



# THE UNIVERSITY *of* EDINBURGH

This thesis has been submitted in fulfilment of the requirements for a postgraduate degree (e.g. PhD, MPhil, DClinPsychol) at the University of Edinburgh. Please note the following terms and conditions of use:

This work is protected by copyright and other intellectual property rights, which are retained by the thesis author, unless otherwise stated.

A copy can be downloaded for personal non-commercial research or study, without prior permission or charge.

This thesis cannot be reproduced or quoted extensively from without first obtaining permission in writing from the author.

The content must not be changed in any way or sold commercially in any format or medium without the formal permission of the author.

When referring to this work, full bibliographic details including the author, title, awarding institution and date of the thesis must be given.

# Global Justice from Outside-the-Box

Yukinori Iwaki

A thesis presented for the degree of  
*Doctor of Philosophy*



Politics and International Relations (Political Theory)  
School of Social and Political Science  
The University of Edinburgh

August 2017



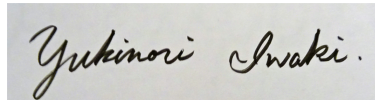
## Signed Declaration

I declare that this thesis was composed by myself, that the work contained herein is my own except where explicitly stated otherwise in the text, and that this work has not been submitted for any other degree or professional qualification except as specified.

Parts of this work have been published in the following article:

Hayward, Tim and Iwaki, Yukinori (2016), 'Had we but world enough, and time: integrating the dimensions of global justice', *Critical Review of International Social and Political Philosophy*, 19(4): 383-99.

Signed:

A rectangular box containing a handwritten signature in black ink that reads "Yukinori Iwaki".

Date:

20 August 2017



## **Abstract**

We live in a severely unequal world. Pressing questions are, then, what changes the global advantaged should bring about to improve the situation of the global disadvantaged, and why they should do so in the first place. Chapters 1, 2 and 3 answer the latter question whereas chapters 4 and 5 answer the former.

Chapter 1 considers Peter Singer's 'non-relationist' and Thomas Pogge's 'relationist' approaches to global justice. The chapter argues that Pogge's argument is more compelling than Singer's, but that it is incomplete. To make a relationist argument more plausible, the chapter draws on two critical social theorists: Alf Hornborg and David Harvey. Based on their analyses, and employing the perspectives of 'human time' and 'ecological space', the chapter concludes that the advantaged are in violation of a stringent negative duty by being complicit in the harmful global system. The chapter also introduces two kinds of debt – 'temporal debt' and 'ecological debt' – that the advantaged may owe the disadvantaged. Chapter 2 argues that the global system is not only harmful but severely harmful: it is likely to reproduce 'absolute harm' (a harm that infringes upon minimum human well-being). Chapter 3 discusses what positive action the advantaged ought to take because of the negative-duty violation and the problem-solving ability they have. Focusing on two kinds of action – reparation and remedy – the chapter argues that achieving reparation may face practical problems, but that the advantaged should act immediately to provide remedy – in particular, institutional remedy – for the disadvantaged. In doing so, the chapter commends the 'advantaged remedy' principle.

Chapters 4 and 5 consider remedial institutions which the advantaged should strive to create and uphold. Chapter 4 focuses on one which we already have: the UN Global Compact. The chapter argues that this institution is necessary in the light of present global circumstances and also advances a set of principles appropriate to protect minimum human well-being. But it concludes that this reformist institution may turn out to be insufficient. Based on this conclusion, chapter 5 supports a more radical proposal: a market-socialist proposal offered by Leslie Sklair. Sklair's account, however, does not explain why it is market socialism, rather than a non-market alternative, that should be pursued. Neither does it show how market-socialist institutions would remedy the global-systemic problems that are likely to afflict the disadvantaged. The chapter offers answers to these questions by drawing on David Miller (for the first question) and David Schweickart (for the second question). The chapter then argues that market socialism, if accompanied by an appropriate ethos, would serve to remedy the situation of the global disadvantaged. Meanwhile, the shift to market socialism would, and should, take time. So, this project concludes by considering a supplementary institution that may need to be implemented in the meantime: an ecological space tax.



# Contents

<i>Acknowledgements</i> .....	v
<i>List of Abbreviations</i> .....	vii
<b>Introduction</b> .....	1
<b>Chapter 1. Severe Poverty, Ecological Overshoot, and the Global Economic System: Towards a Critical-Relationist Theory of Global Justice</b> .....	5
1.1. Peter Singer's Non-Relationist Approach.....	8
1.2. Thomas Pogge's Relationist Approach .....	14
1.2.1. Pogge's Theoretical Framework.....	15
1.2.2. Pogge on the International Economic Regime: Problems with His Conceptions of Harm.....	17
1.2.3. Pogge on International Law: What Is Missing from His Account.....	24
1.3. A Critical Analysis of the Global Economic System .....	27
1.3.1. Two Analyses of the Global System .....	31
1.3.2. Contribution and Benefiting: Two Forms of Complicity in the Global System.....	40
1.3.3. Human Time, Ecological Space, and Debts Owed to the Disadvantaged .....	41
Conclusion .....	48
<b>Chapter 2. Temporal Debt, Ecological Debt, and the Minimum Threshold of Human Well-Being: On 'Absolute Harm' to the Disadvantaged</b> .....	51
2.1. Preliminaries .....	53
Preliminary 1: Defining 'Absolute Harm' .....	54
Preliminary 2: Human Well-Being v. the Economic Well-Being of a Society .....	57
Preliminary 3: Human Well-Being v. Utility/Utilities .....	58
2.2. Setting the Minimum Threshold of Human Well-Being.....	61
2.3. Temporal and Material Preconditions for Minimum Well-Being .....	70
2.3.1. The Temporal Precondition for Minimum Well-Being .....	70
2.3.2. The Material Precondition for Minimum Well-Being: Defending the	

Ecological-Space Approach .....	80
2.4. Temporal Debt, Ecological Debt, and ‘Absolute Harm’ .....	86
2.4.1. Three Categories of Temporal Debt .....	86
2.4.2. Ecological Debt: Systemic Deprivation of Ecological Space.....	93
2.4.3. The Interchangeability and the Compounding of Disadvantages.....	97
Conclusion.....	98

### **Chapter 3. Reparation or Remedy: Why the Advantaged Should Take**

<b>Immediate Action</b> .....	101
3.1. Causal Contribution and Benefiting as Grounds for Reparation .....	104
3.1.1. The ‘Contributor Pays’ Principle.....	105
3.1.2. The Scopes of Application of the CPP and the BPP: Causal Contribution, Causally Contributing Benefiting, and Benefiting Simpliciter .....	108
3.1.3. The ‘Beneficiary Pays’ Principle.....	112
3.1.4. Henry Shue’s BPP and the ‘Inheritor Pays’ Principle.....	116
3.1.5. Section Conclusion.....	123
3.2. On the Remedial Responsibility of the Advantaged.....	124
3.2.1. Reparation v. Remedy .....	124
3.2.2. The ‘Advantaged Remedy’ Principle.....	128
3.2.3. Simon Caney’s History-Sensitive ‘Ability to Pay’ Principle.....	132
3.2.4. The AdRP and the Two Practical Problems: Towards Institutional Remedy .....	135
3.2.5. Section Conclusion.....	138
3.3. Excuse and Justification: Are There Reasons to Exempt the Advantaged from Their Remedial Responsibility?.....	138
3.3.1. Foreseeability .....	139
3.3.2. Avoidability .....	141
3.3.3. Victims’ Free and Informed Consent.....	147
Conclusion.....	148

### **Chapter 4. The UN Global Compact: Its Possibilities and Limits as a Remedial**

<b>Institution</b> .....	151
4.1. Human Rights, State Enforcement, and a Necessary Complement.....	155
4.2. The UN Global Compact and a Holistic Set of Basic Human Rights.....	160
4.2.1. Rights Holism and Henry Shue’s Basic Rights.....	168
4.2.2. Basic Human Rights Related to CSR.....	174

4.2.3. Does the UN Global Compact Advance Appropriate Principles? .....	179
4.3. Familiar Challenges to CSR and the UN Global Compact .....	182
4.4. A Reference Problem and a Fundamental Problem .....	189
4.4.1. A Reference Problem .....	190
4.4.2. A Fundamental Problem: From the Perspectives of Ecological Space and Human Time.....	192
Concluding Remarks: A Happy Moment, or an Uneasy Moment? .....	197
<b>Chapter 5. Replacing the Drivers, Changing the Gears, and Turning the Wheel to the Left: Towards the Globalisation of Ecological Market Socialism ..</b>	<b>201</b>
5.1. Leslie Sklair on Socialist Globalisation: Market Socialism from the Global Perspective .....	205
5.2. Why the Market Should Be Retained, and How Market Socialism Would Remedy the Dual Global Problem .....	208
5.2.1. David Miller: Why the Market Should Be Retained .....	209
5.2.2. David Schweickart: How Market Socialism Would Remedy the Dual Global Problem .....	219
5.2.3. A Debate Among Socialists: Major Challenges to Market Socialism .....	227
5.3. Ecological Evaluation: Towards a Shift in Ethos to Material Restraint.....	230
Conclusion: Returning to the Title.....	239
<b>Conclusion: In the Meantime .....</b>	<b>241</b>
A Temporary Scheme for the Transitional Period: Thomas Pogge's Global Resources Dividend .....	241
Conclusion .....	250
<i>Bibliography</i> .....	251



## **Acknowledgements**

This project benefited from many supports. Especially, I am very grateful to my three supervisors at Edinburgh University: Tim Hayward, Liz Cripps, and Kieran Oberman. They supported my research in different ways. Tim's supervision, and his works in general, provided me with the motivation and inspiration that kept my project moving ahead. He also gave me many insightful comments that clarified my overall arguments. Liz was good at identifying gaps in my discussion. Also, her instructions were always helpful in improving the presentation of my arguments. Kieran gave me sharp and detailed comments on every aspect of each chapter, and raised several interesting points that I may want to discuss in future projects. I also thank all the members of the Edinburgh Political Theory Research Group. They gave me a sense of belonging, and made Edinburgh a stimulating place to do research. Their constructive, and instructive, comments helped me develop some of the chapters.

Research for this project was conducted mainly in Edinburgh. But I was also fortunate to get the opportunity to spend 8 months as a Visiting Doctoral Student at Oxford University and a Research Associate at Balliol College. Special thanks go to Dan Butt at Balliol, Simon Caney at Magdalen, and David Miller at Nuffield. Dan hosted and supervised me at Balliol. Simon kindly read chapter 3 and clarified the similarities between his view and mine. And David gave me answers to a few questions I had had about his theory of market socialism. I also thank all the members of the Oxford Centre for the Study of Social Justice, the conveners of the Nuffield Political Theory Workshop, and the hosts of the Global Justice Workshop.

I am also very grateful to Russell Keat at Edinburgh University and Takahiro Yamada at Nagoya University, Japan. Russell kindly read chapter 5 (on market socialism) and gave me both encouragements and valuable comments over pleasant afternoon coffee. Takahiro gave me the opportunity to work as his research assistant and hold interviews together at several international organisations promoting CSR (corporate social responsibility) at the transnational level. One of those interviews became useful material for my discussion in chapter 4.

Finally, I thank my parents and wife most. They supported me all through this project both financially and – more importantly – emotionally.



## **List of Abbreviations**

BBC	British Broadcasting Corporation
ICC	International Chamber of Commerce
ILO	International Labour Organization
IOE	International Organisation of Employers
NGO	Non-governmental organisation
OECD	Organisation for Economic Co-operation and Development
UN	United Nations
UNDP	United Nations Development Programme
WHO	World Health Organization



## Introduction

In 2013, I arrived at Heathrow Airport to embark on PhD research at Edinburgh University. Entering the arrival lobby, I saw a news headline running on an electric screen: every year, more than one million people in China die prematurely due to air pollution. As a Japanese national, I had known that, in daily life, we consume a lot of (cheap) items produced by Chinese factory workers, and that many of those workers are living on much lower incomes than most of Japanese workers earn for the same hours of labour. I had also known that, for many of them, the choice is between daily subsistence and unemployment.<sup>1</sup> A friend had told me that Chinese people are benefiting from this process because the country's GDP and per capita income are growing rapidly. I knew this to be true but I also knew, and as this headline made clear, that many of them die, or suffer terrible harm to their health. I did not deny that those issues in China are caused partly by the country's inappropriate domestic institutions. But, I thought, I am complicit (together with fellow Japanese nationals) in the reproduction of pollution, the high death toll, and other kinds of disadvantage, in China. And this time, my thought continued, my flight from Japan had contributed to further ecological damage at the global level.

I was on the advantaged side of global inequalities. I had never felt materially uncomfortable in my life. And I had now gained access to education at one of the finest universities in one of the most affluent countries. Also, thanks to my parents' earnings, and my own savings, I could choose to leave a job and devote a great deal of time instead to academic research without financial worries. My

---

<sup>1</sup> For a detailed account of how the poor fare in China, and other developing countries, see Fields (2012: Part One).

economic power, I thought, gives me such material and temporal advantages. The thought led me to two big questions concerning global justice, which I had asked myself many times before. These are, namely, what changes people in the advantaged class should bring about to improve the situation of those in the disadvantaged class, and why they should do so in the first place.

These questions drove this project. I shall argue that there is a moral obligation on the global advantaged to put right the situation for the global disadvantaged not only because they have the ability to do so without incurring significant cost but also because they are complicit in the systemic mechanism that is likely to harm the disadvantaged. I shall also argue that they can discharge this obligation partly by bringing about a radical institutional shift.

I titled this project *Global Justice from Outside-the-Box* because my arguments take both liberal and critical insights seriously. Theories of global justice seem to have been developed largely within the liberal literature. A range of values liberal theorists have identified include important human values that should be respected globally (e.g. central human capabilities, basic human rights, agency of a person, etc.). Meanwhile, empirical assumptions they seem to accept about the global economic system have led them to the optimistic conclusion that the existing global system, although not just now, can be rendered just with minor modifications. Insights from critical social theorists, as we shall see, let us draw a different conclusion: that the global system is fundamentally unjust and therefore requires more than minor modifications. More precisely, the current system is so structured as to reproduce severe inequalities and ecological overshoot, and ultimately infringe upon what liberals take to be important human values. The analyses of the global system critical theorists offer seem convincing. So, I suggest that we need to draw

on both sides: on the accounts of human values liberals provide and the empirical explanations critical theorists offer. My project is outside-the-box in the sense that it cannot be categorised as part of the liberal literature or the critical literature; it draws on both.

I shall take the following steps. In chapter 1, I shall consider Peter Singer's 'non-relationist' and Thomas Pogge's 'relationist' approaches to global justice. I shall argue that Pogge's argument is more compelling than Singer's because Pogge takes the way people may in fact make moral judgements seriously. But I shall also argue that Pogge's argument is incomplete. To make a relationist argument more plausible, the chapter draws on two critical social theorists: Alf Hornborg and David Harvey. Based on their analyses, and employing the perspectives of 'human time' and 'ecological space', I shall conclude that the advantaged are in violation of a stringent negative duty by being complicit in the harmful global system. I shall also introduce two kinds of debt – 'temporal debt' and 'ecological debt' – that the advantaged may owe the disadvantaged. In chapter 2, I shall argue that the global system is not only harmful but severely harmful, since it is likely to reproduce what can be described as 'absolute harm': a harm that infringes upon the minimum threshold of human well-being.

In chapter 3, I shall discuss what positive action the advantaged ought to take because of the negative-duty violation and the problem-solving ability they have. Focusing on two kinds of positive action – reparation and remedy – I shall argue that achieving reparation may face practical problems, but that the advantaged should be held remedially responsible. Therefore, I shall argue, the advantaged should act immediately to provide remedy – in particular, institutional remedy – for the disadvantaged. In doing so, I shall commend what can be referred to as the

‘advantaged remedy’ principle.

In chapters 4 and 5, I shall consider remedial institutions which the advantaged should strive to create and uphold. Chapter 4 shall focus on one which we already have: the UN Global Compact. My argument is that this institution is necessary in the light of present global circumstances and also advances a set of principles that is appropriate to protect minimum human well-being. But I shall conclude that this reformist institution may turn out to be insufficient. This conclusion sets up the starting point for a more radical proposal to be supported in chapter 5.

