conclude that an agent – individual, institution, or collectively – can carry a certain obligation does the further question arise as to whether it ought to carry that obligation...obligations presuppose capabilities for their discharge" (2004: 250-251).

³⁰ While the feasibility criterion is widely endorsed in the literature, Cohen (2008) rejects both the feasibility and OIC criterion, arguing that ultimate normative principles should be fact-insensitive. Fact-insensitive ultimate normative principles should have the form "One ought to do A if it is possible to do A" (*ibid.*: 251).

³¹ In Chapter 6, Rawls' (1999a) and Nagel's (1991) arguments about the feasibility of domestic egalitarian justice will be analysed. The focus lies on the kind of empirical theories

the ideal of global egalitarianism should be considered conditionally feasible or ruled out. In analogy to the application of the OIC criterion, the fundamental idea is that our capacity to realise feasibility evaluations increases with the understanding of the factors determining the behaviour of individuals, the functioning of political systems and institutional change.³²

To evaluate the predictive arguments, a first step is the assessment of the explanatory assumption on which the feasibility evaluations of philosophers are based. Miller's (1995: 57) argument that compliance with universalistic principles requires rational motivation, for example, can be assessed in light of psychological theories of moral motivation (Kohlberg 1981; Colby and Damon 1992; Hoffman 2000). The second step consists in the assessment of the empirical arguments advanced by philosophers to justify their feasibility evaluations. Surveying the philosophical literature, it is a stunning fact that only few philosophers take part in the feasibility debate of theories of global egalitarian (or distributive) justice.

But this scarcity also has the advantage that most of the empirical arguments offered in the philosophical literature can be discussed in this thesis. On the one hand, Miller (1995; 1999a) and Nagel (1991) challenge the feasibility of global egalitarianism in light of the importance of a shared national identity. On the other hand, Caney rejects Miller's view for being 'too static' (2005: 133) and defends the feasibility of principles of global distributive justice. Apart from evaluating the arguments advanced by Miller, Nagel and Caney, this thesis examines to what extent Beck's (2006) 'cosmopolitan vision' and the analysis of long-term trends of globalisation can be used to justify feasibility evaluations.

adduced, the predictive arguments offered, the definition of the feasibility criterion and the form of evaluations. It will not be attempted to evaluate whether domestic egalitarian justice should be considered to be feasible.

³² Rääkkä describes this task of applying the feasibility criterion as follows: "If there is a fact of moral psychology that says that certain social arrangements can *never* be morally accepted, and if these arrangements cannot be carried out without general moral acceptance, then a political theory that endorses them endorses unfeasible arrangements. But it may be hard to discover which social arrangements can never be accepted – as we know, for example, slavery *can* be accepted" (1998: 30). Apart from retaining Rääkkä's emphasis on the difficulty to accomplish feasibility evaluations, it remains to be seen whether feasibility arguments can indeed be justified by certain 'facts' of moral psychology.

The effectiveness criterion and its application

The third analysis of this thesis focuses on the effectiveness of moral principles. Should Singer's Principle and Pogge's theory of global egalitarian justice be criticised (or even be rejected) for being ineffective? While it is generally acknowledged that effectiveness considerations should play an important role in individual decision-making and public policy issues,³³ no consensus exists whether they should also influence the content of ultimate moral principles (Gross 1997; Singer 2004). Consequently, the rationale and definition of the effectiveness criterion must be defended and it must be shown how effectiveness evaluations can be realised empirically. Drawing on the effectiveness framework of economic theory, this PhD considers the effectiveness criteria as outlined by Carens (1996) and Gross (1997).

While examining the applicability of the effectiveness criterion, this thesis focuses on Gross' (1997) *Ethics and Activism – The Theory and Practice of Political Morality*. Apart from examining Gross' definition of the standard and weight of the effectiveness criterion, the question is whether the empirical application to three case studies leads to convincing results. Gross work is highly interesting since it represent a truly interdisciplinary endeavour that combines a philosophical discussion of the effectiveness criterion with its empirical application. If the analysis of Carens' (1996) and Gross' (1997) work leads to a convincing definition of the effectiveness criterion, the next step consists in the evaluation of the effectiveness of Singer's Principle and Pogge's theory of global egalitarian justice.

In addition, this thesis explores the connection between the effectiveness criterion and the OIC/feasibility criterion: it will be shown that a clear distinction is often not reached (Nagel 1991; Carens 1996; Rawls 1999a).

1.3 Relevance and lines of argument

As the preceding discussion has shown, the empirical application of the OIC/feasibility and the effectiveness criterion is underdeveloped. This thesis will make

³³ The Stern Review (2007) on the economics of climate change is an example for a long-term effectiveness evaluation; its aim is to offer an integrated assessment model comparing the costs of climate change with the costs and benefits of measures reducing the emission of greenhouse gases. The assessment leads to the conclusion that "the benefits of strong, early action considerably outweigh the costs" (*ibid*: ii).

a significant contribution with respect to three gaps that exist in various strands of the philosophical literature. First, this thesis offers a definition of the OIC/feasibility that is both philosophically convincing and sensitive to its empirical application. This step is a requirement for the present empirical application as it provides the basis for future interdisciplinary work on the motivational foundations of moral principles. Furthermore, the argument that a burden of proof (Walton 1988) should be established to limit the costs of false evaluations under conditions of uncertainty fills a theoretical lacuna related to the definition of the OIC and feasibility criteria. It will also be demonstrated that the philosophical literature defines the effectiveness criterion in an insufficiently precise manner (Carens 1996; Gross 1997). This thesis thus offers a significant contribution to the theoretical literature on the OIC/feasibility and effectiveness criterion.

Second, this project contributes to our understanding of how scientific research results can inform the empirical application of the OIC/feasibility and effectiveness criterion. Drawing on the methodological framework of scientific predictions, the varying methodological and analytical tools used in the philosophical assessment of empirical arguments will be discussed at length. These tools allow us, on the one hand, to scrutinise the justification of evaluations; on the other hand, the methodological distinction between the subjectivity and objectivity of predictions (Knight 1933) and the related concept of the degree of uncertainty strengthen our ability to describe and evaluate the reliability of evaluations. Moreover, the degree of uncertainty serves as the basis for the assignment of the burden of proof. Finally, the empirical work accomplished in this thesis will allow us to evaluate the potential and limits of empirical research results to the evaluation of moral theories, thereby making a significant contribution to the relevant interdisciplinary literature (Oppenheimer 1992; Elster 1995; Walter and Schlein 2007).

Third, and most significantly, this project applies the OIC/feasibility and effectiveness criteria to Singer's Principle and Pogge's theory of global egalitarian justice. Given the limited number of attempts to apply these criteria, the findings of this make a significant contribution to the applied literature on global justice by defending the motivational foundations of Singer's Principle and Pogge's theory of egalitarian global justice.

The analysis of the effectiveness criterion leads to the finding that the effectiveness

criticisms advanced against demanding theories of global justice fail. As Chapter 2 will show, no convincing defence of the rationale and definition of the effectiveness criterion is offered in philosophical literature (Carens 1996; Gross 1997). In addition, Gross' (1997) empirical application of the effectiveness criterion is unconvincing. Since the philosophical literature does not offer a satisfactory definition or application of the effectiveness criterion, this thesis concludes that Singer's Principle and Pogge's theory should not be criticised for being ineffective.

The application of the OIC criterion to Singer's Principle shows that the philosophical literature does not offer convincing arguments to justify possibility evaluations (Miller 2002). Thus, further analysis of the empirical explanations demonstrates the importance of situational factors and points out that no personal factors necessary for moral heroism can be identified. Turning to possibility predictions made by social psychologists, Zimbardo's (2007) 'banality of heroism' and Colby and Damon's (1992) 'developmental continuities' theses hold that acute and chronic moral heroism should be considered possible for ordinary persons. However, since the standard of possibility predictions and the OIC criterion differ, philosophers have to make their own possibility evaluations. Since evaluations are partly subjective and uncertain, I argue that a burden of proof should be established to limit the negative effects of false possibility evaluations. I close my analysis with the conclusion that acute and chronic compliance should be regarded as possible for ordinary individuals.

The application of the feasibility criterion to Pogge's theory of egalitarian global justice shows the difficulty in justifying feasibility evaluations in light of specific psychological, social or political theories. Therefore, the analysis focuses on empirical arguments advanced in the philosophical literature (Nagel 1991; Miller 1995; 1999a; Caney 2005) and examines how long-term trends of globalisation can inform feasibility evaluations (Hurrell 2001; Beck 2006; NIC 2008). Taking all empirical arguments into account, this thesis concludes that Pogge's theory of global egalitarian justice should be considered conditionally feasible. In light of the subjectivity and uncertainty of this result, it will be argued that a burden of proof should be established to limit the effects of false evaluations.

Chapter outline

The analysis of this thesis begins in Chapter 2, where the definition and application

of the effectiveness criterion will be examined. Having considered how the concept of 'effectiveness' and 'efficiency' are defined in economics, Carens' (1996) argument about the role of effectiveness with regard to the 'realistic approach' to morality and Gross' (1997) argument about the effectiveness of ultimate moral principles will be examined. Subsequently, Singer's (2004) and Dobson's (2006) suggestions about how we can practically deal with the motivational problem of demanding moral principles will be considered.

Chapter 3 begins with an exploration of the origin and rationale of the OIC criterion (Kant 1991; Huber 2008). In addition, Elster's (2007) and Griffin's (1992) evaluations of the applicability of the OIC criterion will be analysed. Next, to create a firm basis for the empirical application of the OIC and feasibility criteria, Chapter 4 focuses on the framework of scientific predictions. Considering Knight's (1933) distinction between subjective and objective predictions, the Chapter subsequently discusses the degree of uncertainty of predictions and the concept of the burden of proof (Walton 1988; Hahn and Oaskfort 2007). Furthermore, three conditions for the assessment of predictive arguments will be outlined; considering the National Intelligence Council's Report *Global Trends 2025* (2008), I will analyse how methods of trend extrapolation and scenarios can be used to inform predictions.

Chapter 5 deals with the empirical application of the OIC criterion to Singer's Principle. Starting with an analysis of Miller's (2002) work on the relevance of empirical studies of altruism, this Chapter turns to the empirical study of acute and chronic moral heroism (Oliner and Oliner 1988; Colby and Damon 1992; Zimbardo 2007). Here, the possibility predictions made by social psychologists will be linked to the standard of the OIC criterion. The Chapter concludes with a discussion of the burden of proof and the argument that compliance with Singer's Principle should be considered possible for ordinary persons.

Chapter 6 focuses on the definition of the feasibility criterion. To formulate the research question, I will discuss how to best define the standard, motive, agency, time frame and legitimacy constraints (Räikkä 1998; Rawls 1999a; Elster 2007). Furthermore, the debate about the feasibility of domestic egalitarian justice will be examined (Nagel 1991; Rawls 1999a); the focus lies on the kind of empirical arguments advanced and the underlying definition of the feasibility criterion. Next, Chapter 7 turns to the conditional feasibility of Pogge's (1989) theory of global egalitarian justice. The focus lies on the

empirical arguments advanced by Nagel (1991), Miller (1995; 1999a) and Caney (2005). In addition, the contribution of Beck's (2006) 'cosmopolitan outlook' and long-term trends of globalisation (Hurrell 2001; Beck 2006) to the justification of feasibility evaluations will be examined. The Chapter concludes with a discussion of the burden of proof and the conditional feasibility evaluation of Pogge's theory. Finally, Chapter 8 summarises the findings of this thesis, analyses the contribution of the social sciences to the evaluation of moral theories and outlines avenues for future research.

Chapter 2: The Effectiveness Criterion and Its Application

The aim of this Chapter is to examine the oft-stated criticism that theories of global justice should be rejected for being ineffective. To evaluate this criticism, it must be explored whether a convincing definition of the effectiveness criterion can be offered and how effectiveness evaluations can be realised (the question of whether the effectiveness criterion should be endorsed at all will be left aside for the moment). The first task is to offer a precise and philosophically convincing definition of the effectiveness criterion. In contrast to the OIC criterion, no basic standard rationale or definition of the effectiveness criterion exists in the philosophical literature assessed for this prospect. Political theorists often mention that principles should be effective, or that a certain principle should be rejected for its potential counterproductiveness, but do not offer a definition or defence of the criterion on which such statements are based (Boswell 2005). To offer a systematic analysis of the effectiveness criterion, this Chapter begins with a discussion of the economic concepts of effectiveness and efficiency. Subsequently, the parameters necessary to define the philosophical criterion of effectiveness will be outlined and used to analyse the definitions of the effectiveness criterion offered by Carens (1996) and Gross (1997).

The second aim of this Chapter is the empirical application of the effectiveness criterion: philosophers must offer predictive arguments as to why the propagation of a given moral principle is likely to be ineffective. Gross (1997) is one of the few philosophers attempting to apply the effectiveness criterion to theories of political morality. Focusing on the causes of political activism in the face of unjust public policies, Gross aims to show that undemanding theories of political morality are more effective and are therefore preferred. Gross' study is especially interesting since it is an interdisciplinary work that attempts to define and apply the effectiveness criterion at the same time. If the present analysis can offer a precise definition of the effectiveness criterion and if it can be shown that the latter is applicable, the next step is to test the effectiveness of Singer's Principle and Pogge's theory of global egalitarian justice.

In order to effectively accomplish these aims, this Chapter proceeds as follows: Section 2.1 outlines how the concepts of efficiency and effectiveness are used in economic theory. Moreover, the parameters necessary to define the philosophical

effectiveness criterion (standard, agency, motive, weight) will be outlined. Section 2.2 examines Carens' (1996) view on the relation between the effectiveness of moral principles and the 'realistic approach' to morality. In Section 2.3, Gross' (1997) work on the effectiveness of ultimate moral principles will be analysed. Section 2.4 discusses Singer's (2004) and Dobson's (2006) practical suggestions as to how we can deal with the ineffectiveness of moral principles without changing their ultimate content. Finally, Section 2.5 evaluates the cogency of the criticism that demanding theories of global justice should be rejected for being ineffective.

2.1 Defining the effectiveness framework

In the philosophical literature, the terms 'efficiency' and 'effectiveness' are often used interchangeably (Carens 1996; Gross 1997); other philosophers also speak to the counterproductiveness of highly demanding principles (Singer 1993: 245; Boswell 2005: 50). It is worthwhile to clarify the differences between these concepts. Efficiency is a quantifiable measure referring to the ratio between inputs and outputs: an efficient solution either maximises the output or minimises the input. In discussing maximising the output, take, for example, maximising the profit of a vineyard. While the input is given (the size of the vineyard and the size of the labour force), the task is to maximise the profit. As regards minimising the input, the issue becomes achieving a certain profit in which labour input can be minimised. Efficiency thus relates to the economic or optimal use of resources, either relating to the maximisation of benefits, personal well-being and public welfare or to the minimisation of costs and negative effects.

Effectiveness refers to the capability to produce an effect. An effective car engine, for example, sets a car in motion. Effectiveness also refers to the idea of 'getting the right things done'. In practice, the term effectiveness is often used with regard to non-quantifiable tasks, e.g. whether a person is good at song writing or is an able administrator. In cases like these, the result is mostly not quantified or set in relation to inputs – effectiveness is thus a broader concept than efficiency. The imprecision becomes clear if we consider an expression like 'more effective': unless a standard of comparison is given, we cannot give a precise meaning to this statement. In sum, the concept of effectiveness is often used in a more general way and tends to focus on the output (or effects) of actions. Efficiency, by contrast, refers to the exact relation

between certain inputs and outputs.³⁴

Considering the analysis of moral principles, we are dealing with a situation where the input (the propagation of a moral principle) must be seen as fixed; the question becomes how the content of the principle is likely to affect the level of compliance. Consequently, the concepts ‘efficiency’ and ‘effectiveness’ can both be used to characterise effects of the propagation of moral principles. What fundamentally matters is not the term itself, but that its underlying meaning is defined in a precise manner. Since Carens (1996) and Gross (1997) mainly refer to the effectiveness of moral principles rather than their efficiency, I will also use ‘effectiveness’ when referring to this concept.

This leads to the question of how the philosophical effectiveness criterion should be defined. In the case of interactional principles, the effectiveness of a moral principle depends on its ability to motivate duty-bearers to comply for moral reasons. The parameter agency thus refers to the universe of duty-bearers, while the parameter motive requires that compliance occur for moral reasons. In the case of institutionalised moral obligations (e.g. to pay taxes), the effectiveness of a moral theory also depends on the social and legal sanctions that can be created to motivate compliance; this means we must also consider compliance for non-moral reasons. Since Carens (1996), Gross (1997), Singer (2004) and Dobson (2006) focus on non-institutionalised moral obligation, the analysis presented in this Chapter only considers instances of voluntary compliance. If necessary, the present analysis could, in future work, be complemented by considering the role of the mechanisms of enforcement.

The standard of the effectiveness criterion can be defined in two ways. (i) If we aim at maximising the expected output, we maintain that the most effective moral principle should be endorsed while all other principles should be ruled out. The object of maximisation, and the standard (or meter) by which it is assessed, depends on the moral

³⁴ Furthermore, the concept of ‘counterproductiveness’ needs to be examined (cf. Boswell’s (2005: 50) claim that cosmopolitan principles are ‘potentially counterproductive’). A principle is effective if this brings us significantly closer to the desired state of affairs, ineffective if it hardly brings us closer and counterproductive if the propagation moves us farther away. Accordingly, ineffectiveness and counterproductiveness are situated on the same scale, particularly if we consider the opportunity cost foregone in comparison to an effective principle. The problem with the concept of ‘counterproductiveness’ is that it cannot be used to compare the results of two distinct principles; it can only be used to compare the propagation and non-propagation of a single principle. For these reasons, it is advantageous to use the more flexible concepts of ‘effectiveness’ or ‘efficiency’.

principle in question. With regard to positive duties, for example, we would endorse the level of demands expected to maximise positive consequences for recipients. An output maximising effectiveness standard is a very strong standard since, comparing the relative effectiveness of principles, it is only satisfied by the most effective moral principle while all other principles are ruled out.

(ii) A weaker requirement is that a moral principle has to satisfy a minimum level of effectiveness. For example, one could require the expected level of compliance be above a certain threshold (e.g. ϵ percent). If we endorse such a standard, it makes sense to speak of (absolute) minimum effectiveness constraints, which could be satisfied by principles independent of the expected effectiveness of other moral principles. It may be argued that the probability of a random individual complying with a moral principle should be higher than 1 percent where, if a statistical assessment showed the probability at 0.5 percent, the obligation would be invalid. The most important advantage of the probability threshold relates to its applicability. If statistical data exists, the probability of compliance can be predicted with a high degree of certainty. The option of defining the effectiveness standard by a probability threshold will be reconsidered in Section 2.4.

The final question relates to the weight of the effectiveness criterion. What should be the consequences if a moral principles fails to satisfy the effectiveness criterion? Two options exist. (i) If we assign absolute weight to the effectiveness criterion, ineffective moral principles are ruled out. Accordingly, no weighing with other criteria takes place (the OIC criterion is an example for a metaethical constraint being of absolute weight). (ii) Effectiveness can also have relative weight, meaning that it is necessary to balance it against other criteria. In this case, the failure to satisfy the effectiveness criterion would only represent one mark against the principle. If the principle marked high from a desirability perspective, for example, it could still be chosen as the most adequate principle to use.

Having outlined a conceptual framework about the effectiveness of moral principles, the following two sections explore Carens' (1996) and Gross' (1997) use of the effectiveness criterion and its underlying definition.

2.2 Carens on the 'realistic approach' to moral theory

Carens (1996) argues that a fundamental distinction between two approaches to

morality can be made. On the one hand, the ‘realistic approach’ should be concerned with practical moral principles and be sensitive to effectiveness considerations. On the other, the ‘idealistic approach’ deals with ultimate moral principles independent of effectiveness considerations. For the present analysis, the focus lies on Carens’ justification of the realistic approach and on the definition of the effectiveness standard. Moreover, whether or not Carens’ effectiveness evaluations are based on empirical evidence needs to be explored.

Outlining the role of the realistic approach, Carens maintains that it is “especially attentive to the constraints which must be accepted if morality is to serve as an effective guide to action in the world in which we currently live” (1996: 156). Dealing with short- and middle-term issues, the realistic approach demands that certain behavioural, political and institutional constraints should be taken as fixed. Considering the relation between the realistic and idealistic approach, Carens maintains that both approaches should be seen rather as representing “differing sensibilities and strategies of inquiry than of logically incompatible positions. Formally it is possible to construct an ethical account that incorporates both realistic and idealistic concerns, and ultimately it is desirable to do so” (1996: 156).

The first task is to examine the rationale of the realistic approach. Carens’ primary claim is that moral principles should be effective guides to action. This guidance function would be hampered, however, if ‘is’ and the ‘ought’ significantly diverged; Carens claims that the “emphasis of avoiding too large a gap” between the practice and moral theory should be seen as “the essential realism of this sort of approach” (1996: 160). Moreover,

it should not be unreasonable to expect people to conform to moral requirements and most of the time most of them will do so for the most part...Because a realistic approach is concerned, above all, with guiding action, it also encourages us to pay attention to the factors that make morality effective in the world.

Carens 1996: 160

I find that Carens’ way of relating (i) the role of the gap, (ii) the guidance function of morality, and (iii) effectiveness considerations is problematic. First, the ultimate rationale of the realistic approach is unclear. If the realistic approach is primarily concerned with guiding action, then the avoidance of the gap is only of secondary importance; the existence of a gap might rather be seen as an indicator for a guidance problem and not as the problem itself. Second, it is questionable that the realistic

approach is ‘above all’ concerned with guiding behaviour and only ‘also’ with the effectiveness of moral principles. It seems more adequate to say that guidance matters because it is instrumentally valuable; moral principles fulfilling the guidance function lead to a more effective implementation of the aims of morality. Overall, the triple emphasis on the gap between the ‘is’ and the ‘ought’, the guidance function and on the effectiveness of moral principles is confusing. It would be more coherent to consider the effectiveness of moral principles as the ultimate rationale of the realistic approach.

Thus, let us turn to the standard of the realistic approach. Since Carens offers no clear definition of the effectiveness standard, his definition should be reconstructed. With regard to the ethics of migration, Carens maintains that the following constraints illustrate the functioning of the realistic approach: behavioural, institutional and political. (i) Behavioural constraints relate to the moral demands of interactional principles and the motivation of individuals. In the case of the ethics of migration, a behavioural constraint should rule out the “ethical demand that we give up half of our wealth to provide for the immigrants and refugees of the world”, since the latter “would be bound to be ignored, regardless of the force of the moral argument supporting it” (Carens 1996: 163). In addition, Carens holds that

[i]f everybody is falling short of some supposed moral duty, then a realist would say that the duty is too demanding, that it violates the principle that ought implies can. From a realist perspective, moral norms should not stray away from what most actors are willing to do most of the time...What is morally obligatory depends on an important extent on what is being done.

1996: 158

Evaluating the above statement, the first problem is that Carens falls back on the OIC criterion to describe the demands of the realistic approach. The OIC criterion should, however, be kept strictly separate from the realistic approach.³⁵ Furthermore, the OIC criterion is endorsed by realists (Miller 2002) as well as by idealists (Singer 1972); thus, it should not be adduced to point out the differences between these two strands of thinking.

Next, the argument that moral principles should be close to ‘what most actors are willing to do most of the time’ is not a precise definition of the effectiveness standard. In addition, Carens’ emphasis on present compliance is problematic, i.e. that moral

³⁵ The OIC criterion is justified by a conceptual rationale and not with regard to effectiveness considerations (cf. Section 3.1).

obligations depend ‘on what is being done’. As I argued earlier, the effectiveness standard should relate to the expected degree of compliance. Overall, the example characterising behavioural constraints is very imprecise.

(ii) Political constraints are meant to ensure that only politically feasible decisions are adopted:

Part of the task of realistic ethics of migration is to make some assessment of what policy options are politically feasible and to focus one’s evaluation on those, leaving aside options that have no chance of adoption. Of course, the question of what is feasible in a given context may be highly contestable, but a concern for political feasibility will nevertheless shape and constrain the inquiry in significant ways.

Carens 1996: 159

Carens goes on to add that political constraints lead to the “realm of real choice in the real world, where only a fairly specific range of different outcomes is possible” (1996: 159). However, Carens’ definition of political feasibility is misleading as policy makers do not distinguish between a specific range of ‘possible’ outcomes and those having ‘no chance of adoption’. Instead, policies should be classified as politically feasible if there are good chances that they will be successfully implemented. In sum, Carens’ definition of political constraints is imprecise and runs the risk of confusing issues of political feasibility with questions about the philosophical feasibility of ultimate moral ideals.³⁶

(iii) Finally, Carens advances the institutional constraint that proposals for a world government should be ruled out in advance for having “no chance of being implemented” (1996: 158). If this is true, a clear distinction between the realistic and the idealistic approach is only reached in a situation where proposals for a world government are ruled out by the realistic approach but endorsed as a feasible ultimate ideal by the idealistic approach. Overall, I conclude that the discussion of the three constraints endorsed by the realistic approach has not yielded a coherent definition of the effectiveness standard.

The last issue at hand is the application of the effectiveness standard. Unfortunately, Carens does not offer a general evaluation regarding the applicability of the effectiveness standard, i.e. how and to what extent, the effectiveness of moral principles

³⁶ See the discussion of the feasibility criterion in Section 6.1. In the case of behavioural constraints, a similar confusion between effectiveness considerations and the OIC criterion took place.

can be predicted. The most interesting question would be whether general evaluations valid across time and different cultures could be made or whether the effectiveness of a moral principle could only be estimated with respect to specific circumstances.³⁷ Additionally, Carens' analysis seems to assume that demanding principles are ineffective. But this view is not justified in light of empirical evidence; the relative effectiveness of demanding and undemanding principles is not compared. The applicability of the realistic approach thus plays a minor role in Carens' work.

Having considered the rationale of the realistic approach as well as the effectiveness standard and its application, we can summarise the findings. First, Carens has failed to clearly define the rationale of the realistic approach (working with a triple emphasis on the gap between the 'is' and the 'ought', the guidance function of moral principles and effectiveness considerations). Second, it remains unclear by which standard the effectiveness of moral principles should be assessed. Third, Carens does not evaluate the general applicability of the effectiveness standard.

In relation to this last point, it can be asked whether we can indeed speak of an independent realistic approach to morality. In fact, Carens observes that the realistic approach is "less developed theoretically" (1996: 157). This may not, however, be due to a gap in the philosophical literature, but instead to the nature of practical moral issues. It may well be the case that moral theory can only offer certain broad principles from which practical decisions about how to act in a given situation cannot directly be derived. This view is expressed by Kant's (1991: 61) claim that an 'act of judgment' is necessary to apply empirical and moral theories (cf. Section 3.1).³⁸ I am thus sceptical of whether the realistic approach should be seen as a distinctive approach to morality. The fact that Carens has not offered distinctively realistic moral principles should make us

³⁷ Carens only discusses which kind of behaviour would be effective in specific situations. In the case of slavery, Carens (1996: 165) maintains that it might be better, under certain circumstances, to argue for a more humane treatment of slaves than to argue for the abolishment of slavery. This may well be the case; taking the expected consequences into account, one may conclude that the best strategy is to refrain from making certain demands at a given time. But it is questionable whether such broadly consequentialist (or strategic) reasoning should be called an independent 'realistic approach' to morality.

³⁸ In a similar way, outlining the idea of the 'ethic of responsibility', Weber (1991: 120) argues that theoretical moral reflections cannot tell individuals how to act in certain practical situations. The responsibility for a moral decision rests with the individual. An example is the question of how politicians act in light of the means-ends conflict being part of their daily lives.

wonder whether such principles could be defined at all.³⁹ Instead, it may be more advantageous to make distinctions between questions of practical reasoning and ultimate moral principles. Independent of this issue, the basic finding of this section is that Carens has not been able to offer a precise definition of the effectiveness criterion.

2.3 Gross on the effectiveness of ultimate moral principles

This section examines Gross' (1997) position on the effectiveness of ultimate moral principles. It thereby complements Carens' work on the effectiveness of short- and middle-term moral principles. In *Ethics and Activism – The Theory and Practice of Political Morality*, Gross (1997) offers an interdisciplinary research project combining a philosophical discussion of the effectiveness criterion and an empirical study on the conditions of activism. In light of the relevant literature, the breadth of this study – both regarding the philosophical pretensions and the scope of the empirical research – is highly unusual.

Philosophically, Gross maintains that the effectiveness criterion should be used to evaluate the cogency of ultimate moral principles. His specific aim is to compare the relative effectiveness of an undemanding 'weak' and a highly demanding 'strong' theory of political morality. To realise this empirical evaluation, Gross designs an explanatory model of activism that he considers to be an "unprecedented attempt to combine cognitive and rational theories of moral action empirically" (1997: 13). Subsequently, this model of the conditions of activism is tested in three empirical studies. In light of these empirical results, Gross compares the relative effectiveness – and, thus, overall cogency – of weak and strong theories of political morality.

This section begins by outlining Gross' definition of 'weak' and 'strong' theories of political morality, the effectiveness standard and the empirical research findings.

³⁹ The complexity of practical questions becomes obvious with regard to the following example. Considering the protection of basic rights, Shue argues that philosophers and decision-makers should engage in a process of strategic reasoning which is sensitive to the following elements: "Institutional design must combine judgments about what it is fair to expect people to do, what it is efficient to ask people to do, and what it is possible to motivate people to do. All this depends upon subtle judgments about sense of duty, sense of fairness, sense of identity, sense of solidarity, self-interest, incentives, and coercion – especially hard choices about which aspects of individuals and societies can be changed while which others remain fixed" (1996: 170). The large array of relevant considerations shows the difficulty to define (realistic) moral principles which explicitly stipulate how agents should act in given situations.

Subsequently, a critical evaluation of Gross' framework and findings will be offered.

The effectiveness standard and the empirical research model

Gross defines political morality as the “ethical principles and norms of action guiding citizens in their relationship to the state” (1997: 225). His focus lies on the obligations of individuals if the state violates the limits of defensible public policy; activism thus “reflects the obligation to undertake concerted political action should the state breach these limits” (1997: 225). The required actions may be campaigning activities, acts of collective civil disobedience and so on. In light of its role of securing the integrity of the modern democratic state, activism is considered to be of crucial importance.⁴⁰

To compare the relative effectiveness of theories of political morality, Gross makes a broad distinction between two kinds of theories. The term ‘weak’ political morality refers to relatively undemanding theories of political morality like Madison’s protective democracy or competitive pluralism. As Gross observes, “[p]luralism in all its variants is oriented towards political efficacy, parochial affections and enlightened self-interest” (1997: 38). The term ‘strong’ political morality entails highly demanding moral theories making “maximum demands on moral cognition and political action to safeguard political integrity” (Gross 1997: 40). Standing in the tradition of Locke, the theories of Rawls (1999a) and Habermas (1990) are cited as examples for strong theories of political morality (Gross 1997: 41).

This being the case, I now want to examine the effectiveness standard used to compare weak and strong theories of political morality. Unfortunately, Gross does not give a clear name to the criterion that he attempts to apply: he rather speaks of the need to “develop a theory of political morality consistent with empirical evidence”, that we should examine the “behavioral constraints of moral judgment and political action”, or he asks whether weak or strong political morality is “correct” (1997: 18, 3, 10). Given the overall focus on the conditions of “effective political action” (1997: 230), as well as the evaluation of moral theories in light of these conditions, it seems reasonable to use the term ‘effectiveness criterion’ to describe Gross’ attempt of evaluating the ‘ought’ in light of empirical research.⁴¹

⁴⁰ See Rawls (1999a: 319) and Singer (1993: 292) for a discussion of civil disobedience from a liberal and utilitarian perspective.

⁴¹ On one hand, Gross seems to refer to the OIC criterion: “Knowing how individuals can

For Gross, morality is effective if it can motivate successful collective activism in the face of unjust public policies. This means that the effectiveness evaluations only deal with collective campaigning or rescuing activities and not with individual action – collective action is considered to be necessary to successfully oppose unjust public policies (Gross 1997: 90). Furthermore, Gross maintains that collective activism crucially depends on the leadership of ‘politically competent’ individuals who can overcome collective action problems by administering moral and non-moral incentives.⁴² Considering the rescue of Jews in the Second World War, Gross highlights that

[b]y and large, rescuers were not self-motivated but enlisted by others and provided with the means necessary to sustain rescue activities. Under these circumstances, any salient motivation would be sufficient to promote action if it could be successfully tapped and administered by organizational leaders.

1997: 153

In sum, two requirements must be fulfilled for a moral theory to be effective: a leader must (i) be motivated by the moral theory to become active, and must (ii) be able to start and administer collective action.

The next task is to establish a link between theories of political morality and the behaviour of individuals; i.e. it needs to be shown that a given act is the effect of a specific moral principle. Gross’ first strategy to establish such a link relates to Kohlberg’s (1981) theory of moral development.⁴³ Gross (1997: 92, 121) assumes that

act helps us understand how they ought to act. Understanding their limitations forces us to rethink our image of the ideal citizen and his political obligations” (1997: 19). Throughout the rest of his work, by contrast, Gross clearly deals with the effectiveness of moral theories.

⁴² Apart from various moral motivations (the desire to help, to act justly, to ‘pitch in’ for friends etc.), Gross (1997: 94) offers the following list of non-moral incentives which may be used by leaders or organisations to motivate collective action: material and solidarity incentives, informational benefits, educational benefits (lectures and conferences), fraternal benefits, making new friends and meeting like-minded people.

⁴³ In comparison to Piaget’s (1932) theory of cognitive development, Kohlberg (1981; 1984) argues that the moral development of individuals can be represented by six stages. Each stage offers a morally and cognitively superior form of thinking, integrating a larger array of morally relevant concerns. Stage 1 and 2 belong to pre-conventional level, characterised by a devotion to authority and rules of reciprocity. Stage 3 and 4 form the conventional level, where individuals begin to understand principles of justice in relation to political systems, as opposed to mere personal choice. Stage 5 and 6 represent the post-conventional; individuals become autonomous moral reasoners questioning the validity of social norms and the political systems (Kohlberg 1981: 147-161). The stage of moral development can be assessed by the moral development tests

abstract reasoners (defined by a high stage of moral development) are more likely to be motivated by a strong theory of political morality. Non-abstract reasoners defined by a low stage of moral development are, by contrast, more likely to be motivated by a weak theory of political morality. Gross' (1997: 141-145) second strategy concerns the motives of behaviour where rationalistic or empathy-based motives are respectively linked to a strong or weak conception of political morality. Overall, the argument is that we can measure the effects of a moral theory by considering the kind of people – and the motives for which they have acted – who have successfully administered collective action. The research model thus aims “to tease out the conditions of morally inspired collective action by drawing on elements of both cognitive and rational choice theories of action” (Gross 1997: 120).⁴⁴

The research model is applied to three cases: the rescue of Jews during the Second World War, (anti-)abortion movements in the United States and pro/anti peace-movements in Israel.⁴⁵ The results of the application are as follows. First, abstract moral reasoners often fail to organise or take part in collective activism, since they either lack the consistency-motivation to live up to their own moral conviction or they lack the ability to administer collective activism. Second, successful collective activism has mostly been organised by non-abstract reasoners, sufficiently encumbered in their local communities to administer moral and non-moral incentives, thus overcoming the

based on hypothetical moral dilemmas (cf. Lind and Wackenhut 1985).

With respect to the origin of moral motivation, Kohlberg maintains that the “moral force in personality is cognitive”, i.e. that “one follows moral principles because one feels that they correctly define that situation” (1981: 187-188). Kohlberg thus argues that a positive relation between the stage of moral development and moral action exists. The rationalistic account of moral motivation is criticised by a range of authors on theoretical and empirical grounds (Rest 1986; Hoffman 2000; Bergman 2002). Colby and Damon (1992: 8) conclude that the empirical evidence supporting Kohlberg's rationalistic view of moral motivation is scarce. A further criticism was Gilligan's (1982) claim that Kohlberg's theory is unduly insensitive to the reasoning of women, who rather think in terms of care than of justice.

⁴⁴ For a discussion of rational choice theories of action and the collective action problems, see Olson's (1971) *The Logic of Collective Action*. For a discussion of Olson's work and a recent study of the conditions of environmental activism, see Jordan and Maloney (2006).

⁴⁵ Each case study was based on qualitative and quantitative interviews with activists exploring the motives of behaviour and assessing the stage of moral development of each activist by Lind and Wackenhut's (1985) moral judgment test (MJT). Furthermore, the organisational incentives used to motivate collective action were examined (Gross 1997: 13-18). While the study of the rescue of Jews was realised 50 years afterwards, the study of pro/anti peace activists in Israel and Palestine and of (anti-)abortion activists in the US took place in 1992.

collective action problem. Gross thus concludes, “[t]he most politically competent individuals are, most often, the least morally competent” (1997: 11).

Based on these findings, Gross comes to the overall conclusion that weak political morality is more effective than strong political morality; consequently, the former conceptions should be endorsed and the latter ruled out. Accordingly, weak political morality “reasserts the normative value of the parochial conditions that best facilitate collective action. In doing so, it restructures our image of the ideal citizen” (Gross 1997: 226). In opposition, the model of strong political morality should be rejected, being “at best insignificant and at worse incoherent”, and that “post-material motivations...fail to have any significant effect on most forms of political activism. Individuals may espouse these values with great fervor, but they fall short when measured against action” (Gross 1997: 228). Consequently, the emphasis should be shifted from doing the right thing, which is linked to higher stages of moral development, to doing anything at all (i.e. to overcome the collective action problem).⁴⁶

Evaluating Gross’ definition and application of the effectiveness criterion

Overall, Gross’ work suffers from a range of defects leading us to question the conclusion that strong political morality should be rejected for being ineffective. These defects concern the definition of strong and weak political morality, the definition of effectiveness and their empirical application. First, Gross’ distinction between weak and strong theories of political morality is very broad, comprising of the moral theories of a range of different authors. Moreover, Gross considers the duty to resist unjust state policies, though he neglects the question of whether individuals are likely to comply with just state policies. The problem in this is, based on the supposed result that weak political morality is more effective with regard to collective activism against unjust state policies, that Gross rejects strong theories of political morality. The inference from the supposed effectiveness of one part of a moral theory is insufficient to reject a moral theory altogether. This inadequacy undermines Gross’ general conclusion, which

⁴⁶ To a certain extent, Gross is also aware of the limits of what can be done by politically competent but morally incompetent individuals: “Cognitive constraints, however, limit the scope of effective moral communities...While the focus of moral concern broadens with cognitive development, rarely do individuals surpass these limitations to consider the interests of large, cosmopolitan, or distant communities” (1997: 230). However, this limitation of weak political morality does not lead Gross to question his overall conclusion.

explicitly argues against the entire tradition of strong political morality.⁴⁷

There are two other tricky issues regarding Gross' definitions. To begin with, Gross only considers the practice of collective resistance of face-to-face groups; individual acts such as sabotage, solitary protest, anonymous donations to resistance groups are not included in his study. Next, what matters for Gross is not that people make the effort to live up to a principle, but, as discussed earlier, whether their effort is effective or successful. This focus reduces the generality of Gross' findings. It is unclear whether the effective administration of collective action is always the crucial element in the case of opposing unjust public policies.

Second, turning to the effectiveness criterion, Gross fails to explicitly defend the rationale of the effectiveness criterion. While most philosophers would agree that it is good if moral principles are expected to motivate compliance, they would reject the idea that the expected effectiveness should influence the cogency of ultimate moral principles (Singer 2004: 27). Consequently, Gross cannot draw on an implicit standard justification of the effectiveness criterion (which exists, by contrast, in the case of the OIC criterion as will be shown in Chapter 3). It is especially important to point out how highly contingent effectiveness evaluations should be allowed to influence ultimate moral principles. Neglecting the rationale of the effectiveness criterion, Gross fails to justify the basis of his project.

Subsequently, we can observe that the form of the effectiveness standard is relative; Gross compares two conceptions of political morality and endorses the more effective one. This leads us to question whether, if four conceptions of political morality were compared, Gross would equally argue that only the most effective conception satisfies the effectiveness criterion. Gross does not, however, offer an explicit justification of the form of the effectiveness standard. In addition, considering the claim that strong political morality is 'at best insignificant and at worst incoherent', it can be inferred that Gross assigns absolute weight to the effectiveness criterion in such a way that a moral theory not satisfying the effectiveness criterion is ruled out. The combination of a relative standard of absolute weight is problematic; such a definition signifies that all but the most effective conception of morality are ruled out. In sum, the standard and the weight of the effectiveness criterion are not explicitly defined or justified.

⁴⁷ A more rigorous research design would have focused on a specific moral obligation, for example on Rawls' (1999a: 319) principle of civil disobedience.

Thirdly, let us address Gross' application of effectiveness criterion. Stepping back for a moment, we realise that Gross is not concerned with effectiveness evaluations. Gross' focus exclusively rests on the explanation of past behaviour. This is entirely unsatisfactory – an explanation of behaviour can only be the basis for effectiveness evaluations. Effectiveness evaluations must relate to the expected level of future compliance, including the effects of changing circumstances.

A further problem relates to the link between moral principles and moral behaviour. Abstract reasoners may also act in light of non-abstract reasons. The claim that the individual has indeed been motivated by a moral theory requires the researcher to have a detailed knowledge of the individual's motives – but such knowledge is rare. With regard to the rescue of Jews, for example, Gross not only assesses the moral development of the rescuers 50 years later, but also their motives. This seems especially unusual as some of the moral theories tested by Gross – like Rawls' (1999a) theory of justice – had not yet existed at that time. Moreover, even if an individual has acted for abstract reasons, it remains to be shown how these reasons relate to a specific moral theory. An individual must know the principle in question, act and report that she has done so for the very reasons offered by the principle. Based on these rationales, I argue that Gross' research model inadequately deals with these challenges.⁴⁸

In sum, considering Gross' failure to evaluate the future effectiveness of moral theories, the unclear link between moral theories and action and the focus on local activism, the application of the effectiveness criterion remains unconvincing. The promise to offer an 'unprecedented' theoretical contribution about the conditions of activism, to test this contribution empirically and to work out the consequences for the cogency of moral principles is not fulfilled.⁴⁹ For this thesis, the most important finding

⁴⁸ Gross' emphasis of face-to-face communities as a requirement for effective collective activism is also problematic. Due to the process of globalisation, for example, small-scale communities unable to resist global unjust policies are likely to lose some of their importance. To deal with phenomena like climate change or unfair trade policies, global virtual networks might be needed. The factors motivating individuals to participate in such networks are, however, likely to be significantly different from those that led French villagers to shelter persecuted Jews.

⁴⁹ In general, it seems difficult to solve such a threefold task in one piece of work; the complexity is extremely high and there is a severe risk of confusing different approaches. Moreover, an author can easily get lost in the details of specific debates, thus neglecting the question how the realms of the 'is', 'can' and 'ought' should be related. In this respect, it is surprising that Gross effectively dealt with three extensive empirical case studies but spent very little time examining the link between moral theory and practice.

is that Gross fails to offer a precise and convincing definition of the effectiveness criterion and that, as a consequence, the application of the effectiveness criterion is also unsatisfactory. It follows that we should reject Gross' conclusion about the primacy of weak theories of political morality.

2.4 Singer's and Dobson's practical solutions

So far, the discussion of Carens' and Gross' work has not led to a convincing defence or definition of the effectiveness criterion. This section, then, considers two practical solutions in relation to the effectiveness of moral principles: first, Singer (1993) argues that a less demanding moral principles might be propagated in public to motivate compliance; second, Dobson (2006), who suggests the rationale of various moral principles may be combined to overcome the 'motivational problem' of cosmopolitanism.

Singer's argument for a public/private split

Singer (2004: 27) rejects the idea of an effectiveness criterion, claiming that the expected degree of compliance should not affect the cogency of moral principles. Singer concedes that it is then likely that extreme demands will indeed demotivate compliance – although he maintains that there is “not much evidence to go by” (1993: 245). To avoid such negative motivational effects, Singer suggests that lower demands may be propagated in public. But this should not affect the cogency of extremely demanding moral principles:

Of course we ourselves – those of us who accept the original argument, with its higher standard – would know that we ought to do more than we publicly propose people ought to do, and we might actually give more than we urge others to give. There is no inconsistency here, since in both our private and our public behaviour we are trying to do what will most reduce absolute poverty.

ibid. 245

The idea of the public/private split is thus to endorse the original version of Singer's Principle in private and to propagate lower demands in public. Singer claims that “[f]or a consequentialist, this apparent conflict between public and private morality is always a possibility, and not in itself an indication that the underlying principle is wrong” (*ibid.* 245).

The following example shows how the public/private split could work in practice. The leaders of an NGO, say Oxfam, are convinced that Singer's Principle is morally adequate, but assume that its public propagation will demotivate compliance. Consequently, Oxfam's public slogan is not 'Donate until you are in the same position as the worst-off', but, 'If you donate 10 percent of your income, you will fulfil the demands of beneficence'. If the aim of 10 percent is reached by a certain part of the population, for example in 25 years, Oxfam might revise its public slogan and claim that beneficence now demands the donation of 20 percent. If some curious journalists made an inquiry why the principle of beneficence should have changed, Oxfam might either reply that the circumstances have changed, or that the (new) leaders of the organisation have thought harder about the question, which led them to a different conclusion.

An open issue is whether the public/private split is a legitimate mean to motivate compliance as it serves as a classic example of a means-ends conflict. Here the question is whether it is justified to deceive the public in order to motivate moral action. The answer depends on the conception of the morality endorsed,⁵⁰ the moral principle in question and the circumstances. In conclusion, the public/private split can serve as a practical solution if it should be true that extreme demands demotivate compliance.

Dobson on the 'motivational problem' of cosmopolitanism

Dobson (2006) offers another perspective on the 'motivational problem' of demanding moral principles. Considering the low level of compliance with cosmopolitan principles, Dobson begins his analysis by asking

whether it is something about the principles of cosmopolitanism as they are usually expressed that fails to turn an intellectual commitment to them into a determination to act on them. I shall suggest that there is indeed a motivational problem with these principles, and I shall try to fill the motivational space that I identify at cosmopolitanism's heart.

2006: 165

Interpreting this statement, we can firstly see that Dobson takes a lack of consistency-motivation to be responsible for non-compliance. There is an 'intellectual commitment' to cosmopolitanism, which is sufficient "to get us to 'be' cosmopolitan's

⁵⁰ For consequentialists, as Mackie points out, "no morally relevant distinction between means and ends" (1990: 159) exists. Instead, positive and negative consequences simply have to be weighed against each other.

(principles)”, but not “to motivate us to ‘be’ cosmopolitan (political action)” (Dobson 2006: 169). This view is unsurprisingly problematic; while the use of the ‘us’ may be justified in the case of many philosophers, the assumption that the majority of Western individuals endorse cosmopolitan principles is highly questionable. We can thus question the explanatory adequacy of Dobson’s foundation.

Second, the source of the motivational problem is, according to Dobson, the justification of cosmopolitan principles. Positive duties and arguments about a ‘shared humanity’ are insufficient to motivate compliance. The motivational problem is thus a problem of ‘nearness’; people do not feel close enough to other people living in distant parts of the world (Dobson 2006: 182).

Dobson’s suggestion is that we can overcome the motivational problem of cosmopolitanism by relying on a causal responsibility approach (i.e. on negative duties). This idea is based on the motivational assumption that “we are more likely to feel obliged to assist others in their plight if we are responsible for their situation” (Dobson 2006: 171). Climate change is an example where the causal responsibility approach can be applied. Moreover, Dobson (2006: 173) suggests that economic interdependence may be interpreted as leading to causal relationships between distant individuals. In conclusion, Dobson’s argument maintains that we should rely on the causal responsibility approach to realise the moral aims of concepts cosmopolitanism.

Evaluating this argument, we have to be aware that Dobson’s interpretation of the motivational problem is practical and not philosophical. Dobson avoids the question of whether cosmopolitan principles – which do not rely on the causal responsibility approach – should be changed if the degree of compliance is low. The suggestion to work with negative duties is only a practical solution to overcome the problem of a low degree of compliance. Furthermore, the causal responsibility approach only works if a clear causal relationship between individuals exists: in the absence of such a relationship, the problem remains that positive obligations often fail to motivate individuals. The functioning of Dobson’s suggestion depends on the circumstances; therefore, I do not agree with Dobson’s conclusion that the causal responsibility approach can fill the “motivational vacuum at the heart of cosmopolitanism” (2006: 165).⁵¹

⁵¹ Additionally, the causal responsibility approach should not be seen as having a special connection to cosmopolitan accounts of global justice. Negative duties are endorsed by all prominent theories of global justice; Miller (1999b: 197), for example, explicitly endorses a

In conclusion, Singer and Dobson have offered two ways how to deal with the ineffectiveness of moral principles without changing the fundamental content. Whether these solutions work depend on circumstances; it would be extremely difficult to make a general evaluation in either case. Indeed, the flexibility of the discussed options is a major advantage; one can react to practical requirements without having to alter the basis of one's moral convictions. Since practical solutions do not relate to the cogency of ultimate moral principles, a clear distinction between short-term question of practical reasoning and political feasibility on the one side, and ultimate moral principles on the other side, is reached.⁵²

2.5 Conclusion

The aim of this Chapter has been to examine the criticism that demanding theories of global justice should be rejected for being ineffective. To evaluate this criticism, this Chapter has analysed how the rationale, definition and applicability of the effectiveness criterion are defined in the philosophical literature. The results question the cogency of the effectiveness criterion. First, no convincing defence of the rationale of the effectiveness criterion has been offered (Gross 1997). Second, neither Carens nor Gross have offered a coherent and convincing definition of the effectiveness criterion. Especially the definition of the effectiveness standard remained unclear; in addition, no clear distinction between the effectiveness considerations and the OIC and feasibility criterion has been reached (Carens 1996). Third, the applicability of the effectiveness criterion has not been demonstrated. While Carens hardly considers how effectiveness evaluations can be accomplished, Gross' attempt to show the ineffectiveness of demanding theories of political morality remains unconvincing. The main problem is

principle of non-exploitation. The debate between cosmopolitans and communitarians rather concerns the question whether there should be any principles of global distributive justice (cf. Section 1.2).

⁵² In a similar way, Lichtenberg argues for a practical focus on motivation, namely “partly for philosophical reasons, and partly for practical reasons, we ought to change the subject – that we should concern ourselves less with the question of obligation and more with the question of motivation” (2004: 94). Focusing on the motivational question how individuals can be motivated to act, however, signifies that one leaves the domain of philosophy. Furthermore, see Goodin's (1992) *Motivating Political Morality* for a practical discussion of moral argumentation and motivation.

that Gross exclusively focuses on the explanation of past behaviour and not on the expected future effectiveness of moral principles.

Having focused on the definition and applicability of the effectiveness criterion, the first conclusion of this Chapter is that a precise definition is lacking and that it remains unclear how effectiveness evaluations should be realised. It follows that effectiveness criticisms remain imprecise and unconvincing unless they are based on a more solid ground. In addition, effectiveness criticisms must be accompanied by a defence of the rationale of the effectiveness criterion. This finding implies that the effectiveness criticisms raised against demanding theories of global justice like Singer's Principle and Pogge's theory of global egalitarian justice should be rejected.

Obviously, by contrast, practical decisions about how to act and questions of political feasibility should be influenced by expected consequences. Nonetheless, it remains unclear whether such questions can be answered by recurrence to moral principles belonging to the realistic approach to morality (Carens 1996) or whether such decisions should be seen as belonging to the sphere of practical or strategic reasoning. If this is the case, Singer's (2004) and Dobson's (2006) suggestions about how to deal with the motivational problem of demanding moral principles become relevant.

Finally, drawing on the effectiveness framework of economic theory outlined at the beginning of this Chapter, it is worthwhile to point out what a coherent definition of the effectiveness criterion could look like. Such a definition could be based on a probability threshold requiring that the likelihood of compliance be above a certain threshold. The probability threshold is related to the concept of 'motivational difficulty', which compares the capacities of an agent with the challenges of a given action (Cohen 2000: 171).

If the effectiveness criterion is justified by the view that moral principles are defective if they are unlikely to lead to compliance (i.e. if compliance is motivationally difficult), the effectiveness standard could be defined in the following way: A moral principle is defective if the probability that an agent A – within the time frame T and for the motive M – will comply is lower than the probability threshold t . For example, the level of the probability threshold could be defined at 5 percent. Accordingly, a principle would be defective if, for a random individual, the probability of compliance was below this threshold. To apply the effectiveness criterion, probability predictions could be

based on empirical predictions.⁵³

While the probability threshold is not explicitly defended in the philosophical literature, it resembles Carens' claim that 'it should not be unreasonable to expect people to conform to moral requirements and most of the time most of them will do so for the most part' (1996: 160). Moreover, the probability threshold via the concept of motivational difficulty can be related to Nagel's claim that "[i]f real people find it psychologically very difficult or impossible to live as the theory requires, or to adopt the relevant institutions, that should carry some weight against the ideal" (1991: 21). The problem is, however, that neither Carens' nor Nagel's theories expand on these ideas.⁵⁴

An effectiveness criterion defined by a probability threshold corresponds to the following parameters (cf. Section 2.1): (i) The probability threshold represents a minimum constraint. It is only expected that the probability of compliance is higher than the probability threshold; no relative effectiveness comparisons are made. (ii) The weight of the effectiveness criterion could be absolute or relative. Nagel suggests that the weight might be relative; if a principle is too difficult, this 'should carry some weight against the ideal' (1991: 21). (iii) It seems reasonable to define the effects of a moral principle with respect to an individual's effort to comply, and not by the effects of compliance as endorsed by Gross (1997: 90). While the probability threshold represents a basis for a coherent definition of the effectiveness criterion, the effectiveness criterion should only be endorsed if a convincing rationale can be offered.⁵⁵

⁵³ The probability that an agent will donate a certain amount of her income can be calculated in light of econometric studies; an example is Yen's (2002) econometric analysis of household donations in the USA. For an overview of the determinants of giving behaviour with regard to time, money and blood, see Lee, Pilavin and Call (1999).

⁵⁴ Nagel's claim is rather a side-remark in relation to his discussion of the feasibility criterion (see Section 6.1).

⁵⁵ The probability threshold could also be used in a further way. If the application of the OIC criterion should show that possibility evaluations are very difficult to realise, it could be argued that an individual should be exempted from a given moral obligation if the probability of compliance is extremely low (i.e. below probability threshold). While the modification of the evaluative standard could thus increase the applicability of the OIC criterion, it is a different question whether a probability threshold is compatible with the rationale of the OIC criterion.

Chapter 3: The 'Ought Implies Can' Criterion

The second analysis of this thesis is the application of the OIC criterion to Singer's Principle. The analysis is split up in two parts; I will focus on the definition of the OIC criterion in the present Chapter and will look at the empirical application of the OIC criterion in Chapter 5.

This Chapter begins with an analysis of the origin and rationale of the OIC criterion: Why should we demand that compliance with a moral principle is possible? Which objections are made against the OIC criterion? Thereafter, the Chapter turns to the definition of the OIC criterion. Although the OIC criterion is at least superficially endorsed by most philosophers, no standard definition exists; it thus needs to be explored how the evaluative standard as well as the motive, agency and degree of compliance should be defined (Kant 1991; Rääkkä 1998; Singer 2004; Elster 2007). The overall aim of this Chapter is to develop a definition of the OIC criterion that is philosophically convincing and precise enough to be tested empirically.

This Chapter proceeds as follows: Section 3.1 offers a discussion of the origin and rationale of the OIC criterion; Section 3.2 defines the standard of the OIC criterion before, finally, Section 3.3 explores how the motive, agency and degree of compliance should be defined. In addition, the Chapter will outline how various philosophers evaluate the applicability of the OIC criterion; in other words, the Chapter will explore to what extent we are confronted with an 'epistemic problem' (Elster 2007: 73).

3.1 Origin and rationale

The OIC criterion is often associated with Kant, so much that, as Stern (2004: 53) observes, some theorists call it 'Kant's dictum'. This ascription is surprising since the idea that obligations are restricted by the capacities of an individual was prominent in earlier times. In Roman legal philosophy, as Huber (2008: 3) points out, the OIC criterion was expressed by its negative equivalent: *'Impossibile nulla obligatio est'*, i.e. that 'The impossible cannot be obligatory'. This claim is also expressed by the statement

‘*Ultra posse nemo obligator*’ (‘Nobody is obligated beyond their capacities’).⁵⁶

We can now turn to Kant’s understanding of the connection between moral duties and individual capacities. It is important to note that Kant has not offered an explicit definition of the OIC criterion. Instead, Kant maintains that the concept of a duty presupposes the possibility of compliance: his position can thus be characterised by the statement ‘I ought, therefore I can’. To understand this claim, it is worthwhile to consider Kant’s general conception of the relationship between theory and practice. Kant holds that

[a] collection of rules, even of practical rules, is termed a *theory* if the rules concerned are envisaged as principles of fairly general nature, and if they are abstracted from numerous conditions which, nonetheless, necessarily influence their practical application. Conversely, not all activities are called *practise*, but only those realisations of a particular purpose which are considered to comply with certain generally conceived principles of procedure.

1991: 61

Since rules are often abstract, a supplementary “act of judgment whereby the practitioner distinguishes instances where the rule applies from those where it does not” (*ibid.*: 61) is required. However, if a theoretical understanding is combined with an adequate interpretation of specific circumstances, the effects of practice will correspond to the theoretical expectation. In engineering, for example, a cannonball will hit its target if the theoretical understanding of ballistics is sound and if the cannon guard has a practical understanding of how to correctly operate a cannon (*ibid.*). Hence, no gap between theory and practice arises.⁵⁷

For Kant, the claim that what is true in theory is also true in practice can also be applied to the case of moral theory:

in a theory founded on the *concept of duty*, any worries about the empty ideality of the concept completely disappear. For it would not be a duty to strive after a

⁵⁶ While the negative equivalent has the same content as the OIC criterion, the inverse conclusion that ‘a capacity implies an obligation’ is not true (Huber 2008: 3). Furthermore, Huber (*ibid.*: 2) argues that the OIC criterion is also encapsulated in Hobbes’ argument that contracts are only valid if they can be kept.

⁵⁷ This view can be contrasted with the idea that, though it may be true in theory, it is not maintainable in practise. Kant ascribes the latter to the ‘ignoramus’ or “would-be expert who admits the value of theory for teaching purposes, for example, as a mental exercise, but at the same time maintains that it is quite different in practice, and that anyone leaving his studies to go out into the world will realise he has been pursuing empty ideals and philosopher’s dreams – in short, that whatever sounds good in theory has no practical validity. (This doctrine is often expressed as: ‘this or that proposition is valid in *thesi*, but no in *hypothesi*?’” (1991: 62).

certain effect of our will if the effect were impossible in experience (whether we envisage the experiences as complete or as progressively approximating to completion).

ibid. 62

The notion of an ‘impractical duty’ would thus be a contradiction in terms.

In the following discourse, I will use the term ‘conceptual rationale’ to refer to Kant’s justification of the OIC criterion. A conceptual rationale implies that the OIC criterion (i) functions as an absolute constraint (impossible duties are ruled out, the weight of the OIC criterion being absolute), and (ii) that the form of evaluations is dichotomous where compliance should be considered to be either possible or impossible.⁵⁸

In contemporary philosophical literature, the OIC criterion is often defended by a rationale similar to Kant’s conceptual rationale. Singer, for instance, maintains that it would be “absurd to say that we ought to do what we cannot do” (1993: 242). This captures what people mean if they say moral principles must be realisable as else it just wouldn’t make sense. In a similar way, Griffin holds that “[a]ction-guiding principles must fit human capacities, or they become strange in a damaging way: pointless” (1992: 123).⁵⁹ As it will be shown in Chapters 4 and 5, the rationale of the OIC criterion matters with regard to possibility evaluations under conditions of uncertainty. To assign the burden of proof, thereby attempting to limit the negative effects of false possibility evaluations, we need to understand why it is important that a moral obligation satisfies the OIC criterion.

Having outlined the rationale, let us now consider two objections raised against the OIC criterion.⁶⁰ The first objection relates to the meaning of the term ‘ought’. Consider an example where an agent sees two drowning children, but has time to only save one. Since no other people are around, one child will die. Consequently, the objection holds that ‘ought implies can’ dictum is flawed: how could we say that both children should be

⁵⁸ A conceptual rationale can be distinguished from a justification informed by effectiveness considerations and dealing with the consequences of the propagation of possible or impossible ideals. In this respect, Mackie states that the propagation of “an utterly impossible ideal is likely to do, and surely has in fact done, more harm than good” (1990: 132).

⁵⁹ Furthermore, Elster (2007: 69) claims that the OIC criterion possesses ‘almost logical force’, but this claim is misleading. The OIC criterion cannot be derived in a logical way from the concept of a duty (Huber 2008: 3). Additionally, the term ‘almost logical’ is confusing; a relation is either logical or not.

⁶⁰ Independent of these objections, as stated in the Introduction, Cohen (2008) rejects the OIC criterion altogether in light of the argument that ultimate moral principles should be fact-insensitive.

saved if this is impossible? As Elster (2007: 58) points out, however, the objection confuses two different meanings of ‘ought’. On the one hand, ‘ought’ can refer to the moral obligations of an agent; in this case, the OIC criterion applies. On the other hand, ‘ought’ can relate to desirable states of affairs, e.g. that both children should be saved. In this latter sense, to claim that it would be good if both children were saved is compatible with the fact that this may sometimes not be possible. Since the objection refers to the ‘ought’ in this second sense, it does not invalidate the OIC criterion exclusively concerned with the moral obligation of individuals and not with desirable states of affairs.

The second objection relates to future obligations. It holds that the OIC criterion is invalid since it allows individuals to escape from their moral obligations by planning to be unable to comply in the future. An agent could get intentionally drunk, for example, to avoid the obligation of driving a sick person to the hospital. By endorsing the OIC criterion, the objection continues, we would allow people to illegitimately avoid obligations. While it is true that individuals should not be able to escape obligations in such a manner, the OIC criterion may be modified to deal with cases like this. Elster (2007: 78, 76) thus argues that the OIC criterion should be complemented by a ‘principle of future obligations’ which holds that “[w]e have an obligation to ensure that we are capable of performing our moral duty in the future”. If we amend the OIC criterion in this way, the objection that the OIC criterion allows individuals to escape from their obligations is no longer valid.⁶¹

Having rejected the two objections, we can turn to an intermediary conclusion about the role of the OIC criterion in the literature of global justice. In general, a broad consensus exists behind the view that the OIC criterion should be endorsed. As Griffin puts it, “[i]n a certain loose sense, ‘ought’ implies ‘can’. All moral theories work implicitly with a picture of what lies within the human capacity. The limits of human capacity help to define the limits of moral obligation” (1992: 122). Griffin’s remark that

⁶¹ The extended version of the ‘principle of future obligations’ holds that: “We have a *pro tanto prima facie* present obligation to ensure that we are capable of performing our all-things-considered *prima facie* moral duty in the future” (Elster 2007: 78). Since this definition is highly complex, I will only focus on the basic idea that agents are not allowed to consciously attempt to minimise their future duties by making themselves incapable to act. In any case, the problem of future obligation is of little relevance with regard to Singer’s Principle, since the latter already demands that individuals maximise their lifelong contribution to the reduction of suffering, assigning equal importance to their own suffering.

the OIC criterion is often used in an implicit way points to the next task of defining the research question of the OIC criterion in a precise manner.

3.2 Motivational capacities and the possibility standard

A full definition of the OIC criterion requires the specification of the evaluative standard and the motive, agency and degree of compliance. To accomplish this goal, this section opens with a discussion on the role of different capacities – physical, cognitive and motivational – and how they may be required for compliance. Next, the concept of motivational capacities is analysed with particular focus on whether or not the OIC criterion should only be applied to cases where individuals are already motivated to act. This is followed by a brief analysis of the possibility standard.

To begin, it is important to note that a broad distinction can be made between the physical, cognitive and motivational capacities. To rescue a drowning person, for example, an agent has to possess the physical ability to swim and the motivational capacity of wanting to perform the act. For an obligation to be possible, each demand must be within the capacities of an individual.

The plausibility of the OIC criterion is most obvious regarding physical capacities. Various examples for physically impossible actions can be given. (i) No individual will ever be able to “grow wings and fly” (O’Neill 2004: 250). (ii) No individual can save a dozen drowning people in a short span of time. Consequently, a claim like “You ought to have saved all the people from the sinking ship” violates the OIC criterion (Singer 1993: 243). (iii) A fully paralysed person cannot normally jump into a river to save a drowning person though, by contrast, it should be physically possible for healthy individuals to wade into a shallow pond to save a drowning child. These analyses of physical capacities have two important features. First, they are based on the assumption that the individual wants to act; this allows us to focus on the physical capacities of the individual. Second, the three examples lead to uncontroversial possibility evaluations. It would be highly implausible to argue that any individual could fly, or that one individual could save dozens of people at once.

The OIC criterion also entails that the decision procedures required by moral principles be within the ‘cognitive capacities’ of agents. Cognitive capacities are needed, for example, to answer questions about the causal responsibility of absolute poverty or

how an agent can most effectively contribute to the eradication of poverty. A list of cognitive capacities includes, amongst others, the following: interpreting moral dilemmas, mathematical calculus and analytical skills. The limits of cognitive capacities are relevant, for example, with regard to the utilitarian calculus. Griffin (1992: 128) argues that the utilitarian calculus cannot be performed, since it is beyond the cognitive capacities of agents. Since Singer's Principle is not considered by others in the field to require a complex decision-making procedure (Singer 1993: 231-232), cognitive capacities are of less relevance to this thesis.

In opposition to physical and cognitive capacities, it is more difficult to define the concept of motivational capacities⁶² and to determine what is motivationally possible for an agent. One of the problems is that the term 'motivation' itself is used in a variety of ways by different authors and within different disciplines. To offer a clear definition of the concept of motivation, I draw on Kohlberg's 'model of reasoning' (1981: 517-518). This model, widely used in social psychology, describes four steps that lead from abstract reasoning to action, all of which must be completed for an individual to act.

Kohlberg proposes that (i) the 'interpretation of the situation' stands at the beginning of the process of reasoning. The individual has to make various factual judgments about how the situation in question should be interpreted. (ii) The moral reasoning of the individual results in the 'deontic judgment' that describes the individual's belief about what an abstract individual in her situation should do. To proceed to the next step, the individual must think something along the lines of 'I think I should act'. (iii) The 'moral judgment' relates to the individual's decision on whether to adopt the deontic judgment as a plan for action. If the deontic judgment and the moral judgment coincide, the individual shows full consistency-motivation between what she thinks she ought to do and what she decides to do.⁶³ Otherwise, the individual shows a lack of consistency-motivation: 'I think I should act but I have no desire to act'. (iv) To implement moral judgment, various 'follow-through skills' may be required, examples of which being the

⁶² In the literature, various expressions are used to refer to motivational capacities. Singer (2004: 28) speaks of people's 'moral powers', Griffin (1992: 127) about the 'limits of the will', and Carens (1996: 158) of the 'behavioral' realities that constrain morality.

⁶³ In this case, the individual finds herself in the 'motivational state' of wanting to act. Batson defines a motivational state as a "goal-directed psychological force within an organism" with four features: "(a) The organism desires some change in his or her experienced world; (b) a force of some magnitude exists, drawing the organism toward the goal; (c) if a barrier prevents direct access to the goal, alternative routes will be sought; and (d) the force disappears when the goal is reached" (1991: 108).

strength of the will, concentration, delaying gratification, etc. If the individual possess the required follow-through skills, the individual is able to carry out the action. In the case of inaction, the individual thinks: ‘I want to act but I cannot act’.⁶⁴

Bridging the philosophical definition of ‘motivationally possible’ with the OIC criterion, two options exist. It can either be argued that the OIC criterion only applies to those cases where the individual has adopted the moral judgment to act or one can argue that the OIC criterion be applicable to all cases. (i) Assuming the motivation to act (‘can if one wants to’): According to this less demanding interpretation, the OIC criterion only refers to those cases where the individual is already motivated to act. Consequently, the question is only whether the individual possesses the follow-through skills required to carry out their decision.

The less demanding interpretation is defended by Elster, who argues that OIC criterion applies only to ‘can if one wants to’ cases, “where an agent wants to do X, but (for some reason or other) cannot be motivated to do X” (2007: 64). Elster claims that “[t]his reading of the OIC-principle is necessary because wanting to do X is a psychologically necessary condition of being able to do X, so that in one sense, one cannot do X if one does not want to do X” (*ibid*). Considering the case of smoking, we would only ask whether smokers who currently want to give up have a chance to succeed. If the smoker failed, she would say ‘I want to stop but I am unable to do so’. By contrast, we would not ask whether those smokers who currently do not want to give up smoking may change their decision and give up.

(ii) No assumption (‘can at all’): The more demanding interpretation does not rely on the assumption that the agent is already motivated to act. The question is whether an agent – independent of their present motivational state – can comply with a moral obligation. Considering the example of smoking, we would ask whether it is possible for any smoker to give up smoking. The demanding interpretation is defended by various authors. Huber, for example, states that “The incapacity is fundamental; it springs no moods, animosity or aversion of the obligated” (“*Das Nicht-Können ist ein prinzipielles, es entspringt keiner Laune, Abneigung oder Widerwillen des Verpflichteten*”) (2008: 3). Singer (2004: 27) also endorses the claim that all individuals have the obligation to comply with his

⁶⁴ The importance of follow-through skills depends on the moral action in question; to donate money to charity, follow-through skills are hardly required. To resist oppression, by contrast, courage and a strong will are necessary.

Principle since each agent (not only those who are already motivated to act) is ‘*capable*’ of acting impartially. Singer explicitly highlights the fact that simply because most individuals will not comply does not mean that individuals cannot comply.⁶⁵

In my view, this second option is acceptable. It is unclear why the OIC criterion should only apply to cases where individuals are already motivated to act. In analogy, the normative assignment of duties does not depend on whether a duty-bearer thinks that she should act. We also have to note that the attitudes of individuals change. So while I agree with Elster’s claim that wanting to do X is usually a necessary condition for action, I maintain that the OIC criterion should include the question whether it is possible that an agent will be motivated to do X at some point in the future.⁶⁶

Thus, what matters is whether a moral principle makes any demands that an individual cannot meet. Since the attitudes of an individual can change, the present motivation to act is not a requirement for future action. Moreover, the fact that an individual does not want to comply does not mean that she cannot comply. In this sense, ‘motivational capacities’ refers to the deontic and moral judgment adopted by an individual and whether the individual has the follow-through skills to carry out her decision to act.

The standard of the research question can thus be expressed in two ways. The long version is: Can an individual form the deontic judgment that she should act, adopt the moral judgment to act and possess the follow-through skills to carry out the required actions? The short version (to be used in the following analysis) is: Can an individual comply?⁶⁷ Since compliance with Singer’s Principle generally does not depend on an individual’s physical or cognitive capacities, the question whether an individual has the

⁶⁵ In a similar way, the ‘motivational condition’ endorsed by Kagan does not presuppose that an agent is already motivated to act. Instead, “it must be possible for the agent to be *motivated* to react in the required manner” (1999: 277). Kagan distinguishes the ‘motivational condition’ from the less demanding interpretation of the OIC criterion, which requires that an “agent could react in the given manner if he wanted to” (*ibid*).

⁶⁶ The more demanding interpretation also corresponds to the focus of most scientific studies about moral heroism (cf. Chapter 5). The primary question of these studies is how likely it is (or whether there is any chance at all) that an individual, defined by personal characteristics, will act morally under certain conditions. Moreover, if situations require spontaneous action, it is difficult to draw a clear distinction between the motivation to act and follow-through skills.

⁶⁷ Note that the obligation to comply with Singer’s Principle refers to an agent’s entire (adult) life. The question is, therefore, whether an individual can comply at a specific point of time (or at each point of time of her life). The importance of this point will become evident in Section 5.4 with regard to the comparison between the possibility predictions of social psychologists and the possibility evaluations of philosophers (which are based on the OIC criterion).

motivational capacity to comply is, in most cases, equal to the question whether the individual can comply.

Thus, having concluded that no assumption about the motivation to act should be made, the next question is how the standard of the OIC criterion should be defined. I maintain that the phrase ‘ought implies can’ should be taken literally, i.e. that compliance has to be possible (and not merely likely). This view is also endorsed by Singer, who argues that: “‘Ought’ implies ‘can’, not ‘is likely to’”, adding that there “is nothing contradictory or incoherent in saying: ‘Everyone ought to do X’ and ‘It is certain that most people will not do X.’” (2004: 27).⁶⁸

The possibility standard should be clearly distinguished from the probability threshold, which requires that compliance is not too unlikely (cf. Section 2.5). Such a clear separation is not always reached; an example is Nagel’s claim that “[i]f real people find it psychologically very difficult or impossible to live as the theory requires, or to adopt the relevant institutions, that should carry some weight against the ideal” (1991: 21). The problem of this statement is that it appeals both to a possibility standard and to a probability threshold. Furthermore, it is important to note that the probability threshold is more demanding than the possibility standard as each action that is sufficiently likely is also possible.

It is not, however, an easy task to make a clear conceptual distinction between impossible and highly unlikely events. Consider the example of a young boy reflecting about his future:

He said it was very difficult to become an astronaut. I said that I knew. You had to become an officer in the air force and you had to take lots of orders and be prepared to kill other human beings, and I couldn’t take orders. Also I didn’t have 20/20 vision which you needed to be a pilot. But I said that you could still want something that is very unlikely to happen.

Haddon 2004: 32

Although the chances of success are slim, it is possible for the boy to become an astronaut. In a similar way, a philosopher must ultimately decide herself whether an event should be considered to be possible or not: she cannot claim to apply a possibility standard and say, at the same time, that an event should be considered to be impossible

⁶⁸ The possibility standard is also endorsed by Elster, who claims that: “If, within a given conception of morality, a *prima facie* moral duty is motivationally impossible to perform, then the action in question is actually not a moral duty” (2007: 47).

if the chances that the event will occur are below a certain probability level. In cases where such a level is used, the philosopher would apply a probability threshold and not a possibility standard.

To outline the functioning of the possibility standard, let us draw a tie to empirical predictions. Here, the claim that an action is possible signifies that the probability of an individual acting in a certain way is unequal to zero. We can ask, for example, whether there are any chances that an amateur football player will change his chosen sport to tennis. If the probability is unequal to zero, the individual has the potential to realise the action in question. Consequently, the research question ‘Can an individual comply?’ can be reformulated in the following way: Is there any chance that a given individual will, at a certain point in time or over a given period, comply with the demands of a moral principle? Again, it is important to note that such a chance must exist in each situation or during each period of time in order for an obligation to satisfy the OIC criterion.