In chapter 5, I shall support a market-socialist proposal offered by Leslie Sklair. His account is, however, very brief. It does not explain why it is market socialism, rather than a non-market alternative, that should be pursued. Neither does it show how market-socialist institutions would remedy the global-systemic problems that are likely to result in absolute harm to the disadvantaged. I shall offer answers to these questions by drawing on David Miller (for the first question) and David Schweickart (for the second question). I shall then argue that market socialism, if accompanied by an appropriate ethos, would serve to remedy the situation of the global disadvantaged. Meanwhile, the shift to market socialism would, and should, take time. So, I shall conclude this project by considering a supplementary institution that may need to be implemented in the meantime: an ecological space tax.

## **Chapter 1. Severe Poverty, Ecological Overshoot, and the Global Economic System: Towards a Critical-Relationist Theory of Global Justice**

We live in a radically unequal world: people in one class are vulnerable to severe disadvantages whereas those in another class enjoy considerable advantages (Nagel 1977; Pogge 2008; Hayward 2014a). Pressing questions concerning global justice are, then, what changes people in the advantaged class should bring about to improve the situation of those in the disadvantaged class, and why they should do so in the first place. I shall return to the former question in later chapters. In this and the following two chapters, meanwhile, I shall address the latter question.

There seem to be broadly two ways in which moral obligations of the advantaged to the disadvantaged can be discussed. Theorists who take the *relational* view, on the one hand, argue that the obligation of the advantaged is grounded in a certain kind of relation that they have to the misery of the disadvantaged. Complicity in the causation and perpetuation of that misery is one example of such a relation. Those who take the *non-relational* view, on the other hand, argue that such a relation does not morally matter in assigning an obligation to the advantaged. What morally matter for them are the facts that the misery of the disadvantaged infringes upon some important principle (e.g. the principle of basic human rights), and that the advantaged are able to tackle that misery without incurring significant cost. To see the difference between these views, suppose that there were poor people on Venus, but that there were no morally relevant relationship between the earthlings and the Venusians. If the earthlings had the ability to save the poor on Venus without incurring significant cost, would the former have to save

the latter as a matter of moral obligation? Relationists would claim that they would not whereas non-relationists would claim that they would.

In this chapter, I shall argue that the advantaged have a relational obligation to address the misery of the disadvantaged that is grounded in the former's complicity in the latter's misery. To do this, I shall take the following three steps.

First, I shall consider Peter Singer's non-relationist theory of global justice and raise three points concerning it. First, Singer's argument is based on a false analogy. Second, a morally important relationship that actually exists between those who are to help and those who are to be helped does not play any role in Singer's argument. And third, as a result of these, Singer's argument may fail to present a morally compelling case for an obligation on the advantaged. In raising these points, I shall support Thomas Pogge's relationist theory of global justice.

Second, I shall turn to Pogge's theory. The strength of Pogge's argument, as I shall explain, comes from the fact that he regards the obligation of the advantaged as a relational one. He argues that the advantaged have a moral obligation to address the misery of the disadvantaged because they are complicit in a harmful global system that is reproducing that misery. Admitting this, however, I shall argue that Pogge's theory is incomplete. Pogge fails to offer a plausible account of a causal mechanism that can be taken to contribute to the reproduction of the misery of the disadvantaged. And, as a result, his theory has invited challenges and objections from other theorists.

Therefore, third, to make a relationist argument more plausible, I shall offer an alternative account that I suggest can identify such a harmful causal mechanism. To do this, I shall draw on the analyses of the global economic system that have been carried out by two critical social theorists: Alf Hornborg and David Harvey.

Hornborg's analysis is helpful in understanding how the existing global system is likely to reproduce *inter-societal* inequality in access to socially productive resources. And Harvey's analysis supplements this by explaining how the same system is likely to reproduce *inter-class* inequality in economic power (the power to benefit from the inequality at the inter-societal level).

These critical analyses of the global system will support the following arguments. First, the existing global economic system exhibits a harmful causal mechanism that is likely to make worse off the situation of those who can be classified as the disadvantaged. Second, those who can be classified as the advantaged are complicit in the maintenance of this mechanism as causal contributors or/and beneficiaries. And third, as a result of this complicity, the advantaged may owe the disadvantaged two kinds of debt: what Tim Hayward calls 'ecological debt' and what I shall call 'temporal debt'. These two concepts of debt, I suggest, may help us conceive of how the material and temporal conditions of the lives of the advantaged *relate* to those of the lives of the disadvantaged. Therefore, these concepts may enable us to reconceptualise the moral obligation of the advantaged to address the misery of the disadvantaged as a *relational* (as opposed to non-relational) one.

As a preliminary, I wish to note three points. First, I do not assume that all kinds of inequality necessarily matter as issues of global justice. What I assume instead is that global inequalities of the particularly severe kind that infringes upon a certain minimum threshold of human well-being are morally unacceptable and therefore unjust. (Such a threshold shall be specified in chapter 2.) So, my approach is a sufficientarian one, and the disadvantaged in this chapter, and through my project, refer to the *severely* disadvantaged.

Second, in this chapter, and through my project, I shall address global poverty and ecological overshoot as interrelated problems, i.e. as a dual problem. This is partly because those who are already suffering the disadvantages resulting from severe poverty are highly likely to become the first ones to experience the disadvantages resulting from ecological overshoot as well. But this is also because, as we shall see in this chapter, global poverty and ecological overshoot can be taken to have a common driver: the existing global economic system.

And third, I do not intend to deny that the advantaged may have a non-relational, purely ability-based obligation to address the misery of the disadvantaged as well as a relational one. I suggest that the present state of affairs in which the disadvantaged endure lives below a minimum threshold of human well-being may provide a good reason why the able – namely, the advantaged – ought to put right that state of affairs. I also suggest that the failure of the advantaged to put right the misery of the disadvantaged despite their ability may be morally bad per se, if not as bad as when they are also complicit in the reproduction of that misery. My point, meanwhile, is similar to Pogge's: even if we concede to the moral intuition that seems to be prevalent among the advantaged, we can still find a sufficiently compelling argument for their (ability-based) obligation that is grounded in a relational factor (see chapter 3).<sup>1</sup>

### **1.1. Peter Singer's Non-Relationist Approach**

In his article 'Famine, Affluence, and Morality' (1972), Peter Singer argues that the global affluent ought to tackle the misery of the global poor – 'suffering and

---

<sup>1</sup> The moral intuition that seems prevalent is that, if the ill-being of the disadvantaged is not somehow related to the well-being of the advantaged, it is not 'our' problem but 'theirs'. And the compelling argument to be made in this chapter is that, actually, the ill-being of the former is somehow related to the well-being of the latter.

death from lack of food, shelter, and medical care' (231). According to Singer, this is because the presence of severe poverty is morally bad per se, and because the affluent have the ability to tackle the problem without incurring significant cost.<sup>2</sup> Singer presents two principles of ability-based obligation, strong and weak. On the strong principle, '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' (231, my emphasis). On the weak principle, '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' (231, my emphasis). According to Singer (241), how much one ought to give away to prevent severe poverty depends on which principle is accepted. If we accept the strong principle, a person ought to give away up to the point at which, by giving more, he/she would cause serious suffering to him/herself or his/her dependants, or even up to the point at which, by giving more, he/she would cause him/herself or his/her dependants as much suffering as he/she intended to prevent (233-4, 241). Meanwhile, the weak principle does not require a person to sacrifice anything morally significant. So, if we accept this principle, we only ought to 'give money away, rather than spend it on clothes which we do not need to keep us warm' (235; cf. also 241).

To demonstrate the strength of his argument, Singer invites us to imagine a child drowning in a shallow pond (231). One may agree that it is morally bad to

---

<sup>2</sup> Some theorists follow Singer's line of argument to discuss a moral obligation of the advantaged to tackle ecological overshoot – in particular, climate change. Simon Caney (2005b: 769-70; 2006a: 479) is one of them. Caney's argument is, in essence, similar to Singer's. According to Caney, climate change is bad per se since it jeopardises fundamental human interests (Caney 2006b), and therefore those with the ability to tackle it without incurring significant cost should be held responsible for tackling it. However, Caney's argument diverges from Singer's on one significant point. Caney attempts to incorporate into his argument a causal account of how the relevant ability came about (Caney 2006a: 476-9; 2009: 240-4). In doing so, he reformulates the ability-based obligation of the advantaged in relationist terms. I shall return to his approach in chapter 3.

walk by the pond without saving the child simply because saving the child means getting one's clothes muddy. Singer suggests that the same point applies to the case of global poverty. According to him, one's failure to aid the global poor despite one's ability is morally as bad as one's failure to save a drowning child. Against this, one may argue that the failure to save a drowning child (an omission) is morally different from pushing a child into a pond (an action). However, Singer and his followers (e.g. Caney 2005a: 116-7) would respond that, even if that is true, the failure to save a drowning child, or the failure to save the global poor, is still morally bad, if not as bad as pushing a child into a pond, or causing global poverty.

Two points should be noted here to clarify my position. First, as noted earlier, I suggest, like Singer, that the failure of the advantaged to tackle the misery of the disadvantaged despite their ability may be morally bad per se. But, as I shall argue in this chapter, what the advantaged are responsible for may be morally worse than a simple omission because they are also complicit in the systemic causation and perpetuation of the misery of the disadvantaged.

Second, Singer seems to suggest that physical proximity does not matter in assigning a moral obligation upon the advantaged. The global affluent, no matter where they are, ought to save the global poor, no matter where they are, in the same way as a person walking by a pond ought to save a drowning child. So, Singer seems to assume that the saviour's physical proximity to the saved does not morally matter in assigning the positive duty of aid. However, whether and how proximity matters in assigning a moral obligation seems to be a subject of controversy, and requires a close analysis.<sup>3</sup> But I shall not, and need not, embark on such an analysis

---

<sup>3</sup> For such an analysis, see, among many others, Kamm (2000), Schmidtz (2000), Smith (1990), and Woollard (2015: chapter 7).

because my argument in this chapter is based on the assumption that everyone at least has a negative duty that applies irrespective of proximity.

Meanwhile, it can be argued that there are at least two problems that may degrade the compellingness of Singer's argument. First, Singer's argument seems to be based on a false analogy. It seems incorrect to regard the problem of global poverty as morally identical with that of a drowning child. As David Miller (2007: 235-6) points out, global poverty is a *chronic* problem that has long-term structural causes, whereas saving a drowning child is a *one-off* task. When we save a drowning child, we normally suppose that the child will go back to his/her parents and live happily ever after. However, in the case of global poverty, we usually do not know for certain which solution will be effective or which organisation will be able to provide such a solution if we give our money away. Scott Wisor (2011) also develops a similar line of objection, focusing on the disanalogy between global poverty and a drowning child. Wisor argues that Singer's argument is over-simplistic because it overlooks the agency of the poor, the actual context in which poverty occurs, and the institutional causes of global poverty.

It is true that NGOs such as GiveWell have tried to develop methods to evaluate effective charities, but the credibility of their methods has been questioned (e.g. Wisor 2011: 25-7). It is also true that NGOs and international organisations have tried to make aid programmes more effective, e.g. by ensuring that the aid will directly reach its targeted groups or individuals instead of lining the pockets of despots. However, it has been argued that such programmes have been largely ineffective (e.g. Wenar 2003: 291-6). Furthermore, even if such programmes are effective to some extent, the fact that global poverty has long-term structural causes seems unchanged. Without addressing those 'root' causes, therefore, I suggest, the

problem of global poverty may remain chronic, and the outcomes of anti-poverty programmes may remain uncertain.

In short, it cannot be easily assumed that saving the global poor and saving a drowning child are morally identical. As Miller writes, there is ‘a relevant difference between the person who saves a drowning child and the person who contributes financially to an anti-poverty charity’ because ‘one can say with certainty what the consequences of their action will be, while the other cannot’ (2007: 235-6).<sup>4</sup>

Second, the relationship that actually exists between those who are to help and those who are to be helped does not play any important role in Singer’s argument. However, as I shall argue (see 1.3.), some of the disadvantages afflicting the global poor may be reproduced not simply because the advantaged are failing to tackle those disadvantages, but also because the advantaged are complicit in the systemic reproduction of those disadvantages as well. This point can be explained by analysing the unequal structure of the global economic system. Such analysis indicates that the existing global economic system is not mutually beneficial but reinforcing severe global inequalities. Therefore, based on that analysis, it can be argued that there is a moral obligation on those who are advantaged under the global system towards those who are disadvantaged under the same system, and that this obligation is a relational one grounded in the complicity in the severely unequal global system, and not a non-relational, purely ability-based one.

As a result of the failure to see this important systemic relationship that actually exists between the advantaged and the disadvantaged, Singer’s

---

<sup>4</sup> I should note that my position differs from Miller’s in an important respect. Miller seems to regard domestic factors (e.g. the quality of domestic institutions) as the main structural causes of global poverty (Miller 2007: 56-7, 242), whereas I suggest that there is also an external factor (the global economic system) that can be regarded as such a cause (see 1.3.).

non-relationist approach may face a problem. According to Thomas Pogge (2008), the advantaged may consider a non-relationist formulation of moral obligation to be insufficient to activate their moral concern and action for the disadvantaged. This is because the reasons a non-relationist formulation, or what Pogge calls a ‘positive formulation’, provides – ‘that they are very badly off, that we are very much better off, and that we could relieve some of their suffering without becoming badly off ourselves’ (203) – are ‘weak and discretionary’ (204). The non-relationist formulation may be ‘weak’ because it can only define the position of the advantaged as being ‘morally disconnected’ (6) from the misery of the disadvantaged. And this also means that whether or not to act against the misery of the disadvantaged may be a matter left to the ‘discretionary’ choice of the advantaged. In short, according to Pogge, the non-relationist approach may not present a sufficiently compelling argument that can support actual action by the advantaged.<sup>5</sup>

These two problems discussed so far indicate that Singer’s argument may fail to present a morally compelling case that can activate advantaged people’s moral concern and action for the disadvantaged. Singer seems to be aware of this problem. He admits that, even if his argument does not reflect how people actually make moral

---

<sup>5</sup> Pogge’s direct target is Thomas Nagel (1977), and not Singer. However, I suggest that Pogge’s challenge applies more plausibly to Singer than to Nagel, since, in his discussion of ‘radical inequality’, Nagel gives a more nuanced account than Singer. Nagel argues that the effects of the existing global economic system require moral scrutiny because the system plays an essential part in reproducing radical inequality. He also argues that the global system can be taken to be unjust ‘[i]f there are possible alternative arrangements that would reduce the inequality without drastically harming productivity’ (Nagel 1977: 58). These arguments overlap with Pogge’s arguments that I shall discuss shortly: (a) that the existing global system is reproducing severe poverty and thereby harming the disadvantaged, and (b) that this systemic harm can be observed in a ‘subjunctive’ manner if there is a feasible alternative regime under which the well-being of the disadvantaged would be realised in a better way. However, Nagel’s position diverges from Pogge’s because, unlike Pogge, Nagel believes that the obligation of the advantaged to the disadvantaged is a ‘humanitarian’ one: an obligation that a person has to others ‘purely in virtue of their humanity and not in virtue of their special relationship [such as one’s complicity in the systemic reproduction of global poverty]’ (Nagel 1977: 59). In this sense, Nagel’s argument overlaps more closely with Singer’s non-relationist one than with Pogge’s relationist one.

judgements, ‘the way people do in fact judge has nothing to do with the validity of my conclusion’ (Singer 1972: 236). This indicates that what morality actually demands (moral truth) may differ from what people believe morality demands (moral belief), and that the former is more important to Singer than the latter. Meanwhile, Pogge seems to assume that pragmatically meaningful moral arguments may be those which take people’s moral belief into consideration, and which can therefore activate people’s moral concern and action. For the purpose of my argument that follows, I shall accept Pogge’s pragmatic position. Following Pogge, therefore, I shall concede to ‘the morality prevalent in the West’ (Pogge 2008: 32; cf. also 136-40), i.e. the moral intuition that ‘actively causing poverty’ is worse than ‘merely failing to prevent it’ (15).