3.3 The motive, agency and degree of compliance

The parameter motive stipulates whether compliance must occur for specific reasons or whether no restrictions should be made. Social scientists usually distinguish between altruistic and egoistic motives where altruism is defined as “a motivational state with the ultimate goal of increasing another’s welfare”, while egoism is “a motivational state with the ultimate goal of increasing one’s own welfare” (Batson 1991: 108). Social scientists and philosophers often differentiate between various kinds of moral motives, for instance, whether an individual aims to behave justly, to be virtuous and so on (Lerner 1980; Batson 1991; Zimbardo 2007). Alternatively, philosophers speak of a prudential motive if an agent complies with a moral obligation to avoid social or legal sanctions.⁶⁹

Since Singer’s Principle is an interactional, non-institutionalised principle, the possibility that agents act for the prudential motive to avoid legal or strong social sanctions is ruled out. The question is, therefore, whether individuals should be allowed

⁶⁹ See Mill (1962) for the distinction between ‘internal’ and ‘external’ sanctions. The internal sanction of duty – the effects of an individual’s moral conscience – is characterised as “a feeling in our own mind; a pain, more or less intense, attendant on violation of duty, which in properly cultivated moral natures rises, in the more serious cases, into shrinking from it as an impossibility” (*ibid.*: 281). External sanctions, by contrast, are the social or legal costs or benefits imposed by an agent’s social surrounding or the state (*ibid.*: 280).

to comply for other self-interested reasons. Although it is unlikely that compliance with demanding moral obligations is the best way to maximise one's self-interest, this option cannot be ruled out. Additionally, it may sometimes be the case that an act is motivated by various reasons that can be moral and non-moral.⁷⁰ Unless one occupies a Kantian position and assigns intrinsic weight to the motive of compliance, there is no strong reason to stipulate that compliance must take place for moral reasons. In fact, most philosophers do not make the requirement that it must be possible for an agent to comply for purely moral reasons (Singer 2004). Following this choice, the parameter motive will not make any requirements with regard to the reasons of compliance.⁷¹

At this point, it is good to remind ourselves that the function of the OIC criterion is to ensure that moral obligations are within the capacities of duty-bearers. Among the universe of duty-bearer, the parameter agency thus refers to the group of individuals for which compliance should be considered to be possible or impossible. If it is possible to realise possibility evaluations with regard to specific groups of individuals defined by certain personal characteristics, the onerous task of setting a different possibility evaluation for each agent can be avoided.

A first strategy is to explore whether a moral principle is so demanding that compliance is impossible for all individuals. If this should be the case, it can be said that the demands in question are outside of 'human capacities' or 'human nature'. The following story about the scorpion and the frog illustrate this case:

A scorpion asks a frog for help crossing a river. Intimidated by the scorpion's prominent stinger, the frog demurs. 'Don't be scared', the scorpion says. 'If something happens to you, I'll drown.' Moved by this logic, the frog puts the scorpion on his back and wades into the river. Half way across, the scorpion stings the frog. The dying frog croaks, 'How could you – you know that you'll drown?' 'It's my nature', gasps the sinking scorpion.

Leon 1999

⁷⁰ Regarding the occurrence of various motives, Batson states that "egoistic and altruistic motives are assumed to be distinct, but to the extent that the goals of these motives are compatible, their magnitudes should sum" (1991: 114). Furthermore, see Goodin's (1989) 'Do Motives Matter?' for an argument that, in the majority of cases, the attempt to identify the motives of one's own or other people's actions is either likely to fail or to have negative consequences.

⁷¹ Nonetheless, since there are few self-interested reasons to comply with Singer's Principle, it is likely that agents will comply for moral reasons. In addition, we should note the empirical study of 'moral heroism' (cf. Chapter 5) deals with behaviour dominantly motivated by moral reasons.

Although the circumstances are most conducive to moral behaviour, particularly since it coincides with prudential behaviour, it is motivationally impossible for the scorpion to stick to his promise. Given the nature of scorpions, the disposition ‘sting a frog whenever you can’ outweighs all other considerations.

Regarding human affairs, the moral obligation to save all the drowning persons on a sinking ship is an example for an action that is impossible for all human beings (Singer 1993: 243). Consequently, no individual has the obligation to comply with this moral obligation. In addition, the moral obligation itself becomes irrelevant for all practical purposes. In this special case, the OIC criterion does not only exempt all present and future individuals but can also be used to reject the moral obligation in question.⁷² If compliance is possible for at least one individual, the demands of a moral principle are within the realm of human nature, thus tapping into what Flanagan describes as “possibility space over which human personality can range” (1991: 16). Hence, the question is for which individual is compliance possible or impossible?

Let us then examine whether compliance is possible for all individuals. The statement that compliance with a given moral principle is possible for all healthy individuals can be called the ‘ordinary persons’ thesis. Singer defends this thesis with regard to his Principle, claiming that “[e]ach of us, individually, is *capable* of acting impartially, even if most of us, most of the time, choose not to do so” (2004: 27). The opposite view is the ‘exceptional people’ thesis, which holds that though compliance is possible for some exceptional individuals, it is impossible for others. This view can be associated to Elster’s claim that “it is a plausible supposition that motivational capacity can vary from person to person, and from situation to situation, so that if something

⁷² There are two further issues concerning the limits of human nature. A first issue is whether actions can at least partly be motivated by the ultimate goal of benefiting others, a view that is rejected by proponents of ‘psychological egoism’. While psychological egoism has been prominent in the past (Hume 1992), it is by now widely rejected in philosophy (Feinberg 2002) and social psychology (Oliner and Oliner 1988; Batson 1991). Since the definition of the OIC criterion does not concern any restriction of the motive of compliance, the empirical correctness of psychological egoism is not relevant for the present analysis.

The second issue is whether moral action can occur for a purely moral motive, i.e. whether any individual can “totally separate his desire for happiness from the concept of duty, in order to preserve the latter’s purity” (Kant 1991: 69). Kant argues that while “no-one can have certain awareness of *having fulfilled* his duty completely unselfishly”, individuals can be aware of the “maxim of striving towards moral purity” (*ibid*). According to Kant, this should be seen as sufficient to speak of the observation of a moral duty. With regard to the identification of motives, social psychologists agree with Kant’s claim that it is impossible to identify all reasons standing behind a given action (Oliner and Oliner 1988; Batson 1991).

were impossible for Paul, it might not be so for Peter, and it might not be possible for Paul in another situation” (2007: 67). In Chapter 5, the empirical application of the OIC criterion will begin with an examination of the ‘ordinary persons’ thesis. Should it be verified, we can conclude that ordinary persons can comply with Singer’s Principle. Should it turn out to be inadequate, the next task is to identify those exceptional individuals for which compliance is possible.

Finally, it is important to distinguish the OIC criterion, pitched at the individual level, from metaethical criteria relating to the collective level. An example for such a criterion is Flanagan’s ‘Principle of Minimal Psychological Realism’ (PMPR), which holds that one must ensure, “when constructing a moral theory or projecting a moral ideal, that the character, decision processing, and behavior prescribed are possible, or are perceived as possible, for creatures like us” (1991: 32).⁷³ While the OIC criterion “implies that it is irrational to require particular individuals to do what they cannot do”, the PMPR accepts that obligations may be impossible for some individuals: it only stipulates “that is irrational to ask persons in general (the ‘type’ person) to have personalities, motivational structures, and so on that they cannot possibly have” (*ibid.*: 340). To satisfy the PMPR, the demands of a moral principle thus have to be within the capacities a specific type of person.

The problem, however, is that Flanagan does not specify what ‘creatures like us’ means, i.e. how the latter concept can be operationalised. One option is to require, for example, that compliance must be possible for a certain percentage of individuals (e.g. 50 or 95 percent). Alternatively, certain personal characteristics could be used to define a certain group of individuals for whom compliance must be possible. Overall, we have to bear in mind that the OIC criterion focuses on the capacities of specific individuals while the PMPR evaluates the motivational demands of moral principles.⁷⁴

The degree of compliance is the final parameter to be defined. The function of the degree of compliance is to stipulate how regularly an individual must act in line with Singer’s Principle to be counted as a complier. A distinction can be made between three

⁷³ The ‘perceived as possible’ clause holds that it is sufficient if compliance is possible for “distant descendants of ours” (Flanagan 1991: 340).

⁷⁴ In the special case where compliance with a moral principle is impossible for all individuals, both the OIC criterion and the PMPR conclude that the moral principle should respectively be considered irrelevant for all practical purposes or be rejected.

degrees of compliance: perfect, chronic and acute. The higher the degree of compliance, the less likely it is that compliance is possible for a given individual.

Perfect compliance means that an individual always acts according to a moral principle; at least throughout her adult life, she may never perform an egoistic act. In the case of Singer's Principle, taking a day off for one's own pleasure signifies that an agent fails to comply in a perfect manner. It is questionable whether perfect compliance with Singer's Principle is within the 'possibility space' (Flanagan 1991: 16) of human beings. While some philosophers like Kagan (1999) argue that perfect compliance with highly demanding moral principles should be considered possible for some individuals, most psychologists reject this view. Colby and Damon, for example, maintain that psychological research has to accept the "inevitable problem of human imperfection," (1992: 27) and thus are proponents of the imperfect degree of compliance that this thesis supports. Furthermore, in the context of this thesis, it is more important to ask whether ordinary persons can comply with a moral principle in an imperfect manner than to ask whether at least one individual can comply in a perfect manner. Working with an imperfect degree of compliance signifies that the focus shifts to 'real-life saints' who "have ordinary human flaws as well as nonmoral aspirations, projects and commitments" (Flanagan 1991: 1).

The analysis of Singer's Principle focuses on two degrees of imperfect compliance, acute and chronic. Firstly, acute compliance signifies that an individual performs at least one action of moral importance in line with Singer's Principle. An example of acute compliance can be found in the sheltering of a prosecuted stranger or the sharing of a crust of bread in a time of need. The philosophical definition of acute compliance is linked to Zimbardo's (2007) empirical definition of 'acute heroism' in Chapter 5. Secondly, chronic compliance means that an individual mostly acts in line with Singer's Principle. In Chapter 5, the philosophical definition of chronic compliance will be linked to Colby and Damon's (1992) empirical definition of 'moral exemplars'.

This distinction between acute and chronic compliance pays tribute to the large array of forms of human behaviour. It highlights the difference between single instances of moral action (which may occur spontaneously) and forms of sustained commitment. Thereby, a nuanced analysis of the relation between personal characteristics and forms of moral behaviour is made possible. Furthermore, the distinction fits well with different strands of the psychological literature on moral heroism (Oliner and Oliner

1988; Colby and Damon 1992; Zimbardo 2007).

Up until now, this section examined the motive, agency and degree of compliance. The full definition of the research question will be outlined in the conclusion of this Chapter. Before going on to that, however, it is necessary to consider briefly the applicability of the OIC criterion.

Various philosophers are sceptical about the applicability of the OIC criterion, specifically the chances of justifying possibility evaluations in light of empirical research (Griffin 1992; Elster 2007). Note, however, that these philosophers hardly refer to scientific literature to justify this scepticism. A first example for a sceptical position is given by Elster, who claims that “[w]hen an agent fails to act out of a lack of motivation, we have no certain indication of whether the failure to act was due to the impossibility of the action, for that agent at that time, or simply difficult (in which case it could have been done, had the agent tried harder)” (2007: 73). Since we cannot distinguish between impossible and very difficult actions, Elster concludes that we are confronted with an ‘epistemic problem’ – one of application – if we want to apply the OIC criterion:

The upshot of this discussion is that, even if the foundational argument from motivational impossibility is valid in principle, we do not always know, in a given case, if the argument applies. The decision to apply the foundational argument from motivational impossibility or the pragmatic argument from difficulty can only be made on pragmatic or normative grounds, simply because epistemic grounds are unavailable.

ibid

For the upcoming analysis, we can retain Elster’s claim that ‘epistemic grounds are unavailable’. It remains to be seen whether we are really unable to justify possibility evaluations in light of empirical research insights.

A second example for a sceptical position relates to Griffin, who claims that:

Another piece of information permanently beyond us is where the limits of the will are. We can rule out some implausible views on the subject, but here, too, there is a wide range of views that we cannot even rank probabilistically. Since there will be no morality at all until we take a view on the subject, we simply adopt one. The view we adopt is bound to be arbitrary to some degree, and our moral norms will share in this arbitrariness. For instance, we adopt (fairly arbitrarily) a view about how much a typical moral agent can deprive his own children to help distant strangers; having done so, we can work out a policy (which will inherit the arbitrariness) on giving to charity. When our knowledge runs out, contingency and arbitrariness enter to fix what we morally ought to do.

1992: 128-129

Griffin states that our view on the limits of the will ‘is bound to be arbitrary to some

degree'; this leads us to view him as less pessimistic than Elster as regards justifying possibility evaluations on empirical grounds.⁷⁵

How do these scholars deal with the application problem? While Griffin states that we have to live with the arbitrariness of possibility evaluations, Elster maintains that the decision to apply the OIC criterion should depend on 'pragmatic or normative grounds'. Elster thus suggests that we should either consider all controversial cases as being impossible or as possible. The choice between the two options should depend on the expected efficiency of both solutions, deciding "which of these solutions will actually be more efficient in promoting the performance of moral duties" (Elster 2007: 73).

In sum, Griffin's and Elster's statements point to the double task of the empirical evaluations; the first task consists in the minimisation of the 'arbitrariness' of possibility evaluations that have to be based on empirical research results. The second task refers to handling controversial cases, when possibility evaluations are considered to be uncertain. Chapter 4 will argue that the device of a burden of proof should be established in order to limit the effects of false possibility evaluations.

3.4 Conclusion

The aim of this Chapter has been to offer an analysis of the metaethical OIC criterion. To begin with, this section highlighted the OIC criterion as justified by a conceptual rationale based on Kant's claim that the idea of duty presupposes the possibility of compliance. In contemporary literature, this position is defended by Singer's claim that it would be 'absurd' to demand what cannot be done. The rationale plays an important role in the application of the OIC criterion; if possibility evaluations are uncertain, the rationale matters with respect to the assignment of the burden of

⁷⁵ Furthermore, Huber evaluates the possibility of applying the OIC criterion as follows: "The moral obligation is interconnected with the ability; the ability is, however, often times not a yes/no affair but is instead considered a gliding principle. One thinks about addicts who, often as not, have their addiction under control. Accordingly, one would, more or less, allocate guilt or allow excuses." (*"Die moralische Verpflichtung ist an das Können gekoppelt, das Können ist aber oftmals keine Ja/Nein Angelegenheit sondern gleitend zu beurteilen. Man denke an Süchtige, die oftmals ihre Sucht mehr oder weniger im Griff haben. Entsprechend wird man ihnen mehr oder weniger Schuld zuweisen oder Entschuldigung zubilligen"*) (2008: 5). But while the assignment of guilt or blame may have degrees (e.g. in legal trials), the OIC criterion requires a dichotomous evaluation. Therefore, Huber's argument that the possibility of an action should be made in a 'gliding' way (i.e. in degrees) is unsatisfactory. Despite the difficulty to realise possibility evaluations, which is acknowledged by Huber, we need to come to a clear result: an agent either has the obligation to act or not.

proof – we need to know why it is important that obligations can be realised. Finally, as Griffin has pointed out, the OIC criterion is ‘at least implicitly’ endorsed by most contemporary philosophers.

This Chapter then goes on to offer a precise definition of the research question of the OIC criterion, that being: *Can ordinary persons chronically, or at least once, comply with Singer’s Principle?* A brief summary of the four underlying parameters of this question is helpful here. (i) The evaluative standard stipulates that compliance must be possible in the strict sense and not sufficiently likely; the chance that an agent will comply in a given situation over a certain period of time must be unequal to zero. Further, the OIC criterion applies to all cases, independently of whether an individual is already motivated to comply. The question is thus whether individuals can form the deontic judgment that they should comply, be motivated to comply and possess the necessary follow-through skills. (ii) No restrictions with regard to the motive of compliance are made; compliance may take place for moral or non-moral reasons. (iii) Regarding the agency of compliance, the analysis will examine Singer’s ‘ordinary persons’ thesis, arguing that all healthy individuals can comply with Singer’s Principle. (iv) The analysis will be differentiated by the degree of compliance (acute and chronic).

Having discussed the OIC criterion in this Chapter, the next task is to apply the said criterion to Singer’s Principle. To prepare the ground, the conceptual framework of scientific predictions and the device of the burden of proof will be discussed in Chapter 4. Chapter 5 goes on to detail the application of the OIC criterion, beginning with an assessment of the empirical arguments advanced in the philosophical literature (Miller’s 2002). Subsequently, an empirical analysis of the determinants of acute and chronic heroism will be offered. Thereafter, the possibility predictions of social psychologists will be outlined and compared with the possibility evaluations realised by philosophers. If the standard of possibility predictions corresponds to the standard of the OIC criterion, empirical possibility predictions can be used to answer the research question of the OIC criterion.

Chapter 4: Predictions, Uncertainty and the Burden of Proof

In the social and natural sciences, statements regarding the probability of a specific event coming to pass are called predictions (Knight 1933: 17; Walonick 1993: 1). While philosophers do not make predictions in the scientific sense, they instead make judgments about the possibility of the future state of affairs; these are called possibility and feasibility evaluations (Räikkä 1998). It can equally be said that philosophers make assumptions about the ‘can’, i.e. whether compliance with an obligation is possible or whether a moral ideal is accomplishable. Keeping in mind the methodological framework of scientific predictions, this Chapter prepares the ground for the empirical application of the OIC and feasibility criterion (Chapter 5 to 7).⁷⁶

The broad themes of this Chapter are the opposition between the objectivity and subjectivity of predictions, and the related distinction between certain and uncertain predictions (Knight 1933). Additionally, this Chapter will explore the extent to which scientific frameworks and methods of prediction can be used to justify possibility evaluations in light of empirical arguments. Within this context, it is also of fundamental importance to discuss the role of the burden of proof that can be used to limit the negative effects of false possibility evaluations under conditions of uncertainty.

This Chapter begins with Section 4.1 providing a conceptual distinction between objective and subjective predictions and introduces the concept of the degree of certainty (Knight 1933). It then goes on in Section 4.2 to explore how the burden of proof can be used to limit negative consequences of false evaluations (Walton 1988; Hahn and Oaksford 2007). I will also explore how the burden of proof is assigned in the philosophical literature (Kant 1991; Räikkä 1998; Miller 1995; Caney 2005). Critically, Section 4.3 builds on these discussions to define the three conditions used to assess the possibility evaluations offered by philosophers. Finally, this Chapter concludes by considering the National Intelligence Council’s (NIC) Report, *Global Trends 2025* (2008), in which the methods of trend extrapolation and scenarios are used to inform

⁷⁶ In this Chapter, the term ‘possibility evaluation’ will sometimes be used to refer both to the application of the OIC criterion and the feasibility criterion. Moreover, judgments about whether an event is possible are either called ‘possibility predictions’ (if made by scientists) or ‘possibility evaluations’ (if made by philosophers). Also note that the arguments offered by philosophers to justify their possibility evaluations are called ‘empirical’ or ‘predictive’ arguments.

predictions.

4.1 Predictions and the degree of uncertainty

The focus of this section lies in the distinction between objective and subjective predictions and explores the related concept of the degree of certainty. As mentioned above, a prediction is a statement about the expected probability that a given state of affairs will occur in the future. We can predict the level of economic growth, the probability of rain or that a football team will win a match. Predictions like these are of practical relevance, since they inform our decisions of whether to invest money in a company, to take an umbrella or to make a bet in sports.

To classify the examples, we can distinguish between confidence interval predictions and binominal predictions. Confidence interval predictions estimate the probability that a variable will be within a defined limit. A prediction may state that a 30 percent chance exists that the economy will grow between 2 and 2.5 percent. A further example is the prediction of the Stern Review (2006: iii), which finds that there is a 77 percent probability that temperatures will rise more than 2° C over the next century. In the case of a binominal prediction, by contrast, only two outcomes are possible: temperatures may rise or not rise. Possibility evaluations fall under the class of binominal predictions where the two options present are that a moral ideal will come to pass or not. If the chance that it will come to pass is unequal to zero, the moral ideal is said to be possible.

Keeping this in mind, we can build upon this understanding by turning to the empirical justification and reliability of predictions. Knight (1933: 233) distinguishes between ‘objective’ and ‘subjective’ predictions and the associated concepts of ‘risk’ and ‘uncertainty’. First, objective (or statistical) predictions occur if a high number of similar instances can be observed. Take, for example, the production process of a bottle factory where the owner, having observed the distribution of broken bottles over several years, can adequately predict how many bottles are likely to be broken on a specific day (Knight 1933: 213). Even if the owner of the bottle factory is unaware of the causes of the broken bottles, the number of broken bottles can be predicted in light of statistical distributions. Many noteworthy scientific research results are also based on the

observation of a large number of cases.⁷⁷ In this case, the insights gained about the causal relationship between variables can be used to predict future events.

The expected probability that a statistical prediction is adequate is described by the 'level of confidence' (Knight 1933: 227; Stern 2006: iii). Drawing on statistical evidence, a fire insurance company, for instance, may be able predict that there is a 90 percent chance that no more than one hundred houses will burn down during the coming year in a certain city. The advantage of statistical predictions is their accuracy, which increases with the understanding of the causal mechanisms and the number of observations. If reliable knowledge about the probability of future events exists, Knight (1933: 233) argues that we are confronted with a situation of manageable risk.⁷⁸ Decisions under conditions of risk can be handled by calculating the expected utility of various courses of action. This is possible since the probability of events can be predicted with a high level of confidence.

Second, Knight speaks of subjective (or qualitative) predictions if the dissimilarity of instances makes it impossible to justify prediction on statistical grounds. Stressing the variety of circumstances, Knight infers that the nature of most practical predictions is subjective:

The ordinary decisions of life are made on the basis of 'estimates' of a crude and superficial character. In general the future situation in relation to which we act depends upon the behavior of an indefinitely large number of objects, and is influenced by so many factors that no real effort is made to take account of the all, much less estimate and summate their separate significance. It is only by very special and crucial cases that anything like a mathematical (exhaustive and quantitative) study can be made.

ibid. 210-211

Despite the vagueness of subjective predictions, Knight maintains that agents nonetheless make two kinds of probability judgments. (i) The estimate or prediction

⁷⁷ Most economic studies are indeed based on statistical methods requiring a large number of observations; examples are Lee, Pilavin and Call's (1999) and Yen's (2002) econometric analyses about the determinants of donations. In social psychology, the method of study depends on the depths of the information required. While Oliner and Oliner's (1988) study about the rescue of Jews is based on a quantitative analysis of the personality factors of over 500 individuals, Colby and Damon's (1992) in-depth study of sustained commitment includes 23 individuals.

⁷⁸ Knight summarises the distinction between risk and uncertainty as follows: "The practical difference between the two categories, risk and uncertainty, is that in the former the distribution of the outcome in a group of instances is known (either through calculation *a priori* or from statistics of past experience), while in the case of uncertainty this is not true, the reason being in general that it is impossible to form a group of instances, because the situation dealt with is in a high degree unique" (1933: 233).

itself represents a probability value that a certain event will take place; (ii) an agent forms a judgment about the reliability of her prediction. This is the “‘degree’ of certainty” or “subjective feeling of confidence” which the agent has with regard to the adequacy of her prediction (*ibid.* 227, 229).

Knight argues that the degree of certainty is of the greatest practical significance with respect to the formation of decisions. In fact, the prevalent form of behaviour is “action according to *opinion*, of greater or less foundation and value, neither entire ignorance, neither complete and perfect information, but partial knowledge” (*ibid.* 199). Practically, this means that “[w]e must simply fall back upon a ‘capacity’ in the intelligent animal to form more or less correct judgments about things, an intuitive sense of values” (*ibid.* 227). Accordingly, the principal question for the upcoming analysis is to what extent possibility evaluations can be justified by empirical arguments or rely on each philosopher’s ‘sense of possibility’ (Musil 1968: 16).

This helps show how the methodological concepts outlined above relate to the application of the OIC and feasibility criterion to theories of global justice. First, it is evident that the feasibility evaluation of global egalitarianism has to be regarded as a subjective prediction; if statistical observations existed, the feasibility of the moral ideal in question would be easily visible. It remains to be seen, however, whether the application of the OIC criterion can be supported by statistical predictions. Second, the degree of (un)certainty can be used to describe the subjective feeling of a philosopher about the adequacy of her possibility evaluation. In light of the difficulty to realise possibility evaluation – remember Elster’s (2007: 73) statement that an epistemic problem exists with regard to the application of the OIC criterion – we can expect possibility evaluations to be at least partly subjective and uncertain. It will thus be argued that the burden of proof should establish support for decision-making under conditions of uncertainty.

4.2 The burden of proof

Walton defines the burden of proof “as an allocation made in reasoned dialogue which sets a strength (weight) of argument required by one side to reasonably persuade the other side” (1988: 233). The concept of burden of proof must thus be understood “in relation to a concept of argument as a balance, with weights on each side” (*ibid.* 239).

In other words, if one has the burden of proof on their side, it becomes their responsibility to provide evidence and support for their argument; this, then, relieves the other side, lightening the evidence required for their rebuttal. It is thus the purpose of the burden of proof to end ongoing theoretical debates or to reach practical decisions despite the lack of ‘conclusive evidence’ (Räikkä 2004b: 173).

In the social and natural sciences, the classic role of the burden of proof relates to the introduction of new knowledge into the existing body of scientific knowledge (Hansson 2008). The usual procedure is to form a hypothesis containing the positive statement that a phenomenon or causal effect exists. In doing so, two kinds of errors frequently occur. An error of type I (false positive) occurs if one concludes that the phenomenon exists when, in reality, the phenomenon does not exist. An error of type II (false negative) occurs if one concludes that a certain phenomenon does not exist when it does indeed exist. In comparing the relative importance of false judgments, an error of type I is usually held to be more dangerous than an error of type II; it is better to reject a true hypothesis than to adopt a false one. The burden of proof is thus assigned to those who want to enlarge the existing body of scientific knowledge.⁷⁹

With respect to individual and political decisions of practical importance, the burden of proof can be assigned if the correct decision depends on the realisation of an uncertain event. In criminal trials, for example, the burden of proof is assigned to the prosecutor who has to prove guilt ‘beyond reasonable doubt’; the rationale is that it is a ‘greater injustice’ to convict an innocent person than to let a guilty person go free (Walton 1988: 244). In general, the American legal system works with three different strengths of the burden: ‘by preponderance of the evidence’, ‘by clear and convincing evidence’, and ‘beyond reasonable doubt.’ (*ibid.*: 245). The larger the difference between the costs of false judgments, the stronger the burden of proof.⁸⁰

Another example is global warming, where the negative consequences are uncertain but potentially devastating. In this respect, Hahn and Oaksford maintain that

⁷⁹ For an overview of the role of the burden of proof with regard to different kinds of argumentation, see Räikkä (1998), Walton (1988) and Hahn and Oaksford (2007).

⁸⁰ The California Standard of ‘reasonable doubt’ is defined as follows: “Reasonable doubt is defined as follows: It is not mere *possible doubt*; because everything relating to human affairs, depending on moral evidence, is open to possible doubt. It is that state of the case which, after the entire comparison and consideration of all the evidence, leaves the mind of the jurors in that condition that they cannot say they feel an *abiding conviction*, to a *moral certainty*, of the truth of the charge” (quoted in Evans, Osthus and Spurrier 2006: 14).

“governments and individuals must set some threshold for action as a function of their degree of belief regarding global warming, whereby they decide that beyond this threshold they are *convinced enough* to act” (2007:43). Summarising the general assignment procedure, Hahn and Oaksford state that the threshold “is simply the point where, given those perceived costs and benefits, the combination of subjective degree of belief (expressed as a probability) associated with action outweighs that associated with inaction”: consequently, it can be set “anywhere along the continuum from ‘absolutely convinced that not’ to absolute certainty with regard to the relevant beliefs” (*ibid.*: 44-45). In sum, the burden of proof functions as a device that maximises the expected outcome or limits the negative effects of false evaluations under conditions of uncertainty.

The application of the OIC and feasibility criterion and the burden of proof

Since possibility evaluations of moral principles are likely to be uncertain, we can now ascertain to which side the burden of proof should be assigned. With regard to the feasibility of a world republic, for instance, Kant argues that it

is quite irrelevant whether any empirical evidence suggests that these plans, which are founded only on hope, may be unsuccessful. For the idea of something which has hitherto been unsuccessful will therefore never be successful does not justify anyone in abandoning even a pragmatic or technical aim (for example, that of flights with aerostatic balloons). This applies even more to moral aims, which, so long as it is not demonstrably impossible to fulfil them, amount to duties.

1991: 89

This view is taken up by Rääkkä, who maintains that the usual answers “echo Kant’s view, according to which a ‘plan’ is feasible until it is ‘demonstrably impossible’ to fulfil it” (1998: 32). But there are three problems. First, the weight of Kant’s burden is too heavy; it is highly unlikely that the impossibility of an individual action or a moral ideal can be demonstrated. Instead of dealing with objective knowledge that can be demonstrated, the burden of proof relates to cases where conclusive evidence is unavailable. Second, Kant does not offer an extensive justification for the assignment of the burden of proof. Kant’s principal argument is that since humanity has culturally and technically progressed, it should be assumed that the same is possible with regard to moral affairs.⁸¹ Standing alone, Kant’s argument does not appear to be particularly

⁸¹ Kant defends his view as follows: “I may thus be permitted to assume that, since the human race is constantly progressing in cultural matters (in keeping with its natural purpose), it

convincing; in any case, it is interesting that Rääkkä hardly examines the rationale of Kant's assignment.⁸² Third, it is not true, as Rääkkä claims (1998: 32), that Kant's view is widely adopted in the literature (as I will show in the following).

In fact, no agreement exists about the side to which the burden of proof should be assigned with regard to feasibility evaluations of theories of global justice studied for the purpose of this project. For instance, disagreeing with Kant, Miller claims that the onus of proof "is on the universalist to show that, in widening the scope of ethical ties to encompass equally the whole of the human species, he does not also drain them of their binding force" (1995: 80). In a similar way, Boswell claims that a moral theory is "deficient" if it is "unable to show how people are or could be motivated to respect its requirements" (2005: 27). On the other hand, attempting to defend the view that those who challenge the feasibility of a moral ideal have the burden of proof, Caney (2005: 133) advances the *ad hominem* argument that Miller has to show why social justice and basic global justice are feasible while global egalitarian justice is not (see Section 7.4). Apart from the fact that no agreement exists, it is important to see that Miller, Boswell and Rääkkä rarely, if at all, outline or defend the rationale of their assignment of the burden of proof.

To assign the burden of proof, however, it matters that a general argument about the factors of this is given. The present work argues that the costs of false evaluations should form the basis for the assignment of the burden of proof.⁸³ To do so, we have to consider possibility evaluations to be of practical importance; however, since the behaviour of individuals and collectives is affected by the moral obligations and ideals propagated by philosophers, this assumption is plausible (Rääkkä 1998; Singer 2004; Elster 2007).

To assign the burden of proof, the costs of type I and type II errors have to be

is also engaged in progressive improvement in relation to the moral end of its existence. This progress may at times be interrupted but never broken off. I do not need to prove this assumption; it is up to the adversary to prove this case" (1991: 88).

⁸² Rääkkä only speculates that the content of a moral ideal might matter: "Perhaps those who suspect the feasibility of *good* ideals have a burden of proof, but those who suspect the feasibility of bad ideals don't" (1998: 32). Apart from the open question of what a 'bad' ideal is, this speculation is generally unconvincing.

⁸³ This view takes up Elster's claim (2007: 73) that the costs of false evaluations should be considered if possibility evaluations are controversial. Elster does not, however, relate this claim to the device of the burden of proof.

compared. The costs of both kinds of error depend on the moral principle or ideal in question. With regard to Singer's Principle, for example, the costs of obliging an agent to do what is impossible (type I error) must be compared with the costs of exempting an individual despite compliance being possible (type II error). If the costs of the type I error are regarded as more important than the costs of the type II error, then the probability that the individual can comply must at least be considered to be higher than 50 percent to affirm the view that the agent has the obligation to comply.

Chapters 5 and 7 will analyse to what extent possibility and feasibility evaluations are uncertain, to what extent the costs of false possibility evaluations can be estimated and to which side the burden of proof should be assigned.

4.3 Methods of prediction

Explanations play a fundamental role for predictions; an understanding of psychological mechanisms, social behaviour and social institutions is a requirement for purposeful statements about future states of affairs (Knight 1933: 17). While the empirical sciences are primarily concerned with the explanation of social phenomena, empirical results perform the role of assumptions in normative theories. The change from the term 'explanation' to 'assumption' thus describes the borderline between the empirical sciences and philosophy.

For this project, empirical assumptions are relevant as regards the justification of possibility evaluations. Based on the premise that the adequacy of explanations positively affects the adequacy of predictions, scrutinising the empirical assumptions endorsed by philosophers is an indirect way to assess the adequacy of their possibility evaluations. The advantage of this strategy is that empirical assumptions can be verified or falsified by the scientific method. If a philosopher offers a predictive argument based on an overly rationalistic account of moral motivation, for example, this counts as an argument against the adequacy of her possibility evaluation.⁸⁴ The first condition for predictions is, therefore, that the underlying empirical assumptions are correct.

Apart from the correctness of empirical assumptions, the selection of empirical

⁸⁴ The question about adequate understanding of moral motivation will be discussed with regard to Rawls' (1999a) feasibility argument about domestic egalitarian justice in Chapter 6, and with respect to the debate between Miller (1999a), Caney (2004) and Singer (2004) about the relationship between nationality and kinds of motivation in Chapter 7.

theories serving as the basis for possibility evaluations is highly important. The variety of potentially relevant empirical theories increases with the complexity of the phenomenon in question; while there may only be few factors that explain a chemical reaction, compliance with moral principles can be explained by a large array of psychological and social theories. In Chapters 5 to 7, I will examine whether the predictive arguments offered by philosophers are based on (the most) relevant empirical theories.⁸⁵ Thus, the selection of relevant empirical theories is the second condition allowing us to assess predictive arguments.

The third condition is that predictions are justified by convincing predictive arguments. Although it is debatable how the convincingness of predictive arguments can be assessed, there are three aspects that can be considered. Firstly, possibility evaluations must be justified by empirical arguments; ‘genius forecasting’ is thus ruled out.⁸⁶ Secondly, a clear dissociation between the ‘is’ and the ‘can’ must be achieved; this is violated if a philosopher closely associates existing behaviour with possible behaviour without offering an explicit defence for this view. In such cases, the argument is unduly ‘realistic’, by which it fails to acknowledge the difference between what is and what can be.⁸⁷ Thirdly, the use of methods of prediction (such as trends or scenarios) can improve the convincingness of predictive arguments.

Overall, the three conditions for predictions (correct empirical assumptions, relevant explanatory theories and convincing predictive arguments) represent a good basis for the assessment of possibility evaluations. However, they will not necessarily lead to a clear result, but should rather be seen as a framework within which predictive arguments and possibility evaluations can be assessed.

⁸⁵ In Chapter 5, for example, the relevance of empirical research results about the conditions of altruism consulted by Miller (2002) will be compared to the relevance of explanatory theories of ‘moral heroism’ (Colby and Damon 1992; Zimbardo 2007).

⁸⁶ The term ‘genius forecasting’ describes a situation where it is not obvious how a person comes to her prediction (Walonick 1993: 1). Examples are the predictions of psychics or prophets. Even in present times, some individuals have a surprisingly large capacity to make predictions, based on a “combination of intuition, insight and luck” (*ibid*). But since the methodological basis of such forecasts cannot be discussed, the adequacy of such predictions cannot be assessed until the prediction has come to pass. For this reason, empirically unjustified possibility evaluations should be regarded as unconvincing.

⁸⁷ One explanation for an unclear dissociation between the ‘is’ and the ‘can’ relates to imprecise definitions of the feasibility criterion; Elster, for instance, claims, “a theory of justice is not valid if it requires people to have motives which they do not or cannot have” (2007: 50). The term ‘do not’ have is misleading as the feasibility criterion is not concerned with present motives but with what might happen in the future.

Trend extrapolation and the NIC Report *Global Trends 2025*

Among the variety of predictive methods, there are two that especially suit informing long-term possibility evaluations: trend extrapolation and scenarios. Analysing the NIC Report (2008) allows us to study how trends and scenarios are used in practice. Moreover, considering the NIC Report gives us the opportunity to compare the form of scientific predictions and possibility evaluations.⁸⁸

A trend is an observable development of a variable following a certain pattern (Walonick 1993: 1). Trends can be linked to small and large phenomena such as the friendliness of one's neighbours as well as the belligerent tendencies of an enemy state. In addition, trends relate to different time frames and to specific areas like international power relations, technology innovations or the environment. The basic idea of trend extrapolation is to "examine trends and cycles in historical data, and then use mathematical techniques to extrapolate to the future", the underlying assumption being that "the forces responsible for creating the past, will continue to operate in the future" (*ibid*). Trend extrapolation is used, for example, with regard to demographic developments or global warming (Stern Review 2006). The basic problem with this technique is, however, that it cannot incorporate the emergence of new ideas. It is, therefore, often combined with other methods of prediction.

Trend extrapolations can either relate to factor or dependent variable trends. On one hand, factor trends refer to the development of the independent variables influencing the variable to be predicted. If prosocial behaviour is influenced by the level of education, for instance, we can look at the past and expected future changes of education levels to predict future prosocial behaviour. On the other hand, we can directly look at the development of the variable to be predicted. It can be asked, for example, how the level of prosocial behaviour has developed over the past and what the result is if we extrapolate this trend. This latter option has the advantage that it can also

⁸⁸ It might be suggested that consensus decision-making methods like the Delphi technique could be used for the justification of possibility evaluations. The advantage of consensus decision-making methods is their capacity to integrate opinions from various fields and that they lead, at the end of the process, to a single prediction. If current political decisions depended on long-term feasibility evaluations, the Delphi technique would be a reasonable choice to use in order to come to a conclusion, despite diverging expert opinions. However, since the importance of feasibility evaluations is, in the present, largely limited to academic debates, the plurality of contrasting opinions has to be accepted. For a description of the Delphi technique and overview of further methods of prediction, see Walonick (1993).

be used if only scarce knowledge about the determinants of the dependent variable exists.⁸⁹

We can now turn to the role of trends in the NIC Report (2008), *Global Trends 2025*. The aim of the NIC Report is “to stimulate strategic thinking about the future by identifying key trends, the factors that drive them, where they seem to be headed, and how they might interact” (2008: foreword). Thereby,

[t]he study as a whole is more a description of factors likely to shape events than a prediction of what will actually happen. By examining a small number of variables that we judge probably will have a disproportionate influence on future events and possibilities, the study seeks to help readers to recognize signposts indicating where events are headed and identify opportunities for policy intervention to change or lock in the trajectories of specific developments.

ibid. foreword

The NIC Report proceeds in two steps: first, various trends are analysed (economic growth, energy and resource supply, climate change, demographic change, the international system and conflicts). Some developments are considered to be relatively predictable; in these cases, the NIC Report speaks of ‘relative certainties’. An example is the development of the international system, where “[a] global multipolar system is emerging with the rise of China, India, and others” (*ibid.* iv). Alternatively, the NIC Report refers to ‘key uncertainties’ if developments are less predictable. In relation to the example above, it is a key uncertainty whether, by 2025, “global powers work with multilateral institutions to adapt their structure and performance to the transformed geopolitical landscape” (*ibid.* v).⁹⁰ This example shows how the predictions of the NIC Report are differentiated according to the degree of uncertainty.

⁸⁹ Considering the development of global poverty, the NIC Report states that “[w]e are witnessing an unprecedented moment of human history: never before have so many been lifted out of extreme poverty as is happening today. A stunning 135 million people escaped dire poverty between 1999 and 2004 alone...By 2025-2030, the portion of the world considered poor will shrink by about 23 percent, but the world’s poor – still 63 percent of the globe’s population – stand to become relatively poorer, according to the World Bank” (2008: 8). Trends like these could be used to assess the feasibility of the moral principle that nobody should live in absolute poverty.

⁹⁰ In addition to trends, the NIC Report also considers discontinuities. The occurrence of some discontinuities is only ‘a matter of timing’ (NIC 2008: xii). The energy transition is an example; the only question is when and how abruptly or smoothly it will occur. Other discontinuities are even less predictable. Examples are a nuclear weapons use, a pandemic or whether China and Russia become democracies. The NIC Report pays more attention to discontinuities than previous studies: “In the 20th century, experts forecasting the next 20 years...often missed major geopolitical events, basing their predictions largely on linear projections without exploring possibilities that could cause discontinuities” (*ibid.* 5).

In a second step, the question is how trends (independent variables) will interact, thereby creating a future state of affairs. The likely ‘impacts’ of each trend thus represent a partial prediction of the future state of the world that should, in order to reach an encompassing picture, be complemented by new developments resulting from the interaction of trends. Overall the NIC Report expects fundamental changes to take place within the decades to come:

[t]he international system – as constructed following the Second World War – will be almost unrecognizable by 2025 owing to the rise of emerging powers, a globalizing economy, an historic transfer of wealth and economic power from West to East, and the growing influence of nonstate actors.

ibid. 98

In this thesis, the method of trend extrapolation plays an important role with regard to the feasibility evaluation of global egalitarianism (Section 7.6). While the method of trend extrapolation relates to broad developments that are relatively predictable, scenarios, as the following analysis will show, are used to evaluate the possibility of extremely positive or negative developments.

The ‘Politics Is Not Always Local’ scenario

Scenarios are fictional descriptions (i.e. narratives) of future states of affairs and how they were brought about. While the NIC Report uses trends to predict what is most likely to happen, scenarios highlight the challenges and opportunities of extreme changes that are considered to be possible, even though they are generally considered as highly unlikely to occur. Walonick summarises the functioning and purposes of scenarios.

Scenarios consider events such as new technology, population shifts and changing consumer preferences. Scenarios are written as long-term predictions of the future. A most likely scenario is usually written, along with at least one optimistic and one pessimistic scenario. The primary purpose of a scenario is to provoke thinking of decision makers who can then posture themselves for the fulfilment of the scenario(s). The three scenarios force decision makers to ask: 1) Can we survive the pessimistic scenario, 2) Are we happy with the most likely scenario, and 3) Are we ready to take advantage of the optimistic scenario?

1993: 3-4

In the NIC Report, scenarios are used “to illustrate some of the many ways in which the drivers examined in the study (e.g. globalization, demography, the rise of new powers, the decay of international institutions, climate change, and the geopolitics of

energy) may interact to generate challenges and opportunities for future decisionmakers” (2008: foreword). While scenarios cover only some of the possible futures, their characteristic is that they are all ‘potential game-changers’: they describe very different ‘worlds’ and the ways how these worlds may come about (*ibid.* xii; 4).⁹¹

The NIC Report offers an optimistic possible future in the ‘Politics Is Not Always Local’ scenario describing the agreement on a new climate change treaty (*ibid.* 90). The scenario is presented as a fictional article published in the *Financial Times* in 2024. The fictional author writes that “[i]n a sense, we have reached the Promised Land in which global cooperation is more than a ‘conspiracy’ among elites but bubbles up from the grassroots across historical national and cultural divides” (*ibid.* 90). This international cooperation became possible through a rise of the middle classes in Russia, India and China and their growing concern for the environment, which was ‘tailor-made’ to foster international cooperation because of “the widespread commonality of interest in avoiding Armageddon” (*ibid.* 91). Since governments remained inactive, the global civil society organised itself and was assigned 20 seats in the reformed United Nations General Assembly. Its latest success is the support of the new climate change treaty.⁹²

Empirically, the possibility of the ‘Politics Is Not Always Local’ is premised on three important preconditions. First, globalisation leads to a decrease of the power of national governments; second, politicised groups seek to acquire power and establish relationships with states; and thirdly, that recent strides in communication technology allows penetrated integration into identity networks (*ibid.* 89). Apart from leading an extensive debate about whether the three preconditions are realistic, a more intuitive approach is to simply read the fictional article of the *Financial Times* in its entire length

⁹¹ Note that the NIC Report does not offer a mathematical definition the possibility standard. It is unclear whether, for a scenario to count as possible, its probability must be unequal to zero (in which case, ‘possible’ would be defined in the strict sense) or whether the chances have to be significantly different from zero (e.g. a few percent). Moreover, it is not obvious how the distinction between a possibility and a ‘theoretical possibility’ should be understood (NIC 2008: 83).

⁹² The NIC Report assumes that actors are likely to act for a variety of motives. It is suggested, for example, that global networks, whose importance is likely to increase, “will operate to pursue convergent goals and interests, including genuine intent to solve problems, business and self-interest, moral grounds, and the desire of international organizations and NGOs to be relevant to the problems facing a changing world” (2008: 84-85). Furthermore, note that a strong similarity between the ‘Politics Is Not Always Local’ scenario and Beck’s (2006: 23) argument about the ‘world risk society’ – which is held to support the emergence of a global institutions – exists (cf. Section 7.5).

and reflect on its plausibility. If this leads to an intuitive possibility judgment, the fictional scenario has fulfilled one of its tasks.

Overall, the point of the NIC Report is to alert people that change is more likely than continuity – the subtitle *A Transformed World* summarises this conclusion. Regarding the kind of change to be expected, the NIC Report is less clear, as it suggests that predictions “contain more contingencies than certainties” (*ibid.*: 98). The fact that a high degree of change is expected within fifteen to twenty years supports the idea that it is reasonable to imagine much more change to happen within fifty, one hundred or several hundred years. If the international system is said to be ‘almost unrecognizable’ by 2025, how will it look by 2525? Should global egalitarianism be regarded as a possible ‘optimistic scenario’?

Self-fulfilling prophecies and the neutrality of predictions

Finally, the role of self-fulfilling prophecies and the neutrality of predictions should be examined. First, considering the role of self-fulfilling prophecies, Walonick remarks that “[i]f a forecast results in an adaptive change, then the accuracy of the forecast might be modified by that change” (1993: 6). This may happen, for example, with regard to the value of stock-market shares; if a public prediction is made that the value of shares will increase by 10 percent, the prediction itself could motivate people to buy shares, which may again lead to a higher increase in the value of shares as initially predicted.

We can now consider Räikkä’s (2004) argument about self-fulfilling prophecies and global poverty. Räikkä questions the argument that Western selfishness is the main reason for the persistence of global poverty; instead, he maintains that inaction can be explained by the fact that “most Western people believe that for one reason or another it is practically impossible to eradicate poverty” (*ibid.*: 193). Eight arguments why people may think that global poverty cannot be eradicated are discussed, ranging from the population-growth argument, the efficiency of aid argument to an argument that multinational corporations are not interested in reducing poverty (*ibid.*: 194-195). What is common to all these arguments is that they are regarded as controversial in public debates, despite the fact that “most of them are plainly false” (*ibid.*: 195) when assessed by scientific standards. What matters, however, is that these arguments may lead to inaction independent of their truth value.

On the one hand, Räikkä’s argument is well-suited to show how predictions can

influence the future. On the other, we have to carefully distinguish Rääkkä's argument from long-term feasibility evaluations. In this respect, Rääkkä's argument would only hold if it were impossible for individuals to change their beliefs about the possibility of eradicating global poverty. Since this latter claim is unconvincing, the self-fulfilling prophecies argument does not justify a negative feasibility evaluation. This shows that feasibility evaluations must critically include both the adaptive change caused by predictions and the fact that predictions will be adapted in light of new insights.

Second, we can consider the neutrality of predictions in the form of the relationship between the preferences of predictors and the content of predictions. Walonick observes that many futurists "have expressed the idea that the way we contemplate the future is an expression of our desire to create that future" (1993: 4). Accordingly, there is a risk that such desires subconsciously influence the neutrality of predictions. For instance, a philosopher who considers global egalitarianism to be desirable may have an unconscious tendency to give more weight to arguments supportive of positive feasibility evaluations. If the task of realising feasibility evaluations was assigned to empirical scientists with no strong opinion about the desirability of global egalitarianism, the importance of this bias could be reduced.

4.4 Conclusion

Preparing the ground for the empirical analyses to follow, this Chapter has considered how the predictive framework of the social sciences can be used to inform possibility and feasibility evaluations. Given the uniqueness of cases, it has been argued that possibility and feasibility evaluations are likely to be at least partly subjective because they cannot entirely be justified by specific causal mechanisms or statistical distributions. Since the reliability of evaluations tends to decrease with their subjectivity, the concept of the degree of uncertainty has been introduced to describe a philosopher's feeling about the correctness of her judgment (Knight 1933).

With regard to the empirical analyses to come in Chapters 5 to 7, the main question is how, and if so to what extent, possibility and feasibility evaluations can be justified in light of empirical arguments. To assess the arguments advanced in the philosophical literature, the three conditions for predictive arguments can serve as a point of departure (correct empirical assumptions, selection of relevant empirical theories,

provision of convincing arguments). In addition to this, methods of prediction can be used to inform evaluations; for example, Chapter 7 will examine how various long-term trends of globalisation should influence the conditional feasibility evaluation of global egalitarianism.

If possibility and feasibility evaluations should remain uncertain, this Chapter has argued that the device of burden of proof should be used to limit the costs of false evaluations. In Chapter 5 and 7, I will go on to analyse to what extent the costs of false possibility and feasibility evaluations can be assessed to which side the burden should be assigned. In this respect, the issue of how possibility and feasibility evaluations might partially create the future by affecting the behaviour of individuals will also be considered (Oliner and Oliner 1988; Colby and Damon 1992; Zimbardo 2007).

Chapter 5: Singer's Principle and the Empirical Study of Moral Heroism

I was not a messiah, but an ordinary man who had become a leader because of extraordinary circumstances.

Nelson Mandela

The potential of individual development and behaviour stands at the centre of this Chapter. Who can we become? Can ordinary persons chronically, or at least once, comply with the obligations of Singer's Principle? Having defined the OIC criterion in Chapter 3 and having discussed the framework of scientific predictions in Chapter 4, the challenge is now to answer the research question in light of empirical explanations of moral heroism. Therefore, the first task is to explore the determinants of moral heroism. Based on these insights, the second task is to evaluate whether ordinary persons can comply with the obligations of Singer's Principle.

Regarding the explanation of moral heroism, social psychologists make a fundamental distinction between personal and situational factors (Batson 1991). The question is whether individuals have a relatively fixed personality that predisposes them to act in certain ways, or whether the character of human beings should be seen as flexible, where behaviour is largely determined by situational factors and broader circumstances. If certain personal factors can be identified as requirements for moral heroism, the possibility of compliance may be discarded for those individuals who do not possess these characteristics. Alternatively, if situational factors largely determine behaviour, it becomes more likely that each individual can perform a large array of actions. The key explanatory question is thus whether the nature of persons is 'Fixed and Within' or 'Mutable and Without' (Zimbardo 2007: 6). Nelson Mandela's claim that he is an ordinary man whose development was caused by extraordinary circumstances supports this second view. But can it be generalised? Can each ordinary person, being shaped by extraordinary circumstances, become a moral hero?

In order to look more critically at this question and our ability to answer it, this

Chapter begins by considering to what extent empirically informed possibility evaluations are offered in philosophical literature. As such justifications are extremely rare, Miller's (2002) work on the relation between empirical research and extremely demanding principles of altruism is the primary example of analysis. The following section focuses on the explanation of acute heroism; here, immoral behaviour will be considered in order to outline the relationship between personal and situational factors (Milgram 1974; Zimbardo 2007). Subsequently, Oliner and Oliner's (1988) study of the rescue of Jews in World War II and Zimbardo's (2007) explanation of acute heroism will be explored. Section 5.3 outlines Colby and Damon's (1992) work on the developmental process of moral exemplars and examines whether ordinary persons can chronically comply with Singer's Principle. Section 5.4 considers the relationship between possibility predictions and philosophical possibility evaluations. Finally, Section 5.5 analyses the assignment of the burden of proof and evaluates whether ordinary persons can chronically, or at least once, comply with the obligations of Singer's Principle.

5.1 Miller on empirical research and demanding principles of altruism

As outlined in the Introduction, there are only very few philosophers who analyse the bearing of empirical research findings for moral theory. Consequently, it is not surprisingly that Miller is the only philosopher whose work is used in the course of this research to make a serious attempt at exploring the cogency of extremely demanding principles of altruism in light of research findings from social psychology. Miller's strategy is to first look at empirical studies, changing afterwards "into normative gear", asking "what, if anything, these studies can teach us about how we *should* behave" (2002: 115).⁹³

Miller discusses a range of studies undertaken in social psychology about factors encouraging or discouraging altruism.⁹⁴ The focus of the chosen studies is on face-to-

⁹³ In opposition, the strategy of this thesis is to start with a precise definition of various metaethical criteria and to apply an empirically informed evaluation afterwards.

⁹⁴ Miller defines altruism "as behaviour that is intended to meet the needs of others, where there is no immediate self-interested reason to help, and where there is no institutional requirement that one should" (2002: 108). The demands of altruism may be obligatory; "[t]he obligation reflects the seriousness of the need I am responding to: it is obligatory to save

face situations, since Miller considers occasions for altruism to typically arise in discrete settings where “altruism is a matter of a particular person taking action *now* to rescue a particular other” (*ibid.*: 118). In certain experiments, students are asked, for example, to fill out a questionnaire, and suddenly one of the ‘participants’ collapses; in other experiments, individuals are asked to retrieve an envelope from a neighbouring building, and must pass an unconscious homeless person. Various factors such as the number of participants, the appearance of the victim and even the weather are modified to see how situational factors affect behaviour.

The results of these studies are that people are more than willing to evade their responsibilities, that they are highly cost-sensitive, and that their behaviour is determined by morally arbitrary characteristics of the needy person like sex or race, or by the similarity to and assumed character of the victim (Miller 2002: 111-112; for further examples of such studies see Lantane and Darley 1970; Lerner 1980). Overall, Miller concludes that situational factors – as opposed to personal factors – play a surprisingly large role in the explanation of altruistic behaviour. Analysing how these findings should, if at all, affect the content of moral theory, Miller focuses on three different aspects relating to the desirability, institutionalisation and the motivational assumptions of extreme demands of altruism.

First, considering the desirability of extreme demands of altruism, Miller argues that the research findings can be interpreted in two ways. On the one hand, one can adopt a critical perspective, which is close to Singer’s position. Accordingly, the studies represent a “catalogue of human frailty”, revealing “above all people’s moral weakness – the fact that they are only too ready to avoid behaving altruistically, and that therefore they will seize on anything – the cost of the action, some disqualifying feature of the recipient – that lets them off the hook” (Miller 2002: 116, 113). With regard to the implications for normative theory, Miller argues that a critical perspective leads to the conclusion that “we must learn to overcome the limits to our altruism that these studies reveal” (*ibid.*: 115). The task of philosophers is then to “try to transform people’s

people’s lives or to help the badly injured; it is not obligatory to pick up people’s shopping or to give directions in the street, though it is good to do these things” (*ibid.*: 109). The demands of altruism examined by Miller thus have a close resemblance to the positive obligations of Singer’s Principle (cf. Section 1.1); in some instances, Miller even directly focuses on Singer’s Principle (*ibid.*: 115, 122).

arbitrary altruism through rational argument so as to turn them into simple consequentialists” (*ibid.* 122).

On the other hand, Miller maintains that one may adopt an ‘Emersonian’ perspective⁹⁵, holding that

[p]eople are being selective in their altruism because they are willing to help their own poor but not everyone’s else. Admittedly they are using somewhat arbitrary criteria to decide who their own poor are, but the underlying impulse is that of wanting to do one’s fair share, but no more than that, of the world’s altruistic work.

ibid. 113

The Emersonian perspective is linked to a desirability defence of limited demands of altruism. Indeed, Miller claims that “limited altruism is morally justified”, since “[h]elping those in need is something we are all collectively responsible for, and the burden this imposes should be shared as fairly as possible” (*ibid.* 125).⁹⁶ Although it sometimes appears to be the case, it seems implausible that Miller seriously attempts to answer the normative question about the limits of altruism by looking at current behaviour. Doing so, Miller would be likely to commit the ‘naturalistic fallacy’ of deriving the ‘ought’ from the ‘is’. Consequently, the first result of Miller’s analysis is the simple observation that people’s behaviour is rather in line with limited demands of altruism.

The second aspect relates to the institutionalisation of demands of altruism. Miller maintains that “the problem of altruism in a world of strangers is the relative absence of mechanisms that tell us who is responsibility for meeting the needs of particular others” (*ibid.* 124). Consequently, Miller infers that demands of altruism should, if possible, be institutionalised. Additionally, he argues that we should promulgate “norms that link salient helpers to needy recipients” (*ibid.* 124). What Miller has in mind is to build on “psychological connections that form spontaneously in people’s mind”; an example for such a connection is ‘physical similarity’ (*ibid.* 123). These forward-looking suggestions are, however, distinct from the debate about the limits of altruism. As Murphy (2000:

⁹⁵ Miller (2002: 107) selects this name in relation to Ralph Waldo Emerson, the author of the question ‘Are they *my* poor?’ (1901), which serves as a starting point for Miller’s investigation of altruism.

⁹⁶ Miller adds that there may be emergency situations where individuals should be willing to do more than their share. The main problem is, however, that there is no convincing way to define just how much each individual should do: “we all ought to do our bit, but none of us can tell what that bit amounts to” (Miller 2002: 119).

13) points out, the claim that obligations of altruism should be institutionalised is of little relevance with regard to the evaluation of non-ideal obligations of altruism, in other words under circumstances where avoidable suffering is not prevented by national or global institutions or individual duty-bearers. So while Miller's claim that demands of altruism should be institutionalised is relevant with regard to the design of legal obligations,⁹⁷ it is irrelevant with regard to the normative evaluation of extreme demands of altruism.

Miller's third aspect concerns the motivational assumptions of principles of altruism, Miller's conclusion, which he calls a 'basic intuition', is that "people's altruistic capacities are limited" (*ibid.* 125). He adds that people "are willing to go to considerable lengths to help – think about the Jews in Nazi Europe – once they see helping P as their particular responsibility...but, they are quite selective about who they will take responsibility for" (*ibid.*). Regarding the adequate share of the burden, Miller holds that perhaps each individual's share should reflect "each person's capacity for altruistic behaviour", a solution that would be "in line with the famous formula 'From each according to his abilities, to each according to his needs'" (*ibid.* 116). The problem with this formula is that it only restates the demand of the OIC criterion but does not clarify where the limits of people's abilities are. In a similar way, the basic premise that people are limited in their altruism does not tell us where this limit is, or which agents, if any, can comply with the extremely demanding obligations of altruism.

Let us now evaluate Miller's findings about the bearing of empirical research results with regard to extreme demands of altruism. Two general points can be made. (i) It is problematic that, throughout his entire analysis, Miller has not explained which metaethical criterion he attempts to apply, or, in other words, in which relation of facts and principles he is interested in.⁹⁸ While looking at empirical studies may have given us

⁹⁷ Miller's (2002: 120) argument points, for example, to the institutionalisation of duties of rescue via 'Bad Samaritan' laws; such laws require individuals to aid other individuals under certain specified circumstances. For a discussion of good and bad Samaritanism, see Fabre (2004).

⁹⁸ Note that Miller's analysis has hardly been concerned with the effectiveness of moral principles. In this respect, Miller only remarks that even if extreme demands "gave a correct account of one's private moral obligations to the needy, it is not a view that could reliably serve as the basis for a shared public morality" (2002: 117). The reason is that some people would free ride on the efforts of those complying with extreme demands. First, it is important to see that this claim does not lead to a general rejection of extreme demands of altruism; the argument only holds that the latter should not be publicly propagated. Second, the claim rests on the

some food for thought, no rigorous criticism of extreme demands of altruism has been offered. Methodologically, it seems more appropriate to start with a clearly defined metaethical criterion; a precise research question is needed to make sense of empirical results.⁹⁹

(ii) Given Miller's reference to the capacities of individuals, we can ask whether Miller has been concerned with the application of the OIC criterion. In this case, however, the claim that "people's altruistic capacities are limited" (Miller 202: 125) is too imprecise to be of much use. First, the term 'people' is not a precise definition of the agency of compliance. Second, the statement that demands of altruism should reflect 'each person's capacity for altruistic behaviour' is a different way to formulate the OIC criterion; what we are more interested in, by contrast, is the extent of this capacity. Third, Miller's selection of empirical theories is problematic. Many of the studies consulted by Miller deal with experiments where the cost of helping is relatively low and where physical risks of helping are largely absent. In opposition, the determinants of extreme acts of altruism or of lifelong moral behaviour are not considered. Accordingly, a misfit between the moral principle to be evaluated and the focus of empirical studies exists (cf. selection of relevant empirical theories in Section 4.3).¹⁰⁰ Finally, Miller does not evaluate to what extent people's capacities might change in the future. What is offered is only a description of some determinants of moral behaviour.

In light of the present findings and given that no other empirically informed analyses of extreme demands of altruism exists, it can be concluded that the philosophical literature does not offer a convincing application of the OIC criterion with regard to Singer's Principle. Consequently, the analysis of this thesis must start afresh. To avoid the problems encountered in Miller's work, the following analysis will be based on the definition of the OIC criterion presented in Chapter 3, select empirical studies that are adequate to explain extreme forms of moral behaviour and will make a clear distinction between the explanation of moral behaviour and possibility evaluations.

doubtful assumptions that compliance of some individuals could solve the problem of absolute poverty (if they didn't solve the problem, free-riding would hardly be possible).

⁹⁹ In a similar way, the problem of Gross' (1997) study of the ethics of activism has been the absence of a clear definition of the effectiveness criterion found in Section 2.3.

¹⁰⁰ Additionally, the consulted studies only focus on face-to-face instances of altruism, neglecting cases of global altruism so important to Singer's Principle.

5.2 Acute heroism and the 'banality of heroism' thesis

In order to best answer the research question of whether acute or chronic compliance with Singer's Principle is possible for ordinary persons, this thesis will discuss empirical results of the determinants of acute heroism and chronic heroism. Focusing on acute heroism, this section compares the philosophical definition of compliance with Singer's Principle and the empirical definition of acute heroism. If it can be shown that acts of acute heroism are in line with the requirements of Singer's Principle, findings about the possibility of acute heroism for ordinary people allow us to draw analogous conclusions with regard to Singer's Principle.

Before turning to extremely moral forms of behaviour, research results about the opposite case of extremely immoral forms of behaviour will be presented (Milgram 1974; Arendt 1994; Zimbardo 2007). The purpose is to explore the respective importance of personal and situational factors and whether we can rule out the possibility that certain individuals will commit extremely immoral acts.¹⁰¹ Turning to empirical studies of acute heroism (Oliner and Oliner 1988; Zimbardo 2007), the two key questions relate to the relative importance of personal and situational factors: Are there any personal factors that are a requirement for acute heroism? Can situational factors transform ordinary persons into moral heroes? Based on the explanations of acute heroism, this section will also explore whether social psychologists make predictions about the potential of ordinary persons, and if so, how these predictions are justified.

The scientific definition of acute heroism

At the time this research is being undertaken, no scientific research exists that compares the possibility of compliance with the Singer Principle. We thus have to relate the philosophical definition of acute compliance with Singer's Principle to the scientific definition of acute heroism. If the two definitions are sufficiently similar, the scientific

¹⁰¹ Personal factors refer to the socio-economic characteristics of individuals (education, sex, age etc) and to their dispositions. Examples for dispositions are: "anomie, authoritarianism, autonomy, deference, intelligence, Machiavellianism, nurturance, religiosity, self-esteem, social desirability, social responsibility, submissiveness, and succorance" (Batson 1993: 284). Examples for situational factors are: "ambiguity of need, severity of need, physical appearance of victim, similarity to victim, friendship, number of bystanders, location (urban versus rural), cost of helping" (*ibid*).

research results about acute heroism can be used to evaluate the possibility of acute compliance with Singer's Principle.

In the social sciences, the explanation of extreme forms of moral behaviour is subsumed under the heading of 'moral heroism'. Zimbardo defines moral heroism as having four features:

(a) it must be engaged in voluntarily; (b) it must involve a risk or potential sacrifice, such as the threat of death, an immediate threat to physical integrity, a long-term threat to health, or the potential for serious degradation of one's quality of life; (c) it must be conducted in service to one or more other people or the community as a whole; and (d) it must be without secondary, extrinsic gain anticipated at the time of the act.

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Conditions (a) and (c) correspond to the interactional, non-institutional status and the other-directed, moral motive of Singer's Principle. Next, condition (b) holds that heroism requires a 'risk or potential sacrifice' to the agent's health, quality of life, etc. Combined with condition (d) that secondary gains may exist, a picture emerges that does not state a fixed relationship between heroism and the well-being of the agent; heroism may lead to self-sacrifice or to greater well-being. The result depends on whether anticipated potential sacrifices and non-anticipated potential gains will be realised. In fact, Zimbardo makes no outright claim regarding the average consequence of moral heroism on the well-being of an individual.

The variety of heroic acts can be distinguished by four dimensions (Zimbardo 2007: 480-481): (i) Risk Type/Sacrifice: The main distinction is between military and further types of heroism involving physical risk or peril and civil heroism involving potential other sacrifices such as social status or the quality of life.¹⁰² (ii) Engagement Style: Individuals can be active (participating in political activism) or passive (refraining from committing immoral acts where external pressures are very strong). (iii) Quest: A continuum exists between people acting out of concern for moral principles and humanitarian reasons, reflecting the variety of moral motives for which an individual may act. (iv) Chronicity: As mentioned in Section 3.3, a distinction between 'acute'

¹⁰² Comparing the potential costs of these forms of heroism, Zimbardo notes, "it might be argued that some forms of civil heroism are more heroic than physical risk forms of heroism. People such as Nelson Mandela, Martin Luther King, Jr., and Dr. Albert Schweitzer willingly and knowingly submitted to the trials of heroic civil activity day after day for much of their adult lives" (2008: 466).

heroism and 'chronic' heroism is made.

The definitions of acute compliance with Singer's Principle and acute heroism show strong similarities: actions must be voluntary, motivated by a moral motive and involve a potential risk or sacrifice. One difference is that social psychologists do not attempt to measure the magnitude of an individual's potential sacrifice; nonetheless, I find the two definitions sufficiently similar. The predictive results about the possibility of acute heroism will thus allow us to draw analogous conclusions regarding the possibility of acute compliance with Singer's Principle.

The 'banality of evil'

Before turning to question whether an ordinary person can act in extremely moral ways, we must consider research results regarding an ordinary person's capacity to act in extremely immoral ways. Traditionally, social and psychological theories regarded personal factors like dispositions, genetic makeup and free will as the primary determinants of behaviour. Thus, people were classified as good and bad, righteous and evil. This binary logic freed 'good people' from considering their role in creating the circumstances leading to immoral behaviour. In addition, it allowed people to believe that they were not susceptible to commit evil acts themselves (Zimbardo 2007: 6). Since the Second World War, the traditional paradigm has been challenged by a range of studies showing the importance of situational factors in the causation of evil behaviour, both in real-world settings and in laboratories (Milgram 1974; Browning 1993; Arendt 1994). The so-called 'situational turn' of social psychology, shifting the attention from personal to situational factors, took place (Zimbardo 2007).

Studying the crimes committed during World War II, one of the most surprising results was how ordinary people, who were often caring friends, husbands and fathers, were able to kill Jews and other political opponents. One of the best-known studies is Hannah Arendt's (1994) *Eichmann in Jerusalem: A Report on the Banality of Evil*. Arendt maintains that Eichmann, who organised the deportation of millions of Jews, was indeed a highly ordinary person, indistinguishable by dispositional factors from other ordinary persons. Arendt concludes that we have to be aware of the pervasiveness and danger of such people living among ourselves in all societies. A similar view has been defended by Christopher Browning (1993), who undertook a detailed character study of the Reserve Police Battalion 101, which carried out mass killings in occupied Poland.

Browning concludes that the members of Battalion 101 were normal people, who even considered the killing hundreds of people normal activity after some time.

In addition to real-world studies, social scientists also attempted to demonstrate the influence of situational factors in laboratory experiments. The core idea has been to identify ordinary people via personality measures and to expose them to new and unfamiliar settings. As regards the Second World War, the question was whether circumstances could be created which led good people to perform acts of cruelty, or whether some personal qualities could be found protecting individuals from the risk of committing evil acts. In this respect, Stanley Milgram's (1974) work on obedience to authority was a pioneering study. Ordinary people were asked to assist in what was described as a study about learning techniques. They were told that they should administer electricity shocks of increasing intensity if the learner, who was sitting in another room, made errors. In truth, however, no electric shocks were exercised; the 'learners' were a part of the study and had been asked to imitate the effects of the punishment. The result was that many participants administered painful and even mortal electric shocks, obeying the orders of the controller. Even the painful cries of learners did not have significant effects on the behaviour of certain participants.

A further study about the influence of situational factors has been the Stanford Prison Experiment undertaken by Zimbardo in 1971. A series of holding cells had been established in the basement of Stanford University, and 23 students selected for their average dispositions¹⁰³ were assigned the roles of guards and prisoners. The situational setting was designed to create an extreme emotional distance and difference of power between the two groups. Thereby, "[g]ood dispositions were pitted against a bad situation", the question was whether the latter would override the former (Zimbardo 2007: 195). After a few days, the guards started to harass the prisoners. Zimbardo makes no mention of a 'guard' attempting to stop the behaviour of their fellows, nor did any in the guard group ask the experiment to be ended. After the collapse of three prisoners, the experiment had to be ended prematurely. The Stanford Prison Experiment

¹⁰³ Psychologists classify individuals via several personality measures. In the experiment, the sample of individuals "did not deviate from the normal ranges of the general educated population" on the dimensions that had been premeasured; moreover, "[n]either group had any history of crime, emotional or physical disability, or even intellectual or social disadvantage that might typically differentiate prisoners from guards and prisoners from the rest of the society" (Zimbardo 2007: 196).

demonstrated how a set of situational forces, i.e. “the roles, rules, norms, anonymity of the person and place, dehumanizing processes, conformity pressures, group identity”, can lead ordinary people to behave in socially pathological ways (*ibid.*: 197).

The larger implications of the studies by Milgram, Zimbardo and further social psychologists are that ordinary people have, under the influences of specific situational circumstances, the capacity to commit highly immoral acts. Consequently, Zimbardo (2007: 195) infers that the boundary between good and evil, seen as fixed by the traditional approach, should be regarded as ‘quite permeable’:

Any deed that any human being has ever committed, however horrible, is possible for any of us – under the right or wrong situation circumstances. That knowledge does not excuse evil; rather, it democratizes it, sharing its blame among ordinary actors rather than declaring it the province only of deviants and despots – of Them but not Us.

ibid.: 211

Arendt’s ‘banality of evil’ thesis is used by Zimbardo (2007: 486) to summarise the fundamental insight that it is ‘possible for any of us’ to commit extremely immoral acts; no personal qualities represent full protection against this risk of committing evil acts. Consequently, scientific predictions cannot rule out the possibility that a specific individual will act in a highly immoral way; it is only possible to predict, based on a personality assessment, that some people are more likely than others to commit evil acts.

The empirical study of acute heroism

As outlined at the beginning of this section, the traditional approach to the explanation of behaviour considers heroes to be ‘exceptional people’ (Zimbardo 2007: 483). But is this view correct? Or should we, in analogy to the ‘banality of evil’, also speak about the ‘banality of heroism’: Is it possible for any of us to commit extremely moral acts? Can ordinary people, finding themselves in an unusual situation, be lead to act heroically?

The study of heroism is more difficult than the study of evil. Apart from the various forms of heroic behaviour and the related problem of finding a clear definition, a lack of data about positive human activities exists. While societies collect extensive data about the ‘ills of human existence’ (like homicide and crime rates or poverty levels), they “don’t keep records of how many acts of charity, kindness, or compassion occur in a

community in the course of a year” (Zimbardo 2007: 460). Therefore, an encompassing and systematic study of heroism has never been carried out in the behavioural sciences (*ibid*).

Most of our knowledge about heroism originates from the observation of real-world behaviour. One of the best-known studies is Oliner and Oliner’s (1988) *The Altruistic Personality: Rescuers of Jews in Nazi Europe*. The key purpose of this study was to explore whether an ‘altruistic personality’, i.e. a relatively enduring predisposition to act morally, could be identified as a major explanation for the rescue of Jews. To explore whether rescue behaviour was rather a matter of personal attributes or of external circumstances, Oliner and Oliner (1988: 6) compared the characteristics of 406 rescuers and 126 nonrescuers. Rescuers were defined as individuals who sheltered persecuted Jews and fulfilled the three criteria of being motivated by humanitarian considerations only, risked their lives and received no monetary remuneration. In total, the number of non-Jewish rescuers is estimated to lie somewhere between 50,000 to 500,000 individuals (*ibid*: 1). Even if the highest estimate should be true, this means that less than a 0.25 percent of the total population under Nazi control took a considerable risk to protect persecuted Jews (*ibid*). Accordingly, an enormous gap between the moral principle to assist innocents and the practice of rescue can be identified.

Oliner and Oliner’s findings lend support to the altruistic personality thesis, since rescuers and nonrescuers could be differentiated in light of their ‘extensive’ or ‘constricted’ personality. As Oliner and Oliner put it,

[w]hat distinguished rescuers was not their lack of concern with the self, external approval, or achievement, but rather their capacity for extensive relationships – their stronger sense of attachment to others and their feeling of responsibility for the welfare of others, including those outside their immediate familial or communal circle.

1988: 249

The motives of rescuers ranged from empathy, internalised norms to loyalty, to overriding autonomous principles rooted in justice and to caring. Considering the developmental roots of personal development, Oliner and Oliner (*ibid*: 250) showed that close family relationships, the modelling behaviour of parents, the communication of caring values as well as the support of a sense of potency in affecting external events were the primary factors leading to the development of extensive personalities. Overall, respective personality orientations explained an important part of the behaviour of the

two groups; in 70 percent of the cases, the personality orientation could be used to predict whether an individual was a rescuer or not.¹⁰⁴

This being the result, Oliner and Oliner note that the distinction between personality orientations is “less than absolute” since “neither all rescuers nor all nonrescuers reflected one or the other pattern. Some nonrescuers did not act, despite a generally extensive orientation, whereas some rescuers acted despite a constricted one” (1988: 253). Consequently, personal factors cannot be used to rule out the possibility of moral behaviour or to guarantee that a given individual will act. We can call this the ‘negative finding’ that no personal factors necessary for moral behaviour can be identified. The negative finding signifies that no immediate link between the explanation of moral behaviour and possibility evaluations can be established, as the latter require additional judgment.

In opposition to the study of extremely immoral behaviour, no laboratory experiments have so far been undertaken with regard to moral heroism. Zimbardo (2007: 449) explains this fact by the financial costs and ethical problems related to experiments dealing with extreme behavioural transformations (the harmful consequences for the participants of Milgram’s obedience to authority experiment and Zimbardo’s Stanford Prison Experiment serve as a warning).¹⁰⁵ The question is whether a situational context could be created that led ordinary people to perform extremely moral acts.

In analogy to the slow descent towards cruelty related to the original Milgram experiment, Zimbardo speculates that a ‘Reverse-Milgram’ authority experiment could bring about a “slow ascent into goodness” (*ibid*: 449). Participants would first be asked to write a thank-you note to friend, to give advice to a troubled child and to babysit for a few hours a week, thereby establishing a step-by-step commitment to give increasingly more time to ever more worthy causes could be created. In addition, such an

¹⁰⁴ In opposition to the explanatory power of personality characteristics, Oliner and Oliner (1988: 8) conclude that demographic evidence is at best ‘fragmentary’; furthermore, Oliner and Oliner’s study is often cited with respect to the possibility of unselfish behaviour; the circumstances of rescue lend support to the thesis that individuals can act for moral reasons and thus reject psychological egoism. However, the study is also criticised for neglecting to question why only very few of the millions of individuals with extensive personalities performed acts of rescue (Colby and Damon 1992: 7).