Finally, the discussion in this section does not deny that the problem-solving ability of the advantaged matters in assigning a moral obligation upon the advantaged. As I shall argue in chapter 3, however, it is possible to reconceptualise the ability-based obligation of the advantaged in relationist terms. Their ability-based obligation may have these three grounds: (a) that there exists a situation that makes it morally urgent that someone should be held responsible for putting right that situation; (b) that the advantaged have the ability to put right that situation without incurring significant cost; and (c) that this ability came about as a result of the complicity in the systemic reproduction of the very situation to be put right.

## **1.2. Thomas Pogge’s Relationist Approach**

Unlike Singer, Thomas Pogge (2008, 2010) argues that the existing global system is foreseeably and avoidably reproducing the misery of the disadvantaged (for him, people in poor societies), and that the advantaged (for him, people in affluent

societies) are violating a stringent negative duty by being complicit in this harmful global system. In this sense, Pogge considers the obligation of the advantaged to address the misery of the disadvantaged to be a relational one based on the former's complicity in the systemic reproduction of the latter's misery. In this section, I shall assess his account and argue that, despite its instructive implications, it is theoretically incomplete.

### **1.2.1. Pogge's Theoretical Framework**

Pogge intends to construct an argument that may sound compelling in the light of 'the morality prevalent in the West' (2008: 32). He suggests:

Severe poverty can continue at this [current] level because we do not find its eradication morally compelling. And we cannot find its eradication morally compelling until we find its persistence and the relentless rise in global inequality troubling enough to warrant serious moral reflection. (Pogge 2008: 3)

Therefore, Pogge concedes to the following hierarchy of duties to which the moral thinking of affluent people is likely to be subject (cf. 2008: 138):

- (1) Negative duties not to harm others (including unrelated foreigners) through one's own conduct or in collaboration with others;
- (2) Positive duties to protect one's next to kin from harms committed by third parties;
- (3) Positive duties to protect one's compatriots from harms committed by third parties; and
- (4) Positive duties to protect unrelated foreigners from harms committed by third parties.

The task of solving global poverty, Pogge suggests, is generally considered to be a matter of positive duty to unrelated foreigners, i.e. a matter that ranks at the bottom of the list. But Pogge wants to ‘challenge those who hold this consensus belief to reflect upon it’ (2008: 139-40). In order to do this, Pogge reconceptualises the problem of global poverty as a matter of negative duty, i.e. a matter that ranks at the top of the list.

For this reconceptualisation, Pogge formulates the following theory (cf. 2008: 203-10):

1. Everyone has the stringent negative duty not to harm others including unrelated foreigners;
2. In any of the following ways, the advantaged are complicit in the reproduction of severe global inequalities:
  - 2a. With their strong bargaining power, the advantaged are shaping and imposing a coercive global system, or a ‘shared institutional order’, that contributes to the reproduction of severe inequalities;
  - 2b. The advantaged are enjoying significant advantages in the use of a single natural resource base from whose benefits the disadvantaged are largely excluded without compensation; or/and
  - 2c. The advantaged are upholding the extreme inequality in social starting positions that emerged from a common and violent history tarnished by injustices (e.g. colonisation, oppression, enslavement, etc.);
3. Therefore, it can be argued that the advantaged are in violation of the stringent no-harm duty by causally contributing to or/and benefiting from the reproduction

of the misery of the disadvantaged.

For the purpose of the following discussion, I shall focus on the systemic reproduction of global inequalities (2a.), leaving aside the historical cause of those inequalities (2c.). Meanwhile, I suggest that the ecological exclusion of the disadvantaged (2b.) can be considered to be part of the systemic process (2a.) (see 1.3.). However, I shall leave this problem aside too in the meantime, since Pogge seems to treat 2a. and 2b. as distinct matters and devote much of his attention to 2a.<sup>6</sup> So, the following assessment mainly concerns this thesis that can be derived from 2a.: that the harm afflicting the disadvantaged is causally traceable, at least partly,<sup>7</sup> to the structure of the coercive global system that is currently in place, and ultimately to those who are shaping, upholding or/and benefiting from that system.

### **1.2.2. Pogge on the International Economic Regime: Problems with His Conceptions of Harm**

I suggest that Pogge is right to consider the moral obligation of the advantaged to be a relational one. However, in this and the next subsection, I shall argue that Pogge's account of how the global system is harming the disadvantaged may be problematic. This subsection focuses on his account of how the present international economic regime is harming the disadvantaged, whereas the next subsection considers his account of how the present international law is doing so.

In order to show that the present international economic regime is harming the

---

<sup>6</sup> Pogge writes: '*the effects of shared social institutions, the uncompensated exclusion from the use of natural resources, and the effects of a common and violent history*' (2a., 2b., and 2c.) are 'three different grounds of injustice' (2008: 205, original emphases).

<sup>7</sup> Pogge does not deny domestic causes of poverty (2008: 117).

disadvantaged, Pogge offers two ways – ‘diachronic’ and ‘subjunctive’ – in which its harmful effects can be conceptualised. According to him, the diachronic harm due to the present economic regime can be observed by comparing the magnitude of global inequalities under the present regime either with (a) the state of affairs that stood before the transition to that regime took place or with (b) the state of affairs as it would stand now had the transition not taken place (2008: 19-23).

Pogge indicates the magnitude of global poverty reproduced under the present economic regime:

It is estimated that 830 million human beings are chronically undernourished, 1,100 million lack access to safe water, 2,600 million lack access to basic sanitation, 1,000 million lack adequate shelter, and 1,600 million lack electricity. About 2,000 million lack access to essential drugs, some 774 million adults are illiterate, and there are 218 million child laborers. These severe deprivations persist because people in the bottom half of the world’s population are too poor to protect themselves against them. [...] People so incredibly poor are exceedingly vulnerable to even minor changes in natural and social conditions as well as to many forms of exploitation and abuse. Each year, some 18 million of them die prematurely from poverty-related causes. This is one-third of all human deaths – 50,000 each day, including 29,000 children under age five. (Pogge 2008: 2)

Pogge also thinks that the present regime is reinforcing the radical income inequality at the global level. He writes:

Such severe and widespread poverty persists while there is great and rising affluence elsewhere. The average consumption expenditure of citizens in high-income countries is about 30 times greater than that of the global poor in terms of purchasing power [...] and about 120 times greater when the comparison is made at currency exchange rates. [...] Shifting 1/70 of the consumption expenditure from [people in high-income countries] would provide the nearly \$300 billion in additional annual consumption [the global poor] [need] to escape severe poverty. In reality, however, the shift in global income goes the other way. Inequality

continues to mount decade after decade as the affluent get richer and the poor remain at or below the subsistence minimum. (Pogge 2008: 2-3)

With the diachronic comparison, Pogge wants to attribute these problems to the present international economic regime. A question, however, is whether this comparison can show what Pogge wants to show.

Miller (2007: 240-1, 243-4) challenges Pogge's diachronic account, using the example of a reckless driver in a reasonably safe roundabout. Miller asks us to consider the case where two cars collide on a reasonably safe roundabout. One of the drivers can be judged to be causally responsible for this accident because of his/her reckless driving. The roundabout is reasonably safe in the sense that 'drivers of normal competence, paying due care and attention, can navigate safely' (240). In this case, Miller argues, '[t]he careless driver [...] cannot shift responsibility off his shoulders [to the road engineers who designed the roundabout] by observing that in a different traffic environment the accident would not have occurred' (241).

Similarly, according to Miller, the present international economic regime cannot be regarded as the cause of global poverty *if it provides reasonable opportunities for the disadvantaged to lift themselves out of poverty*. It can be observed that the populations of several formerly impoverished societies such as Malaysia, South Korea, Taiwan, China and India have successfully lifted themselves out of poverty under the present economic regime, at least in monetary terms (241-2).<sup>8</sup> Therefore, Miller suggests, it is at least questionable whether the present

---

<sup>8</sup> There is a problem with this observation by Miller. It is monetary metrics that Miller seems to have in mind when he discusses global poverty. Miller asserts, for example, that 'Ghana and Malaysia were equally poor countries when they gained their independence from Britain in 1957: now average incomes in Malaysia, over \$3,000 per head, are ten times greater than those in

economic regime is causally responsible for the reproduction of global poverty.

Mathias Risse (2005a, 2005b) poses a similar, but stronger, objection to Pogge's diachronic account. Risse argues that it is next to impossible to compare the magnitude of inequalities under the present economic regime with (b) the state of affairs as it would stand now had the transition to that regime not taken place. This is because, according to him, we cannot say for sure what things would be like had the past been different: we may be completely ignorant of what people who were never born would have done across centuries, how events that never occurred would have turned out, or how innovations that were never made would have changed lives (2005b: 12L-R). Therefore, Risse concludes, 'the only benchmark [...] that we can make sense of' is (a) the state of affairs that stood before the transition to the present regime took place (2005b: 14R).

Based on historical records since the 19th-century industrialisation, Risse reports:

Whereas at any given time in human history the overwhelming majority of people lived in utter misery, this is no longer the case. Per capita incomes around 1820 were similar worldwide and low, ranging from around \$500 in China and South Asia to between \$1000 and \$1500 in the richer countries of Europe [...]. Seventy-five percent of the world's people lived on less than \$1 a day in 1820. Today, about 20 percent of the population does [...]. (Risse 2005a: 369)

Risse also considers data available for the last fifty years – the period during which

---

Ghana' (Miller 2007: 241). However, I suggest that such monetary metrics are poor indicators of human well-being because they may fail to reflect a wider range of issues that may affect the quality of life of individuals in formerly impoverished societies, e.g. pollution and other ecological impacts of economic growth (see preliminary 2 in chapter 2). Therefore, we should be more cautious than Miller when we discuss poverty in those societies Miller refers to. However, for the sake of discussion, I accept Miller's point here.

the system of global governance has emerged. He writes:

Crucial developments include the facts that the share of people living on less than \$1 a day fell from 42 percent in 1950 to 17 percent in 1992; that the worldwide average income per capita rose from \$2,114 in 1950 to \$5,709 in 1999 (in 1990 PPP dollars), and for developing countries from \$1,093 to \$3,100; that between 1960 and 2000, real per capita income in the developing world grew at an average 2.3 percent (which doubles living standards every thirty years); that during the same time longevity in developing countries rose from age forty-four to sixty-four; that the literacy rate rose from 54 percent in 1950 to 79 percent in 1999, and that infant mortality fell from one hundred fifty-six in a thousand live births to fifty-four, developments that dramatically exceed any improvements made throughout history up to that point. By any standard development indicator, the human race has never been better off, and it has never been better armed with the technological prowess, medical knowledge, and intellectual tools to fight poverty. (Risse 2005a: 370)

Based on these, Risse argues that the historical transition to the present global system has *benefited* (not harmed) the disadvantaged.

I explained these views of Pogge, Miller and Risse not because I wish to decide which one is a credible account. As I shall argue below (see 1.3.), it seems possible to explain the harmful effects of the present global system without recourse to Pogge's diachronic comparison. Meanwhile, I suggest, the presence of those different views indicates that Pogge's diachronic comparison – one way to explain the harmful effects of the present global system – is problematic.

Pogge's diachronic comparison may face another challenge as well: it does not refer to the case where a person has been made worse off than the *same* person was before or would otherwise be. Some theorists may find this problematic (e.g. Caney 2005b: 757-8; 2006a: 474-6; Nickel & Magraw 2010: 458-9). The comparison between the state under the past regime and the state under the present regime compares different groups of people – people who lived in the past and

people who live at present. Meanwhile, if the transition to the present regime had not occurred, persons different from those who actually exist would exist now. This has been referred to as the ‘non-identity problem’ (Parfit 1984: chapter 16). I shall discuss this problem in more detail in chapter 3. What is relevant in the present context is this: if the past had been different, the persons who actually exist at present would not have been born. Therefore, the comparison between the state under the present regime and the state as it would stand now had the transition to the present regime not occurred seems to compare different groups of people – people who actually exist at present and people who would exist at present had the past been different.<sup>9</sup>

Pogge offers another – subjunctive – way to conceptualise the harm traceable to the existing economic regime. He asks us to compare the actual state of poverty under the existing regime with (c) the counterfactual state as it would stand under a feasible alternative regime that could better realise the well-being of the disadvantaged (2008: 23-5; cf. also 2005: 55R-6L). According to Pogge, this counterfactual state constitutes the subjunctive benchmark with which to decide whether the actual state under the existing regime is harmful or not. Pogge argues that human rights deficits in the form of severe poverty can be observed under the existing economic regime. And those deficits can be regarded as harm that could be avoided if a feasible alternative regime were in place. Therefore, he argues, the existing economic regime is harming the disadvantaged.

---

<sup>9</sup> Pogge seems to be aware of the non-identity problem. In his discussion of the historical cause of global inequalities (thesis 2c.), Pogge points out that, if the past had been different, there might not exist the particular inequalities that actually exist between the particular persons now in affluence and the particular persons now in poverty, although different inequalities between different people might exist (Pogge 2008: 210). However, Pogge disregards the challenge his diachronic conception of harm may face because of this problem.

One may challenge this argument, drawing on Risse again. As we saw, Risse thinks that we may be ignorant of what things would be like had the past been different because we cannot know what people who were never born would have done across centuries, how events that never occurred would have turned out, or how innovations that were never made would have changed lives. So, one may argue, it is next to impossible to compare the state under the existing regime with the state as it would stand now had an alternative regime been adopted in the past. But Pogge's argument is immune to this kind of objection because the subjunctive benchmark Pogge refers to is the state as it would stand now *if an alternative regime were to be adopted now*. In short, Pogge compares the actual world with a counterfactual world where people who actually exist exist; events that have actually occurred have occurred; and innovations that have actually been made have been made.

What I argue, however, is that the particular way in which Pogge performs a subjunctive comparison may not succeed because the benchmark he chose for this comparison seems problematic. According to Pogge (2008: chapter 8), the economic regime characterised by what he calls the Global Resources Dividend (GRD) is a desirable alternative that could better realise the well-being of the disadvantaged. Therefore, according to him, the GRD regime constitutes the benchmark for a subjunctive comparison. The GRD is a redistribution scheme based on a global tax levied on the extraction of selected natural resources and the discharging of selected pollutants. The GRD regime, Pogge suggests, would effectively rectify severe poverty. But some critics argue that this regime would turn out to be ineffective, and therefore that it cannot be seen as a desirable alternative (e.g. Hayward 2005b: 320; Heath 2005: 215-6). According to those critics, Pogge fails to devise an effective alternative because he disregards the

dynamism of the present global economy that would prevent his scheme from producing expected outcomes.

I shall discuss Pogge's GRD and its alternative in more detail in the concluding chapter of this project. Meanwhile, what is important in the present discussion is this. The criticism above seems to indicate that, unless we understand the structure of the global economy first, we cannot devise a better alternative. And, if we cannot devise a better alternative, neither can we perform a subjunctive comparison between the state under the existing regime and the state under a better alternative. In other words, what we need for a subjunctive comparison is a certain benchmark; but what we need to devise such a benchmark may be a certain account of the mechanism of the global economic system, such as the one to be offered in 1.3. below.

To devise a plausible benchmark for Pogge's subjunctive comparison is not my present purpose, although it may be possible to see as such the institutional arrangement I shall discuss in chapter 5 (market socialism). Meanwhile, I intend to argue that there may be a better diachronic account of the harm traceable to the global economic system. As we shall see in 1.3., such an account can be found in the literature of critical social theory. But, before proceeding to offer such an account, I shall consider another account of harm Pogge provides. The next subsection focuses on Pogge's account of how the present international law is harming the disadvantaged.

### **1.2.3. Pogge on International Law: What Is Missing from His Account**

As we saw, Pogge's diachronic and subjunctive comparisons invite challenges and objections. To establish that the global system is harming the disadvantaged,

one needs to carry out a *cause* and *effect* inquiry into *what kinds of harm* the system is reproducing (effect) and *through what causal mechanism* it is doing so (cause) (Hayward 2008: 6). Pogge's account seems to suffice to explain that the system is reproducing human rights deficits in the form of severe poverty (and also, as we shall see shortly, in the form of environmental degradation). But those deficits are the effects of the system. Pogge's account does not seem to explain through what causal mechanism the system is reproducing those deficits – the cause of the effects.

Pogge explains through what causal mechanism the existing global system has been shaped. In his article 'Poverty, Climate Change, and Overpopulation' (2010), Pogge argues that there is a 'common driver' behind two urgent problems afflicting the disadvantaged – namely, severe poverty and environmental degradation (535-7).<sup>10</sup> The common driver behind these, he explains, is the global system without a 'proper framing': the framing that makes the system 'closely aligned with socially desirable outcomes' (535). And the global system now lacks such a framing because a small group of powerful players – those in the advantaged class – attempt to influence the rules of the system in their own favour in order to satisfy their short-term interests. Pogge calls this 'regulatory capture' (536).

I suggest that Pogge is right in two respects. First, his argument that severe poverty and environmental degradation are not separate but interrelated problems that have a common driver sounds plausible. As we shall see in 1.3. below, it is

---

<sup>10</sup> This indicates that Pogge's approach is, to some extent, immune to a challenge raised by Robert Howse and Ruti Teitel (2010: 442-3). According to them, when we discuss global justice, 'we are concerned not just with poverty as an economic phenomenon but with the health, environmental, and other human effects (such as cultural effects of displacement of populations) of alternative rules and institutions, short and long term' (442). Their points are that global issues that are likely to have negative impacts upon human well-being are not limited to poverty, and that a solution to problems in one area may cause problems in another area. In short, various issues should be considered to be interrelated. Pogge regards at least economic issues and ecological issues as an inseparable set.

possible to find an account – one different from Pogge’s – as to this common driver. Second, Pogge seems right to argue that those with strong bargaining power tend to ‘capture’ the rules of the (economic) game in order to satisfy their private interests that are not necessarily conducive to socially desirable outcomes. However, Pogge’s account seems incomplete because it only explains *how the existing global system has been shaped*, and not *how the shaped system is reproducing the problems in question*.

In *World Poverty and Human Rights* (2008: 118-22), Pogge seems to try to answer the latter, relevant question. As harmful features of the existing global system, he identifies two privileges recognised under the present international law: the ‘international resource privilege’ and the ‘international borrowing privilege’. The former refers to the state’s entitlement to sell off natural resources within its territory in the name of its whole population. The latter refers to the state’s entitlement to take out a loan and thereby take on the obligation to repay it in the name of its whole population. Pogge thinks that the international recognition of these privileges may be harmful because despotic rulers in impoverished societies may use those privileges to line their pockets. Also, Pogge suggests, those privileges may encourage coup attempts to replace old despots with new ones.

However, I suggest that the international resource and borrowing privileges cannot be considered to be necessarily harmful. This is because the harmful effects of these privileges cannot be observed in some formerly impoverished societies (e.g. Malaysia, South Korea, Taiwan, China and India). As mentioned earlier, those societies have successfully lifted themselves out of poverty at least in monetary terms. And, arguably, they may have done so by using the international privileges in question. If so, it can be argued that, if used properly, the privileges in question

may be beneficial (not harmful) to each society's collective endeavour to accumulate wealth and ensure a minimally decent life for all its members. In short, Pogge's account based on the international privileges may face this challenge: that it is domestic, not external, factors (e.g. the quality of domestic institutions) that are the primary causes of severe poverty and environmental degradation (cf. Risse 2005a: 355-9; Miller 2007: 56-7, 242). Those who take this view would argue that poverty eradication and environmental protection only need appropriate societal institutions that ensure benefits obtained by exercising the international privileges will be reinvested in domestic anti-poverty and conservation schemes.

To sum up, Pogge's relationist theory, despite its instructive implications, seems incomplete and subject to the challenges and objections discussed so far. To make a relationist argument more plausible, we need an account that can identify a specific causal mechanism through which the existing global system is harming the disadvantaged. And we need an account that can do so without recourse to Pogge's diachronic or subjunctive comparison.<sup>11</sup>

### **1.3. A Critical Analysis of the Global Economic System**

Two points can be distilled from the discussion in the previous section. First, Pogge's argument has the following instructive implications. The advantaged have a moral obligation to the disadvantaged that is relational: an obligation that is

---

<sup>11</sup> A further challenge to Pogge that I did not discuss here is that the existing global system, even if 'properly framed' as Pogge suggests, would still fail to produce socially desirable outcomes. Some critical theorists, for example, argue that it is the economic system designed for endless capital expansion that spurs the rift between the metabolism of human societies and the biophysical capacity of the earth. Therefore, they suggest, we cannot solve global ecological overshoot without addressing its 'root' cause: the capitalist system (Foster et al 2010; Sklair 2002; Sweezy 1989). A question, then, is whether it is possible to solve the dual global challenge – severe poverty and ecological overshoot – within Pogge's reformist framework. I shall indirectly address this question in chapter 4, where I discuss a reformist scheme launched by the UN – the UN Global Compact.

grounded in the former's complicity in the systemic reproduction of the latter's misery (in the form of severe poverty and environmental degradation). And the existing global system can be regarded as a common driver behind severe poverty and environmental degradation. Second, despite these important implications, Pogge's theory is incomplete. What is missing from his theory is an account of a specific causal mechanism through which the existing global system is reproducing severe poverty and environmental degradation and thereby harming the disadvantaged.

In this section, I shall offer such an account: an account that I suggest can identify the harmful – more specifically, harmfully unequal – mechanism of the existing global economic system.

I define a 'harmfully unequal' system as a system through whose mechanism one person or society is likely to acquire comparative advantages, and thereby become better off, whereas another person or society is likely to end up with comparative disadvantages, and thereby become worse off. The two elements that define this term are (a) a *systemic mechanism* (a mechanism embedded in the global system) and (b) the possible *benefit and harm*, or *gain and loss*, or *advantage and disadvantage*, traceable to that mechanism. The former element refers to the cause of a problem, and the latter refers to the possible effect of the mechanism in question, or the problem itself.

I should note two preliminary points. First, I make a distinction between a 'harmful' system that is *likely to make* a person worse off and a 'harming' system that is *actually making* a person worse off. Pogge discusses the latter whereas I shall discuss the former. So, the objection that a person is not actually becoming worse off, or he/she is actually becoming better off, under the existing global system does

not apply to my argument. Also, there may be reasons to think that the possible harmful effects of the existing global system have not yet occurred or have been at least delayed (although I believe, like Pogge, that such effects have already occurred). For example, attempts have been made at societal, international and global levels to mitigate the harmful effects of the system. (The UN Global Compact to be discussed in chapter 4 can be seen as one of such attempts at the global level.) However, this does not mean that the existing global economic system is harmless. The system is harmful in so far as it exhibits a certain mechanism that is likely to make a person worse off even if it has not yet made that person worse off.

Second, Pogge offers different definitions of a stringent no-harm duty at different places. One is the duty ‘not to harm others unduly, either single-handedly or in collaboration with others’ (2008: 139). Another is the duty ‘not to contribute to or profit from the unjust impoverishment of others’ (2008: 203). But what he seems to mean by all those definitions is that everyone has a stringent negative duty not to be complicit in a harmful practice or process. So, for the purpose of my argument, I shall proceed with this no-complicity-in-harm duty.

As I argued above, to make a relationist theory more persuasive than Pogge’s, one needs a cause and effect inquiry. There are at least two ways to carry out this inquiry: ‘mechanism-based’ and ‘difference-making’ (Hall 2004; Brady 2008: 246-9; List and Spiekermann 2013: 635R-6R). The mechanism-based approach attempts to identify a specific causal mechanism through which a certain factor (cause) produces a certain outcome (effect). And the difference-making approach attempts to establish a robust connection between a certain causal event  $c$  and a certain effect  $e$  by, for example, demonstrating both that if  $c$  occurred  $e$  would always occur and that if  $c$  did not occur  $e$  would never occur. Because of the several uncertainties

Risse identifies against Pogge's account, it seems difficult to demonstrate that global poverty would never have occurred if the development of the existing global system had not occurred. Therefore, it seems inappropriate to draw on the difference-making approach for my present purpose. For this reason, I shall draw on the mechanism-based approach.

The account to be offered below is not diachronic in the sense that it performs a comparison between the state under the present system and the state under the past system. But it is diachronic in another sense: in the sense that it explains how the population who happen to belong to a certain socio-economic class are likely to be made worse off through time under the present system. Neither is the account subjunctive since it does not rely on a comparison between the state under the actual system and the state as it would stand under an alternative system. The account only concerns how the actual system is working. Therefore, I suggest, this account can avoid the challenges and objections to Pogge's diachronic and subjunctive comparisons that were considered above.

Also, this account explains how a person is likely to be made worse off through his/her lifetime (not before or after that) because he/she happens to belong to a certain socio-economic class. So, it refers to the case in which a person is likely to become worse off than the *same* person was before. This means that one of the challenges to Pogge's account considered above – namely, that Pogge's account compares different groups of people – does not apply to my account.

In what follows, I shall draw on two critical social theorists: Alf Hornborg and David Harvey. Hornborg's analysis shows that the *inter-societal* exchange under the existing global system can be described as an 'unequal exchange of time and space'. Meanwhile, Harvey's analysis explains how, under the same system,

economic power (the power to benefit from the inter-societal exchange) tends to flow at the *inter-class* level.

Based on the offered account, I shall make the following claims. First, the existing global economic system exhibits a harmfully unequal mechanism that works in favour of those who can be classified as the advantaged and against those who can be classified as the disadvantaged. Second, the advantaged are complicit in the maintenance of this harmful system as causal contributors or/and beneficiaries. And third, as a result of this complicity, the advantaged may owe the disadvantaged what Tim Hayward calls ‘ecological debt’ and what I shall call ‘temporal debt’. My conclusion based on these is that the advantaged can be taken to have a relational, as opposed to non-relational, obligation to the disadvantaged.

### **1.3.1. Two Analyses of the Global System**

As a starting point, it may be meaningful to return to David Miller’s question. Is the existing global economic system a ‘reasonably safe roundabout’ that gives the disadvantaged reasonable opportunities to realise a minimally decent life or minimum well-being?<sup>12</sup> From a critical perspective, ‘No’ seems to be the answer. The relationship between the advantaged and the disadvantaged under the existing global system seems to be subject to a harmfully unequal mechanism. This can be explained by drawing on the analyses carried out by Hornborg and Harvey.

---

<sup>12</sup> Miller’s original question is whether the global system gives poor societies (nations) reasonable opportunities to lift themselves out of poverty. I modified Miller’s question for two reasons. First, Miller focuses on inter-societal (inter-national) inequalities while my primary focus is on inter-class inequalities, i.e. inequalities between the advantaged population and the severely disadvantaged population irrespective of their geographical locations. Second, Miller discusses poverty only in monetary terms. But I take poverty to mean the condition in which a person lacks prerequisites for minimum well-being not limited to income but including an adequate environment. A formerly impoverished society may be increasing average income by, at the same time, undermining the ecological prerequisite for its members’ healthy subsistence. I consider those people to be as poor and disadvantaged as those who simply lack minimally adequate income.

(a) *Hornborg's Analysis*

Hornborg (2003: 7L-8R; 2013: chapters 5 and 6; cf. also 2001: chapter 3) discusses two dimensions of global inequalities: *human time* (in the form of labour time) and *ecological space* (the global biophysical base that provides various material services that support human activities).<sup>13</sup> According to him, labour time and ecological space are two 'productive forces' (2013: 105), or sources of 'productive potential' (2003: 4R-6L), that support all kinds of production, from the production of consumer goods and services to the accumulation of productive infrastructure. In this sense, labour time and ecological space can be regarded as two sources of social wealth – wealth of the substantive kind that is potentially conducive to the end of human well-being.<sup>14</sup>

On the view of mainstream economists, production is an investment of hours of human labour, on the one hand, and raw materials, energy sources, hectares of land and water, and waste sinks, on the other. Also, on their view, there is no way to conceptualise a market transaction as unequal as long as it is conducted on the basis of the parties' free agreement, and as long as price is determined by neutral market forces. But, according to Hornborg, what appears to be an *investment* of the productive forces is, from the material perspective, the *dissipation* of material order and available energy. And he suggests, if we step back to observe the geographical

---

<sup>13</sup> Hornborg uses the term 'natural space'. But I shall proceed with the term 'ecological space' following Hayward (2005a: 195; 2005b: 324; 2017).

<sup>14</sup> 'Wealth' is normally understood as an end in itself, and not as a means to a more fundamental end. However, as Aristotle explains, 'wealth is evidently not the good we are seeking; for it is merely useful and for the sake of something else' (Aristotle 1980: 7). Wealth in this sense is something we value not for its own sake but because it serves the end of 'human well-being' (*eudaimonia*) (cf. Hayward 1994: 94; Sen 2009: 253). I adopt this Aristotelian definition, and understand the 'wealth of societies', or simply 'social wealth', as the potential means for a society to ensure its members' (minimum) well-being.

movements of socially productive matter and energy, the inter-societal exchange under the existing global system can be described as unequal. It is unequal in the sense that one group of societies gain ever greater access to the productive forces whereas another group are left with less productive potential.

In order to explain the dissipative nature of production, Hornborg applies the thermodynamic approach of ecological economist Nicholas Georgescu-Roegen (1975). The Second Law of Thermodynamics, or the Entropy Law, stipulates that entropy necessarily increases through irreversible transformation of matter or energy. ‘Entropy’ refers to the part of matter or energy that cannot be employed for human use again. So, increased, or high, entropy is an index of material disorder and unavailable energy, i.e. an index of material dissipation. Arguably, the economic process of each society is subject to this law. But a society can maintain its internal material order by importing socially productive matter or energy (low entropy) from, and exporting unproductive waste (high entropy) into, the environment. As Georgescu-Roegen explains, ‘all the economic process does is to transform valuable matter and energy into waste’ (353L). But the economy can stay immune, at least to some extent, to the inevitable consequences of the entropy throughput such as environmental degradation and stagnated production/consumption, because it ‘strives at all times to compensate for its own continuous entropic degradation by *sucking* low entropy [...] and *expelling* high entropy’ (353L, my emphases).

*Whence* and *whither* affluent societies ‘suck’ low entropy and ‘expel’ high entropy is the question Hornborg tries to answer. He answers this question using two concepts: ‘exergy’ and ‘dissipative structures’ (2001: 42-3). ‘Exergy’ refers to the part of matter or energy that is available for human use, i.e. productive potential. It is negatively related to ‘entropy’ in Georgescu-Roegen’s terminology: lower

entropy means higher exergy, or greater productive potential available for human use, whereas higher entropy means lower exergy, or lower productive potential available for human use. Meanwhile, ‘dissipative structures’ refer to the ‘systems that stay away from thermodynamic equilibrium by continually drawing in [high] exergy [...] from the outside and exporting the [high] entropy, or disorder, they produce in the process’ (2001: 42). Hornborg’s argument is that the industrialised economies of affluent societies are characterised by dissipative structures: they manage to stay away from entropic degradation by continually importing the low-entropy high-exergy matter and energy from, and exporting the high-entropy low-exergy matter and energy to, the outside.

A question, then, is: where is this *outside*? A possible answer is that it is the environment of each dissipative structure – of each society. However, it is doubtful that industrialised societies are experiencing the inevitable consequences of the entropy throughput such as environmental degradation and stagnated production/consumption. Therefore, Hornborg offers a different answer: ‘the maintenance of structure relies on *exchange* with other, peripheral social sectors more directly involved in the extraction of exergy’ (2001: 43, my emphasis).

Hornborg also explains why the exchange of the socially productive forces between industrialised societies (‘cores’ or ‘centres’) and underdeveloped societies (‘peripheries’ or ‘hinterlands’) *inevitably* becomes unequal under the existing global system. On the existing market, the price of final products does not reflect an evaluation of what it would take to restore the original productive potential that has been dissipated through production. The commodity price is instead determined by ‘the cultural preferences of consumers’ (2003: 6L). Therefore, Hornborg explains, ‘there is no specifiable relation between the amount of productive potential that has

been invested in a commodity and the way it will be evaluated on the market' (2003: 5R-6L). But he argues, if we observe productive processes longitudinally along the transformation of raw material and energy resources to final products, we can find, in very general terms, an *inverse* correlation between price and productive potential.