¹⁰⁵ Lerner (2003) also observes that the experimental study of altruism tends to focus on issues of little moral importance (like picking up dropped paper-clips) for practical and financial reasons and argues that the justice motive is thereby neglected.

experiment could conceivably use social models encouraging “obedience to virtuous authority” and further tactics like identity labelling (*ibid*). Ideally, the experiment “would end when the person was doing something that he or she could never have imagined doing before” (*ibid*). If ordinary people could indeed be led to perform extremely moral acts, the possibility of acute heroism for ordinary people would be demonstrated.

Possibility predictions in social psychology

The analysis of moral heroism has led to the negative finding that no personal factors necessary for moral heroism can be identified and to the positive finding that situational factors play an important role. It is now time to explore whether social psychologists only focus on the explanation of behaviour or discover if they also make possibility predictions.

It is a surprising fact that both Oliner and Oliner and Zimbardo make predictions about the potential of ordinary persons that are closely connected to the to the research question of the OIC criterion. To begin with, Oliner and Oliner conclude that rescuers were ordinary people and “not heroes cast in larger-than-life moulds” (1988: 260). Furthermore, they maintain the courage shown by rescuers “is not only the province of the independent and the intellectually superior thinkers but that it is available to all through the virtues of connectedness, commitment, and the quality of relationships developed in ordinary human interaction” (*ibid*: 261). Unambiguously, this statement is a positive possibility prediction; heroic behaviour is ‘available to all’.

A similar view is defended and further developed by Zimbardo, who concludes that

[t]he banality of evil shares much with the banality of heroism. Neither attribute is the direct consequence of unique dispositional tendencies; there are no special inner attributes of either pathology or goodness residing within the human psyche or the human genome. Both conditions emerge in particular situations at particular times when situational forces play a compelling role in moving particular individuals across a decisional line from inaction to action.

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Zimbardo’s ‘banality of heroism’ thesis, closely associated to the situational turn in social psychology, can be used to summarise the view that each individual can act heroically. Zimbardo justifies this thesis by the negative finding that moral heroism is not a ‘direct consequence of unique disposition tendencies’ and the positive finding that

situational factors strongly influence moral behaviour.¹⁰⁶ Furthermore, Zimbardo argues that the ‘banality of heroism’ thesis can be used to increase the probability of heroic behaviour. For this to happen, we should try to foster a ‘heroic imagination’ among people by “conveying the message that every person is a hero in waiting who will be counted upon to do the right thing when the moment of decision comes” (*ibid.*: 486). Heroism should become an “egalitarian attribute of human nature rather than a feature of the elected few” (*ibid.*: 448).

The ‘banality of heroism’ seems to support Singer’s claim that each individual is capable of complying at least once with the obligations of his Principle. I will interpret and discuss the consequences of the ‘banality of heroism’ thesis in Section 5.4. Before moving on to that, however, let us consider two of the broader consequences of the ‘situational turn’ in social psychology and the associated ‘banality of evil’ and ‘banality of heroism’ theses. First, the importance of personal differences in the explanation and prediction of behaviour decreases. Behavioural scientists are better able to predict how the majority of people will react in light of given situational factors, knowing nothing about the individual members of the group, than to predict individual differences of behaviour based on character assessments.¹⁰⁷ Additionally, while personality assessments can to be used for predictions about how people behave in standard situations, they fail to be reliable in the case of atypical situations eliciting acts of heroism (Zimbardo 2007: 485).

Second, we are led to critically examine the systemic forces that tend to bring about situations where individuals are likely to commit evil or extremely moral acts. We should thus partly reduce the assignment of blame and praise to specific individuals and focus our attention on those responsible for the overall system. Furthermore, in attempting to shape future behaviour, we should concentrate on avoiding situations that are likely to lead to evil behaviour.¹⁰⁸ This emphasis can be distinguished from the attempt to avoid

¹⁰⁶ The ‘banality of heroism’ thesis is equally supported by the self-reports of individuals who have committed heroic acts: the latter mostly insist, “that what they did was not special, was really what everybody should have done in the situation” (Zimbardo 2007: 457). It also fits well with Nelson Mandela’s self-evaluation (outlined at the beginning of this Chapter).

¹⁰⁷ Given a car accident, for example, scientists are more apt to predict how situational variables will affect helping behaviour than to predict the influence of personality attributes of potential helpers.

¹⁰⁸ A present example is the design of prisons. In the military trial about the torture in Abu Ghraib, Zimbardo (2008: 380), as an expert witness, highlighted how the prison system created situational forces conducive to the abuse of power by the guards. Zimbardo’s claim was that

evil behaviour through educational efforts concerned with the dispositions and attitudes of individuals.

5.3 Chronic heroism and the 'developmental continuities' thesis

Having concluded that social psychologists consider acute heroism to be possible for all individuals, we can now ask whether the same conclusion holds regarding chronic heroism. To answer this question, it first has to be shown that Colby and Damon's (1992) definition of chronic heroism is sufficiently similar to the philosophical definition of compliance with Singer's Principle.¹⁰⁹ Second, we have to examine Colby and Damon's research results about the determinants of chronic heroism. Third, we need to consider Colby and Damon predictions about the possibility that ordinary persons can become moral exemplars. The comparison between Colby and Damon's possibility predictions and philosophical possibility evaluations with respect to Singer's Principle will be realised in the next section.

The scientific definition of moral exemplars

In the following, the philosophical definition of chronic compliance (Section 3.3) and Colby and Damon's (1992) scientific definition of moral exemplars will be compared. According to Colby and Damon, individuals have to satisfy the following five criteria¹¹⁰ to qualify for the title 'moral exemplar':

1. a sustained commitment to moral ideals or principles that include a generalized

mitigating circumstances should lessen the punishment for the guards and that, additionally, those responsible for the design of the military prison system in Iraq should be put on trial. The ruling of the military court, however, rejected this considerations and proclaimed harsh sentences for the accused guards. This judgment represented the attitude that a few (dispositionally) 'bad apples', and not the 'bad barrels' or the makers of the apple barrels were responsible for the crimes (*ibid.* 206).

¹⁰⁹ While Zimbardo (2008: 481) uses the concept of 'chronic heroism', Colby and Damon (1992: 30) speak of 'moral exemplars' to refer to individuals showing sustained moral commitment.

¹¹⁰ To develop the definition of moral exemplars, Colby and Damon (1992: 28) discussed the five criteria with a group of 22 'expert nominators' from various ethical backgrounds. Despite the large diversity of the group, all expert nominators agreed on the final definition of the five criteria. The expert nominators were also asked to suggest living moral exemplars for Colby and Damon's empirical study.

- respect for humanity; or a sustained evidence of moral virtue
2. a disposition to act in accord with one's moral ideals or principles, implying a consistency between one's actions and intentions and between the means and ends of one's actions
 3. a willingness to risk one's self-interest for the sake of one's moral values
 4. a tendency to be inspiring to others and thereby to move them to moral action
 5. a sense of realistic humility about one's own importance relative to the world at large, implying a relative lack of concern for one's ego.

1992: 30

Colby and Damon (1992: 32) note that this set of criteria “does not exactly constitute a scientific ‘operational definition’”, but are rather somehow indeterminate guidelines for choice.¹¹¹

As was argued in Section 1.1, chronic compliance with Singer's Principle requires that individuals attempt to maximise their social impact, giving equal weight to their own well-being. Whether compliance leads to a high or a low level of well-being depends on personal characteristics and circumstances. The lives of most moral exemplars addressed by Colby and Damon's study can be categorised as benefit cases; most stated that they were at least satisfied (if not highly satisfied) with their lives and none of them lived in dire poverty. It is worth noting that Colby and Damon's criteria only require moral exemplars to show ‘sustained moral commitment’ and not to maximise their social impact; thus, Colby and Damon's definition of chronic heroism is less demanding than the definition of chronic compliance.

While the behaviour of some moral exemplars also qualifies for the label of chronic compliance with Singer's Principle, others do not give up their private wealth or might even consume luxury goods from time to time. To reach a sufficiently close connection between the definition of moral exemplars and the philosophical definition of chronic compliance, the latter concept must be interpreted in a very lax manner. Accordingly, individuals count as compliers even if they perform various actions not in line with Singer's Principle.

For those who reject a lax definition of chronic compliance, a further option is to take the ‘moderate’ version of Singer's Principle as the object of investigation. Singer evokes the moderate version in light of the harsh reactions to original version of his Principle, although he maintains that the latter is more adequate from a normative

¹¹¹ The fourth and fifth criteria that moral exemplars must be inspiring and humble about their own contribution are entirely absent from the philosophical definition of chronic compliance.

perspective. The moderate version holds that “if it is in our power to prevent something very bad from happening, without thereby sacrificing anything morally significant, we ought, morally, to do it” (Singer 2004: 231).

The first difference to the original definition is that obligations only exist if something ‘very bad’ can be prevented. Since absolute poverty is pervasive in today’s world, this difference does not affect the demandingness of the principle. The second difference is that agents are not required to sacrifice anything ‘morally significant’. What is meant by this term? Singer himself has intentionally “left the notion of moral significance unexamined in order to show that the argument does not depend on any specific values or ethical principles” (*ibid.*: 231). Consequently, the demandingness of the moderate version is determined by what each individual considers “to be of comparable moral significance to the poverty we could prevent” (*ibid.*: 231-32).¹¹²

The remainder of this analysis proceeds using the original version of Singer’s Principle in a very lax manner. Accordingly, Colby and Damon’s research findings can also be used to evaluate whether ordinary persons can chronically comply with Singer’s Principle. For those who reject a very lax interpretation, the research findings can be used to evaluate whether chronic compliance with the moderate version of Singer’s Principle is possible for ordinary persons.¹¹³

Colby and Damon’s empirical study of moral exemplars

We can now turn to Colby and Damon’s research design and explanations of sustained moral commitment. Based on the five criteria outlined above, the nominating experts consulted by Colby and Damon suggested 84 potential moral exemplars; 23 individuals agreed to participate in the study. Colby and Damon relied on the nominators’ judgments about the dominant motives for which the suggested individuals had acted throughout their life. The method of investigation consisted in an open interview arranged around a list of standard questions (Colby and Damon 1992: 28). Thus, the moral exemplars were seen as co-investigators whose interpretations were

¹¹² A clear example for activities falling outside the category of moral significance is to wear designer clothing or to consume other luxury goods. It is questionable, by contrast, whether spending money on visiting a friend who studies overseas is morally significant.

¹¹³ A further option is to argue that it would equally be possible for the moral exemplars to avoid the consumption of luxury goods. In this case, the findings could be used to evaluate the possibility of compliance with a non-lax interpretation of the original version of Singer’s Principle.

considered of primary importance. To avoid cultural misunderstandings, the group contained only moral exemplars who had worked most of their lives in the United States.

The final group of moral exemplars represented a large variety of educational degrees from the completion of eighth grade to accomplished Ph.Ds, a large variance of religious adherences, professionals such as businessmen, lawyers, journalists, leaders of social movements and charity workers and, lastly, stages three through five of the Kohlbergian stages of moral development (Kohlberg 1981). Several moral exemplars worked on civil rights, while the largest number was involved in the fight against poverty focusing on food, housing, health etc. in the USA and, in one case, Mexico. The group contained thirteen women and ten men and was racially mixed. Most of the moral exemplars were in their late sixties; thus, it was possible to consider many years of moral or immoral decisions. To illustrate the life of a moral exemplar, consider the example of Suzie Valadez. Suzie's life had changed 28 years before the study, when she decided that she was called to missionary work and crossed the Rio Grande to help Mexican children.

In all, Suzie will put in a fourteen-hour day. This is no different from the day before or the day after. At the age of sixty-six, she shows not a trace of exhaustion at the fast-paced life she leads. Nor does she express any irritation at her material discomforts or humble surroundings; nor any worry about the obvious hazards of her trips through the squalor of urban Juarez up to the desolate *socosema* hills. Through it all, she shows only a love of life, a love of God, and a tangibly shining presence.

ibid. 41

Next, we can consider the theoretical framework for the study of moral heroism. Overall, Colby and Damon maintain that studies about the psychological origins of moral development have produced little agreement. Although Kohlberg's (1981) work has influenced many theoretical contributions about moral psychology, decades of research have not been able to demonstrate a clear connection between abstract reasoning and everyday social conduct. This being the case, Colby and Damon (1992: 6) are cautious to strictly separate theoretical reflection about real or hypothetical dilemmas from actual behaviour. Moreover, Colby and Damon criticise most laboratory experiments for representing altruism in 'disembodied and trivial ways' like picking up

dropped paper clips.¹¹⁴ Colby and Damon claim that, ultimately, “social behaviour created for an experiment cannot replicate the complexity, depth, longevity, or vital spirit of human morality in the world at large” (*ibid.*: 7).

Colby and Damon also maintain that studying real world behaviour in a more or less superficial way is unlikely to identify roots of moral commitment. Commenting on Oliner and Oliner’s (1988) work on the altruistic personality, they remark that “[m]any people share these fortuitous life conditions and personality attributes, yet not many extend themselves in the noble and courageous manner of the Holocaust rescuers” (Colby and Damon 1992: 7). Overall, Colby and Damon are thus “sceptical about analyses that reduce extraordinary moral commitment either to social factors such as family background or to personal ones such as a tendency to have close relationships” (*ibid.*: 8).

As an alternative, Colby and Damon’s study is meant to go beyond Kohlberg’s theory of moral development, laboratory experiments and superficial studies of real-world behaviour; according to Colby and Damon, what is needed is an understanding of “the person’s life and how the person makes sense of it” (1992: 8). To meet this challenge, Colby and Damon undertook in-depth interviews with moral exemplars. To fulfil their analysis, Colby and Damon (*ibid.*: 168) adopt goal theory as their theoretical framework. Individual development is described through goal transformation resulting from social interaction; transformed goals represent new perspectives on life and new forms of behaviour. As Colby and Damon emphasise, “[v]irtually all the exemplars spoke of peers who prodded them, provoked them, taught them, challenged them, provided them with feedback, and otherwise inspired, supported, and sustained them through the midlife years” (*ibid.*: 183). Consequently, moral exemplars engaged in a continuous process of goal transformation towards ever more moral goals.¹¹⁵

Colby and Damon’s analysis focuses on the (i) sacrifices and benefits of sustained moral commitment, (ii) the interaction between personal and moral goals, (iii) the

¹¹⁴ Cf. the discussion of Miller’s selection of studies in Section 5.1 and Lerner’s (2003) criticism about the neglect of the justice motive in psychological research.

¹¹⁵ Apart from the influence of peer groups, abrupt changes play an important role at the beginning of moral development. One of the moral exemplars, Suzie Valadez, saw a vision that told her to move to the Mexican border to work with the poor. Other moral exemplars dropped out from careers, joined monasteries or were confronted with new moral questions after changing their workplace. In most of the cases studies, “the original act of commitment was an intensely moral experience” (Colby and Damon 1992: 296).

decision-making of moral exemplars and (iv) the psychological mechanisms allowing moral exemplars to pursue their goals even in the face of adversity.

(i) What is commonly given up by moral exemplars are jobs, affluence and a certain social status, financial security, leisure and family time. Most importantly, moral exemplars turn away from self-protection and self-promotion. The risks and potential sacrifices also depend on the kind of activity in which moral exemplars engage; conflicts over justice, for example, often lead to denunciations, threats and violence. Charity work, by contrast, is more likely to affect the material status of the moral exemplar. In general, there was no bemoaning the risks to which the moral exemplars had exposed themselves or a sense of sacrifice about forgone opportunities. On the contrary, “many spoke of the hazards to which they would have exposed themselves had they *not* pursued their moral aims” (*ibid.*: 75). These hazards included guilt, self-doubt and loss of personal integrity.

(ii) Statements like these point to a close interaction between personal interests and moral goals. In fact, most moral exemplars considered their personal interests and moral goals as synonymous (Colby and Damon 1992: 292-295). Thereby, the self is not denied but defined with a moral centre: the fulfilment of personal goals and moral aspirations becomes one and the same.¹¹⁶ As a result, most moral exemplars felt little temptation to deviate from moral goals. This picture of unity between the self and morality stands in opposition to the grim picture of sustained moral commitments associated with self-denial and suffering. The problem with this grim picture, however, is that it only considers external aspects of individual’s life, while the inner experience that truly determines the quality of life is neglected. Colby and Damon point out that it is rather the absence of meaningful activities that are the greatest risks for depressions and other psychological disharmonies.¹¹⁷

(iii) Turning to the decision-making of moral exemplars, the most surprising characteristic is an immense inner certainty. In fact, moral choices do not result from

¹¹⁶ Note that the level of integration between morality and the self cannot be assessed by a person’s stage of moral development, since the latter does not represent which role morality plays in a person’s life.

¹¹⁷ The view that inner experience determines happiness is also endorsed by Csikszentmihalyi, who maintains that happiness “does not depend on outside events, but, rather, on how we interpret them. Happiness, in fact, is a condition that must be prepared for, cultivated, and defended privately by each person. People who learn to control inner experience will be able to determine the quality of their lives” (2002: 2). For a discussion of the general relation between moral behaviour and well-being, see Frankl (1964) and Summer (1998).

inner battles or in-term weighing of the pros and cons of a certain decision. Instead, moral exemplars show “an unhesitating will to act, a disavowal for fear and doubt, and a simplicity of response”, the most striking fact being the “lack of attention to the risks and sacrifices that accompany their moral actions” (Colby and Damon 1992: 70). Abstract and highly rationalistic processes of decision-making, often evoked in the psychological (Kohlberg 1981) and philosophical literature (Unger 1996; Mele 2003), are thus replaced by a ‘sense of great certainty’ and ‘feelings of moral necessity’ (Colby and Damon 1992: 68-69). In addition, a gap between the individual’s moral judgment and practical decisions rarely arose; thus, convictions directly translated into action. The right course of action was clearly defined and the moral exemplar felt a compulsion to act accordingly.

(iv) Those moral exemplars fighting against social ills on an enormous scale are those most likely to be confronted with ongoing challenges and emotionally troubling experiences. To continue their struggle, it is crucial for them to develop a love or passion for their activities; they must experience their work as a creative act through which they can realise their personal qualities and aspirations. Additionally, a ‘stubborn positivity’ helps to keep the inner balance in difficult times (*ibid*: 271). Moral exemplars use a variety of psychological mechanisms to maintain such a positive attitude towards life and their present challenges. Mental discipline is also useful to rule out feelings of fear, to ignore material consequences and to single-mindedly focus on a given activity where the individual has a significant degree of control. If an individual succeeds to do so, a ‘flow’ experience may occur even under the most adverse conditions.¹¹⁸ Moreover, a positive attitude towards life is often linked to hope, love and a sense of purpose (*ibid*: 291). Such feelings, for example, allowed Nelson Mandela to keep a high spirit during his time in prison, and thereby even to partially transform the attitudes of his jailors (Mandela 1994).

Overall, the present study about the lives of moral exemplars stands in opposition to a range of stereotypes and the ‘grim’ picture of moral heroism referred to in Section 1.1,

¹¹⁸ Csikszentmihalyi (2002) terms situations of optimal psychological functioning as ‘flow’ experiences. Flow feelings are typical for artistic and creative experiences in which the individual loses consciousness of the self, being immersed in an endeavour greater than the self. Many of the moral exemplar reported experiences strongly resembling Csikszentmihalyi’s characterisation. Colby and Damon argue that the phenomenology of optimal experience “is pretty much the same in the moral realm as elsewhere” (1992: 82).

namely that “moral exemplar endlessly reflect on what is right or wrong, that they constantly struggle with temptation, fear, and doubt; that they lead grim, joyless, or dreary lives; that they fight many of their battles in splendid isolation” (*ibid.* 4-5). The alternative picture “places moral exemplar far closer to the centre of a collaborative support group. It is a picture of striking joy, great certainty, and unremitting faith” (*ibid.* 5).

The ‘developmental continuities’ thesis

Having examined the development and characteristics of moral exemplars, we can now turn to the prediction of behaviour. Do moral exemplars belong to a specific kind of individual? Or is chronic heroism possible for any of us? Colby and Damon claim that moral exemplars are not a “qualitatively unique psychological type” and thus reject the “common view that highly moral people are independent spirits who stand apart from, and indeed in front of, the rest of humankind” (1992: 295). In the end, it is the “unity between the self and morality” that makes moral exemplars exceptional (*ibid.* 301). This exceptionality is, however, one of degree rather than of kind. “It is an extreme version of a developmental process that accounts for self-formation and moral growth in every normal individual” (*ibid.*). Accordingly, striking similarities exist between forms of ordinary moral behaviour and the extraordinary actions of moral exemplars. “The exemplars’ expansive moral concerns, and their steadfast moral commitments, are extensions in scope, intensity, and breadth of normal moral experiences” (*ibid.* 303).

In light of the ‘developmental continuities’ between everyday acts of morality and sustained moral commitment, Colby and Damon maintain that, “[e]nduring moral commitment is available for all to acquire” (*ibid.* 4). This means that the exploration of the “developmental roots of moral excellence reveals its true connections to the possibilities of growth inherent in everyone”, which is a “message of hope for individuals and society alike” (*ibid.* 4-5).¹¹⁹ The view that each individual can become a moral exemplar is a clear possibility prediction; I will refer to this result as the ‘developmental continuities’ thesis throughout the remainder of this project.

¹¹⁹ The hope for individuals is that each has the potential to become a moral exemplar, while “[i]t is the ultimate hope of humanity that this process will slowly transform our moral affairs for the better, just as it has moved us forward in science, the arts, medicine, and so on. From this hope is born the realistic expectation that there will be moral innovation and progress in each generation as well as new solutions to enduring social ills” (Colby and Damon 1992: 23).

Flanagan's work dovetails nicely in support of the developmental continuities thesis:

The important point is that to the degree that the rest of us possess capacities and traits similar to those of the saint, are embedded in similar circumstances, and understand something of how to bring about character growth and transformation – either by working on our own character directly or by structuring social institutions in ways that are more conducive to the emergence of the relevant qualities – we too can realistically hope to attain the saint's kind of goodness.

1991: 5

This basic idea of this position is also reflected in Ghandi's statement that "[w]hatever is possible for me is possible for every child" (quoted in Flanagan 1991: 4).

Thus, considering Colby and Damon's empirical study of moral exemplars has led to a strikingly clear result: the 'developmental continuities' thesis holds that each individual can become a moral exemplar. In the next section, I will explore how the 'developmental continuities' thesis should be interpreted. Does Colby and Damon's possibility prediction allow us to come to the possibility evaluation that chronic compliance is possible for ordinary persons?

5.4 Scientific possibility predictions and the OIC criterion

The findings of Zimbardo (2007), Oliner and Oliner (1988) and Colby and Damon (1992) have two commonalities. Firstly, the negative finding is that no personal factors necessary for moral heroism can be identified. Consequently, no distinction between exceptional, heroic individuals and ordinary, non-heroic persons can be drawn in a clear-cut manner. Secondly, the positive finding is that situational factors strongly influence the occurrence of moral heroism. Bearing these findings in mind, we can turn to an interpretation of (i) the 'banality of heroism' and (ii) the 'developmental continuities' thesis.

(i) Regarding the possibility of acute heroism for ordinary persons, Zimbardo's 'banality of heroism' thesis holds that each individual has the potential to act heroically; whether an individual will indeed act heroically, however, depends on the interaction between the dispositions of the individual and situational factors. Since there is a chance for each individual to act heroically under the influence of strong situational factors, a certain probability that each individual will act heroically exists.

The 'banality of heroism' thesis demands two interpretations. First, from an empirical perspective, we have to be aware that the 'banality of heroism' thesis is a

generalisation; research findings only show that we cannot differentiate between exceptional and ordinary persons, and that it is likely that most individuals will act in extreme ways in extreme situations. In contrast, research cannot demonstrate in a positive manner whether or not each individual has the potential to act heroically. It may be that evil or heroic acts are indeed impossible for some individuals, but it is simply beyond the means of current scientific ability to rule out this option. Consequently, a clear distinction between Zimbardo's empirical research findings and the 'banality of heroism' thesis has to be made.

Second, from a methodological perspective, Zimbardo's (2007: 211) claim that it is 'possible' for each of us to commit evil acts or to act heroically differs from the standard OIC criterion where the term 'possible' is used in a different way. In Zimbardo's work, 'possible' signifies that the chances that a certain event (a heroic action by a specific individual) will occur are unequal to zero. The OIC criterion, by contrast, requires that an individual 'can' comply with a moral obligation at any point of time, independent of situational factors (cf. Section 3.2). Thus, while the 'banality of heroism' thesis refers to the possibility of a heroic act taking place at some point of an individual's life, the OIC criterion relates to the capacity of an individual to decide to act heroically in any given situation. In light of this difference, the 'banality of heroism' thesis does not allow us to claim that a specific person can act heroically in a given situation.

For the assignment of duties, it follows that the 'banality of heroism' thesis cannot be used to distinguish between situations where compliance with Singer's Principle is possible and where it is not. Situational factors cannot be assessed in an unambiguous way; in addition, it is unclear how situational factors interact with a specific individual. So while Zimbardo's work significantly increases our explanatory understanding of moral heroism, the 'banality of heroism' thesis is insufficient to evaluate whether compliance with Singer's Principle is possible for a specific person at a specific point of time or over a certain period. Zimbardo's possibility prediction thus needs to be carefully distinguished from philosophical possibility evaluations.¹²⁰

(ii) With this in mind, we can now interpret Colby and Damon's 'developmental continuities' thesis which finds that each individual has the developmental capacity to become a moral exemplar. They base this argument on the negative finding that moral

¹²⁰ Elster (2007: 73) also indicates that the possibility of compliance with a moral principle may depend both on the dispositions of an individual and situational factors (cf. Section 3.3)

exemplars cannot be characterised by dispositions that are, in comparison to ordinary persons, of a qualitatively different type. What distinguishes ordinary individuals and moral exemplars relates to the unity between the self and morality. Since each individual has the potential to achieve a unity between the self and morality through processes of moral development, Colby and Damon conclude that each individual can become a moral exemplar.

Let us interpret this thesis. First, from an empirical perspective, we are dealing with a similar situation as the case of the ‘banality of heroism’ thesis: the ‘developmental continuities’ thesis is a generalisation from explanatory findings. Colby and Damon cannot demonstrate in a positive manner that each individual has the capacity to become a moral exemplar. Consequently, the ‘developmental continuities’ thesis is an uncertain subjective prediction, as it is not exclusively based on objective research results. Second, methodologically, the key statement of the ‘developmental continuities’ thesis is that enduring moral commitment is available for all to acquire. Again, this evaluation has to be distinguished from the standard of the OIC criterion, which requires that, for the individual to have the obligation to comply with Singer’s Principle, the individual must be able to chronically comply during the entire period to which the obligation refers. We may thus be confronted with a case where present compliance is impossible, though it may be possible for the individual to comply at some point in the future.¹²¹

Based on the ‘developmental continuities’ thesis, the following assignment of moral duties can be accomplished. First, the mature individual, for whom compliance is possible since she has reached a unity between the self and morality, has the obligation to comply in a chronic manner with Singer’s Principle. Second, the immature individual, for whom compliance is not yet possible, is excused from the obligations of Singer’s Principle. In this case, it seems reasonable that the immature individual has an obligation to reduce as much suffering as possible at each point in life. In addition, the immature individual should have the obligation to attempt to develop morally, and thus attempt to reach a higher unity between the self and morality. The reason is that Singer’s Principle

¹²¹ While Colby and Damon (1992: 296) stress the fact the development of moral exemplars is often coined by specific experiences, the ‘developmental continuities’ thesis is not explicitly premised on the existence of situational factors conducive to moral behaviour. Consequently, the problem that the possibility prediction of moral heroism may depend on situational factors – which we encountered regarding Zimbardo’s work – is less prominent in this case.

should not only be seen as referring to an individual's present capacities, but also to the individual's responsibility to maintain or increase their capacity to reduce suffering in the future (Singer 1972: 238).¹²²

The problem, however, is that it is extremely difficult to evaluate when an individual can comply with Singer's Principle. In addition, it is unclear how we should evaluate whether the individual makes the attempt to achieve unity between the self and morality. In light of these problems, the 'developmental continuities' thesis does not offer a satisfactory answer to the question of whether chronic compliance with Singer's Principle is possible for a specific person during a specific period of time.

Having discussed the bearing of the 'banality of heroism' and the 'developmental continuities' thesis with regard to philosophical possibility evaluations, we can draw the first two general conclusions of this Chapter. The first conclusion is that the possibility predictions made by social psychologists are generalisations from empirical findings. Possibility predictions are therefore partly subjective and uncertain. As regards the status of possibility predictions, two remarks have to be made. To begin with, each of the social psychologists considered in this Chapter (Oliner and Oliner 1988; Colby and Damon 1992; Zimbardo 2007) spend little time on the justification of possibility predictions; rather they present amendments added after the major body of scientific work is finished. Next, the same social psychologists do not discuss the subjectivity or uncertainty of their possibility predictions. Consequently, possibility predictions should be seen as a political message that accompanies the scientific results of social psychologists.

The second conclusion is that the form of scientific possibility predictions significantly differs from the standard of the OIC criterion. Neither the 'banality of heroism' thesis nor the 'developmental continuities' thesis allow for the evaluation of whether ordinary persons can act heroically in a given situation (acute compliance) or during a specific period of time (chronic compliance). As a consequence, scientific predictions do not offer a direct answer of the research question of the OIC criterion.

Before we close the analysis of scientific possibility predictions, a final question needs to be asked. Why do social psychologists fervently propagate the claim that moral

¹²² In an analogous way, Elster's (2007: 78) 'principle of future obligations' stipulates that individuals are not permitted to willingly reduce their capacity to act morally in the future (cf. Section 3.1)

heroism is possible for each individual without mentioning the subjectivity and uncertainty of this prediction? The answer relates to the expected positive consequences of positive possibility predictions. As mentioned before, Colby and Damon argue that the ‘developmental continuities’ thesis represents a ‘message of hope for individuals’ (1992: 4). Each individual may become a much better human being and potentially a moral hero; this view may positively affect the self-respect of each individual. Moreover, regarding the ‘banality of heroism’ thesis, Zimbardo argues that “conveying the message that every person is a hero in waiting who will be counted upon to do the right thing when the moment of decision comes” is likely to foster heroic behaviour (2007: 486). Finally, Oliner and Oliner maintain that different interpretations of past behaviour, as well as evaluations of what individuals can do, shape the future: “If we persist in defining ourselves as doomed, human nature as beyond redemption, and social institutions as beyond reform, then we shall create a future that will inexorably proceed in confirming this view” (1988: 260). The importance of the political message of hope will become evident with regard to the assignment of the burden of proof.

5.5 Conclusion

Since possibility predictions of social psychologists are insufficient to justify whether ordinary persons can comply with Singer’s Principle, philosophers have to generate their own possibility evaluations. In doing so, philosophers draw on the empirical explanations of moral heroism and the possibility predictions offered by social psychologists.

Depending on the perceived degree of uncertainty of evaluations, three cases may occur. (i) If a philosopher is certain that all individuals can chronically comply, the assignment of obligations does not pose a problem: no individual is excused from the obligations of Singer’s Principle. Alternatively, if a philosopher is uncertain whether all individuals can chronically comply, two further options exist. (ii) A philosopher can, depending on the characteristics of specific persons, offer different possibility evaluations. The problem with this strategy is, however, that it is very difficult to justify such evaluations by empirical arguments. (iii) This being the case, a more practical option is to perform a general evaluation and assume that ordinary persons can or cannot comply and should be exempt from the obligations of Singer’s Principle. The

advantage of this option can be realised by a single possibility evaluation; we do not need to further differentiate between individuals in light of personal factors.¹²³

Since differentiated and general evaluations are uncertain, I argue that a burden of proof should be established limiting the negative effects of false evaluations (cf. Section 4.2). To assign the burden of proof, the costs of the possibility-error and the impossibility-error have to be compared: the higher the relative costs of the former error are, the more certain a philosopher must be that compliance is possible in the majority of cases in order to come to a positive possibility evaluation. To justify the assignment of the burden of proof, the costs of both kinds of error have to be analysed and compared.

The possibility-error leads to the following costs: (i) Considering the Kantian conceptual rationale of the OIC criterion, the propagation of impossible moral obligations would question the very idea that the concept of duty presupposes the possibility of compliance. Additionally, as discussed in Section 3.1, Singer (1993: 242) argues that it would be ‘absurd’ to demand the impossible. (ii) Demanding the impossible is unfair towards individuals. Individuals may try to comply with duty, fail and hence suffer in light of a bad conscience.¹²⁴ (iii) In addition, demanding the impossible may demotivate moral behaviour (see Elster 2007: 72-73).

Alternatively, the costs of the impossibility-error (exempting an individual despite compliance being possible) are as follows. (i) The most obvious cost relates to unfulfilled obligations; an agent is unlikely act if she believes that there is no moral obligation to act. The costs of unfulfilled obligations can be assessed from a consequentialist perspective where they equal the suffering occurring in light of unfulfilled obligations. This consideration gains weight from the emphasis of many social psychologists’ work on the expected positive effects of the ‘banality of heroism’ and ‘developmental continuities’ theses. (ii) A further cost is that an agent may feel disrespected by being considered too ordinary or weak to comply with Singer’s Principle.

¹²³ As shown in Section 3.3, general evaluations resemble Elster’s (2007: 73) suggestion that, in the case of controversial evaluations, compliance may either be considered to be possible or impossible for all individuals.

¹²⁴ It is unclear whether this case should be classified as a conceptual cost that violates the requirement that morality treats individuals in a fair way, or whether it should be classified as a consequential cost related to the suffering of the disappointed duty-bearer.

Comparing relative costs is a highly complex endeavour. From a normative perspective, it is unclear how various costs should be weighed. It is especially difficult to compare conceptual costs as they relate to the OIC criterion, considerations of fairness and the costs related to unfulfilled obligations as evaluated from a consequentialist perspective. Comparing these costs, we have to be especially aware that the OIC criterion is justified by a conceptual rationale and not with regard to consequentialist considerations as seen in Chapter 3.

Unfortunately, neither the burden of proof nor the question of how the costs of false evaluations should be weighed is discussed at length in the philosophical literature used in my research. The only exception is Elster (2007), who offers some reflections as to how we should act in light of the difficulties in applying the OIC criterion. When considering the classification of all uncertain cases as being possible or impossible, Elster simply asks, “which of these solutions will actually be more efficient in promoting the performance or moral duties” (2007: 73)?¹²⁵ But the mere allusion to the efficiency of duties is problematic in light of the variety of normative considerations that should be taken into account when comparing the cost of false evaluations. Moreover, Elster does not compare the costs of false evaluations and, thus, does not calculate the efficiency of the two solutions.

Apart from the normative difficulties of comparing the costs, the empirical calculation of each expected cost is an equally challenging task. Each of the costs is likely to vary with respect to different people, situations, cultures and time periods. Some individuals may be motivated by the outlook that they could become moral heroes; for others, being confronted with such potential may lead to anxiety and demotivating pressures. An overall assessment, however, has to offer a comparative assessment of all costs.

While the foundation of this research project is based on empirically informed possibility evaluations, it is beyond the focus of this thesis to offer an encompassing normative argument regarding how the various costs of errors should be compared or

¹²⁵ While Elster refers to the benefits and costs of false evaluations, this thesis only considers the costs of false evaluations and sets the benefits of correct evaluations equal to zero as this strategy is often used with respect to the burden of proof (Hahn and Oaksford 2007: 44). In the case of unfulfilled obligations, for example, the overall result is the same independent of whether fulfilled obligations are seen as a benefit or whether unfulfilled obligations are regarded as a cost.

how they could be empirically assessed. Given the complexity of this question, whether a plausible answer can ever be offered is in question. My own suggestion is that the burden of proof should be assigned to those who challenge the view that compliance is possible for ordinary persons. The first reason for this assignment is that, given the extent of suffering from absolute poverty in the world today, the costs of unfulfilled obligations should be considered to be very high.¹²⁶ The second reason relates to Zimbardo's (2007) and Colby and Damon's (1992) claim that positive possibility predictions are likely to have positive motivational effects. Moreover, the present analysis points to the need of including a discussion regarding the burden of proof in the literature on the OIC criterion. This must include an examination of how, and to what extent, the relative costs of errors can be empirically compared.

As the empirical literature does not offer a clear answer to whether ordinary persons can comply with Singer's Principle, my own evaluation is largely subjective. My own analysis, based on the literature and arguments presented here, finds that compliance with Singer's Principle should be regarded as possible for most individuals. Moreover, the probability that compliance is possible should be seen to increase with certain personal factors like an individual's 'altruistic personality' (Oliner and Oliner 1988). Since I am also inclined to think that the relative costs of the impossibility-error are higher, I support the general evaluation that ordinary persons should not be exempted from the obligations of Singer's Principle.

Let me finish the analysis of the OIC criterion and Singer's Principle by several concluding remarks about the definition of the OIC criterion, the empirical application and the practical relevance of the findings. Overall, the definition of the OIC criterion offered in Chapter 3 serve as an adequate basis for the empirical application. First, a precise definition of the standard was necessary for establishing a clear connection between the OIC criterion and possibility predictions in social psychology; as I have shown, the scientific question of whether there is a possibility that an individual will act heroically has to be distinguished from the philosophical question whether an individual can act heroically at a specific point of time. In addition, applying the OIC criterion to all cases – and not only to cases where individuals are already motivated to act (cf.

¹²⁶ In a similar way, considering the question about the causal responsibility of poverty, Barry's 'vulnerability presumption principle' holds that we should show "a willingness to err in favour of the acutely deprived subjects" (2005: 221). This claim is based on the idea that the interest of the individual matters more the worse-off they are.

Section 3.2) – fits well with the focus of empirical studies. Second, regarding the definition of agency, starting with the ‘ordinary persons’ thesis has been a helpful strategy since the possibility predictions of social psychologists equally relate to the capacities of ordinary persons. In sum, the definition of the OIC criterion allows for a clear understanding of the similarities and differences between the philosophical and empirical perspectives on moral heroism.