So, products which generate high entropy in their production, and which therefore contain low exergy, are likely to gain high market price. This is because:

If industrial processes necessarily entail a degradation of energy [...], the sum of products exported from an industrial center must contain less exergy than the sum of its imports. But in order to stay in business, of course, every industrialist will have to be paid more money for his products than he spends on fuels and raw materials. (Hornborg 2001: 45)

'At an aggregated level, then', Hornborg continues, 'this means that the more resources that have been dissipated by industry today, the more new resources it will be able to purchase tomorrow' (2001: 45). As the necessary consequence of this inverse price-exergy correlation, and the fact that affluent societies tend to have command of final products, the inter-societal exchange of socially useful matter and energy, at least in aggregate, becomes unequal. Hornborg therefore concludes, 'industrial centers exporting high-utility commodities will automatically gain access to ever greater amounts of available energy from their hinterlands' (2003: 6R), whereas the hinterlands involved more directly in resource extraction are exploited both as sources of productive forces and as sinks of entropy and material disorder.

In the passage quoted above, Hornborg mentions only 'fuels and raw materials' (inputs from ecological space). But he also regards human labour, or what he calls 'human energy' (2013: 38), as a socially productive force (2003: 7L-R). And, drawing on Arghiri Emmanuel (1972), he argues that the inter-societal exchange of

labour time can be similarly described as unequal (2003: 7R). Based on Hornborg's analysis, therefore, it can be argued that, in aggregate, under the global system, industrialised societies gain ever greater command over globally available human labour and ecological space whereas underdeveloped societies are left with reduced access to those productive forces, and therefore with less productive potential.<sup>15</sup>

*(b) Harvey's Analysis*

Hornborg explains how the geographical movements of the two socially productive factors (labour time and ecological space) are likely to advantage affluent societies but disadvantage poor ones. In doing so, he describes what Harvey (2005) refers to as the 'territorial logic' of the global system. However, according to Harvey, this is one of the two distinct logics that are intertwined in the process of global capital accumulation.

The existing global economic system is a capitalist system: it is designed for endless capital accumulation (Wallerstein 2004: 23-4). Harvey (2005: 91-2) argues that the global capitalist system exhibits the 'territorial logic' and the 'capitalist logic'. Under the territorial logic, those who are governing a society seek collective advantage that serves the interests of the society as a whole because they are responsible to the citizens (or, more narrowly, to the social elite engaged in regulatory capture). Following this logic, powerful societies strive to 'take advantage of the asymmetries that arise out of spatial exchange relations' (92),

---

<sup>15</sup> The relocation of production processes to underdeveloped societies that has recently taken place does not change the unequal nature of the inter-societal exchange. As the analysis using the metric of 'ecological footprint' (Wackernagel & Rees 1996) shows, the relocation of production can be considered to be a strategy for externalising ecological costs: it enables industrialised societies to retain command over industrial commodities but stay 'clean' by leaving environmental problems to underdeveloped societies (Rice 2007: 54-6).

aiming to attract material benefits to their territories. As a result, the inter-societal exchange of socially productive factors including labour time and ecological space becomes unequal. Under the capitalist logic, meanwhile, capitalists ‘place money wherever profits can be had’ because they ‘seek individual advantage and are responsible to no one except themselves and (to some degree) shareholders’ (91). Following this logic, economic power moves ‘across and through space, toward or away from territories’ (91), and concentrates into the hands of those who can be classified as capitalists.

Harvey also implies elsewhere (2010) that a majority of wage-workers in affluent societies share in the economic benefits that follow the capitalist logic in so far as capitalists see them as an important source of effective demand. He observes:

The final potential barrier to perpetual accumulation exists at the point where the new commodity enters the market either as a thing or as a service of some kind to be exchanged for the original money plus a profit. The particularity of the commodity has to be converted into the universality of money, which is much more problematic than going from money (the universal representation of value) to commodities. Somebody must need, want or desire the particular commodity for a sale to be possible. If no one wants it then it is useless and has no value. But those who need, want or desire the commodity must also have the money to buy it. Without money they cannot do so. If no one wants it or can afford to buy it then there is no sale and no profit is realised and the initial capital is lost. [...] But where does the purchasing power to buy all these products come from? There must be, at the end of the day, an extra amount of money that somebody holds somewhere to facilitate the purchase. If not, there is a lack of effective demand, defined as wants, needs and desires backed by ability to pay. [...] Workers spending their wages is one source of effective demand. (106-7)

Accordingly, ““consumer sentiment” and “consumer confidence” in the more affluent societies are not only keys to endless capital accumulation but are more and more the fulcrum upon which the survival of capitalism depends’ (107). In short, the global

capitalist system necessitates that workers in affluent societies earn modest economic power and, as consumers, purchase the fruits of human labour and ecological space exchanged between societies. And in this sense, a majority of workers in affluent societies can be seen as beneficiaries of the capitalist logic.

To sum up, under the existing global system, economic power is likely to flow into the hands of capitalists across the globe and a majority of workers in affluent societies. Meanwhile, a majority of people in poor societies are likely to be disadvantaged by both the territorial and the capitalist logics of the global system and make up the mass of the global poor. Then, it seems appropriate to classify those who are likely to become better off due to the two logics of the global system as the *advantaged*, and those who are likely to become worse off due to those logics as the *disadvantaged*.

Finally, there seems to be another set of factors that may influence the inter-class flow of economic power: cooperative schemes functioning within affluent societies. Harvey does not seem to address this; but Hornborg (2013: 58-9) and some liberal theorists (e.g. Rawls 1999: 114-5; Miller 1999a: 190) do. Affluent societies tend to have corrective mechanisms – such as do not exist in the global sphere – through which to redistribute economic power to the poor within their jurisdictions. Those mechanisms can safeguard the members of affluent societies who could otherwise be classified as the disadvantaged against the effects of severe poverty. And through those mechanisms, those members can obtain minimal access to the fruits of human labour and ecological space. Therefore, I do not classify them as the (severely) disadvantaged. But neither do I classify them as the advantaged, since they tend to be in an economically vulnerable position.

*(c) Reflection*

On the basis of these analyses, it can be argued that the existing global economic system exhibits at least the following two characteristics: (a) the unequal *inter-societal* exchange of labour time and ecological space that is likely to make affluent societies better off and poor societies worse off; and (b) the *inter-class* flow of economic power that is likely to make a certain class of people better off and another class of people worse off.

At the *inter-societal* level, on the one hand, the fruits of labour time and ecological space (two sources of social wealth) are likely to move from poor societies to affluent societies through the mechanism of unequal exchange (the territorial logic). The existing global system is thus likely to contribute to underdevelopment in poor societies. Also, the appropriation of ecological space by affluent societies is running faster than can be recovered or assimilated by the biophysical capacity of the earth. This is likely to contribute to global ecological overshoot and consequent environmental degradation. In short, under the existing global system, poor societies are likely to be left with less development potential, and with economic and ecological problems, whereas affluent societies are likely to accumulate social wealth more easily than poor ones. This explains through what causal mechanism affluent societies are likely to become materially better off whereas poor societies are likely to become materially worse off.

At the *inter-class* level, on the other hand, economic power is likely to flow into the hands of those who can be classified as the advantaged (the capitalist logic). Using this power, the advantaged are able to consume a large number of goods and services exchanged between societies, or command the economic infrastructure accumulated globally. They are, in this sense, (possible) beneficiaries of the

inter-societal exchange. The material condition of life supports temporal freedom as well (see chapter 2 for more details). Therefore, the advantaged are likely to gain extensive freedom with regard to the use of time. Meanwhile, due to the territorial and the capitalist logics of the global system, those who can be classified as the disadvantaged are likely to be deprived of secure access to ecological space or/and left vulnerable to cheap and long labour. They are thus likely to be marginalised into the position in which they have to eke out any means of subsistence and thereby sacrifice the time they need for autonomous activities and bodily reproduction (see chapter 2 for more details). In short, the existing global system exhibits a causal mechanism through which one class of people are likely to become *both materially and temporally* better off whereas another class of people are likely to become *both materially and temporally* worse off.

### **1.3.2. Contribution and Benefiting: Two Forms of Complicity in the Global System**

The account so far identifies a specific causal mechanism of the existing global economic system that can be regarded as harmful (more specifically, harmfully unequal). But another question remains. In what way are the advantaged complicit in the harmful global system?

There seem to be at least two ways in which the advantaged may become complicit in the harmful global system. A small group of the advantaged are close to the drivers of the global economy, and have the legal, political and economic power to influence the structure of the global system – the power to attempt regulatory capture. So, first, the advantaged may *causally contribute* to the making of the harmful global system. Meanwhile, a majority do not seem to have this

power. But, as we saw above, they are likely to gain modest economic power under the global system, and using that power, they are able to purchase a large number of commodities exchanged between societies. So, second, the advantaged may *benefit* from the continuation of the harmful global system.

In short, the advantaged may become complicit in the harmful global system as either/both causal contributors or/and possible beneficiaries. Why not only causal contribution to but also benefiting from the harmful system can be considered to be unjust is a question I shall return to in chapter 3.

### **1.3.3. Human Time, Ecological Space, and Debts Owed to the Disadvantaged**

The analysis of the global system offered above is based on two perspectives that help us conceptualise two dimensions of severe global inequalities. The perspective of *ecological space* enables us to see the finitude of the global biophysical base upon which human life, or life of any species, depends (eco-spatial finitude). Meanwhile, the perspective of *human time* enables us to see the finitude and irreversibility of individual human life, or life of any mortal being (life-temporal finitude and irreversibility).

As Harvey argues, the perspectives of *space* and *time* in general are useful in constructing any kind of social theory. This is because ‘space and time are fundamental concepts for almost everything we think and do’ and ‘affect the way we understand the world to be’ (Harvey 1996: 208). Meanwhile, I suggest that the perspectives of *ecological space* and *human time* in particular are helpful in constructing a relationist theory of global justice. This is because these perspectives provide convenient conceptual tools for understanding that the advantaged owe

certain kinds of debt to the disadvantaged – that the well-being of the advantaged relates to the ill-being of the disadvantaged. In what follows, I shall apply these perspectives to introduce two kinds of debt that the advantaged may owe the disadvantaged as a result of being complicit in the global system: ‘ecological debt’ and ‘temporal debt’.

*(a) Ecological Space and Ecological Debt*

Tim Hayward (2005b, 2007, 2008, 2009) develops the theory of ‘ecological debt’ with the concept of ‘ecological space’. According to him, ‘natural resources are not straightforwardly “used up” in their extraction; nor do they disappear at any point in the processes of production, exchange and consumption; they are certainly not destroyed’ (2005b: 323). He writes:

What actually happens is that their form and composition change. The physical and energetic constituents of raw materials and fuels continue to be embodied in the products manufactured from them; the constituents that are not embodied in the products are also not destroyed but rather contribute to changes in the environment – changes which can also be conceived in terms of utilization of the environment itself as a resource in providing absorption services. Thus those who valorize resources, even in increasingly ‘refined’ forms, are all the time drawing benefits from natural resources in one state or another which are under their command. (2005b: 323)

Hayward’s point is that economic benefits from natural-resource consumption (exergy utilisation) necessarily entail ecological disbenefits in the form of pollution (entropic degradation). There is, therefore, he explains, ‘just one biophysical reality to which the various categorizations of environmental goods and bads relate’ (2005b: 323). So, the two aspects of productive processes – positive and negative from the

ecological perspective – should be treated holistically, not separately.

The holistic understanding of the economic benefits and ecological disbenefits traceable to human interaction with the earth's biophysical capacity can be appropriately obtained by drawing on the concept of 'ecological space'. Ecological space (for humans) refers to the totality of the earth's biophysical functions and services that are required to produce and reproduce the resources humans consume, or to assimilate the wastes they generate, using prevailing technology.<sup>16</sup> It is called *space* because it makes no conceptual reference to any particular territorial *place* other than the planet earth as a whole (cf. 2005b: 325-6). And this focus on the global space instead of territorial places is important in particular in the conceptualisation of inequalities in relation to natural resources, since what matters is not a country's natural territorial allotment but globally available resources at one's disposal (cf. 2005b: 324).

Ecological space is finite space. If ecological space were infinite, its global exchange would not be considered to be a matter of justice/injustice. In an infinite world, one's appropriation would always leave 'enough and as good' for others as John Locke (1996[1689]: Chapter V) puts it, and therefore would not result in the loss to others. However, this is not the case in the finite world in which we actually live. In a finite world, the global exchange of ecological space can be seen as something close to a 'zero-sum' game in which the gain to one party necessarily entails the loss to another (Hayward 2009).

---

<sup>16</sup> At an early stage, Hayward defined 'ecological space' as 'the total amount of biologically productive land and water area required to produce the resources consumed and to assimilate the wastes generated using prevailing technology' (2005b: 324). But he has recently developed a definition that focuses on the total functionalities that the earth provides for activities of any species population including the human population (2017; cf. also Hayward & Iwaki 2016: 386-7). In defining the term here, I followed the recent definition, but focusing on the human population.

Under the existing global economic system, as we saw above, one class of people, the advantaged, are likely to gain the economic power to benefit from – in Hayward’s (2017: 314-6) words, ‘use, occupy, and command’<sup>17</sup> – socially productive inputs from global ecological space (including waste sinks). Meanwhile, under the same system, another class of people, the disadvantaged, are likely to lose secure access to those productive inputs. So, if we assume, following Hayward (2014a), that everyone is equally entitled to a minimally adequate share of ecological space (adequate for a minimally decent life or minimum well-being), it can be argued that the advantaged owe the disadvantaged what can be referred to as ‘ecological debt’ in so far as the former exercise their economic power in such a way as to benefit from the latter’s loss of secure access to that share. This concept enables us to grasp the way in which the material well-being of the advantaged (their extensive command over ecological space) relates to the material ill-being of the disadvantaged (their lack of secure access to a minimally adequate share of ecological space).

*(b) Human Time and Temporal Debt*

Meanwhile, adopting the perspective of human time, I suggest, we can introduce another concept of debt – one that concerns the temporal dimension of

---

<sup>17</sup> The power to *use* a resource is the power actually to expend the resource either endosomatically for the immediate purpose of individual bodily reproduction or exosomatically for productive purposes that are not directly related to the sustenance of human body. Economic activities for the purpose of human subsistence involve endosomatic resource use, and those beyond that involve exosomatic resource use. The power to *occupy* a resource is the power to exclude others from using the resource while retaining the option of using it oneself. The right of private property over a resource is one example. The power to *command* a resource is the power to determine who is entitled to use or occupy the resource or/and for what purpose the resource is to be used or occupied. For example, money does not itself embody actual labour time or ecological space; but a holder of money can convert it, if he/she chooses to, into holdings that embody the ecological space extracted and transformed through someone else’s labour. In this sense, money can be seen as the power to command labour time and ecological space.

global inequalities that are likely to occur under the existing global system. This is, namely, ‘temporal debt’. If we assume that everyone is equally entitled to temporal preconditions for a minimally decent life or minimum well-being, it can be argued that the advantaged owe the disadvantaged what can be referred to as ‘temporal debt’ in so far as the former exercise their economic power in such a way as to benefit from the latter’s loss of those temporal preconditions. This concept enables us to grasp the way in which the temporal well-being of the advantaged (their extensive freedom with regard to the use of time) relates to the temporal ill-being of the disadvantaged (their lack of temporal preconditions for minimum well-being).

‘Temporal debt’ not only reflects the temporal perspective for social analysis developed within the literature of critical social theory (cf. Harvey 1996: chapters 9 and 10). But it also casts light upon a dimension of global inequalities that seems to have been largely neglected so far in the literature of global justice. It also reflects the recent development in empirical studies on the temporal dimension of poverty (e.g. Boltvinik 1998; Lee et al 2007; Bardasi & Wodon 2009; Antonopoulos & Memis 2010).