The empirical application of the OIC criterion led to a mixed result. On the one hand, it has been possible to identify scientific definitions of forms of moral behaviour fulfilling the moral demands of Singer’s Principle. Moreover, research findings about the role of personal factors and about the strong influence of situational factors significantly increased our understanding of the conditions of moral heroism. Furthermore, the possibility predictions that each individual has the potential to act heroically as expressed by the ‘banality of heroism’ and ‘developmental continuities’ theses has been a positive finding and seems, at first glance, to offer a good answer to the research question.

On the other hand, a striking difference remains: the scientific focus on whether an event may happen at all differs from the philosophical question regarding whether an individual can decide to act at a specific point of time. This difference represents the two underlying emphases of two varied and sometimes divergent disciplines. While social psychologists are interested in the effects of dispositional and situation factors “moving particular individuals across a decisional line from inaction to action” (Zimbardo 2007: 485), the philosophical interest lies on the potential and limits of individuals as autonomous decision-makers.

In conclusion, it has been shown that empirical research results can and should be used to justify possibility evaluations – but it is also clear that possibility evaluations cannot entirely fulfil the premise of the research question. Since empirical research results are inconclusive, possibility evaluations ultimately have to be informed by each philosopher’s sense of possibility. Consequently, an important degree of subjectivity and uncertainty cannot be avoided.

What practical relevance are possibility evaluations likely to have? Singer’s Principle is a very popular principle: it is discussed in many university courses and in the current

media.¹²⁷ In these debates, as well as in the philosophical literature, the desirability of the Singer's Principle is usually the focus of attention. Meanwhile, the question of whether ordinary persons can comply with Singer's Principle is often mentioned but rarely discussed in detail. Since many social psychologists assign an important place to the message of hope that accompanies the 'banality of heroism' and 'developmental continuities' theses, a positive possibility evaluation may have a significantly positive effect. Pointing out why compliance is likely to be possible for each individual may convince people that they can significantly increase their contribution to the reduction of preventable suffering. Combining this belief with the research findings that most moral exemplars live a happy life may have a further positive impact on the behaviour of individuals. Whether a positive possibility evaluation is true, however, can only be proven in practice.

¹²⁷ See Singer's 'What Should a Billionaire Give – and What Should You?' (2006).

Chapter 6: The Feasibility Criterion and Domestic Egalitarian Justice

A man is not born, but becomes one.

Erasmus (quoted in Margolin 1993: 343)

But man's capacities have never been measured; nor are we to judge of what he can do by any precedents, so little has been tried.

Henry David Thoreau (1997: 11)

The third analytical chapter of this thesis consists of the conditional feasibility of Pogge's theory of global egalitarian justice outlined in the Introduction. The two parts of the analysis are the definition of the feasibility criterion (Chapter 6) and its application to Pogge's theory of global egalitarian justice (Chapter 7).

This Chapter defines the feasibility criterion and, in addition, evaluates the feasibility debate about domestic egalitarian justice. Given the complexity of the latter debate and this thesis' focus on global justice, this Chapter analyses the structure of the debate but refrains from giving a conclusive answer. As a consequence, the feasibility evaluation of Pogge's theory will be 'conditional', based on the assumption that domestic egalitarian justice is feasible.¹²⁸

The role of the feasibility criterion is to ensure that the ideals propagated by moral theories can be implemented. While the OIC criterion relates to individual capacities, the criterion of feasibility focuses on the collective capacities of groups, nations and even humanity at large. The common rationale is that neither individuals nor collectives should be obliged to pursue moral ideals beyond their capacities (Räikkä 1998; O'Neill 2004; Elster 2007). Similar to the definition of the OIC criterion in Chapter 3, the first

¹²⁸ The question is, then, whether the difference of scope between the domestic and global realm justifies diverging feasibility evaluations. See Section 1.2 for a discussion of the rationale of the conditional feasibility evaluation.

aim of this Chapter is to offer a philosophically convincing and empirically applicable definition of the feasibility criterion. This requires specification of agency and motive of compliance, the evaluative standard, time frame and legitimacy constraint.

The second aim of this Chapter is to analyse the feasibility debate about Rawls' (1999a) theory of domestic egalitarian justice.¹²⁹ Which empirical theories are adduced to justify feasibility evaluations? Are any methods of prediction (like trend extrapolation or scenarios) used to justify feasibility evaluations? What are the forms of feasibility evaluations? Is the subjectivity and uncertainty of feasibility evaluations theorised? Keeping in mind that only a few philosophers offer extensive arguments about the feasibility of domestic egalitarian justice, the present Chapter focuses on the positions defended by Rawls (1999a) and Nagel (1991).

This Chapter proceeds in a similar manner as the previous two Chapters; it begins with Section 6.1, which examines the definition of the feasibility criterion via the parameters agency, motive, standard, time frame and legitimacy. Section 6.2 analyses Rawls' (1999a) and Nagel's (1991) arguments regarding the feasibility of domestic egalitarian justice. Building on this, Section 6.3 goes on to offer a preliminary conclusion about the applicability of the feasibility criterion and the contribution of empirical research results as well as the subjectivity and uncertainty of feasibility evaluations.

6.1 The criterion of feasibility

The fundamental difference between the analysis of individual and collective capacities relates to the time frame and thereby also to the evaluative standard; while the OIC criterion asks whether an individual can comply with a moral obligation at a specific point of time, the question of the feasibility criterion is whether a moral ideal can be accomplished within a certain time frame. Accordingly, the feasibility criterion does not refer to the present capacities of a collective, or what could the collective do now, but to its future capacities, or to what potential the collective has. In order to offer a full definition of the feasibility criterion, this section examines how to best define both the agency and motive of compliance and the legitimacy constraint.

¹²⁹ The terms 'domestic egalitarian justice' and 'domestic egalitarianism' are meant to exclusively refer to Rawls' (1999a) theory of domestic justice. In a similar way, the terms 'global egalitarian justice' and 'global egalitarianism' refer to Pogge's (1989) theory of global justice.

Agency and motive of compliance

The functioning of a system requires the coordination of behaviour; the individual willingness to act must be translated in effective collective action (Rawls 1999a: 5). It must also be possible to install mechanisms of enforcement giving additional incentives to comply and to punish instances of non-compliance. Dealing with collective compliance, coordination and enforcement, the question of institutional feasibility is more complex than the application of the OIC criterion to interactional principles like Singer's Principle.¹³⁰

Noting this complexity, it is vital that we consider the various conditions under which a moral ideal should be considered accomplished. With respect to the agency of compliance, it seems reasonable to work with the concept of 'broad compliance', i.e. to demand that a large majority of a given collective must comply with a moral theory for the theory to be considered feasible. This view is adopted by Rawls, who maintains that for a system to be stable, compliance must take place "more or less regularly" (1999a: 6). A more exact definition, by contrast, might require that c percent of the population must always or almost always comply. Since it is difficult to define an exact level of compliance required for the functioning of a specific institution, working with the concept of broad compliance is adequate for the present analysis.

Turning to the motive of compliance, the question is whether compliance should be required to take place for moral motives or whether no restriction should be made.¹³¹ Rawls observes that enforcement is likely to be always necessary since "even under reasonably ideal conditions, it is hard to imagine, for example, an income tax scheme on a voluntary basis" (1999a: 211). In a similar way, Miller refers to "trust backed up by compulsion" (1999a: 19) as one of the conditions of social justice. Taking Rawls and Miller as examples, my research does not require that compliance take place for a specific set of motives. Instead, what ultimately matters for most moral theories is the realisation of desirable states of affairs in which interests or rights are protected (Griffin

¹³⁰ In general, obligations of justice are less demanding than interactional principles like Singer's; social burdens are distributed among the entire population and compliance may be enforced, thus making compliance easier from a motivational perspective. Therefore, the principal concern of feasibility evaluations is not whether each individual has the capacity to comply but whether it is possible that a sufficiently large part of the population will comply with the obligations of justice at the same time.

¹³¹ With respect to Singer's interactional Principle, the question is whether compliance can take place in the absence of strong external rewards or enforcement (see Section 3.3).

1992), and not the intrinsic value of the motive of people's behaviour. Second, it is very hard to identify which motives stand behind a given action (Oliner and Oliner 1988: 5); a motive of constraint would severely complicate feasibility evaluations. Therefore, a moral ideal should be considered realised if broad compliance takes place and no restrictions on the motive of compliance should be made.

Standard

The standard of the feasibility criterion defines the conditions under which a moral ideal should be classified as 'feasible'. According to Rääkkä, the "feasibility of a theory of justice should be evaluated by judging whether it is possible to bring about the ideal world recommended by the theory" (1998: 31). In this respect, 'possible' signifies that the chances of the moral ideal being implemented are unequal to zero. Choosing this interpretation is in line with the predictive framework of the social sciences.¹³² Therefore, as will be discussed in greater depth below, it is important to consider that empirical predictions and feasibility evaluations require precise time frame definitions. Furthermore, the standard endorsed by Rääkkä signifies that the form of feasibility evaluations is dichotomous: "a theory is or is not feasible; it is not more or less feasible" (1998: 32).¹³³

In the literature of global justice, the concepts 'feasible' and 'possible' are often used in a similar way (Miller 1999a; Boswell 2005). Additionally, many other expressions are advanced to evaluate whether a moral ideal satisfies the feasibility criterion. Boswell, for example, maintains that cosmopolitan principles are "unrealistic", "unfeasible", "unattainable", "hopelessly unfeasible", "patently unfeasible" or "at best utopian" (2005: 2, 4, 6, 50). This proliferation of concepts is, however, a hindrance to a precise

¹³² In this, it is important to bear in mind the claim of the 'banality of heroism' thesis that each individual has the capacity to act heroically, i.e. that the chances of such behaviour are unequal to zero (see Section 5.2). Moreover, the question of the NIC Report is whether an optimistic scenario is possible (see Section 4.3). Accordingly, the term 'possible' is used in a similar way in all three cases. As Section 5.4 has shown, by contrast, this use differs from the standard of the OIC criterion.

¹³³ Similarly, Elster (2007: 47) claims that possibility evaluations have "no variation in degree". In opposition, Boswell (2005: 2) indicates that some moral theories can be "more ethically feasible" than others. Since Boswell does not explicitly define the criterion and standard of feasibility, it remains unclear what is meant. I assume that Boswell indeed refers to an effectiveness criterion comparing the probability that moral theories will be implemented (cf. discussion on the effectiveness criterion in Chapter 2).

definition of the feasibility criterion and is often unclear as to which metaethical criterion terms like these refer.

Thus, clarity is key: the terms ‘feasible’ and ‘possible’ should not be treated synonymously. As Rääkkä (1998: 37) argues, ‘feasible’ means that a moral ideal can be realised by legitimate means; the term ‘feasible’ thus incorporates a legitimacy constraint (see below for further discussion). So while each feasible moral ideal is also possible, each possible moral ideal is not feasible.

To avoid any confusion, my work will only use the term ‘feasible’ and ‘possible’ for the evaluation of moral ideals. It will explicitly be highlighted if the meanings of the two terms differ because of legitimacy considerations.¹³⁴

The feasibility standard outlined above has to be distinguished from Rawls’ concern with the relative stability of moral theories. To understand this issue, the Rawlsian distinction between the realisability and stability of moral theories needs to be introduced. While realisability deals with the question whether a social system can be brought about at all, stability relates to the question whether individuals growing up under just institutions will acquire the “corresponding sense of justice and desire to do their part in maintaining them”, and whether stabilising forces exist if infractions should occur” (Rawls 1999a: 398).¹³⁵ Rawls’ focus here is on the stability criterion, as it fulfils two functions. The first is to ensure that the parties of the original position “are rational in that they will not enter into agreements they know they cannot keep, or can do so only with great difficulty” (*ibid.*: 125-126). Accordingly, the stability criterion makes the absolute requirement that moral theories must be ‘feasible’ or ‘stable enough’ (*ibid.*: 441). As a second function, Rawls’ criterion of stability evaluates the relative stability of different conceptions of justice: “other things being equal, the preferred conception of justice is the most stable one” (*ibid.*: 436).

This relative function clearly differs from Rääkkä’s definition of the feasibility standard as its only absolute requirement is that the realisation of a moral ideal is possible. Most other philosophers also consider the feasibility standard to function as an

¹³⁴ This task is not easy since most philosophers use these terms synonymously or without an explicit definition.

¹³⁵ If an individual possesses the required ‘sense of justice’ (Rawls 1999a: 125), this simply means that she is motivated to comply with the obligations of justice. The Rawlsian meaning of the ‘sense of justice’ should thus be distinguished from the concept of a moral sense or moral intuition on which an individual’s moral judgment can be based.

absolute requirement (Miller 1999a; Caney 2005; Boswell 2005; Elster 2007).¹³⁶ This thesis will equally focus on the absolute feasibility of global egalitarianism as this has the advantage of reaching a clear separation between the feasibility criterion and other metaethical criteria related to motivation.¹³⁷

In the literature of global justice, however, such a clear distinction is often not achieved. Nagel, for example, claims that “political theory must take into account the individual conduct it demands of people in the creation and operation of political institutions,” that political theory must not “put too much pressure on individual motives” and that “[i]f real people find it psychologically very difficult or impossible to live as the theory requires, or to adopt the relevant institutions, that should carry some weight against the ideal” (Nagel 1991: 26, 24, 21). It is important to separate these claims about the psychological difficulty of compliance from the feasibility standard. After this distinction is made, these claims need to be defended by a metaethical criterion other than the feasibility criterion.¹³⁸

To summarise, the standard of the feasibility criterion requires that the chances of a moral ideal being brought about by legitimate means are unequal to zero. This definition implies that the feasibility criterion functions as an absolute criterion. Moreover, the form of feasibility evaluations is dichotomous; a moral ideal should be considered to be feasible or not.

Time frame and legitimacy

To complete the definition of the feasibility criterion, the parameters of time frame and legitimacy need to be discussed. The time frame defines the period of feasibility

¹³⁶ It is worth emphasising that the analytical distinction between the realisability and stability of an ideal only plays a minor role in most feasibility evaluations. Most philosophers combine their discussion of the realisability of moral ideals with their discussion on the stability of moral ideals (cf. R  ikk   1998; Miller 1999a; Caney 2005). Moreover, the Rawlsian distinction between realisability and stability is often mentioned in the literature but not discussed to any further extent (cf. Laegaard 2006: 406). As a consequence, the fact that Rawls’ criterion of stability also has a relative component is mostly neglected.

¹³⁷ Moreover, if we are interested in establishing ties between the OIC criterion and the feasibility criterion, the latter may not incorporate concerns for the relative stability of moral ideals.

¹³⁸ A further problem is that the additional requirements are imprecise: what exactly does ‘too much pressure’ or ‘psychologically very difficult’ mean? If Nagel wants to argue that the probability of compliance should be higher than a certain threshold, this claim must be defended with respect to the effectiveness criterion analysed in Chapter 2.

evaluations. Until when must a moral ideal be realisable to count as feasible? A distinction can be made between three time frames (the short-, middle- and long-term), where each time frame leads to a different kind of feasibility analysis. First, if the time frame is categorised as short term, we are dealing with questions of political feasibility. An example is Pogge's (1994) argument for a 'global resources tax' (GRT), which demands the introduction of a global tax on natural resources to benefit the globally worst-off. Pogge maintains that the GRT is a "reasonably clear and specific institutional proposal", that is "instantly feasible" (1994: 199, 205). To count as politically feasible, a proposal or policy must have a sufficiently high chance of success; therefore, 'feasible' no longer signifies that the chances of success are unequal to zero. A new health policy, for example, will usually only be adopted if the chances of success are sufficiently high.¹³⁹

Next, let us distinguish middle-term feasibility evaluations from the evaluation of moral ideals. As Carens (1996) has argued, the 'realistic approach' to morality searches for moral principles to guide behaviour given the existence of certain constraints (cf. Section 3.2). A middle-term feasibility question is, for example, whether proposals for stronger international institutions are feasible within the next few decades. In middle-term analyses, as in the case of political feasibility, the meaning of 'feasible' is that the chances of success are sufficiently high.¹⁴⁰

Third and finally, we are only concerned with the feasibility of moral ideals if the time frame is a long-term time frame. This view is widely supported in the literature (Nagel 1991; R  ikk   1998; Caney 2005) and can be summarised by Rawls' contention that "[t]he politician looks to the next election, the statesman to the next generation, and philosophy to the indefinite future" (quoted in Pogge 1994: 224). Nevertheless, this does not clarify how expressions like the 'long term' or the 'indefinite future' should be operationalised. For scientific predictions and feasibility evaluations, the difference between a time frame of five hundred, a thousand or two thousand years is highly

¹³⁹ For a discussion about the relation between issues of political feasibility and the feasibility criterion in moral theory, see R  ikk   (1998: 28-31). R  ikk   also highlights that "in ordinary language 'cannot' does not often express absolute (metaphysical) impossibility. Instead, actions are frequently called 'impossible' when it is simply meant that performing them would not be reasonable, given the costs, effort and other possible weak constraints" (*ibid.*: 37).

¹⁴⁰ A further middle-term feasibility issue is whether absolute poverty can be eradicated in decades to come. For a positive answer to this question, see Sachs' (2005) *The End of Poverty*. The view that absolute poverty can be ended is also defended by the MakePovertyHistory Campaign presented in Chapter 1.

important.¹⁴¹

The fact that philosophers do not specify the time frame by a range of years signifies that the research question of the feasibility criterion remains imprecise.¹⁴² To proceed, this thesis will adopt a working definition that takes the long term to refer to a period between five hundred and a thousand years. This period seems to capture what most philosophers have in mind when they make feasibility evaluations. Finally, it is worth emphasising that the likelihood of positive feasibility evaluations, as well as the degree of uncertainty, will increase with the length of the time frame. In Chapter 7, the definition of time frame will play a crucial role with regard to the debate between Miller (1999a) and Caney (2005).

Legitimacy is the final parameter that needs to be considered for a full definition of the feasibility criterion. Legitimacy and the legitimacy constraint relate to the means by which a just society can be brought about; as indicated above, a moral ideal may be ‘possible’ but not ‘feasible’ if the realisation of the latter requires the use of illegitimate means such as brainwashing or military conquest.¹⁴³ Räikkä also speaks of “moral costs of changeover” to describe the expected negative consequences related to a transition to a moral ideal (1998: 33). Since the assessment of these costs depends on the conception of an endorsed morality, “it becomes partly a *normative matter* to decide which institutional arrangements are feasible and which are not” (*ibid.*: 37).

It is, however, extremely difficult to formulate a legitimacy constraint in a general way; the evaluation of the moral costs of changeover and the value of institutional reform strongly depends on the moral theory and circumstances in question. In the literature of global justice, most philosophers endorse a least a moderate legitimacy

¹⁴¹ Although Rawls does not precisely define what is meant by the term ‘infinite future’, this term should be distinguished from ‘infinity’. Imagining what may happen within tens of thousands of years is so distant from the world as we presently experience it that it makes little sense to include such changes in the present analysis.

¹⁴² To understand the unusual nature of this situation, think about an interdisciplinary working group having to evaluate the long-term feasibility of a world government. The empirical scientists of the group would certainly be confused if, during the initial discussion about the theoretical framework, the participating philosophers refused to define the time frame of the prediction in a manner that was in no way precise. So while the non-definition of the time frame is common in philosophy, a precise definition of the latter is the starting point for most, if not all, empirical predictions.

¹⁴³ The legitimacy constraint only concerns the realisability of a moral ideal; stability is not affected since the definition of a just society within the liberal tradition implies that the government uses only legitimate means of education and enforcement.

constraint ruling out the enforced imposition of values (Pogge 1989; Nagel 1991). A moderate legitimacy constraint may thus serve as a background assumption for the analysis to come.¹⁴⁴

Having discussed the five parameters of the feasibility criterion, we can now turn to the final definition of feasibility criterion. The research question is: *Are the chances that the social ideal recommended by a moral theory will be brought about – by legitimate means and within the time frame T – unequal to zero?* The question is based on the following background assumptions: first, a social ideal counts as realised if broad compliance takes place; second, no requirements regarding the motive of compliance exist; third, a moderate legitimacy constraint is endorsed. With respect to my own conditional feasibility evaluation of global egalitarianism, I take the time frame to be somewhere between five hundred and a thousand years.

A final issue to be considered is the weight of the feasibility criterion. If the feasibility criterion is considered to be of absolute weight, a moral theory should be ruled out if it is unfeasible. In this case, the feasibility criterion functions as an absolute constraint. If the weight is relative, an unfeasible moral theory is only considered to be defective. In the literature of global justice, the weight of the feasibility criterion is defined in a variety of ways (Nagel 1991; Rääkkä 1998; Rawls 1999a; Caney 2005; Boswell 2005). Since the definition of the weight does not affect the application of the feasibility criterion, I will return to this issue after having discussed the feasibility analysis of global egalitarianism. This strategy allows us to combine the discussion of the weight and applicability of the feasibility criterion.

Objections

Most contemporary literature endorses the criterion of feasibility (Nagel 1991; Miller 1999a; Rawls 1999a; Boswell 2005; Caney 2005). As in the case of the OIC criterion, the principal rationale is that it would be conceptually mistaken to propagate a moral ideal that cannot be realised. In addition, some philosophers also mention that it would be ineffective to demand the impossible (Mackie 1990: 132). In general, however, the

¹⁴⁴ I will explicitly point out if the feasibility evaluations of a given philosopher are influenced by a particularly strong or lax legitimacy constraint (cf. the discussion of Nagel's (1991) argument in Section 7.3). For an extensive discussion of the legitimacy constraint, see Elster's (2007) *Transforming Moral Motivation*.

rationale of the feasibility criterion is hardly further specified or defended.¹⁴⁵

Pogge (1989) and Cohen (2008) are two of the few contemporary philosophers who reject the criterion of feasibility.¹⁴⁶ Pogge's argument questions the practical relevance of long term feasibility evaluations: "All we may ask is that a conception of justice provide a criterion for assessing our global order that allows us to choose from among the feasible and morally accessible avenues of institutional change and thus specifies our moral task gradually to *improve* the justice of this order" (1989: 260). While the ultimate goal of such reforms is a fully just global institutional scheme, Pogge adds that

[o]ur responsibility, however, in no way depends on whether such a fully just scheme is practicable or realistically attainable. Yes, Rawls's criterion can be used to design a blueprint of ideal institutions that would be perfectly just. But much more important for now is its role in the comparative assessment of alternative feasible institutional schemes. Perhaps we will never reach a scheme whose worst social position is optimal. But we don't need the assurance that such a scheme is reachable in order to recognize that we ought to support institutional reforms that improve the worst social position, just as one does not need the assurance that one can reach perfection for undertaking to become a better human being.

ibid.: 12

If a conception of justice can specify how individuals should act in practice, the 'ultimate import' of offering guidance to individuals is met. Practically, Pogge's position implies that we should abandon the task of long-term feasibility evaluations and concentrate on the short-term feasibility assessment of institutional reform that would morally improve the state of the world.^{147 148}

Since this thesis focuses on the definition and application of the feasibility criterion, the grand scale metaethical question of whether ultimate moral principles should be sensitive to empirical facts is beyond the scope of the present analysis. However, it will be interesting to return to this question on the small scale after having assessed the

¹⁴⁵ The rationale behind the feasibility criterion will play an important role with respect to the costs of false feasibility evaluations and the burden of proof discussed in Section 7.7.

¹⁴⁶ As outlined in the Introduction, Cohen (2003: 241) makes a fundamental distinction between 'ultimate normative principles' and 'principles of regulation'. While the former should be fact-insensitive and thus not be affected by the feasibility criterion, the latter should be designed with regard to the expected consequences, taking social conditions into account.

¹⁴⁷ In his more recent work, Pogge does focus on the short-term feasibility of institutional reforms related to the international borrowing and resource privileges (2002: 153-167) and to the global patent system in the health sector (2006).

¹⁴⁸ A further consequence of Pogge's rejection of long-term feasibility evaluations is that Pogge himself does not offer a feasibility defence of his theory of global egalitarian justice. We need to explore to what extent other philosophers perform this task and what further empirical arguments can be adduced.

applicability of the feasibility criterion discussed in Section 7.7.

6.2 The feasibility of domestic egalitarian justice

The aim of this section is to analyse how the feasibility criterion is applied in the case of domestic egalitarian justice. Considering the empirical arguments advanced by Rawls (1999a) and Nagel (1991), we must address the puzzle of how explanatory arguments are used to justify feasibility evaluations. Here I will also evaluate whether the three conditions for predictive arguments (correct assumptions, relevant explanatory theories and convincing predictive arguments) are satisfied. However, given the breadth and complexity of the debate, no conclusive evaluation about the feasibility of domestic egalitarian justice will be given. Then the section will move into a methodological issue, relating to the practical applicability of the feasibility criterion. What role does the distinction between realisability and stability arguments play? What form do feasibility evaluations take and which weight do they have? How do Rawls and Nagel deal with the degree of uncertainty of evaluations in their own work?

Rawls on the stability of domestic egalitarian justice

Surprisingly, Rawls' argument relates to stability but not to the realisability of his conception of justice. Thus, his argument does not represent a complete feasibility evaluation. Focusing on the stability of a just society, Rawls is mainly interested in "the development of the sense of justice as it presumably would take place once institutions are firmly established and recognized to be just" (1999a: 397). Discussing the development of the sense of justice, Rawls draws both on empathy-based social learning theories and on Kohlberg's (1981) cognitive theory of moral development. Summarising the six stages of moral development offered by Kohlberg, Rawls (1999a: 405-420) defines three stages of moral development relating to the 'morality of authority', the 'morality of association' and 'morality of principles'. Rawls' claim is that in each stage of moral development, individuals will have good reasons to comply with the obligations of justice; moreover, as individuals grow up under just institutions, it is likely that individuals will eventually reach the third stage (morality of principles) and comply for principled reasons.

Furthermore, Rawls maintains that individuals are also likely to comply for broadly

self-interested reasons, since justice as fairness is both in line with people's sense of justice and their conception of the good (1999a: 491). In the end, Rawls does not conclude that justice as fairness is the most stable conception of justice; instead, the aim has simply been to check justice as fairness is "not so unstable that some other choice might be better" (*ibid.*: 441).

Overall, Rawls' argument relies heavily on the power of education, modelling behaviour of parents and institutions and rational conviction. This justification is in line with Mill's claim that the human mind is, through the power of education and social institutions, susceptible "of being cultivated in almost any direction: so that there is hardly anything so absurd or so mischievous that it may not, by means of these influences, be made to act on the human mind with all the authority of conscience" (1962: 283-84).

Evaluating Rawls's argument, the first problem relates to the neglect of the realisability question; it is bizarre to start with the stability question, presuming that just institutions are already firmly established and recognized to be just. It is simply more advantageous to start with a realisability analysis. If one should come to a negative realisability evaluation, a stability evaluation would even be superfluous.

Next, Rawls' argument can be evaluated in light of the three conditions for convincing predictive arguments outlined in Chapter 4. To begin with, Rawls cannot be criticised for drawing on flawed empirical assumptions; Rawls does not advance contentious explanatory theories, nor does he assign special weight to specific empirical findings. The fact that he draws on the general insights of a variety of explanatory theories reflects Rawls' view that the parties of the original position are able to evaluate the stability of a conception of justice in light of the "general facts of moral psychology" which are known to them (1999a: 405). Next, the question about the feasibility of domestic egalitarian justice is so broad that we cannot judge which empirical theories represent the most adequate basis for feasibility evaluations. Drawing on the major strands of social and moral development theories, Rawls cannot be criticised for an inadequate selection of empirical theories. Finally, depicting the development of individuals' sense of justice under the influence of just institutions, Rawls offers a positive argument why justice as fairness should be considered feasible. Thus, the formal conditions for convincing predictions are satisfied.

Overall, it would be difficult to challenge the general explanations of moral

behaviour offered by Rawls. Rather, the crucial issue is whether the motivational tendencies adduced by Rawls are strong enough to motivate broad compliance with the obligations of justice. Conceding that individuals growing up under just institutions are more likely to become principled reasoners, for example, it can nonetheless be argued that it is unlikely for a large share of the population to become principled reasoners and to act upon their rational convictions. As regards the relationship between abstract moral judgments and moral action, Rawls pays little attention to the fact that there is scarce empirical evidence about the relationship between stages of moral development and moral action (Colby and Damon 1992: 7). A final criticism could be that Rawls does not discuss empirical theories focusing on the perpetuality of narrowly egoistic motives like the desire for material wealth and power.

In sum, the brief presentation of Rawls' argument on the stability of domestic egalitarianism shows the enormous complexity of the task ahead. Since nearly all areas of social life are important in relation to the stability of a just system, the choice of explanatory theories is extremely difficult – one might even question whether anything like the most relevant explanatory theory can be identified. It will be interesting to consider how Nagel (1991) engages with Rawls' empirical arguments about the stability of justice as fairness and whether he challenges or defends the realisability of justice as fairness.

Nagel on the feasibility of domestic egalitarian justice

In *Equality and Partiality* (1991), Nagel not only deals with how the impartial and personal standpoint can be combined, but also whether different combinations are motivationally feasible. In opposition to Rawls' focus on the stability criterion, Nagel is mostly concerned with the realisability of domestic egalitarianism; starting with the status quo, he seeks to ascertain which attitudinal changes would have to take place for individuals to affirm egalitarian institutions and whether it is possible to do so.¹⁴⁹

As a background requirement for a change towards an egalitarian society, individuals would have to abandon the idea “that there is a morally fundamental distinction, in

¹⁴⁹ Regarding the distribution of economic advantages, for example, most beneficiaries currently occupy an anti-egalitarian position, feeling “on the whole entitled to count themselves fortunate in the natural abilities and social and educational opportunities which, suitably employed, have resulted in competitive advantage, and consequent rewards. Others are less lucky, but that's life” (Nagel 1991: 97).

regard to the socioeconomic framework which controls people's life prospects, between what the state does and what it merely allows" (Nagel 1991: 99). People would have to accept that they are, via the agent of the state, responsible for the outcome of institutional rules; the idea that certain aspects of social life are 'natural' and do not need to be justified had to be abandoned.

This being the case, Nagel discusses three major obstacles to egalitarian justice: discrimination, class, and talent.¹⁵⁰ He begins with intentional discrimination according to race, gender, etc., which stands in opposition to the negative equality of opportunity. Given the historical and recent successes in the fight against discrimination (e.g. the improved standing of women and minorities in some parts of the world), Nagel (*ibid.*: 110) maintains that discrimination is one of the causes of economic inequality that is most likely to be overcome.

Second, class summarises the hereditary and economic advantages related to qualifications and possessions standing in the way of egalitarian justice. With regard to the interest of parents to pass on special qualifications to their children, Nagel claims that "[t]here is no possibility of abolishing this interest" (*ibid.*: 109) as long as social life is basically familial. Alternatively, measures related to positive equality of opportunity can only lead to a partial limitation of the effects of class. Regarding the inheritance of possessions, Nagel is more optimistic, maintaining that "[i]t would not be unrealistic to hope for a change in attitude toward the inheritance of wealth, so that the privilege of endowing one's children with independent means was no longer regarded as the kind of expression of family feeling with which the state should not interfere" (*ibid.*: 112). He adds that "[i]t might even be possible to design a system of estate and gift taxes without the loopholes that usually plague such efforts" (*ibid.*).

Nagel's concluding point is talent, which refers to the current practice of rewarding morally arbitrary skills. To begin with, Nagel supports Rawls' justification of the difference principle, holding that economic incentives should be used to maximise the well-being of the worst off. To argue against the difference principle, one would have to imagine a system "in which the aims of economic life would be largely unchanged but the incentives leading to the most effective achievement of those aims were not economic" (Nagel 1991: 94). But Nagel is sceptical whether or not a 'purely psychic

¹⁵⁰ The distinction between discrimination, class and talent has been introduced by Rawls (1999a: 73-78)

income' could fulfil this role, as he concludes that such an "ideal social order is beyond my imagination, at any rate" (*ibid.* 95). Unfortunately, Nagel does not offer a clear evaluation whether it is possible that the difference principle will be adopted in the first place. This fact is surprising since Nagel shows a strong interest in the justification of the difference principle and the degree of equality that may be reached should the latter be institutionalised.¹⁵¹

Bearing in mind that the feasibility of the difference principle is not evaluated, we can now turn to Nagel's general conclusion in which he infers that the "prospects of limiting social inequality to the goods for which their possessors are responsible seem remote" (*ibid.* 119). Moreover, he maintains that the existence of a strongly egalitarian society is "difficult to imagine" (*ibid.* 128).

How should we evaluate Nagel's position on the feasibility of egalitarian justice? Let me make four remarks. (i) The most striking feature is that, apart from agreeing with Rawls about the justification of the difference principle, Nagel hardly engages with the stability arguments offered by Rawls or other philosophers. This fact is only partly due to Nagel's focus on the realisability of domestic egalitarian justice, since Nagel also considers the socialising effects of institutions. As a consequence, we cannot really speak of a debate that takes place regarding the feasibility of domestic egalitarian justice. (ii) Nagel does not draw on specific empirical theories to justify his predictive arguments, nor does he make any controversial empirical assumptions about things such as the psychological nature of moral motivation that might be refuted by empirical research results. The argument is based instead on a general understanding of human motivation and the functioning of institutional rules. It is, therefore, difficult to criticise Nagel's argument in light of specific empirical research results.¹⁵² Considering the three conditions for predictive arguments, Nagel's general explanations are broadly in line with empirical explanations of moral behaviour. In addition, Nagel is eager to offer a range of predictive arguments justifying his feasibility evaluations (see the earlier

¹⁵¹ In this case, for a change towards a more egalitarian society, individuals would have to want more goods for themselves as a necessary incentive for productivity. On the other hand, they would have to feel uneasy about wanting more, leading them to partly reject incentives leading to inequalities.

¹⁵² A positive feature of Nagel's feasibility analysis is that the arguments offered are close to scientific language, understandable even for those who are not fully acquainted with the endless range of philosophical definitions. In opposition, I find Rawls' argument about the stability of justice as fairness far less accessible; this may explain why it receives restricted attention in philosophical literature.

discussion of discrimination, class and talent in this Chapter).

(iii) One of the most interesting points relates to the form of feasibility evaluations. In fact, the statements that the prospects of a strongly egalitarian society ‘seem remote’, or that the existence of a strongly egalitarian society is ‘difficult to imagine’ do not represent dichotomous evaluations.¹⁵³ Moreover, it remains unclear whether these statements support or reject the feasibility of the difference principle. Instead of offering a dichotomous feasibility evaluation and an additional statement about the accompanying degree of uncertainty, a vague mixture of both kinds of information is offered. In Section 7.7, the effects and potential causes of unclear evaluations will be reconsidered. (iv) A possible consequence of the unclear form of feasibility evaluations is Nagel’s reluctance to discuss the effects of his evaluations. It is unclear whether, and if so to what extent, theories of domestic egalitarian justice should be considered to be defective in light of Nagel’s feasibility evaluations. While Nagel (1991: 24) mentions the ‘dangers of utopianism’ at an early stage in his work, he does not refer back to this issue once the evaluation has been accomplished. Hence, no systematic analysis of the costs of false feasibility evaluations about egalitarian domestic justice is given.

6.3 Conclusion

It has been the primary aim of this Chapter to define the feasibility criterion. Although the feasibility criterion is widely endorsed, the preceding discussion has shown that no standard definition exists and that the theoretical literature on the feasibility criterion is scarce. The discussion has led to the following definition of the research question: *Are the chances that the social ideal recommended by a moral theory will be brought about – by legitimate means and within the time frame T – unequal to zero?*

The underlying parameters are defined as follows. First, the feasibility standard requires that it is possible to realise the moral ideal – that the chances of the moral ideal being brought about are unequal to zero. The form of feasibility evaluation should be dichotomous. Second, a moral ideal counts as realised if broad compliance takes place (agency); no requirements regarding the motive of compliance are made. Third, a

¹⁵³ Similarly, the claim that ‘it might even be possible’ (Nagel 1991: 112) to design a system of estate and gift taxes without loopholes is only tentative; the information whether we should consider it to be possible is not given.

moderate legitimacy constraint is endorsed. Fourth, the time frame is somewhere between five hundred and a thousand years. Furthermore, it is controversial how the weight of the feasibility criterion should be defined; the weight will be reconsidered Section 7.7 after having successfully dealt with the conditional feasibility evaluation of global egalitarian justice.

The next key aim has been to analyse the debate about the feasibility of domestic egalitarian justice. Given the complexity of this question, the principal purpose was not to reach a conclusive answer but to analyse the kind of empirical arguments offered by philosophers and the application of the feasibility framework. (i) Considering the empirical arguments advanced by Rawls and Nagel, the debate shows the difficulty of justifying feasibility evaluations in light of empirical theories and research results. The first problem is that the feasibility analysis of egalitarian justice is so complex that it is unclear which kind of empirical theories should be consulted; almost any psychological or social theory can be adduced in favour of one argument or the other. Rawls, for example, draws on Kohlberg's theory of moral development as well as on empathy-based theories, arguing that individuals may be motivated both by rational motivation and sentiment to affirm and comply with the principles of justice. Consequently, Rawls' justification cannot be refuted for relying on a simplistic account of motivation.

Since considerations of complexity rule out the possibility to combine a large number of specific theories, the most promising solution is to combine the general insights of a variety of social disciplines. Feasibility evaluations are, therefore, rather informed by 'armchair' social sciences (Flanagan 1991: 16), relying on a broad and general understanding of human behaviour, rather than by using the latest empirical insights of specific explanatory theories. Both Rawls and Nagel justify their feasibility this way. However, the generality of reasoning also has the consequence that feasibility debates are vague and potentially unlimited: the less specific the arguments are, the more difficult it is to speak of a concrete debate between specific authors. It is noteworthy that Nagel does not directly challenge or defend any of the empirical arguments advanced by Rawls, nor does Nagel directly engage with the feasibility evaluation advanced by other contemporary philosophers.