In the next chapter, I shall elaborate on three broad categories of time exchange that can be conceptualised in terms of ‘temporal debt’. In that chapter, I shall also explain how this kind of debt relates to ‘ecological debt’. But, in the meantime, I shall make several points that will help us understand what this concept is intended to grasp.

The point of departure is Hornborg’s temporal perspective. But his argument primarily concerns a specific aspect of human time: namely, labour time spent for socially productive purposes. Meanwhile, I shall apply this perspective to cover a wider range of temporal preconditions for a person’s minimum well-being (to be

identified in chapter 2).

Human life, or life of any mortal being, takes place in a finite and irreversible flow of time (human time). We can speak broadly of two ways in which people use time. First, there is time spent on necessities of life (e.g. time spent on gaining means of subsistence). And second, there is discretionary time which people can choose to spend as they please. Since life is finite, the longer it takes a person to gain the means of subsistence, the less discretionary time that person has. In a radically unequal world, some people are able to command greater surplus time precisely because others spend even longer gaining the means of their subsistence. To give a simple example, a guest at a hotel in a tourist city enjoys the time of sightseeing and comfortable night sleep because of the labour time the hotel staff spend in washing and pressing the sheets, making the bed and cleaning the room while the guest is away.

This example should not blind us to the fact that global temporal inequalities are often hard to recognise and diagnose. This is because the quantity and quality of the temporal gain reaped by the advantaged do not necessarily correspond to those of the temporal loss incurred by the disadvantaged. As I argued with Hayward, '[t]he richest person alive can make only marginally more of their allotted time on this earth than the average person can; but the worst off can have an unutterably miserable time on earth. These observations point to an extraordinary asymmetry: however many millions or even billions of people might be driven into effective servitude with all prospect of any free or rewarding time removed from them, the rich minority can never make a remotely equivalent gain for themselves' (Hayward & Iwaki 2016: 392).

I do not assume that all kinds of unequal time exchange entail what I regard as

time injustice – injustice in the sense that the minimum threshold of human well-being is infringed upon. In some cases, labour exchange can be taken to serve the minimum well-being of a person engaged in labour as well as that of others who benefit from that person’s labour. For example, labour time that a person expends may enable him/her to earn sufficient income that gives him/her access to the items necessary for physical well-being, while leaving a decent amount of time under his/her autonomous control. Also, labour exchange is socially meaningful if it enables a group of workers in cooperation to reap the fruits that one worker alone cannot reap, and to exchange those fruits for the fruits reaped by another group of workers. However, I suggest that time injustice is likely to occur under the existing global system – the system whose rationale seems to be ‘to (locally) save or liberate time and space, but crucially at the expense of time and space consumed elsewhere’ (Hornborg 2013: 94).

Time injustice can occur outside labour relations as well. For example, people’s direct access to ecological space can be undermined as a result of pollution, resource depletion, climate change, or resource capture by the social elite. Those people may have to spend twice as much time to produce an adequate amount of food, walk twice as far to get clean water, and make twice as great an effort to create and accumulate social wealth or to fight against entropic degradation. In short, the lack of direct access to ecological space prolongs the time a person needs for procuring material means of subsistence and, as a result, reduces the time he/she needs for autonomous activities, i.e. ‘discretionary time’.<sup>18</sup>

‘Discretionary time’ is a concept devised by Robert Goodin (2010) and his

---

<sup>18</sup> Here, I distinguish between *indirect* access to ecological space such as income (the economic power to obtain items embodying ecological space) and *direct* access to ecological space (access not mediated through income).

collaborators (Goodin et al 2008: chapter 2). According to them, it refers to the time left for a person after all the ‘necessities of life’ – including (a) paid labour for earning the level of income that is sufficient for subsistence, (b) personal care (e.g. eating, sleeping, bathing, etc.), and (c) other unpaid activities necessary for one’s subsistence and the subsistence of those to whom one is responsible (Goodin et al 2008: 34-6; cf. also Burchardt 2010: 319-27). I shall return to discuss this concept in chapter 2.

Furthermore, the existing global system may be causally responsible for inhumane working conditions. And such working conditions are likely to reduce the time one needs for the reproduction of physical well-being. Suppose that the poor have little or no choice but to accept unhealthy or unsafe working conditions in order to survive. The victims of such working conditions are likely to be deprived of the time they need for bodily reproduction because, as a result of bodily or health damage, the length of their lifespans may be directly or indirectly cut short, or because they may have to spend more time (and energy) on personal care (e.g. sleep, curing, recovery, medical care, rehabilitation, etc.) than they otherwise would.

## **Conclusion**

In this chapter, I sought to make this claim: the advantaged have a relational moral obligation to tackle the misery of the disadvantaged that is based on the former’s complicity in the systemic reproduction of the latter’s misery. For this, I raised three points. First, the advantaged are likely to become materially and temporally better off under the existing global economic system, whereas the disadvantaged are likely to become materially and temporally worse off under the same system. Second, the advantaged can be taken to be complicit in this system as

causal contributors or/and (possible) beneficiaries. And third, as a result of this complicity, the advantaged are likely to run up two kinds of debt – ‘ecological debt’ and ‘temporal debt’ – in relation to the disadvantaged.

Before closing this chapter, I wish to note three additional points. First, ‘ecological debt’ and ‘temporal debt’ are not simply descriptive concepts that lay bare two ways in which the well-being of the advantaged relates to the ill-being of the disadvantaged. These are also normative concepts that point to the relational, as opposed to non-relational, nature of the moral obligation of the advantaged. The most conspicuous feature of the concept of ‘debt’ may be the fact that it ‘can be precisely quantified’ (Graeber 2012: 13). But a more interesting feature of the concept that is relevant to my argument is its ability to answer this question: ‘Who really owes what to whom?’ (ibid). The concepts of ‘ecological debt’ and ‘temporal debt’ refer to what the advantaged may come to owe to the disadvantaged under the existing global system.

Second, my argument, like Pogge’s, is based on the assumption that the existing global system is a coercive system. It is coercive in the sense that it is likely to influence anyone anywhere, whether one wishes to stay in or outside the system. If the global system were not coercive, the system would not be unjust (if harmful). This is because, in that case, those who are likely to be disadvantaged under the system could pursue an alternative way of life outside the system without being affected by the system. But the problem is that the existing global system is a coercive system. Ecological overshoot traceable to the system, for example, is likely to affect anyone anywhere including those who live outside the system. Meanwhile, those who have so far managed to live outside the system, e.g. rural peasants, are now being forcibly incorporated into the system through state-led

‘proletarianisation’ (Harvey 2010: 60).

And third, the global system characterised by endless capital accumulation would not be unjust if benefits from capital accumulation were to reach the poor eventually as liberal economists seem to assume. However, such ‘trickle down’ seems unlikely to occur in the finite world in which the global population live on ‘zero-sum’ resources such as ecological space and human time (cf. Hayward 2009). And, even if we keep faith in liberal economics, time will run out for the present poor before any economic benefit starts to trickle down, and their children will be orphaned into poverty (Hayward & Iwaki 2016: 397). These points seem to indicate that we may need to think outside the box of liberal economic assumptions. For this reason, I accepted the economic assumptions underlying critical social theory in this chapter.

## **Chapter 2. Temporal Debt, Ecological Debt, and the Minimum Threshold of Human Well-Being: On ‘Absolute Harm’ to the Disadvantaged**

In the preceding chapter, I argued that the global economic system in which the advantaged are complicit is harmful because it is likely to make the disadvantaged worse off both materially and temporally. I also introduced two kinds of debt – ‘temporal debt’ and ‘ecological debt’ – that explain the relational nature of the obligation of the advantaged to the disadvantaged. In this chapter, I shall argue that the global system is not only harmful but severely harmful: the accumulation of the two kinds of debt by the advantaged is likely to result in what can be described as ‘absolute harm’ to the disadvantaged. The purpose of this chapter is to show that the state of affairs under the existing global system is morally unacceptable because the minimum threshold of human well-being is likely to be infringed upon under that system. This point will play an important role in my argument in the next chapter.

This chapter will take the following four steps. First, I shall start by making three preliminary points. Preliminary 1 highlights the definition of ‘harm’ to be adopted in this chapter. It explains that a harm in an ‘absolute’ sense occurs when a person is made worse off to the extent that infringes upon a certain minimum, or absolute, threshold of human well-being. For this account, I shall draw on Henry Shue’s concept of ‘the morality of the depths’. Preliminaries 2 and 3 aim at dispelling general confusions regarding the concept of ‘human well-being’. These preliminaries explain that ‘human well-being’ should not be confused with the ‘economic well-being of a society’, on the one hand, or with people’s ‘level of satisfaction’, on the other. These preliminaries also indicate two requirements that

must be met by the following attempt to identify the minimum threshold of human well-being.

Second, I shall proceed to identify the central components of human well-being that should be socially guaranteed if a person is to enjoy well-being at all. For this, I shall draw on Martha Nussbaum's central capabilities approach. The set of components to be identified here can be taken to constitute the minimum threshold of human well-being, i.e. the threshold that is infringed upon when an 'absolute harm' occurs. I do not intend to offer an exhaustive list of all components of human well-being. Constructing such a list is not only unnecessary but also, I assume, morally problematic because it risks being paternalistic. However, the minimal list to be offered here will suffice for my present purpose: to argue that the debt accumulation by the advantaged is likely to infringe upon the fundamental aspects of human life in relation to the disadvantaged.

Third, I shall identify preconditions that are necessary, if not sufficient, for a person to enjoy the central components of human well-being. Those preconditions concern the two overarching dimensions in which human life takes place: time and (ecological) space. The first subsection emphasises a fact that has been largely neglected in the literature of global justice: the fact that the life each individual lives is a finite and irreversible flow of *time*.<sup>1</sup> I shall argue that, to enjoy the central components of human well-being, a person needs to enjoy certain temporal factors. So, I shall argue, the social guarantee of those factors is the temporal precondition for minimum human well-being. Meanwhile, a person also needs secure access to a

---

<sup>1</sup> I do not intend to discuss time as a 'currency of egalitarian distributive justice'. For attempts to identify such an egalitarian currency, see, among many others, Sen (1979), Dworkin (1981a, 1981b), Cohen (1989, 1993), and Page (2007). My intention, instead, is to employ time as a perspective from which to grasp one dimension of global inequalities that has been largely neglected so far in the literature of global justice, i.e. the temporal dimension.

minimally adequate share of the *space* that provides material means of life – namely, *ecological space*. So, it can be assumed that the social guarantee of secure access to ecological space is a material precondition for minimum human well-being. This assumption, however, has invited challenges. The second subsection therefore defends this assumption against some of those challenges.

And finally, I shall argue that the accumulation of temporal and ecological debts by the advantaged under the global system is likely to result in ‘absolute harm’ to the disadvantaged. To do this, I shall explain how the debt accumulation by the advantaged is likely to undermine the identified temporal and material preconditions for minimum well-being, and thereby infringe upon the minimum threshold of human well-being, in relation to the disadvantaged. This account will be followed by an additional point: that the disadvantages traceable to temporal and ecological debts can be compounded cross-dimensionally and uni-dimensionally.

## **2.1. Preliminaries**

Before proceeding to my main discussion, it may be reasonable to take three preliminary steps. These are intended to do two things. First, preliminary 1 clarifies the definition of ‘harm’ that I shall adopt in this chapter. It explains that a harm in an ‘absolute’ sense occurs when a person is made worse off to the extent that infringes upon a certain minimum threshold of human well-being. Second, preliminaries 2 and 3 show why it would be inappropriate to confuse ‘human well-being’ with the ‘economic well-being of a society’, on the one hand, and with people’s collective or individual ‘level of satisfaction’, on the other. These preliminaries also set out the requirements that must be met by the following attempt to identify the central components of ‘human well-being’.

## **Preliminary 1: Defining ‘Absolute Harm’**

The first preliminary concerns the definition of ‘harm’ to be adopted in this chapter. There are at least two – ‘comparative’ and ‘threshold-based’ – approaches to defining ‘harm’ (cf. Meyer 2003: 147-9; Bell 2011: 109-10). A ‘comparative’ harm (or benefit) arises if a person has been made *worse off* (or *better off*) than he/she used to be or would otherwise be. This type of harm can be conceptualised in any of the following ways (see chapter 1):

- (a) On the basis of a *diachronic comparison* between how a person fares after a certain event occurred and how he/she used to fare before that event occurred, or how he/she would fare now if that event had not occurred;
- (b) On the basis of a *subjunctive comparison* between how a person fares in the actual world and how he/she would fare in a counterfactual world; or
- (c) On the basis of a *diachronic but non-comparison-based* account that identifies a specific causal mechanism through which a person is (likely to be) made worse off through time.

Meanwhile, (d) the ‘threshold-based’ conception of harm does not rely on those comparisons or the mechanism-based account. On that conception, a harm simply refers to the state of affairs in which a person lives a life below a certain minimum threshold of well-being.

As we saw in the preceding chapter, Pogge relies on both (a) and (b) – diachronic and subjunctive comparisons – to discuss the systemic harm in which the advantaged are complicit. Pogge conceptualises the harm in question as a

diachronic harm by *comparing* how people fare now under the present economic regime and how people fared before that regime was put into effect, or how people would fare now if that regime had not been put into effect. Pogge also conceptualises the harm in question as a subjunctive harm by *comparing* how people fare under the actual economic regime and how they would fare under a just and feasible counterfactual regime.<sup>2</sup> But, as we also saw in that chapter, there seem to be several problems that make it difficult to rely on Pogge's comparison-based conceptions to explain the systemic reproduction of harm. Therefore, to overcome those problems, I argued, one needs to offer an alternative account *without recourse to those comparisons*.

One way to offer such an account is to rely on (d) the 'threshold-based' conception of harm. On this conception, one only needs to identify a certain threshold of well-being below which no one should sink, and show that people live lives below that threshold. So, if we accept this conception, we no longer need to perform a diachronic or a subjunctive comparison to conceptualise harm. But I assume that this conception of harm is controversial since it may not correspond to our ordinary usage of the word. In its ordinary usage, 'harm' seems to be a diachronic concept that refers to an event that happens through time. In other words, it refers to the temporal transition from the state of affairs in which a person is not made worse off (the original state) to the state of affairs in which he/she has been

---

<sup>2</sup> Pogge's subjunctive conception of harm seems to conflate both the 'comparative' conception and the 'threshold-based' conception. As we saw in the preceding chapter, Pogge sets a subjunctive baseline in reference to which a harm can be observed, and, as this baseline, he refers to a counterfactual regime under which a certain quality of life (defined in terms of human rights) would be fulfilled in a better way. So, Pogge identifies the quality of life that constitutes a minimum threshold of well-being – the threshold that defines harm on the 'threshold-based' conception. But, at the same time, Pogge also relies on a comparison between the state of affairs under the factual regime and the state of affairs under a counterfactual regime.

made worse off (the consequent state).<sup>3</sup> Therefore, to avoid controversy concerning the threshold-based conception, and also to avoid the problems with Pogge's comparison-based conceptions, I propose to adopt (c) the *diachronic but non-comparison-based* conception of harm. This conception is based on an account of a specific causal mechanism through which a person is (likely to be) made worse off through time. And such an account was offered in the preceding chapter (see 1.3. in chapter 1).

Adopting conception (c) does not mean that a threshold plays no role in my argument. A minimum threshold of human well-being plays a normatively important role in my conception of harm. Such a threshold sets what Henry Shue refers to as 'the morality of the depths' (Shue 1996: 18). This refers to the *absolute baseline* (threshold) below which no one should be made to sink. My view is that the occurrence of a harm demands urgent remedial action especially when it is so severe as to infringe upon this absolute baseline, since such a harm undermines the most fundamental aspects of human existence. Hereinafter, I shall refer to a harm that infringes upon an absolute threshold of human well-being as an 'absolute harm'.

The conception of harm adopted here requires an account of a specific causal mechanism through which a person is (likely to be) made worse off through time. But *through what causal mechanism* a harm is caused and perpetuated and *how severe* that harm is likely to become are two different questions. The preceding chapter answered the former question by replacing Pogge's comparison-based account with the non-comparison-based analysis of the global system. Meanwhile,

---

<sup>3</sup> For example, Joel Feinberg (1987: 34-5, 109-14) defines 'harm' as a *setback* to a person's interests. This definition seems to indicate the diachronic aspect of the concept: a harm as the temporal transition from the state of affairs in which a person's interests are not set back (the original state) to the state of affairs in which his/her interests have been set back (the consequent state).

this chapter is to answer the latter question, drawing on the concept of ‘absolute harm’.