The complexity of the debate and the generality of the arguments also signify that evaluations about the feasibility of domestic egalitarianism are subjective (cf. Knight's distinction between statistical or 'objective' and 'subjective' predictions outlined in

Section 4.1). No empirical models can be advanced to justify a positive or negative feasibility evaluation; the extent to which empirical research results can inform feasibility evaluation is limited. While an individual can be highly certain about a subjective evaluation, the problem is that the subjectivity of evaluations is unlikely to convince other philosophers about the adequacy of an evaluation. This problem finds its expression in Rääkkä's (1998: 27) claim that there is 'little agreement' about the feasibility of domestic egalitarianism.

(ii) Considering the application of the feasibility criterion, the most important result has been that Nagel shies away from offering dichotomous feasibility evaluations; the claim that the chances of bringing about an egalitarian society 'seem remote' is an example (1991: 119). This vagueness of Nagel's evaluations can be explained by the fact that Nagel is uncertain about the correct answer. The problem with vague evaluations is, however, that individuals do not know to what extent the moral theory in question should be considered defective.

Given the subjectivity and uncertainty of feasibility evaluations, as well as the lack of agreement amongst philosophers, it can be said that an 'application problem' exists in regard to the application of the feasibility criterion to the case of domestic egalitarian justice. The application problem raises several questions: Should a burden of proof be introduced to limit the negative effects of false evaluations given that evaluations are highly uncertain? Should the high degree of uncertainty affect the weight of the feasibility criterion? How should we deal with evaluations that do not clearly state whether a moral ideal is feasible or not? Chapter 7 will consider whether a similar application problem exists regarding the conditional feasibility of global egalitarianism. Section 7.7 and Chapter 8 offer a general discussion of the application problem and potential consequences for the definition and application of the feasibility criterion.

Given the inconclusiveness of the feasibility debate about domestic egalitarian justice, the following Chapter will proceed with a conditional evaluation of the global egalitarian justice. Assuming that domestic egalitarian justice is feasible, the question is whether the difference of scope between the domestic a global realm justifies different feasibility evaluations. It remains to be seen whether the empirical arguments regarding this question lead to a clearer answer than in the case of domestic egalitarian justice.

Chapter 7: The Conditional Feasibility of Global Egalitarian Justice

This Chapter offers a conditional feasibility evaluation of Pogge's theory of global egalitarian justice. The evaluation is conditional since it is unclear whether Rawls' theory of domestic egalitarianism should be considered feasible. Based on the definition of the feasibility criterion developed in the preceding Chapter, the conditional feasibility question takes the following form: Should Pogge's theory of global egalitarian justice also be considered feasible, assuming that egalitarian justice is feasible at the domestic level?¹⁵⁴

While the debate about the feasibility of domestic principles of justice has focused on the depths of justice, the debate about global egalitarian justice focuses on the scope of justice. Is it possible that, in the centuries to come, people will adopt global instead of national identities? Can people develop the degree of solidarity and trust necessary for the implementation of global egalitarian principles? Could global institutions effectively coordinate the behaviour of political sub-units and enforce compliance? As seen in previous Chapters, surprisingly few philosophers engage in debates about the feasibility of principles of distributive global justice or egalitarian global justice. The advantage to this is that this Chapter can evaluate most of the empirical arguments advanced. It remains to be seen whether this is sufficient to provide a conclusive answer or whether feasibility evaluations should be seen as being largely influenced by each philosopher's sense of possibility.

This Chapter begins with a brief analysis of the kind of institutions required to implement principles of global egalitarian justice (Section 7.1). Thereafter Section 7.2 outlines Miller's (1995; 1999a) view of the relation between a shared nationality and the feasibility of principles of global distributive justice.¹⁵⁵ Next, Section 7.3 compares the empirical arguments advanced by Nagel (1991) against the feasibility of global egalitarian

¹⁵⁴ If the context is clear, 'feasible' will be used as an abbreviation for 'conditionally feasible' in this Chapter. For the rationale of the conditional feasibility evaluation see Section 1.2.

¹⁵⁵ Principles of distributive justice are less demanding than principles of egalitarian justice. Therefore, a feasibility argument against principles of global distributive justice as advanced by Miller implies the rejection of principles of global egalitarian justice. Alternatively, a feasibility defence of the principle of global distributive justice as offered by Caney in Section 7.4 is only the first step towards a defence of principles of global egalitarian justice.

justice. Having outlined Miller's and Nagel's feasibility challenges, Section 7.4 turns to Caney's (2005) defence of global distributive justice. While Section 7.5 outlines Beck's (2006) 'cosmopolitan outlook' as a basis for the evaluation of the empirical arguments advanced by Miller and Nagel, Section 7.6 examines an analysis of the long-term trends of globalisation which may inform feasibility analyses. Combining the insights of this Chapter, Section 7.7 offers a conditional feasibility evaluation of Pogge's theory global egalitarian justice. Additionally, the subjectivity and uncertainty of feasibility evaluations as well as the assignment of a burden of proof will be analysed.

7.1 Global institutions and principles of global egalitarian justice

Which kind of global institutions are required for the implantation of principles of global egalitarian justice? I will firstly consider Caney's (2005) analysis about the global institutions required to implement principles global distributive justice. Since principles of global egalitarian justice are more demanding, an even higher degree of political integration is likely to be required in this case.

Adopting an instrumental approach to the design of global institutions, Caney (2005: 159) argues that those institutions best furthering cosmopolitan ideals should be endorsed. In addition to ensuring compliance and to solving collective action problems, Caney maintains that global institutions have to fulfil the following three tasks: "the protection of civil and political human rights and the pursuit of cosmopolitan distributive principles"; "the ability of people to affirm their cultural and national commitments"; and "the ability of people to hold accountable the institutions and agents that affect the exercise of their rights" (*ibid.*: 159, 182).¹⁵⁶ Caney concludes that these functions can best be met by a "system of multi-level governance in which power is removed from states to both supra-state and sub-state political authorities" (*ibid.*: 182).

Now the question is whether such a system of 'multi-level governance' is equally adequate if the depths of justice change from distributive to egalitarian justice. The answer is presumably negative. This becomes evident by comparing Rawls' (1999a) principles of domestic egalitarian justice and Pogge's (1989) principles of global

¹⁵⁶ Caney's position draws on Held's (1995) proposal for cosmopolitan institutional reforms, comprising of demands for a 'cosmopolitan democratic law', for a 'Global Parliament' and for a permanent shift of 'coercive capability' from states to regional and global institutions. In opposition to Caney, however, Held does not argue for principles of global distributive justice.

egalitarian justice. The domestic and global versions of the first principle differ insofar as the list of basic rights may be revised in light of cultural differences – at least in the case of some less important basic rights. Regarding the second principle, the basic idea of maximising the well being of the worst off remains largely unchanged (cf. Section 1.2). In light of these minor differences, it seems reasonable to argue that globalised principles of justice require global institutions similar to those of the nation-state.¹⁵⁷ Although many political tasks may be assigned to political sub-units, a global federal state should thus be regarded as a requirement for the implementation of principles of global egalitarian justice.

But is a global federal state feasible? Surprisingly, Miller's (1995; 1999a) and Nagel's (1991) objections to the feasibility of global egalitarian justice barely touch on this issue but focus instead on the psychological question of whether individuals could be motivated to support principles of global egalitarian justice. International relations literature, by contrast, allows realists like Waltz (1979) to question the possibility of sustained global cooperation. Realists argue that in the absence of a world-government (which is considered to be impossible), states cannot pursue moral interests since such behaviour would lead to a relative loss of power and, ultimately, the risk of being conquered or destroyed by other states. The assumption that states only pursue self-interested aims is, however, widely rejected by empirical research findings.¹⁵⁸ Moreover, the growth of international institutions undermines the assumption that states primarily focus on gains of relative power. Thus, the realist objection that international cooperation motivated by moral reasons is impossible is unconvincing.¹⁵⁹

¹⁵⁷ Rawls defines an institution “as a public system of rules which define offices and positions with their rights and duties, powers and immunities, and the like. These rules specify certain forms of action as permissible, others as forbidden. As examples of institutions, or more generally social practices, we may think of games and rituals, trials and parliaments, markets and systems of property” (1999a: 47-48).

¹⁵⁸ One criticism of theories that view states as rational, unitary actors comes from liberal scholars who stress the role of domestic politics in shaping the international behaviour of governments that pursue objectives such as their re-election and popularity. Another criticism is raised by constructivists who argue that interests are socially constructed, rather than being dictated by material circumstances, and that social norms also shape behaviour. See Goldstein and Keohane (1993) and Wendt (1999). In addition, the fact that certain states pay development aid also refutes the realist assumptions that states will only act for self-interested reasons (Caney 2005: 137).

¹⁵⁹ Pogge also rejects the realist objection, claiming that we should “leave behind the silly all-or-nothing debates” which only consider the options of international anarchy and a Hobbesian world government with absolute power (1989: 217). The task is to depart from the present

Nonetheless, it remains to be discussed whether a federal world state could effectively coordinate the interests of humanity at large and whether global enforcement mechanisms could function properly. It is important to note, though, that neither Miller (1995; 1999a) nor Nagel (1991) fundamentally question the administrative functioning of a world state. As the following two sections will show, Miller and Nagel focus on the motivational requirements of principles of distributive and egalitarian global justice.

7.2 Miller on the role of a shared nationality

Miller's (1995; 1999a) objections to the feasibility of principles of global distributive justice focus on the argument that a shared nationality is a requirement for the feasibility of distributive justice. To begin with, the form of Miller's feasibility objection will be outlined, paying special interest to Miller's definition of the time frame. Subsequently, Miller's empirical account of the relation between universalistic principles, kinds of moral motivation and self-interest will be evaluated.

The nationality argument

Before turning to the role of a shared nationality, this concept has to be defined. To begin with, Miller argues that beliefs and not objective characteristics are of fundamental importance; nations should be regarded to exist "when their members recognize one another as compatriots, and believe that they share characteristics of the relevant kind" (1995: 22). Moreover, the national culture must be extended in history, active in culture, connected to a particular territory and possess a common public culture (*ibid.*: 23-26). While Miller accepts the view that nations are 'artificial inventions', mainly created for political purposes, he argues that this should not be seen as a fatally damaging feature with regard to the normative significance of a shared nationality (*ibid.*: 35). In fact, "it may not be rational to discard beliefs, even if they are, strictly speaking, false, when they

'modus vivendi' where cooperation is largely based on prudential considerations and to "seek institutions that are based not upon free bargaining informed by the changeable distribution of power but upon some values that are genuinely shared" (Pogge 1989: 219, 227). Such shared values may lead to the establishment of "institutional fixed points that stand above ordinary negotiation and bargaining" (Pogge 1989: 228). Subsequently, the transition to a value-based order may, through the experience of mutual trust and cooperation, broaden the set of genuinely shared values.

can be shown to contribute significantly to the support of valuable social relations” (*ibid.*: 36).¹⁶⁰

Turning to the relation between a shared nationality and feasibility of principles of distributive justice, Miller argues that national communities satisfy the three requirements “that make the application of principle of justice feasible and fruitful” (1999a: 18). First, “national identities tend to create strong bonds of solidarity among those who share them, bonds that are strong enough to override individual differences of religion, ethnicity and so forth” (*ibid.*: 18). The national community also becomes the natural reference group for people’s considerations about justice; people evaluate how they fare or are treated with respect to other members of this group. Furthermore, “the integrating power of national identity is sufficiently great to make the national community our primary universe of distribution” (*ibid.*). People can support the idea that justice applies to the national community and feel a sufficiently strong sense of solidarity to comply with resulting obligations.

Second, shared understandings form an “essential background” about “the basis on which people can make just claims to resources and about the value of the resources to be distributed” (*ibid.*: 18, 18-19). Shared understandings are thus a requirement for meaningful debates about the content of principles of justice. Third, “trust backed up by compulsion” is a necessary condition for justice, a people must know that others will equally be willing to comply or be penalized if they are not (*ibid.*: 19). Since a shared nationality can fulfil these three requirements, Miller concludes that the application of principle of justice within the nation-state is feasible.

Regarding the global level, by contrast, Miller maintains that

[t]he absence of these three features at world level means that global justice cannot be understood on the model of social justice, at least not in the foreseeable future. Here and now we must continue to think of social justice as applying within national political communities, and understand global justice differently.

ibid

Interpreting this statement, a distinction needs to be made according to the time frame. With regards to the middle-term ‘foreseeable future’, principles of global distributive justice are held to be unfeasible. Regarding the long-term Miller’s position is ambiguous. At one point, he maintains that it is “very difficult to imagine” that people’s

¹⁶⁰ For a classic defence of the view that nations are ‘imagined communities’, see Anderson (1983).

sense of justice will be forcefully engaged with respect to unities larger than the nation-state.¹⁶¹ At another place, Miller states that he does “not wish to claim either that national identities are a perennial feature of human life or that the functions they perform could never in any circumstances be served by other means” (1995: 184). This acknowledges the possibility that either a national identity will be replaced by a global identity, or that the three requirements for distributive justice could be satisfied in different ways.

How should we deal with Miller’s conflicting views about the long-term feasibility of global distributive justice? While the phrase ‘very hard to imagine’ is rather vague, the second statement clearly acknowledges the feasibility of principles of global distributive justice. Moreover, Miller explicitly states that his focus lies on the ‘here and now’ but hardly discusses whether the role of nationality is likely to change in the long-term. In light of these considerations, it is reasonable to adopt the view that Miller’s arguments primarily refer to the foreseeable future and must therefore be distinguished from feasibility evaluations of the ultimate ideal of global distributive or egalitarian global justice.

This view is also endorsed by Laegaard, who maintains that Miller’s nationalist argument has to be understood as a “realist argument” which “*acknowledges* the reliance on a contingent fact about motivation, and only makes a claim about what should be done given this fact” (2006: 413). He adds that Miller must be clear about the status he assigns to the motivational argument: “Considered as realist, the liberal nationalist argument must regard nationally limited solidarity as an unfortunate non-ideal condition to be transcended if possible, other things being equal, at least unless the restriction of scope to co-nationals is part of the ideal itself” (Laegaard 2006: 414). Should the scope restriction be part of the ideal itself, by contrast, “the instrumental [feasibility] argument is redundant in the first place”, since the ideal itself already restricts demands to co-nationals to a large extent, except for principles of basic global justice (*ibid.*: 414). In this

¹⁶¹ Since the exact meaning and importance of this claim is difficult to understand, the following passage offers the context in which the statement is made: “My claim is not that justice formally *requires* this particular scope restriction, but that the principles we use are always, as a matter of psychological fact, applied within bounded communities, and that the integrating power of national identity is sufficiently great to make the national community our primary universe of distribution. Sometimes our sense of justice may be more forcefully engaged by distribution in smaller units such as workplaces, but it is very hard to imagine this happening in units *larger* than nation-states.” (Miller 1999a: 18).

case, the motivational argument endangers Miller's commitment to the ideal of the moral significance of nationality.

Taking stock, the first finding of this section is that Miller's nationality argument relates to the middle-term and does not, therefore, represent a feasibility evaluation of the ultimate ideal of global distributive justice. However, as it will be shown in Section 7.4, this fact is often over-looked. Although Miller's feasibility evaluation refers to the middle-term, it should still be asked whether the nationality argument is also convincing regarding the long-term. While Nagel (1991) tends to this view, Caney (2005) and Beck (2006) offer more critical evaluations (see Sections 7.3, 7.4, 7.5).

Universalistic principles, kinds of motivation and self-interest

Over the remainder of this section, two specific empirical arguments advanced by Miller challenging the motivational foundations of universalistic principles are evaluated from an empirical perspective. The first argument refers to the relationship between the content of moral principles and the kind of moral motivation required for compliance. Miller holds that universalism rests upon an "implausible account of ethical motivation" since individuals are "supposed to act simply out of a rational conviction" (1995: 57). The problem is that

it seems unlikely that rational conviction can carry the weight required of it, except perhaps in the case of a small number of heroic individuals who are genuinely able to govern their lives by considerations of pure principle. For the mass of mankind, ethical life must be a social institution whose principles must accommodate natural sentiments towards relatives, colleagues, and so forth, and which must rely on a complex set of motives to get people to comply with its requirements – motives such as love, pride, and shame as well as purely rational conviction.

ibid.: 57-58

This argument is problematic in two ways. To begin with, Miller's claim that compliance with universalistic principles requires rational motivation is empirically untenable. The study of 'heroic individuals' (Chapter 5) has shown that most moral heroes are not abstract moral reasoners motivated by rational conviction; instead, they often act out of sympathy, love or a general respect for humanity – without being particularly reflective about their reasons (Oliner and Oliner 1988; Colby and Damon 1992; Zimbardo 2007). Miller's argument is thus based on an empirically unconvincing link between the content of moral principles and the kind of motivation required for compliance.

The second aspect is that Miller's claim that domestic institutions can accommodate people's 'natural sentiments' is biased. As Singer puts it,

to assist our compatriots, simply because they are our compatriots, is already beyond the motivation of most human beings. Especially where there is ethnic diversity, or great disparity of wealth, it is hard to believe that the bond between compatriots is based on any kind of natural love and affection that makes it different in kind from that between members of different countries. If the motivational claim defeats arguments for an obligation to assist strangers in other countries, then, it also defeats arguments for an obligation to assist anyone other than one's family, friends and some other relatives.

2004: 27

In sum, the simplistic view that universalistic principles require rational motivation while principles of domestic justice largely rely on empathetic motivation is empirically inadequate. It should be replaced by a nuanced picture based on something other than a strict relationship between moral principles and kinds of motivation.

The second empirical argument advanced by Miller refers to relations between kinds of moral principles and self-interest. Miller maintains that

to the extent that I really do identify with the group or community in question, there need be no sharp conflict between fulfilling my obligations and pursuing my own goals and purposes. The group's interests are among the goals that I set myself to advance; they may of course conflict with other goals that are equally important to me, but we are far away from the position where an individual with essentially private aims and purposes has to balance these against the obligations of a universalist morality such as utilitarianism. In that position there would almost always be a simple trade-off: the more a person does what morality requires of him, the less scope he has to pursue his personal goals.

1995: 66

The problem with this statement is that compliance with a universalistic morality does not require sacrifices; as Colby and Damon's (1992) research has shown, universal moral goals and personal goals may overlap in the same way as parochial and personal goals (cf. Chapter 5). In the same way, there is no reason to think that a Western political activist dedicating her life to the fight for trade justice will necessarily sacrifice her personal goals. Consequently, the claim that 'there would always be a simple trade-off' is unjustified.¹⁶² In sum, Miller's empirical argument about the relation between

¹⁶² Furthermore, while it is true that compliance with universalistic principles would presently lead to sacrifices of wellbeing for most individuals, this may change in the future. Given various trends related to globalisation, it is possible that an increasing number of individuals will adopt a global identity over the upcoming centuries. Such long-term developments are not, however, discussed by Miller.

universalistic moral principles, kinds of moral motivation and self-interest is empirically flawed. Accordingly, the first condition for predictive arguments outlined in Section 4.3 is not satisfied by the two arguments considered.

At this point, the findings of this section can be summarised. First, the nationality argument represents a serious challenge to the feasibility of principles of global distributive justice. To reject this claim, it must be argued that other forms of social cohesion can also fulfil the conditions for distributive justice as outlined by Miller or that national identities could be replaced by global identities. As it will be shown in Section 7.4, Caney (2005) endorses this line of argument. Second, since Miller's argument relates to the middle-term, it should not be seen as negative feasibility evaluation about the ultimate ideal of global distributive justice. Third, Miller's empirical arguments that universalist principles require rational motivation and that compliance will almost always lead to sacrifices of personal goals have been rejected in light of empirical research results.

7.3 Nagel on the feasibility of global egalitarian justice

In comparison to Miller, Nagel (1991) considers national identities to be a decisive obstacle to global egalitarianism. The crucial difference is, however, that Nagel's negative evaluation about the feasibility of global egalitarianism relates to the long-term. This section examines Nagel's version of the nationality argument and three further objections to global egalitarianism: the cultural diversity argument, the claim that solidarity is exclusive and the economic gap argument. The focus lies on Nagel's definition of the long-term, the correctness of the underlying empirical assumptions, the legitimacy constraint and the form and weight of feasibility evaluations.

First, considering the importance of national identities, Nagel maintains that most individuals fundamentally identify themselves with national groups and that "an essential part of their self-expression as individuals will be thwarted if they cannot take place in the political self-definition and development of the group in which their identity is rooted" (Nagel 1991: 177). Apart from questioning the desirability of a world government, this consideration leads Nagel to be pessimistic "about the capacity of human beings to place an impartial regard for humanity ahead of their more particular ethnic identities as a principle of political motivation" (*ibid*). Here, the importance of

national concerns is another instance of the personal perspective that “is not going to disappear” (*ibid.* 176). Accordingly, Nagel’s version of the nationality argument represents a long-term challenge to the feasibility of global egalitarian justice.

While Nagel’s nationality objection has the right structure to challenge the feasibility of principles of global egalitarian justice, the problem is that few arguments are given as to why the option that the role of national identities will significantly decrease should be ruled out. Nagel’s argument rather relies on a description of the status quo instead of considering the form and scope of historical changes and the potential of future changes. We are thus confronted with a lack of positive arguments justifying the nationality objection; the third condition of predictive arguments is therefore scarcely fulfilled. As a consequence, the argument that the importance of national identities is not going to disappear must be regarded as a largely subjective evaluation.

The solidarity argument, which is closely connected to the nationality argument, is the second objection to the feasibility of global egalitarianism. It holds that the ‘sinister side’ of solidarity is that it is ‘essentially exclusive’:

Solidarity with a particular group means lack of identification with, and less sympathy for, those who are not members of that group, and often it means active hostility to outsiders; but to some extent this is inevitable, and it is such a powerful source of political allegiance to institutions which deal equitably with members of the group that it must be relied on.

ibid. 178

I find the solidarity argument to be problematic. Individuals can show different degrees of solidarity to their families and social groups while still feeling enough solidarity towards domestic institutions to comply with obligations of justice. Why should the same distribution of solidarity be impossible at the global level? Individuals may, for example, show more solidarity for their national football teams but still feel enough solidarity with humanity at large to comply with obligations of global justice. Overall, it is legitimate to point to the fact that solidarity is often strengthened through hostility to outsiders; but it is unclear why this factor should be regarded as an ‘inevitable’ requirement for solidarity. This view is also endorsed by Beck, who maintains that claims like the solidarity argument relies on an unjustified “either/or logic” (2006: 4; see also Section 7.5).

The cultural diversity argument is the third objection to the feasibility of global egalitarianism. It holds that the values of different cultural and national communities are

so diverse “that no conception of a legitimate political order can be constructed under which they could all live – a system of law backed by force that was in its basic structure acceptable to them all...[therefore] a legitimate government of the world is not possible” (Nagel 1991: 170). This statement seems to be a clear impossibility evaluation. But the amendment that “[s]o long as the world is divided as it is by now is, by religious and cultural xenophobia, the situation will not change” (*ibid*) renders the evaluation ambiguous. In fact, Nagel seems to work with various time frames: on the one hand, a legitimate government of the world is considered to be ‘not possible’; on the other hand, this may be possible if a longer time frame is endorsed.

Moreover, the cultural diversity argument strongly relies on the legitimacy constraint as it only rules out the option that a ‘legitimate political order’ can be constructed. Note that Nagel uses the legitimacy constraint in a rather strict form, demanding that the political order is acceptable to all.¹⁶³ Nagel concedes, for instance, that a situation where no legitimate order can be created “can also happen within the boundaries of a single state” (*ibid*: 170). Regarding the historical development of states, Nagel adds that “[t]he development of legitimacy within states has been a slow process, generally beginning from sovereign power exercised without much regard to legitimacy” (*ibid*: 175). The development of most nation-states, for example, should be considered as illegitimate. Nagel’s strict legitimacy constraint rules out various forms of development that have been dominant throughout history. In sum, the cogency of the cultural diversity argument strongly depends on the definition of the legitimacy constraint. If the definition is relaxed, the cultural diversity objection loses much of its force.¹⁶⁴

Nagel’s fourth and final objection is the economic gap argument. Considering the

¹⁶³ For Nagel, the legitimacy question is whether ‘reasonable unanimity’ is possible. An answer requires each party to consider three distinct kind of reasons: “(a) egalitarian impartiality, (b) personal interests and commitments, and (c) consideration what can reasonably be asked of others” (*ibid*: 172).

¹⁶⁴ The question of legitimacy of global institutions is taken up in Nagel (2005). Considering various paths of development of global institutions, Nagel speculates that “[w]e are unlikely to see the spread of global justice in the long run unless we first create strong supranational institutions that do not aim at justice but that pursue common interests and reflect the inequalities of bargaining power among existing states” (2005: 146). The aim has to be the introduction of “effective but illegitimate institutions to which the standards of justice apply, standards by which we may hope they will eventually be transformed” (*ibid*: 147). Practically, it may then be necessary to foster the growth of global institutions, even if they are undemocratic and political biased. Recommending this path implies that the legitimacy constraint is less demanding as in the case of the cultural diversity argument.

economic differences between rich and poor countries, Nagel maintains that, “[i]nequality can be so extreme that it makes a legitimate solution unattainable, except possibly over a long period by gradual stages each of which lacks legitimacy, or (improbably) over a shorter period by a cataclysmic revolution which also lacks legitimacy” (1991: 170). The literature on economic growth, however, offers good reasons to reject this argument. Being part of neoclassical models of economic growth, theories of economic convergence argue that the productivity and output levels of countries will converge in the long run (Abramovitz 1986). The rationale is that poorer countries benefit from the technological advances of richer countries while having lower labour costs at the same time. The result is that poorer countries have relatively higher productivity increases, leading to a process of catching-up with rich countries. Empirical examples in favour of theories of economic convergence are the rapid development of the East Asian Tigers and the growth of countries like Germany and France after World War II.

While it is unclear to what extent the theory of economic convergence is correct,¹⁶⁵ it describes how paths of development can lead to economic convergence. Therefore, Nagel’s claim that it is impossible to legitimately bridge the economic gap between rich and poor countries is not convincing. As described above, it is possible that the forces of capitalist markets will, in a legitimate way, lead to economic convergence between poor and rich countries.

Having considered the four objections advanced by Nagel, let me summarise the findings of this section. (i) The nationality and cultural diversity arguments represent serious long-term challenges to the feasibility of global egalitarian justice. It is problematic, however, that Nagel offers few arguments as to why the possibility that the importance of national identities will significantly decrease should be ruled out. Moreover, the cogency of the cultural diversity argument depends on the endorsement of a strict legitimacy constraint. (ii) The solidarity and the economic gap argument are

¹⁶⁵ A first criticism of the theory of economic convergence relates to the neoclassical assumption that that technology is freely traded and that capital can freely flow from the richer to the poorer countries (Martin and Sunley 1998: 204). A second criticism, advanced by proponents of ‘*endogenous growth theory*’ is that endogenous factors like government policies and social capital are much more influential than exogenous factors like technological spillover or capital flows (*ibid.*: 202). Up to this date, empirical analyses of theories of economic convergence have not led to clear results. It can be said, however, that countries like China and India (as well as most countries in Latin America) had higher growth rates over the past two decades than the traditional industrial countries (Sachs 2005: 29).

unconvincing. (iii) While Nagel's feasibility evaluation refers to the long-term, the definition of this period remains unclear. Moreover, as in the case of domestic egalitarian justice, the form of Nagel's feasibility evaluations is vague.¹⁶⁶ Building on this critique, the next section explores Caney's (2005) rejection of the nationality argument.

7.4 Caney's feasibility defence of global distributive justice

This section deals with Caney's (2005) empirical argument about the feasibility of global distributive justice. Considering Caney's rejection of Miller's nationalistic argument, the analysis subsequently turns to Caney's positive defence of the feasibility of global distributive justice.

Caney offers three objections to Miller's nationalistic argument, referring to the role of civic identity, moral psychology and trust. First, Caney questions Miller's contention that a shared nationality is a requirement for distributive justice, claiming that the existence of multinational states shows that "there are forms of social unity other than national identity" (2005: 132) on which systems of distributive justice may be based. For example, forms of 'civic identity', grounded on the idea of a common citizenship, may equally create the required conditions for distributive justice. Second, Caney criticises Miller's "model of human motivation" for presupposing "an ahistorical and unchanging account of human nature, assuming that we are necessarily only willing to make sacrifices for fellow-nationals" (*ibid.*: 133). He continues that

such an account is too static and neglects the fact that people's willingness to adhere to principles depends considerably on political institutions, the behaviour of others, and prevalent social norms. After all, in earlier periods in history the ideas that people would identify with and be willing to make sacrifices for a group of 58 million would have seem quite fantastic...[This argument thus] relies on an impoverished moral psychology, assuming that people are motivated solely by loyalties and attachments to members of their community. It thereby underestimates people's ability to be motivated by their moral values.¹⁶⁷

ibid

¹⁶⁶ Nagel's conclusion that "the world is not a plausible candidate for a single state" (1991: 174) is a further example.

¹⁶⁷ With respect to the size of historical changes, the following comparison can be made. In today's world, India is a democratic country with over one billion inhabitants. To reach a world state, we only have to multiply the current size of India by a factor of 6 or 7. Alternatively, the size of an ancient city state, for example of 100,000 inhabitants, must be multiplied by a factor of 10,000 to reach the size of today's India. This comparison shows that the step towards a federal world state is, from an historical perspective, relatively small.

Third and finally, Caney rejects Miller's claim that the absence of trust renders distributive justice unfeasible at the global level. The assumption that people can only trust co-nationals is "to mistake a feature of the contemporary world as an unchanging feature of the world for all time"; Miller's argument can thus be criticised for being "predicated on a static and unvarying concept of human nature" (Caney 2005: 175).¹⁶⁸ Combining these three objections, Caney concludes that, "the claim that schemes of distributive justice must be underpinned by a common sense of nationality is questionable" (*ibid.*: 132).

It should be stated, however, that Caney's criticisms suffer from a serious methodological problem. Critically, Caney does not acknowledge that Miller's feasibility evaluations relate to the middle-term and not to the long-term. Thus, when Caney criticises Miller's account of human nature for being 'unvarying', 'too static' or for taking the importance of nationality as 'an unchanging feature of the world for all time,' he is partly missing the point. Miller only assumes that nationality is a requirement for distributive justice with regard to the foreseeable future – but, as outlined before, he does not wish to claim that 'national identities are a perennial feature of human life' (1999a: 184).

The stringency of the debate between Caney and Miller is, therefore, reduced by the fact that the feasibility arguments of the two authors refer to different time frames. This misunderstanding can be partly attributed to Miller, whose definition of the time frame in which his work is applicable is unclear, and partly to Caney, who seems to have overlooked Miller's focus on the foreseeable future. Overall, the consequences of this misunderstanding are that the debate between Miller and Caney does not yield a clear result, as the two authors are simply not arguing about the same empirical question.

Leaving the question about the time frame aside, we can nonetheless evaluate whether Caney manages to offer a convincing feasibility defence of global distributive justice. It may be asked, for instance, whether Caney's argument can be used to rebut Nagel's (1991) version of the nationality argument, which relates to the long-term. In sum, Caney has argued that a civic identity can serve as a basis for distributive justice, that a dynamic picture of human motivation is more appropriate and that trust does not necessarily depend on a shared nationality.

¹⁶⁸ A similar view is defended by Follesdal, who maintains that it is "unclear why Miller requires a 'thick' political culture in order to maintain trust in shared institutions" (2000: 509).

While these arguments certainly carry some weight, they are insufficiently developed to speak of an extensive feasibility defence. It is certainly true, for example, that civic identity plays an important role in the functioning of multi-national states. But this fact alone is insufficient to show that a global civic identity could function in the same way. First, one might argue that multi-national states may function when composed of nations or ethnic groups sharing important cultural traits, but it is also questionable whether this would also be true if the ethnic groups were highly different. Second, the claim that citizenship presently plays an important role in multi-national states does not imply that such unity would be possible in a global state. A development of the civic identity argument would have to respond to at least these two objections.

In general, Caney mentions several avenues as to how the feasibility of distributive global justice can be defended. To offer a convincing feasibility defence, however, these arguments must be developed and complemented by further predictive arguments (e.g. about the dynamics of institutional change or the relevance of long-term trends). Moreover, an extensive feasibility defence would benefit from an analysis about the origins, functioning and perpetuity of nationality. Are there good reasons to believe that national identity can be replaced by a cosmopolitan identity within five hundred or a thousand years? Another issue is that classifying accounts of human nature as ‘too static’ or as adequately dynamic is only a subjective general evaluation as is not itself a predictive argument; reasons must be given what an adequate account of human nature should look like.¹⁶⁹

Finally, a different kind of charge has to be considered. Advancing an *ad hominem* argument, Caney questions the compatibility of Miller’s feasibility evaluations; the issue is whether Miller is justified to claim that global basic justice is feasible while global distributive justice is not.¹⁷⁰ Caney maintains that Miller, if he wants to challenge

¹⁶⁹ In this respect, I am doubtful whether the concept of ‘human nature’ is useful; it is highly difficult to summarise the likely/unlikely and possible/impossible forms of behaviour by a single concept. This view is also supported by Flanagan, who argues “that attention to the scientific literature undermines confidence that there is any such thing as a determinate human nature – any set of universal truths about persons which specify our proper function, purpose, and personality organization” (1991: 16). Alternatively, the question whether a certain moral principle is feasible is more precise, though in the case of global egalitarian justice, even this question is so broad that it can hardly be grasped.

¹⁷⁰ Miller (1999b: 197) defends three principles of basic global justice: the protection of basic rights, a principle of non-exploitation and the opportunity of autonomy for nation-states. The role of a principle of global basic justice is to provide universal conditions “forming a low-level

the feasibility of distributive justice, must “either abandon any international principle or he must explain why compliance with his three principles [of global basic justice] is possible whereas compliance with other cosmopolitan inspired programmes is not” (2005: 132). I find, however, that this *ad hominem* challenge has little force. Miller’s position may be defended in the same way as a less and a more demanding theory of domestic distributive justice may be evaluated as being feasible and unfeasible. Given the limited demands of Miller’s principles of global justice, it does not seem too difficult to argue that individuals may care about, for example, a global minimum standard but reject the view that any further obligations of global distributive justice exist.^{171 172}

In summary, Caney’s criticism of Miller’s position as being ‘too static’ has a certain appeal but is problematic in light of the different time frames endorsed by each theorist. Caney’s argument may, by contrast, be used to rebut Nagel’s version of the nationality argument referring to the long-term. To be convincing, however, Caney has to develop his empirical argument, outlining why the importance of a shared nationality may decrease and what an adequately ‘dynamic’ account of human nature should look like.

7.5 Beck’s ‘cosmopolitan outlook’

In *The Cosmopolitan Vision*, Beck (2006) offers an analytical-empirical framework for the study of national and global identities at the beginning of the 21st century. This section begins by outlining Beck’s critique of the ‘national outlook’, which has dominated empirical research over the past few years, and presents an alternative ‘cosmopolitan outlook’. Subsequently, the idea of a cosmopolitan outlook will be used to evaluate the empirical basis of the nationality argument and Nagel’s claim that solidarity is essentially exclusive. Finally, the extent to which Beck’s concept of the ‘world risk society’ can inform long-term predictions about the development of the

plateau on which fuller systems of social rights can be erected” (Miller 1999b: 198; see also Boswell 2005: 115-118 regarding Miller’s theory of basic rights).

¹⁷¹ Rawls’ (1999b) *Law of Peoples*, for example, contains a feasibility defence of principles of basic global justice.

¹⁷² An interesting aspect here is that Caney’s *ad hominem* argument attempts to shift the burden of proof to his opponent; this move is especially important in light of Caney’s own reluctance to offer an extensive argument for the feasibility of global distributive justice. Miller (1995: 80), by contrast, maintains that cosmopolitans have the burden of proof (cf. Section 4.2 and 7.7).

international political sphere will be explored.

Beck's fundamental critique is that the 'national outlook' rests on the empirically and analytically flawed claim that "'modern society' and 'modern politics' can only be organized in the form of national states" (2006: 24). By endorsing a dichotomy between what is native and what is foreign, the national outlook preserves "the myth that defining and demarcating ourselves over against what is foreign is a precondition of identity, politics, society, community and democracy" (*ibid.*: 5). Beck argues that this meta-theory of identity, resulting from the era of first modernity where states were regarded as territorial entities opposing each other, has become both empirically and analytically flawed (*ibid.*: 26).

The cosmopolitan outlook, in contrast, works with the fundamental premise that identities and political processes are pluralistic; the 'both/and perspective' views people as having local, national and global identities (*ibid.*: 33). Moreover, Beck argues that nation-states are no longer seen as the invariant reference point of scientific research; whether nation-states become "fluid or fixed, denationalize, renationalize or transnationalize" are open question that must be analysed "within the framework of global interdependencies, risks and crises" (*ibid.*). The cosmopolitan outlook thus offers an analytical-empirical framework for comprehending the social and political conditions of today's world in which cosmopolitanism ceases to be merely a rational idea since "the human condition has itself become cosmopolitan" (*ibid.*: 2).

The cosmopolitan outlook is characterised by five interconnected constitutive principles: (i) '*the experience of crisis in world society*'; (ii) '*recognition of cosmopolitan differences*'; (iii) '*cosmopolitan empathy and of perspective-taking*'; (iv) '*impossibility of living in a world society without borders*', and (v) '*the m lange principle*' about mixed identities (*ibid.*: 17). Overall, the meaning of the cosmopolitan outlook has to be understood in the following way:

It does not herald the first rays of universal brotherly love among peoples, or the dawn of the world republic, or a free-floating global outlook, or compulsory xenophilia. Nor is cosmopolitanism a kind of supplement that is supposed to replace nationalism and provincialism, for the very good reason that the ideas of human rights and democracy need a national base. Rather, the cosmopolitan outlook means that, in a world of global crises and dangers produced by civilization, the old differentiations between internal and external, national and international, us and them, lose their validity and a new cosmopolitan realism becomes essential to survival.

ibid.: 13-14

Since the cosmopolitan outlook does not presuppose or argue for a specific

institutional form, the future of nation-states and global governance structures are left open. In sum, Beck's cosmopolitan outlook offers a nuanced picture that avoids simplifying dualisms and directly incorporates the changes brought about by globalisation; it may thus be used as a forward-looking empirical basis for predictions and feasibility evaluations.