## **Preliminary 2: Human Well-Being v. the Economic Well-Being of a Society**

The second and the third preliminaries concern two kinds of confusion that may arise with regard to the concept of ‘human well-being’. Firstly, it would be inappropriate to confuse what ‘human well-being’ refers to with the ‘economic well-being of a society’. Suppose, for example, that GNI (gross national income) is employed to assess the economic well-being of a society. GNI is defined as the market value of all the goods and services produced in a society during a specific period of time. What is normally assumed is that an increase in the GNI per capita of a society represents the improved quality of life for each member of that society. However, we should not accept this assumption without questioning what this index may fail to do. This index may fail to do two things.

First, GNI is a monetary index that may fail to distinguish between economic activities which are conducive to ‘human well-being’ and those which are not, or even detrimental to it. For example, it is highly likely that some kinds of economically profitable activity (activity conducive to an increase in a society’s GNI) would entail ecologically harmful effects such as air, water or soil pollution. And those effects would in turn threaten a person’s continued life and bodily health and integrity.

Second, GNI is an aggregative index that may fail to reflect distributional inequalities between the rich and the poor within a society. A society that appears to be doing well in terms of GNI is not necessarily doing well in ensuring minimum

well-being for each individual member. Some formerly impoverished societies (e.g. Malaysia, South Korea, Taiwan, China and India) may have successfully lifted themselves out of poverty in terms of GNI. But, if we turn attention to how individual members fare in those societies, we may notice that they are still afflicted with severe poverty. The available data show that 456 million in India, 208 million in China, 140 million in South Asia (excluding India), 108 million in East Asia (excluding China), and 17 million in Central Asia live in extreme poverty (on less than \$1.25 per day) (Fields 2012: 12; World Bank 2010: 92).

We may also notice that even affluent societies are afflicted with inter-class inequalities. According to the World Bank report (2014), the GNI per capita of the United States – one of the most affluent societies in the world – was \$52,350 (ranked 10th in the world) in 2012. However, as the US Census Bureau (2013a: 13) reports, in the same year, 46.5 million people lived under its defined poverty line. It is also reported that the number of people in poverty in the United States increased during the period between 2000 and 2012 (US Census Bureau 2013b: 1, 4). (Having noted this, however, for the reasons explained in chapter 1, I do not classify the poor in affluent societies either as the advantaged or as the disadvantaged.)

These indicate that we should not confuse ‘human well-being’ with the ‘economic well-being of a society’. When we define ‘human well-being’, we should take into consideration the *quality of life* that monetary indexes may fail to measure. And we should focus on how *each separate person* fares, and not how each society fares at the aggregate or average level.

### **Preliminary 3: Human Well-Being v. Utility/Utilities**

Secondly, it would be also inappropriate to confuse ‘human well-being’ with

the level of ‘pleasure’ or ‘satisfaction’ achieved by the population of a society as a whole. Such confusion can be found in the utilitarian approach to ‘human well-being’. As both L. W. Sumner (1996: 3) and Amartya Sen (1999: 58-9) point out, utilitarianism can be described as consequentialist, welfarist, and aggregative. It is consequentialist because it judges all choices or actions by the states of affairs (consequences) they generate. It is (utilitarian-)welfarist because it judges the consequent states of affairs by the levels of pleasure or satisfaction (utilities) achieved by the taken choices or actions.<sup>4</sup> And it is aggregative because it sums the utilities of a group of people together to judge the aggregate merit of the taken choices or actions. On the utilitarian approach, accordingly, a just or unjust society is one in which a high or low level of pleasure or satisfaction is achieved by its population as a whole.

The utilitarian approach has the advantage of taking the mental state of a population, i.e. utility, as the indicator of ‘human well-being’. However, this approach shares one of the defects found in the ‘economic well-being of a society’ approach discussed above (cf. Sen 1999: 62; Nussbaum 2000: 61-2). The utility of a group of people conceals, under the veil of aggregation, distributional inequalities within that group. For example, the aggregate or the average high level of satisfaction achieved by the whole population of a male-dominant society may conceal the low level of satisfaction achieved by the female population of the same

---

<sup>4</sup> It should be noted that the utilitarian approach requires commitment to a specific version of welfarism: what may be called ‘utilitarian welfarism’. Following its etymological meaning, ‘welfare’ can be defined broadly as ‘the condition of faring or doing well’, and a person’s welfare is ‘more or less the same as her well-being or interest or (in one of its many meanings) her good’ (Sumner 1996: 1). Therefore, commitment to welfarism seems compatible with the capabilities approach to be adopted in this chapter in so far as we define ‘welfare’, or ‘well-being’, as the state in which a person enjoys the freedom to develop and exercise faculties and capacities as a properly functioning human being. Meanwhile, commitment to utilitarian welfarism requires that the well-being of a person should be judged solely by the level of the pleasure/satisfaction he/she gains from the fulfilment of his/her preferences/desires (i.e. utility).

society. So, the index that is insensitive to the *utilities* of separate persons may present ‘an imprecise number, which does not tell us enough about different types of people and their relative social placement’ (Nussbaum 2000: 62).

Utilitarianism can be reformulated in such a way as to measure the utilities of separate persons. Such person-sensitive utilitarianism is compatible with the liberal view that a person is an autonomous agent – an agent who is able to judge what makes a life good or bad for him/herself based on his/her personal preferences. But, even if the problem of aggregation is removed in this way, utilitarianism may face another problem because of its commitment to a specific version of welfarism – utilitarian welfarism. Utilitarian welfarism requires that the level of utility should be the *only* indicator of ‘human well-being’. This means that person-sensitive utilitarianism defines ‘human well-being’ *solely* in terms of the level of the pleasure/satisfaction a person gains from the fulfilment of his/her personal preferences. This way of defining ‘human well-being’ seems problematic because one’s personal preferences may be highly *adaptive* to one’s material circumstances of life. ‘The hopelessly deprived people may lack the courage to desire any radical change and typically tend to adjust their desires and expectations to what little they see as feasible. They train themselves to take pleasure in small mercies’ (Sen 2009: 283).<sup>5</sup> This problem indicates that, when we define ‘human well-being’, we should identify a *central boundary* of it that should be socially guaranteed against infringement *irrespective of each person’s preferences*.

---

<sup>5</sup> For detailed discussions of ‘adaptive preferences’, see Elster (1982: 219-38; 1983: 109-40), Sen (1995: 259-73; 1999: 62-3; 2009: 282-4), and Nussbaum (2000: 114-5, 136-42).

## 2.2. Setting the Minimum Threshold of Human Well-Being

Preliminaries 2 and 3 indicate two requirements that the following attempt to define ‘human well-being’ must meet. Preliminary 2 indicates that ‘human well-being’ should be defined in reference to the quality of life of each separate person. Preliminary 3 indicates that ‘human well-being’ should be defined in such a way as to identify a central boundary that should be guaranteed against infringement irrespective of each person’s preferences. The definition that meets these requirements is one that identifies the central components of human well-being which should be socially guaranteed for everyone irrespective of one’s personal preferences. Those central components constitute the minimum threshold below which no one should be made to sink, and one’s being made to sink below which would count as an ‘absolute harm’.

There are two – morally and practically important – reasons why we should focus on the central (as opposed to outer or peripheral) components of human well-being. First, the morally important reason is that, by focusing on the central components, one can avoid being paternalistic. A person is not only a *vulnerable* being who is subject to the possibility of being harmed, but also an *autonomous* agent who can decide what makes his/her life ‘good’ (or ‘bad’) based on his/her personal preferences. The vulnerability of a person indicates that we need to identify the central boundary of well-being, or a ‘good’ life, that should never be violated. Meanwhile, the autonomy of a person indicates that any attempt to identify a specific conception of well-being, or a ‘good’ life, may risk being paternalistic. By focusing on the central components of human well-being, one can identify the central boundary that should never be violated, while leaving room for each person’s autonomous life decisions outside that boundary.

Also, the approach to be adopted in this chapter will leave room for a person's autonomous decisions *within* the central boundary as well. For my argument, I shall draw on the idea of *capabilities*, as opposed to *functionings*. Capabilities emphasise *freedoms or opportunities* to develop and exercise certain human faculties and capacities, whereas functionings refer to the *actual development and exercise* of those faculties and capacities. Therefore, by focusing on central capabilities, one can allow each person to decide whether or not to use the identified opportunities within the central boundary of human well-being.

Second, the practically important reason for focusing on the central components of human well-being is that actual global circumstances require us to prioritise those components over peripheral ones. Due to the dual global challenge of severe poverty and ecological overshoot, it seems biophysically impossible for everyone on the planet to achieve the level of material affluence that is currently enjoyed by the advantaged. Therefore, the circumstantial priority seems to be to ensure equally for everyone the fundamental (i.e. central) aspects of human existence – the aspects that define a ‘minimally decent’ life as opposed to a ‘materially luxurious’ one (Halme 2007: 349-50; Hayward 2014a).<sup>6</sup>

The following three approaches to human well-being seem to meet those requirements: (a) the *central capabilities* approach (e.g. Sen 1999: 72-86, chapter 4; 2009: chapters 11-14; Nussbaum 1990: 217-26; 1992: 214-23; 2000: chapter 1, esp. pp. 70-86; 2011: chapter 2), (b) the *basic needs* approach (e.g. Streeten 1979, 1984;

---

<sup>6</sup> For a discussion of ‘minimal decency’ from a different – cultural – perspective, see Fabre & Miller (2003: 14-6). This concept is often employed in the ‘human rights’ discourse (cf. Miller 1999b: chapter 10; 2007: 180-5; Fabre 2000: 17-8). But I shall not employ this discourse in this chapter, although I shall do so in chapter 4. Also, by focusing on a minimally decent life or minimum well-being, I do not intend to reject ‘human flourishing’. This is because *human* flourishing does not necessarily presuppose *material* flourishing or expansion (cf. Fromm 2013[1976]; Knights & O’Neill 2016).

Streeten et al 1981; Stewart 1996: 48-52), and (c) the *Human Development* approach (UNDP 1990). Instead of elaborating on each, I shall note four points to indicate the similarities and relations among these approaches, before proceeding to offer my preferred list by drawing on (a) the central capabilities approach.

First, all the three approaches share the adequate sensitivity to the quality of life of each separate person, and thus overcome the defects found in the standard aggregative approaches discussed above (the ‘economic well-being of a society’ approach and the ‘people’s aggregate level of satisfaction’ approach). The basic needs approach aims at identifying, and ensuring for everyone in a society, what a person needs to realise minimum well-being, i.e. the material means of a minimally decent life. So, this approach attains the person-sensitivity that is missing from aggregative approaches such as the GNI per capita approach and the utilitarian approach. Also noteworthy is that the basic needs approach addresses both the end – a minimally decent life – and the means – food, water, public health services, education, etc. – as an inseparable set.<sup>7</sup> Meanwhile, the objective of the Human Development approach is to create, by social development, ‘an enabling environment for people to enjoy long, healthy and creative lives’ (UNDP 1990: 9). As this objective indicates, the Human Development approach, like the basic needs approach, takes an important step away from standard aggregative approaches.

---

<sup>7</sup> The basic needs approach is sometimes accused of being characterised by ‘commodity fetishism’. The charge is that this approach puts too much emphasis on the goods and services (means) needed for a minimally decent life (end) (e.g. Sen 1984: chapter 20; 1993: 40, fn.103). However, this criticism seems incorrect. This is because the emphasis of the basic needs approach is placed on the *relationship* between the means (goods and services) and the end (the achievement of a minimally decent life). The basic needs approach asks whether the means in question will serve to achieve the end in question (cf. Stewart 1996: 52). Therefore, this approach puts sufficient emphasis on the end as well as on the means. Having admitted this, however, I suggest that those who adopt the basic needs approach need to identify what composes a minimally decent life, in order to identify the means to realise such a life. And to identify the components of a minimally decent life, they need a sound speculation about what faculties and capacities a properly functioning human being would have.

Second, both the basic needs approach and the Human Development approach set specific objectives: on the former approach, the guarantee of what a person needs to live a minimally decent life, and on the latter, the guarantee of a ‘long, healthy and creative’ life. These objectives determine minimum thresholds below which no one should be made to sink, and one’s being made to sink below which would count as an ‘absolute harm’.

Third, both the basic needs approach and the Human Development approach, like the capabilities approach, aim at the social guarantee of *opportunities* rather than people’s *actual use* of those opportunities. The basic needs approach identifies the *material means* of life, whereas the Human Development approach emphasises an *enabling social environment*. These approaches therefore avoid being paternalistic.

And finally, I suggest that both the basic needs approach and the Human Development approach would benefit from the central capabilities approach. The objective specified by the basic needs approach is the social guarantee of a minimally decent life. But, to identify what composes a minimally decent life, we need a sound speculation about *what faculties and capacities a properly functioning human being would have*. Meanwhile, the objective specified by the Human Development approach is the social guarantee of a ‘long, healthy and creative’ life. But, to explain why such a life matters in the first place, we need the same speculation. And such a speculation is attempted more explicitly in Martha Nussbaum’s central capabilities approach.

The capabilities approach aims at creating socially guaranteed opportunities for a person to develop and exercise his/her internal faculties and capacities – ‘functions’ in Nussbaum’s earlier terminology (e.g. 1990, 1992), or ‘internal abilities/capabilities’ in her later terminology (e.g. 2000, 2011). To be more exact,

capabilities, as Nussbaum defines them, refer to a person's *internal* faculties and capacities combined with *external* social conditions that guarantee substantive opportunities for him/her to develop and exercise those faculties and capacities. In this sense, according to Nussbaum, capabilities refer to *combined* capabilities (Nussbaum 2000: 84-5; 2011: 20-1).

What is relevant to my argument is that Nussbaum grounds her list of capabilities in the central, or fundamental, faculties and capacities that characterise a properly functioning human being. To make her list uncontroversial and universally acceptable, she sets it in very broad and minimalist terms. So, her list is limited to the central, as opposed to peripheral, capabilities that she thinks compose 'a dignified and minimally flourishing life', as opposed to a materially luxurious one (Nussbaum 2011: 33; more generally, 31-3).<sup>8</sup> For the purpose of my argument, I shall follow her list (Nussbaum 2000: 78-80; 2011: 33-4). But I shall limit my list to the following five components which seem to be least controversial and most relevant to my present purpose:

- (1) *Continued life* – being able to live a life of normal length;
- (2) *Bodily health* – being able to live a healthy life;
- (3) *Bodily integrity* – being able to live without unwarranted disruption to one's physical security;
- (4) *Practical reason* – '[b]eing able to form a conception of the good and to engage

---

<sup>8</sup> Amartya Sen also makes a similar distinction between central ('basic' in his terminology) and peripheral capabilities. Meanwhile, Sen refrains from setting a specific list of central capabilities while mentioning some (cf. Sen 1979: 217-9). This is because he believes that such a list should be constructed for each purpose through public discussion and reasoning, and that a fixed and inflexible list cannot respond to the relativity of social values (cf. Sen 2004a: 77-80). I accept his point. But I nevertheless suggest that the list of central aspects of human well-being which 'will no doubt figure in every list of relevant capabilities in every society' (Sen 2004a: 79) – such as Nussbaum's – is useful for my present purpose.

in critical reflection about the planning of one's life' (Nussbaum 2011: 34); and (5) *Affiliation* – (a) '[b]eing able to live with and toward others, to recognize and show concern for other human beings, to engage in various forms of social interaction; to be able to imagine the situation of another', and (b) '[h]aving the social bases of self-respect and nonhumiliation; being able to be treated as a dignified being whose worth is equal to that of others' (Nussbaum 2011: 34).