Taking the cosmopolitan outlook as a point of departure, we can now evaluate some of the empirical arguments advanced in the course of this Chapter. Regarding the formation of identities, Beck maintains that we should move from an 'either/or' logic to a 'both/and' logic of "inclusive differentiation" (*ibid.*: 4-5). According to the '*mélange principe*',¹⁷³ individuals construct their identities "by dipping freely into the Lego set of globally available identities and building a progressively inclusive self-image" (*ibid.*: 5). This view challenges Miller's (1999a: 19) assumption that identities are, and will remain in the foreseeable future, largely national. It does not, however, take a stance on the question whether mixed identities are sufficient for the implementation of principles of global distributive justice.

Next, the cosmopolitan outlook can be used to criticise Nagel's (1991: 178) argument that solidarity is an 'essentially exclusive' phenomenon, which must be constructed in opposition to other groups. In fact, Beck rejects the premise of the national outlook that "a space defended by (mental) fences is an indispensable precondition for the formation of self-consciousness and social integration" (2006: 5). In addition, Beck's theory can serve as a starting point for a further investigation of Caney's (2005: 132) claim that forms of 'civic identity' may be sufficiently strong for individuals to support schemes of distributive justice.

Finally, the relevance of Beck's concept of the 'world risk society' should be explored with relevance to cosmopolitanism. Beck argues that civilisational progress has led to increased risk; one of the new social questions is thus how the distribution of 'bads', i.e. the effects of negative externalities and risks, should be organised. Since these civilisational threats are largely global in scope, the concept of a 'world risk society' should be used to describe the current situation (Beck 2006: 22).¹⁷⁴ Considering the

¹⁷³ The '*mélange principe*' holds that "local, national, ethnic, religious and cosmopolitan cultures and traditions interpenetrate, interconnect and intermingle – cosmopolitanism without provincialism is empty, provincialism without cosmopolitanism is blind" (Beck 2006: 7).

¹⁷⁴ An effect of global risks is a strong 'public perception of risk', often staged by the mass media, which conflicts with the "compulsive pretence of control over the uncontrollable" in

future of the international political sphere, Beck maintains that the world risk society is likely to foster the emergence of a global normative consciousness, since “the question concerning the causes and agencies of global threats sparks new political conflicts, which in turn promote an institutional cosmopolitanism in struggle over definitions and jurisdictions” (*ibid.*: 23). To solve global problems, coordination efforts may lead to a new form of global collective action analogous to national politics.

In conclusion, Beck’s work can be used as a valuable basis that fosters an understanding of creation of identities, the deterritorialisation of politics and the role of risks. It can also be partly used to criticise the empirical basis of the nationality and solidarity argument. Moreover, the focus on global risk opens a line of argument that is mostly neglected in the philosophical literature on global justice. But, given the focus on institutional reforms that appear politically feasible during the 21st century, Beck’s work cannot be directly used to evaluate the feasibility of global egalitarianism. So, the ‘cosmopolitan vision’ is about how we should look at the world, what changes are happening and which of these changes might gain strength.

7.6 Long-term trends of globalisation

Having considered the empirical arguments offered in the philosophical literature and Beck’s cosmopolitan outlook, we can now explore to what extent an analysis of the long-term trends of globalisation can inform feasibility evaluations. The NIC Report (2008) *Global Trends 2025* presented in Section 4.3 serves as an example for further analysis of these trends. The question there was whether, given the likely and possible developments in various areas, certain optimistic or pessimistic scenarios should be considered to be possible.¹⁷⁵ Considering the long-term trends of globalisation¹⁷⁶ in this section, we have to now ask how each trend is likely to affect the relative importance of

politics, science or economics (Beck 2006: 22).

¹⁷⁵ The ‘Politics Is Not Always Local’ scenario has been an example for an optimistic scenario, depicting how environmental groups take part in a reformed General Assembly of the UN and how a global environment treaty is agreed upon (cf. Section 4.3).

¹⁷⁶ Globalisation can be broadly defined as involving “the dramatic increase in the density and depth of economic, ecological, and societal interdependence, with ‘density’ referring to the increased number, range, and scope of crossborder transactions; and ‘depth’ referring to the degree to which that interdependence affects, and is affected by, the ways in which societies are organized domestically” (Hurrell 2001: 33).

national and global identities. The more each trend is likely to increase the importance of global identities, the more likely it is that feasibility evaluations of global egalitarian justice will be positive. The following analysis focuses on five trends: economic integration, economic convergence and growth, international institutions, values and identities and, lastly, a global public.¹⁷⁷

(i) Economic integration: Since the beginning of history, the economic interaction between the different parts of the world has increased (although sometimes discontinuously). Especially since the industrial revolution, improvements in transport, engineering, petrochemicals and information technology had a tremendously positive impact on the level of growth and global economic integration (Landes 1998). Germany, for example, exports about 50 percent of its manufactured products.¹⁷⁸ In the decades and centuries to come, it is likely that global economic integration will be pursued; among the members of the World Trade Organisation (WTO), tariffs are generally low or abolished (except in some politically relevant areas like agriculture). Alternatively, it is unlikely that protectionism will regain strength, especially since it has few advantages once a certain degree of industrialisation has been reached. Overall, economic integration is likely to support a global identity and decrease the importance of nationality.¹⁷⁹

(ii) Economic convergence and growth: It is likely (according to the neoclassical theory of economic convergence) or at least possible (if alternative explanations of growth are included) that the economic gap between rich and poor countries will strongly diminish within the centuries to come (Abramowitz 1986). The past growth rates of China, India and some Latin American countries already have reduced the economic differences between the industrial countries and large parts of the rest of the world (Africa excluded; Sachs 2005: 26-29). Since the reduction of economic differences lessens the economic burdens shouldered by richer countries, the adoption of global distributive schemes becomes more likely.

Furthermore, given the constant economic growth throughout history and its

¹⁷⁷ The time frame of the trends to be considered is the long-term. It then significantly differs from the usual discussions about the trends of globalisation referring to a much shorter time frame of, for example, the next 20, 50 or even 100 years.

¹⁷⁸ Beck observes that the “[c]onsumer society is the really existing world society” (2006: 40).

¹⁷⁹ Hurrell, however, makes the cautionary remark that economic integration “does not translate easily or automatically into a shared awareness of a common identity, a shared community or a shared ethos” (2001: 34).

acceleration during the past two hundred years (Landes 1998; Sachs 2005: 28), it is likely that global per capita output, and consequently the absolute living standards, will increase tremendously (e.g. by a factor of 5 or 10). An increase of absolute living standards is likely to reduce the importance of primary social goods, while increasing the importance of immaterial goods such as self-actualisation.¹⁸⁰ The surge of post-material values over the past few decades is an indication of this. Continued economic growth is, thus, likely to increase the probability of global distributive schemes.

(iii) International institutions: Hurrell points out that the world witnesses a “steady move towards a denser and more integrated network of shared institutions and practices” (2001: 39), examples being UN institutions, the WTO, World Bank, the International Monetary Fund (IMF), the International Criminal Court (ICC) and the Kyoto Protocol. Given the increasing need to solve global problems, epitomized by Beck’s (2006) notion of the ‘world risk society’, we are likely to see a further globalisation of politics.¹⁸¹ Regarding climate change, for example, institutionalised global collective action seems to be the only way to secure the long-term survival of humanity.

Until now, new international institutions have created a basic normative framework.¹⁸² Hurrell claims that normative systems, once they are established, have the inherent tendency “to expand and develop, and to enmesh actors within certain patterns of discourse, reasoning, and argumentation” (2001: 40). Weaker actors may, for example, use existing institutional platforms “to exploit already established patterns of legal argument to promote new and often far-reaching rules and institutions (as with the International Criminal Court)” (*ibid*). A further important point is that institutions may strongly affect the values of individuals: Pogge speaks of “value-based institutional fixed points” (1989: 230) that are likely to gain the support of individuals as time passes.

The growth of global civil society must also be connected to the form of

¹⁸⁰ See Maslow (1954) and Doyal (1991) on the relationship between self-actualisation and material living standards.

¹⁸¹ Bacchus (2003), considering the development of the World Trade Organisation as a prime example, equally argues that the world steadily moves towards a legalisation of the international sphere.

¹⁸² In opposition to earlier international treaties centred on functional benefits, Hurrell argues that “the post-1945 period has seen the emergence of a range of internationally agreed core principles – respect for fundamental human rights, prohibition of aggression, self-determination – that may underpin some notion of a world good and some broader basis for evaluating specific rules” (2001: 40).

international governance. Over the last 50 years, a diverse array of national and international NGOs has gained enough strength to exercise considerable impact on public opinion and politics at sub-state, state and global level. As outlined in Chapter 4, the NIC Report (2008) even considers it possible that global NGOs will obtain representation in a reformed UN General Assembly by 2025. Hurrell, however, stresses that we “need to counter a certain romanticization of the potentialities of transnational civil society”, since “it is only through political institutionalization that new norms and rules can be sustainably and equitably implemented” (2001: 35).

(iv) Identities and values: Beck (2006) highlights the change from national to mixed identities, where individuals freely draw on various sources to construct their identity. We should also note that continued migration, facilitated by deregulated labour markets and cheaper transport, is likely to lead to a diffusion of identities. The trend of a partial globalisation of identities can be contrasted with a rise of nationalistic values in some countries like China and India. The aggressive nationalism that has dominated the 20th century, by contrast, is on the decline: the creation of the EU is the best example.¹⁸³

Moreover, the overall moral development of humanity has, despite incredible negative ruptures like World War II, been positive: the abolishment of slavery, the enfranchisement of women, the decline of discrimination as well as the rise of democracy and distributive justice in various countries are examples. We also witness a trend towards the globalisation of human rights (Beck 2006: 47); most countries have signed the Universal Declaration of Human Rights. It could be argued, therefore, that the adoption of egalitarian justice at the domestic and global level is part of the natural path of human development. While this argument has some appeal, philosophers like Rawls (1999a), Miller (1995) and Nozick (1974) would reject the view that global egalitarianism would be a desirable development. We thus have to be aware that the meaning of moral development depends on the specific moral theory endorsed. In sum, while the spread of global moral values is likely to continue, the development of this trend remains uncertain.

¹⁸³ With regard to the creation of the EU, Beck notes that “[v]iewed historically, this undertaking among states with different cultures can only be described as revolutionary. For the first time in history states have learnt that their power is not diminished but increased by renouncing national sovereignty. All states must submit to an internal process of self-democratization and must protect human rights and civil liberties, with the result that a war between members has become unthinkable” (2006: 175).

(v) Global public: Given the already dominant position of English, it is likely or at least possible that English will become a world language spoken fluently by a large majority of the world's population. Moreover, the development of the Internet and possible future technological innovations are likely to further facilitate communication between individuals in all parts of the world (NIC 2008: 89-92). A common language and a shared communication platform increase the probability that a global public will be created. A global public can be regarded as a requisite (or at least as a supportive factor) for the adoption of global distributive schemes.

A systematic consideration of trends – which has so far not been offered in the literature about the feasibility of principles of egalitarian global justice – may help a philosopher justify her own feasibility evaluation. The question is whether, given the interaction of these trends, the optimistic scenario of global egalitarianism seems to be possible. Apart from representing objective arguments about various likely developments, the consideration of trends encourages our imagination; while the likely developments outlined are still vivid in our head, we have to go one step further and ask whether they may lead to a scenario that does itself seem unlikely but not impossible.

7.7 Conclusion

Considering the arguments analysed in the course of this Chapter, it is surprising that only very few philosophers seriously engage in feasibility discussions. And although theorists such as Miller, Nagel and Caney engage in the debate, they spend little time justifying their feasibility evaluations. Given the small number of philosophers taking part in the debate, it is also a stunning fact that both Miller and Caney do not engage with Nagel's work in any way, regardless of the fact that it was published before their own.

Overall, the stringency of the debate is hampered by the fact that Miller, Caney and Nagel do not draw on unified definition of the feasibility criterion; the different interpretations of the time frame, the unclear form of evaluations and the debate about the burden of proof being the most important examples. Looking at the empirical arguments advanced, it turned out that none of the three authors refers to specific psychological or social theories to justify their evaluations. It has been possible, by contrast, to reject various empirical assumptions in light of empirical research results.

Having considered the empirical arguments offered in the philosophical literature, Beck's work on global identities and the long-term trends of globalisation, it is time to come to a conclusion. Through the analysis coming out of this research, I personally consider global egalitarian justice to be conditionally feasible. There are four decisive reasons for this evaluation. First, scientific research cannot identify specific factors allowing us to rule out the feasibility of global egalitarian justice. Second, the great variation of past and present forms of social life from egalitarian tribes to totalitarian fascist states show that institutions can transform human beings into many different kinds of beings. Third, I question the argument that nationality will necessarily continue to play a dominant role in the centuries to come as the artificiality of its creation being an argument against its perpetuality. Fourth, the trends of globalisation point to a globally integrated market, abundant wealth (if the ecological crises can be mastered), the rise of global identities and values, a shared secondary language and the need for effective global collective action. For these reasons, I maintain that, if we consider egalitarian justice to be feasible at the domestic level, the same evaluation should hold for the global level.

While these arguments represent good reasons for a positive feasibility evaluation, I accept that my judgment is, to an important degree, subjective. As a consequence, I do not consider a negative feasibility evaluation to be unreasonable; a different interpretation of the same arguments may reasonably lead to a different conclusion. I acknowledge the partial subjectivity of my feasibility evaluation and, moreover, consider it to be uncertain.¹⁸⁴ Before acting on my evaluation, I would therefore want to consider the burden of proof. If a strong burden of proof should be assigned to the side defending positive feasibility evaluations, it is possible that I have to revise my feasibility evaluation. The burden of proof, as discussed throughout this Conclusion, may lead to the endorsement of a negative feasibility evaluation despite the fact that it is considered to be more likely than not that global egalitarian is feasible.

Overall, the discussion of this Chapter has categorised the conditional feasibility

¹⁸⁴ A high degree of subjectivity also increases the likelihood that feasibility evaluations are influenced by wishful thinking (see the discussion on the neutrality of predictions in Section 4.3). While the tendency to succumb to wishful thinking is in general reduced by patterns of scientific or public debate, this check is less effective if judgments are partially based on intuitions. In my case, for example, I am aware of my inclination towards a positive feasibility evaluation of global egalitarian justice, as I want to be optimistic and believe in the potential of humanity.

evaluations of global egalitarianism as partly subjective, uncertain and as having no agreement about the correct evaluation. We are thus confronted with an application problem. This raises a point relating to the chances of overcoming the application problem by offering better empirical arguments about the feasibility of global egalitarianism. This will be considered to greater lengths in Chapter 8. The second point is whether, if the application problem is expected to persist, the definition of the feasibility criterion should be modified. In order to address this, I will examine how the philosophical literature deals with the application problem. Subsequently, I will argue that a burden of proof should be established to limit the negative effects of false feasibility evaluations under conditions of uncertainty.

The application problem in the philosophical literature

In the theoretical literature, the applicability of the feasibility criterion is not examined in a systematic way. While Råikkä acknowledges that “it may be hard to discover which social arrangements can never be accepted” (1998: 30), he does not discuss the importance of this problem, if it can be overcome and, if it can, how it can be overcome. Moreover, apart from Pogge’s (1989) sceptical attempt, no general evaluation about the applicability of the feasibility criterion is given by most philosophers (Nagel 1991; Rawls 1999a; Miller 1999a; Caney 2005). The applicability of the feasibility criterion is thus insufficiently discussed in the theoretical literature.

Looking at the applied literature, an important issue is that the empirical debates are not based on a standard definition of the feasibility criterion. As a result, the application problem does not emerge as clearly as it should. This is especially due to three strategies consciously and subconsciously used by philosophers to conceal the application problem; the strategies refer to the time frame, the form of evaluations and the weight of the feasibility evaluations. The first strategy to circumvent the application problem is to use the middle-term as time frame. While this strategy, used by Miller (1999a) and partly also by Nagel (1991: 170), reduces the uncertainty of evaluations, it also has the highly negative effect that we are no longer dealing with feasibility evaluations of ultimate moral ideals (Laegaard 2006). For this reason, this strategy is unconvincing.

The second strategy relates to the form of feasibility evaluations. Instead of making dichotomous feasibility evaluations, both Nagel and Miller use vague expressions, claiming for instance that the realisation global distributive justice is ‘very hard to

imagine' (Miller 1999a: 18) or that 'the world is not a plausible candidate' for the realisation of global egalitarianism (Nagel 1991: 174). The result of unclear evaluations is, however, that the consequences for the cogency of principles of global distributive or egalitarian justice remain unclear. Therefore, I find vague feasibility evaluations to be unsatisfactory; statements about the feasibility of a moral theory (feasible/unfeasible) and about the uncertainty evaluations should be kept distinct.

A third strategy to conceal the application problem relates to the weight of the feasibility criterion. Since the weight is not defined in a clear way, as the following examples will show, the effects of negative feasibility evaluations also remain unclear. (i) Rääkkä (1998: 27) holds that desirability and feasibility evaluations are 'equally important'. (ii) Rawls (1999a: 398-399) maintains that an insufficiently stable conception of justice is "seriously defective" although the criterion of stability is "not decisive". (iii) Caney (2005: 175) maintains that a feasibility challenge, if successful, constitutes a "serious and powerful criticism" of a moral ideal.¹⁸⁵ The first point to notice is that no philosopher claims that unfeasible moral theories should be ruled out (in opposition, the OIC criterion functions as an absolute constraint).¹⁸⁶ In addition, we have to note that the definitions of weight diverge and are relatively imprecise. The practical consequences of feasibility evaluations thus remain unclear.

In general, a tendency might exist to assign less weight to the feasibility criterion if evaluations are expected to be uncertain. The weight of the criterion would thus depend on its applicability and would, consequently, differ from case to case. I think, however, that this tendency is problematic. The weight must either be defined independently of the moral ideal in question, or a justification must be given why, and if so how, it should be influenced by the applicability of the feasibility criterion.

In conclusion, all three strategies discussed are problematic since they rather conceal

¹⁸⁵ Furthermore, Nagel holds that the unfeasibility of an ideal should "carry some weight against the ideal" (1991: 21). Finally, Boswell holds that the "patent unfeasibility" of liberal universalist theories "generates a risk that liberal universalist arguments will come to be seen as irrelevant to the refugee policy debate" (2005: 7); that unfeasible theories are of "little practical use" or even "counter-productive"; before she concludes that "[t]his is not to say that fundamental normative goals should be abandoned simply because they are not considered feasible. But it does imply that where a theory is unable to show how people are or could be motivated to respect its requirements, we should consider it as deficient, at least for practical purposes" (*ibid.*).

¹⁸⁶ This should lead us away from speaking of a feasibility constraint or a 'motivational condition' (Murphy 2000: 16); these terms only make sense if the weight of the feasibility criterion is absolute.

than confront the application problem. In opposition, I find it more adequate not to deviate from a coherent feasibility framework. The time frame should be the long-term, feasibility evaluations should be dichotomous, accompanied by a statement about the degree of uncertainty, and weight should be clearly defined and kept constant. This means that we have to look for another way to deal with the application problem.

Uncertainty and the burden of proof

An alternative strategy, which leaves the definition of the feasibility criterion unchanged, is to work with a burden of proof. As outlined in Section 4.2, a burden of proof is used to come to decisions under conditions of uncertainty. To assign the burden of proof, the costs of false feasibility evaluations have to be compared.

The costs of a false positive feasibility evaluation may be calculated by reference to the following four arguments.¹⁸⁷ (i) Conceptual reasons: The rationale of the feasibility criterion holds that, for the concept of a moral ideal to make sense, it must be possible to bring about the moral ideal in question (Räikkä 1998). By propagating impossible ideals, the point of morality is lost. (ii) Unfairness to agents: Demanding the impossible is unfair to those individuals who try to bring the recommended ideal about. Compliers will be disappointed in light of their failure to realise the moral ideal. (iii) Negative consequences: The pursuit of impossible ideals will lead to negative consequences. If a world government is impossible, for example, the attempt to bring the latter about might lead to global war. (iv) Demotivating effects: Given the perceived difficulty to achieve a highly demanding task like global egalitarian justice, people will be demotivated to behave morally (cf. Mackie 1990: 132). This argument holds if the empirical relation between high aims and the motivation of individuals is negative.

The costs of a false negative feasibility evaluation can be calculated by reference to the following arguments. (i) Unfulfilled obligations: The erroneous rejection of the most desirable ideal will lead to a world that is less just than it could be. Unjustified inequalities, for example, will withhold legitimate benefits from some individuals. (ii) Demotivating effects: The absence of a highly promising ideal will demotivate individuals. This argument holds if empirical relation between high aims and the

¹⁸⁷ As explained with regard to the OIC criterion in Section 5.4, it is sufficient to consider the costs of false evaluations if the costs of a false positive evaluation correspond to the benefits of a correct negative evaluation and *vice versa*.

motivation of individuals to act is positive.

As in the case of the OIC criterion, a comparison between of the relative costs of false evaluations is a highly complex endeavour. The first problem is that we have to compare conceptual reasons with broadly consequentialist reasons. Moreover, this assessment varies with the kind of moral theory endorsed. The second problem is that the evaluation has to include the global long-term consequences of false feasibility evaluations. Such an assessment would require a highly complex empirical calculation.

Consider, for example, the period of the expected consequences, an imbalance is likely to occur. While it is certain that feasibility evaluations will to a certain extent affect the behaviour of present individuals, it is unclear to what extent present evaluations will indeed shape future behaviour. As time passes, it is likely that new insights will improve the capacity of future societies to make feasibility evaluations; it is therefore extremely difficult to assess the long-term consequences of false evaluations. Next, various conceptions of global justice currently require similar political steps like the establishment of just international institutions or the eradication of absolute poverty. It may thus be the case that feasibility evaluations are less important with respect to political decisions as with respect to the motivation of individuals. But if we start to consider the motivational effectiveness of moral theories, i.e. whether their propagation is likely to bring about sufficiently positive consequences, we leave the area of feasibility issues.

In light of these normative and empirical challenges, this thesis can only argue that a burden of proof should be assigned and to outline some of the considerations to be included. It is beyond the scope of the present project to offer a relative comparison of the costs of false feasibility evaluations. Since the assignment of the burden of proof has to be postponed until further research has taken place, the conclusion that Pogge's theory of global egalitarian justice should be considered to be conditionally feasible remains unchanged.

Chapter 8: Conclusion

The aim of this thesis was to apply the effectiveness and OIC/feasibility criterion to Singer's Principle and Pogge's theory of egalitarian global justice. Each of the resulting three analyses focused, firstly, on the definition of the metaethical criterion in question and, secondly, on the empirical application. This Chapter concludes by summarising the findings of the three analyses, assesses social sciences' contribution to the evaluation of moral theories and outlines avenues of future research.

Findings

While each section certainly had microconclusions of their own, the first macro finding present over the entirety of this work and the focus of Chapter 2 is that the effectiveness criticism raised against demanding theories of global justice fails. As enquiry has shown, no coherent definition of the effectiveness criterion is offered in the philosophical literature (Carens 1996, Gross 1997, Dobson 2006). Additionally, the applicability of the effectiveness criterion has not been demonstrated; Gross' (1997) empirical application remains unconvincing. Since no convincing definition or application of the effectiveness criterion was identified in other literature, this thesis concluded that the effectiveness criticisms advanced against Singer's Principle and Pogge's theory of global egalitarian are unconvincing.

The second finding is that acute and chronic compliance with Singer's Principle should be considered possible for ordinary persons. Having defined the research question of the OIC criterion in Chapter 3, this thesis examined the social psychological literature on moral heroism in Chapter 5 (Oliner and Oliner 1988; Colby and Damon 1992; Zimbardo 2007). The results were that situational factors play a major role in the determination of behaviour and that there were no identifiable personal factors necessary for moral heroism. Furthermore, social psychologists also offered their own possibility predictions; Zimbardo's 'banality of heroism' and Colby and Damon's 'developmental continuities' theses argue that acute and chronic compliance is possible for ordinary persons. But, since the standard of possibility predictions and the OIC criterion differ, philosophers have to offer their own possibility evaluations drawing on

the explanations and predictions of social psychologists. This thesis concludes with the general evaluation that acute and chronic compliance with Singer's Principle, assuming its moral demands are interpreted in a lax manner, should be considered possible for ordinary persons.

The third finding is that Pogge's theory of global egalitarian justice should be considered to be conditionally feasible. Having defined the feasibility criterion in Chapter 6, the conditional feasibility evaluation accomplished in Chapter 7 examined whether the empirical differences between the domestic and global realm justify different feasibility evaluations. In opposition to the application of the OIC criterion, it was not possible to identify a specific set of psychological, social or political theories most relevant to the analysis; in addition, no long-term predictions offered by social scientists could be identified. For this reason, the analysis largely focused on an empirical assessment of the predictive arguments offered in the philosophical literature (Nagel 1991; Miller 1995; 1999a; Caney 2005) and examined how long-term trends of globalisation can inform feasibility evaluations. Taking all empirical arguments into account, this thesis concluded that Pogge's theory of global egalitarian justice should be considered conditionally feasible.

Taken together, these three findings support the cogency of Singer's Principle and Pogge's theory of egalitarian global justice. Moreover, the analysis outlined that the definition of the OIC and feasibility criterion are generally insensitive as to how they can be empirically applied. In combination with the fact that only very few philosophers make empirically informed evaluations, this shows the limited connection between moral theory and the empirical sciences. Focusing on this gap, this interdisciplinary project has made a significant contribution to the interdisciplinary literature on global justice by evaluating the possibility of compliance with Singer's Principle and the conditional feasibility of Pogge's theory of global egalitarian justice.

This project has also illuminated the fact that it is difficult to evaluate the practical relevance of the present findings as they currently stand. Since most individuals do not think that they should comply with Singer's Principle or have the desire to do so, the evaluation that compliance is likely to be possible appears to be of limited relevance. Nonetheless, the ascription of an enormous developmental potential to each individual may have positive motivational effects; if individuals believe they could do much more to relieve suffering, they may feel more confident to live up to their more moderate

personal moral aims.

Considering the practical relevance of the positive conditional feasibility evaluation of Pogge's theory, it has been argued in Section 7.7 that it is equally hard to assess the expected consequences of feasibility evaluations in light of the extended time frame. Since current political decisions are rarely influenced by long-term feasibility evaluations, and since feasibility evaluations are likely to be reconsidered in the future, the political influence of the present feasibility evaluations seems to be limited. Moreover, the conditionality of the evaluation further reduces its practical impact. Alternatively, the finding that global egalitarianism is conditionally feasible strengthens the standing of theories global of justice in political debates as the focus of attention shifts from the scope of justice to the depths of justice that can be reached by human societies. In the end, however, it may be the case that most important practical effects of the present evaluation relate to the motivation of individuals; that a positive feasibility evaluation of the highly promising ideal of global egalitarian justice may lead certain individuals to act immediately.

The contribution of the social sciences and the subjectivity of evaluations

Apart from evaluating the cogency of Singer's Principle and Pogge's theory, the dominant theme of this thesis was to examine the contribution of the social sciences with regard to the evaluation of moral theories. Given the difficulty to link empirical research and moral theory (Mackie 1990; Elster 1995), this thesis focused on three metaethical criteria which function as bridge-principles (Albert 1991: 92) allowing for a scientifically informed analysis of moral theories. Overall, the contribution of the social sciences can be depicted by the degree of subjectivity of evaluation: the more subjective the evaluation, the less important the contribution of social science. Since subjective evaluations tend to be more uncertain, we are confronted with a continuum between subjective/uncertain evaluations and objective/certain evaluations. This being the case, we are now left to examine to what extent the empirical work accomplished in this thesis has increased the objectivity of evaluations and to what extent it can even further be increased by future work.

Beginning with the empirical work, *the analysis of the determinants of moral heroism and the possibility predictions of social psychologists have significantly increased our understanding of the conditions of compliance and thus reduced the subjectivity of possibility evaluations.* While Griffin's

(1992: 128) claim that a certain ‘arbitrariness’ has to be accepted remains correct, the present analysis has shown that scientifically informed evaluations can reduce this arbitrariness. This is especially true since the philosophical literature has not, up to this point, offered an empirically informed application of the OIC criterion to Singer’s Principle; Miller’s (1992: 555) complaint about the limited connection between the empirical sciences and moral theory has thus been confirmed.

With respect to the conditional feasibility of Pogge’s theory, the present analysis has equally strengthened the empirical basis of evaluations. While the complexity of the question has made it nearly impossible to increase our general explanatory understanding of the psychological, social and political issue at stake, it has been possible to assess the predictive arguments offered in the philosophical literature. This assessment has shown that various predictive arguments rest on empirically flawed, problematic assumptions. Furthermore, it has been argued that the debate can substantially benefit from the inclusion of long-term trends insufficiently theorised in the philosophical literature (for examples see Hurrell 2001; Beck 2006; NIC 2008).

Considering the limits of empirically informed applications, we can conclude that *although the application of the OIC and feasibility criterion can significantly benefit from the inclusion of scientific research results, we have to accept that possibility and feasibility evaluations ultimately remain partly subjective and uncertain*. As a consequence, it is also unlikely that the application problem and the related lack of an agreement about adequate possibility and feasibility evaluations will be overcome. To limit the disagreement, however, it is of utmost importance that each philosopher spells out the empirical arguments informing her judgment as this is the only way the adequacy of evaluations can be assessed. While individuals may trust their own or another person’s sense of possibility in their daily lives, the status of each philosopher’s sense of possibility cannot be assessed, nor should it play a role in the scrutiny of possibility and feasibility evaluations.¹⁸⁸

In sum, the discussion regarding the contribution of social sciences leads us to assume that we can successfully reduce the arbitrariness and subjectivity of evaluations by realising an extensive empirically informed evaluation. Furthermore, a strategy is

¹⁸⁸ This view challenges Räikkä’s claim that “nothing separates the amateur from the professional more clearly than the knowledge of what, under given circumstances, cannot be done in principle” (1998: 27). Feasibility and possibility evaluations should not be associated with knowledge, nor are we able to evaluate which philosopher is a ‘professional’ with a good sense of possibility and who is an ‘amateur’ with a bad sense of possibility.

needed to deal with the degree of subjectivity that is unavoidable; this can either be done by using a burden of proof or by reconsidering the weight of the feasibility criterion. In the following, it will be discussed how future research projects can deal with these challenges.

Relevance of findings and avenues for future research

This thesis has laid down the ground work for further empirical projects on the possibility of compliance with demanding interactional principles like Singer's and on the feasibility of principles of global justice, both conditional and unconditional. Future projects may take the research questions of the OIC and feasibility criterion defined in this thesis as a starting point; such a basis is especially important for social scientists more interested in the empirical application than in the philosophical definition of metaethical criteria. The advantage of the research questions outlined in this thesis is that they are both philosophically coherent and sensitive to the empirical application.

Given the breadth of this thesis, future research focusing on a single metaethical criterion and a single moral principle or theory may further improve the convincingness and reliability of evaluations. In my view, it would be especially important to create interdisciplinary research groups combining the explanatory understanding and methodological skills from various disciplines. With respect to Singer's Principle, for instance, the empirical basis of evaluations could be strengthened if psychologists took the research question of the OIC criterion as the direct basis for their predictions. In this manner, the gap between the focus of social psychologists on the determinants 'moving particular individuals across a decisional line from inaction to action' (Zimbardo 2007: 485) and the philosopher's interest on the individual capacity of autonomous decision-making could be reduced. Apart from re-examining the general evaluation that compliance should be considered possible for ordinary persons, further research could focus on differentiated possibility evaluations. Accordingly, it would be researched how the presence of certain personal factors increases the probability that an individual can indeed comply with Singer's Principle.

Regarding the conditional feasibility of principles of distributive or egalitarian global justice, there is an equally important need for further research as the limited number and depth of empirical arguments offer much leeway to increase the stringency of predictive arguments. It is especially important to further evaluate the future role of national

identities; in this respect, it should be explored to what extent the literature about the origin and political objectives related to the creation of nation-states can be linked to the question about the perpetuity of national identities. Furthermore, the similarity of the standard of scientific possibility predictions (Walonick 1993; Stern Review 2006; NIC 2008) and feasibility evaluations facilitates the incorporation of scientific predictions. For this to happen, however, the time frame of feasibility evaluations must be operationalised in a more precise manner.

Given the breadth of feasibility debates, interdisciplinary research groups of psychologists, sociologists, political scientists, economists, legal scholars and philosophers could be well-suited to tackle this issue.¹⁸⁹ Research groups and their forthcoming publications would not necessarily have to agree on a final answer (as in the case of consensus decision methods like the Delphi technique), but could focus on an assessment of the pros and cons of each predictive argument.¹⁹⁰ In light of different interpretations of or weight assigned to each argument, the ultimate feasibility evaluations of each member of the research group could vary. In any case, such an effort would be likely to increase the stringency of the debate about the conditional feasibility of global egalitarianism.

Having considered how future research can increase the objectivity of possibility and feasibility evaluations, the next question is how we should deal with the remaining and unavoidable degree of subjectivity. The first strategy relates to the weight of the feasibility criterion. Section 7.7 showed that philosophical literature does not define the weight of the feasibility criterion in a unified manner (Räikkä 1998; Rawls 1999a; Boswell 2005) and that an imprecise definition of the weight tends to conceal the consequences of the application problem. Consequently, there is the need for a future research project considering how the weight should be defined and whether it should be influenced by the subjectivity and uncertainty of feasibility evaluations.¹⁹¹ In this respect,

¹⁸⁹ The authorship of feasibility evaluation could, in this way, resemble the authorship of the NIC Report (2008), which has been a collaborative work of over a hundred experts from various fields.

¹⁹⁰ Such a distinction resembles the NIC Report's (2008) focus on specific trends on the one hand, and the overall evaluation of scenarios on the other hand. A further positive aspect is that research groups are likely to increase the neutrality of evaluations (Walonick 1993); in the philosophical literature, philosophers tend to either support or reject both the desirability and feasibility of a moral aim like global distributive justice (Caney 2005; Miller 1995).

¹⁹¹ Moreover, an argument is needed as to why the weight of the feasibility criterion should not be absolute as in the case of the OIC criterion.

Pogge's (1989: 12) extreme view that the feasibility criterion is irrelevant if a theory of justice allows for 'the comparative assessment of alternative feasible institutional schemes' has to be considered; in fact, this view can also be expressed by the claim that the weight of the feasibility criterion should be set to zero in light of the uncertainty of evaluations. Accordingly, a future debate about the weight of the feasibility criterion also has to address its theoretical and practical relevance (Pogge 1989; Rääkkä 1998; Rawls 1999a; Cohen 2008).

The second strategy dealing with the uncertainty of evaluations consists in the assignment of the burden of proof. Having shown that the burden of proof is frequently assigned without an explicit defence (Miller 1995; Rääkkä 1998; Boswell 2005), this thesis has argued that the costs of false evaluations should be the basis for the assignment of the burden of proof. Since such a detailed analysis was beyond the scope of this thesis,¹⁹² it is highly important that a future research project focus on the cost of false evaluations and the assignment of the burden of proof. Such an analysis may take Zimbardo's (2007), Colby and Damon's (1992) or Oliner and Oliner's (1988) view about the expected consequences of possibility predictions as a point of departure; with regard to the normative assessment of costs, the analysis may draw on philosophical principles like Barry's (2005: 221) 'vulnerability presumption principle'.

The final strand of future research relates to the effectiveness criterion. To evaluate the effectiveness of short- and middle-term moral principles or ultimate moral ideals (Carens 1996; Gross 1997), a coherent definition of the effectiveness standard must be developed. In Chapter 2, I suggested that a probability threshold defining a minimum likelihood of compliance could serve as a point of departure. If a coherent definition of the effectiveness criterion could be reached, the next task would consist of an assessment of the empirical applicability of the effectiveness criterion. Since the view that effectiveness considerations should affect the cogency of ultimate moral ideals is generally rejected (Singer 2004; Cohen 2008), the rationale of the effectiveness criterion would equally have to be defended.

¹⁹² In the case of Singer's Principle, the tentative suggestion was made that the burden of proof should be assigned to those who challenge the possibility of compliance (Section 5.5). With respect to the conditional feasibility of Pogge's theory, by contrast, no judgment about the relative costs of false feasibility evaluations was made (Section 7.7).

Conclusion

Coming to the end of this thesis, it is worth taking a look back. This thesis began with the curious incident with the young woman from Eastern Europe and the flyer for the Edinburgh World Justice Festival. Three and a half years later, I can tell the woman that, according to my empirical analysis, it is possible both for her and myself to fundamentally change our lives, making the reduction of poverty an overarching aim. I could outline the justification and uncertainty of this judgment and that, having compared the costs of false evaluations, I consider the suffering that might be prevented to be more important than to make the error of asking her to do what is indeed impossible. I do not know whether my evaluation would have any effect, or whether she would feel threatened or charmed in light of the developmental potential assigned to her.

Furthermore, I could change the design of the flyers for the World Justice Festival, propagating a much more demanding ideal than the end of absolute poverty. As Martin Luther King refused to believe that the funds of the 'bank of justice' (quoted in Bös 2005: 158) only suffice for the civil rights of white people, I could claim that, if one believes that egalitarian justice is feasible in one country, one has good reasons to believe that it is also feasible for the world at large.

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