'Continued life', 'bodily health' and 'bodily integrity' are uncontroversial because these are grounded in the corresponding *physical, biological, or physiological* faculties of a human being (or of any mortal and corporeal being). Without these, any form of life cannot reasonably be called *life* in its proper sense. Meanwhile, 'practical reason' is uncontroversial as well because it corresponds to the *mental* capacity of a (mentally healthy) person that is often referred to as '(personal) autonomy' – the capacity of a person to be 'a (part) author of his own life' (Raz 1986: 369). I assume that 'affiliation' is also uncontroversial because this is grounded in the *social* aspect of human existence. A person is a social being who has the capacity to organise various forms of relationship (familial, friendly, social, cultural, economic, political, etc.) with others.

*Human society*, as I understand it, is one form of relationship in which a person's social faculty and practical reason are embodied. A human society can be understood as its members' collective, or affiliative, endeavour with and towards each other on the basis of their practical reasoning (or social planning). It is the endeavour to produce, through various social, economic and political projects, a domestic state of affairs in which every member can live the life composed at least of

the listed capabilities.<sup>9</sup> This understanding of human society will be useful for my later discussion on how the systemic deprivation of the two socially productive forces – labour time and ecological space – undermines a poor society’s affiliative endeavour to create and accumulate social wealth, and consequently its members’ central capabilities (see 2.4.). Also, I regard the *family* as a special form of human affiliation; so, family members can be taken to have stronger responsibility for the well-being of each other than for that of outsiders.

I have omitted several capabilities that Nussbaum regards as central. First, I have omitted the capability that Nussbaum labels as ‘other species’ – ‘[b]eing able to live with concern for and in relation to animals, plants, and the world of nature’ (Nussbaum 2011: 34) – because this may be controversial (Wolff & de-Shalit 2007: 56). Second, I have also omitted the following capabilities for the following reasons: (a) ‘senses, imagination and thought’ because these can be reasonably incorporated into the capability of ‘practical reason’ (Cripps 2013: 212, fn.27); (b) ‘emotions’ because it may be difficult to observe harms to one’s emotional state, and also because emotions, like preferences, may be adaptive to one’s social surroundings; and (c) ‘play’ because this, as well as (a), can be reasonably incorporated into the capability of ‘practical reason’ (as an autonomous activity based on one’s practical reason).

And third, what Nussbaum labels as ‘political and material control over one’s environment’ has been omitted as well. This capability refers to both political

---

<sup>9</sup> This overlaps with Nussbaum’s understanding of human societies. She argues that ‘what is distinctive and distinctively valuable to us about the human way of doing [things] is that each and every one of these [listed] functions is, first of all, planned and organized by practical reason and, second, done with and to others’ (Nussbaum 1992: 222-3). In this sense, she explains, ‘practical reason’ and ‘affiliation’ together play an ‘architectonic’ role in planning and organising human life.

participation and control over material means of life. I have omitted political participation because I wish to focus on the factors relevant to my argument in 2.4. below. This does not mean that we cannot regard political participation as a universal human value. We can, for example, find at least two ways to regard it as such. First, humans are political animals. Therefore, participation in the public realm constitutes part of a flourishing human life. Political participation is, in this sense, a universal human essence (cf. Waldron 1993: 37). Second, autonomy and self-government are fundamental values grounded in a person's human faculties and capacities. Political participation is one way in which those values can be respected: it enables people to self-govern their social, collective life autonomously (cf. Waldron 1993: 37-8). Meanwhile, I have omitted the material control over one's environment because I regard it as the means (rather than the end) to realise the other capabilities. I nevertheless believe that such material control – in particular, secure access to a minimally adequate share of ecological space – is no less important than the listed capabilities. In this sense, I take a line similar to the basic needs approach. I regard the means (secure access to a minimally adequate share of ecological space) and the end (the social guarantee of the listed central capabilities) as *an inseparable set*.

Before closing this section, I should note two challenges that can be posed to the capabilities approach in general from the ecological perspective. First, the capabilities approach in general is grounded in the ethos of human flourishing, and its emphasis is therefore placed on the value of human freedom. So, this approach does not accept the upper limit to human freedom as its logical necessity. However, in the face of the dual global challenge of severe poverty and ecological overshoot, it is biophysically impossible to pursue the infinite expansion of people's *material*

freedom (freedom supported by material consumption) in a sustainable manner. Therefore, it is reasonable to integrate the ethos of restraint into the capabilities approach and set the upper limit to the expansion of material freedom (Peeters et al 2014).

Second, capabilities theorists tend to overlook important implications that the critical analysis of the global system highlighted in chapter 1 may have for their theory. Two points seem to follow from that analysis. First, the global exchange of socially productive resources that are potentially conducive to personal capabilities achievement – human labour and ecological space – is subject to an unequal mechanism. And second, because of the ‘zero-sum’ nature of those resources, the achievement of *peripheral* capabilities by the advantaged may be the flip side of the non-achievement of the *central* capabilities by the disadvantaged. These points indicate that we need to set the upper limit to the peripheral capabilities of the advantaged if our aim is to ensure the central capabilities for all people on the planet including the disadvantaged.

Having noted these problems with the capabilities approach in general, I nevertheless believe that Nussbaum’s central capabilities approach is useful for my present purpose: to argue that the debt accumulation by the advantaged is likely to infringe upon the minimum well-being of the disadvantaged. This is because her approach focuses on the *central* (not peripheral) capabilities that compose a *minimally decent* (not materially expansive) life. Therefore, her approach can be taken to identify the minimum threshold of human well-being below which no one in the globe should be made to sink, and one’s being made to sink below which would count as an ‘absolute harm’.

Based on the discussion so far, we can conclude that ‘human well-being’ refers

at the very least to the state of being in which a person enjoys the listed central capabilities (the state of minimum well-being). If there is any human life that can be reasonably described as ‘minimally decent’, it is a life in which a person has the socially guaranteed opportunity to live a healthy (‘bodily health’) and autonomous (‘practical reason’) life of normal length (‘continued life’) without unwarranted disruption to his/her physical security (‘bodily integrity’). And such a life can be achieved through various social, economic and political projects with and towards other members of the society to which one belongs (‘social affiliation’). A life with such an opportunity constitutes the minimum threshold of human well-being below which no one should be made to sink, and one’s being made to sink below which would count as an ‘absolute harm’.

### **2.3. Temporal and Material Preconditions for Minimum Well-Being**

The preconditions that are necessary, if not sufficient, for the realisation of the state of minimum well-being identified above concern the two overarching dimensions in which human life takes place: *time* and (*ecological*) *space*. To realise the state of minimum well-being, a person needs to enjoy a set of temporal factors. Meanwhile, ecological space provides material means to realise human well-being. The purpose of this section is to offer my view that the social guarantee of a set of temporal factors and that of secure access to a minimally adequate share of ecological space are two preconditions necessary for a person to enjoy the central capabilities listed above.

#### **2.3.1. The Temporal Precondition for Minimum Well-Being**

As preliminaries, I should note the following two points. First, ‘time’ is a

very complex and rich concept. It encompasses various – reconcilable and irreconcilable – social, historical, cultural, religious, biological, physiological, psychological, phenomenological, and natural-scientific meanings (among many others). Time, depending on the context, can be perceived as finite or infinite, transient or eternal, linear or cyclic, stable or changing, subjective or objective, as the past-present-future continuity or the extended present, as a phenomenon internal or external to human consciousness, as being related to biological or physiological tempo, timing or rhythmicity, as the object to be counted, named or numbered by socially agreed instruments such as calendar or clock, as a resource to be managed, controlled, commodified or exchanged, etc. In everyday life, as Barbara Adam writes, ‘[w]e move between those temporal worlds with great agility, giving little thought to the matter and are unperturbed by their conceptual and logical incompatibility’ (Adam 2004: 69).

The complexity of time has been explored by Adam (1990, 1995, 2004) and many notable thinkers preceding her (e.g. Hegel 1977[1807], Kant 1998[1848], Bergson 1921[1889], Husserl 1991[1893-1917], Durkheim 1976[1912], Heidegger 1973[1927], among many others). To re-explore every aspect of time is not my present purpose. Instead, I shall focus exclusively on one specific aspect of time that is most relevant to my present discussion: the finite and irreversible temporal flow of individual life.

Second, a person, as a conscious being, experiences time not only quantitatively but also qualitatively. For example, when a person says ‘I had a good time’, he/she may mean that he/she is satisfied with *how* he/she spent time on a certain activity, and not *how much time* he/she spent on that activity. Or a person may say, at the end of his/her life, ‘I’ve had a fulfilled life’, referring to *how* he/she

has lived a finite and irreversible temporal lifespan, and not *how long* he/she has lived. Nevertheless, for my present purpose, I shall treat ‘time’ primarily as a *quantitative* factor. Time, in this project, refers to *a length of time* in which a person lives, and which also makes a person’s life experiences (both physical and conscious) possible.

This also means that ‘time’ discussed in this project does not refer to ‘human temporality’ discussed by phenomenologists such as Martin Heidegger (1973[1927]). Heidegger seems to reduce human existence to human consciousness and temporality. For Heidegger, the most fundamental fact about human existence and experience is that, every moment, each human being chooses its future state out of the range of possibilities determined by its past states that constitute its present state. As Stephen Mulhall explains, ‘Heidegger’s idea is not that human beings necessarily exist *in* time, but rather that they exist *as* temporality, that human existence most fundamentally *is* temporality’ (Mulhall 2013: 161, original emphases). In this sense, Heidegger treats time (human temporality) as a qualitative factor *constitutive of human existence*. Meanwhile, I shall treat time as a quantitative factor: as hours, days, weeks, months, years, or a whole lifespan – time *in* which human beings exist.

Treating time as a quantitative factor does not mean decontextualising it from a person’s qualitative life experiences. Time, as I refer to it, is a fundamental conceptual framework that makes human experience and perception possible. (Space is another one.) So, time, albeit quantitative, is necessarily tied to a person’s qualitative experience of life events and activities. In short, time, as I discuss it, is ‘time *to do or to be x*’, or ‘time *to experience x*’. (The ‘x’ refers to an activity or a state of being.)

The life each individual lives is a finite and irreversible flow of time. The

temporal flow of individual life is finite in the sense that it is bound up by the beginning and the end. From a narrower perspective, a person lives a day that begins with getting up and ends with going back to sleep. From a broader perspective, a person lives a certain length of temporal lifespan that begins with birth and ends with death. This flow is also irreversible in the sense that how one has spent time so far – time past – cannot be cancelled now – at time present. This means that the time already spent for one purpose cannot be re-allocated to another purpose. Based on this general understanding of the time each individual person lives, I shall now highlight a set of temporal factors that should be socially guaranteed if a person is to enjoy the components of minimum well-being identified above.

The capability of ‘continued life’ indicates the first temporal factor that should be socially guaranteed:

- (a) a temporal lifespan of normal length (normal lifespan).

Also, the reproduction of an individual body requires time: to maintain physical well-being – ‘continued life’ supported by ‘bodily health and integrity’ – a person needs a certain amount of time a day that he/she can devote to personal care (e.g. resting, eating, bathing, procuring things necessary for subsistence, etc.). Accordingly, the second temporal factor that should be socially guaranteed is:

- (b) an amount of time necessary for the maintenance of physical well-being (time

for personal care).<sup>10</sup>

Additionally, a person may have family members who need his/her support in order to realise their minimum well-being (e.g. children, elderly members, etc.). As noted above, a person has special responsibility for the well-being of the members of his/her family. So, a person needs:

- (c) an amount of time necessary for fulfilling special responsibility to the family members who need assistance to realise the state of minimum well-being (time for familial care).<sup>11</sup>

Time necessary for reproduction in the generative sense (i.e. the birthing and rearing of a child) also falls under this category.

Another temporal factor necessary for a person to enjoy the state of minimum well-being concerns a person's capacity of 'practical reason' or 'personal autonomy'. 'Autonomy' refers to a person's capacity to direct his/her path through life in accordance with his/her own life plans, projects or goals.<sup>12</sup> It is an important

---

<sup>10</sup> How much time a day is necessary for personal care is a question I do not answer here. For an attempt to specify the minimum quantity of time necessary for this, see Goodin et al (2008: 50-1).

<sup>11</sup> I include time for familial activities other than familial care into the next category, i.e. 'discretionary time'.

<sup>12</sup> Here, I followed Joseph Raz's definition: '[t]he ideal of personal autonomy is the vision of people controlling, to some degree, their own destiny, fashioning it through successive decisions throughout their lives' (Raz 1986: 369). Meanwhile, Ronald Dworkin (2011: 195-9, 202-10, 211-4) prefers the term 'authenticity'. Instead of an 'autonomous' life, he emphasises an 'authentic' life. He explains that an 'authentic' life is different from what he defines as an 'autonomous' life: the former refers to a life lived *as one's own*, not determined by others, whereas the latter refers to a life in which some range of choices is left open, if manipulated by others. However, if 'autonomy' is understood as a person's capacity to direct his/her path through life on the basis of his/her own life decisions and thereby live a life as his/her own, then it can be argued that 'authenticity' and 'autonomy' are the two sides of the same coin: 'authenticity' is the description for the life that one lives as one's own by exercising one's

human value, if not the sole one, not simply because empirical evidence shows that many people actually desire to lead an autonomous life (cf. Peterson 1999; Veenhoven 1999), but also because, as discussed above, it refers to one of the central human capacities. Therefore, the development and exercise of this capacity is essential for a person's full unfolding, and societies should aim at supporting a state of affairs in which individuals can lead an autonomous life on the basis of their practical reasoning.

For a person to lead an autonomous life, a certain amount of time needs to be left under his/her discretionary control. As Robert Goodin points out, 'whatever plans or projects one might care to pursue, without time to devote to them an absolutely essential input would be missing' (Goodin 2010: 2). Therefore, a certain amount of what he calls 'discretionary time' should be socially guaranteed. 'Discretionary time' is time not dictated by the 'necessities of life' such as personal and familial care, labour for the creation of, and obtaining individual access to, social wealth, etc. People who are substantially (or even completely) deprived of 'discretionary time' lack an important aspect of autonomy, i.e. 'temporal autonomy' (one's discretionary control over one's own time) (cf. Goodin 2010: 1-2; Goodin et al 2008: 27-36). Accordingly, the fourth temporal factor that should be listed here is:

- (d) an amount of time necessary for the development and exercise of practical reason and personal autonomy (discretionary time).

Goodin's concept of 'discretionary time' helps us grasp a dimension of global inequalities that has been largely neglected in the literature of global justice, i.e. the capacity of 'autonomy'. Based on this understanding, I shall go with the word 'autonomy'.

temporal dimension. It enables us to understand the nature of disadvantages afflicting the global poor which cannot be explained only in material terms. Meanwhile, I should note three points in order to clarify how I apply this concept to my present discussion.

First, Goodin devised the concept of ‘discretionary time’ to assess time inequalities in and between wealthy societies such as the United States, Australia, Germany, France, Sweden and Finland, whereas I apply this concept to discuss severe disadvantages afflicting the *global* poor. I believe that Goodin’s concept serves to grasp one way in which advantages enjoyed by people in one global class (the advantaged both in wealthy societies and in poor societies) relate to disadvantages incurred by people in another global class (the disadvantaged) – the way in which the advantaged enjoy an extensive degree of ‘temporal autonomy’ at the expense of the ‘discretionary time’ of the disadvantaged.

Second, I interpret ‘discretionary time’ in such a way that is more accurate, and also consistent with the perspective of ecological space. Goodin is aware of the connection between the speed at which one can obtain the means of subsistence (e.g. subsistence income) and the amount of time left under one’s autonomous control (discretionary time). For example, the larger income one earns per hour, the larger amount of discretionary time one gains. However, Goodin’s definition of ‘discretionary time’ may need a minor revision because the amount of discretionary time left after procuring the means of mere subsistence, no matter how large it might be, would be meaningless unless one also had *material means to fill that time*. Suppose that, after procuring the means of mere subsistence, a person had left plenty of time that he/she could devote to an autonomous activity – for example, to reading. But suppose also that he/she had no access to a book. In this case, that person’s

discretionary time would remain empty. So, a person needs more than just the means of mere subsistence to enjoy discretionary time in a meaningful way.<sup>13</sup>

Additionally, no matter how much mediated our reliance on ecological space may appear, the fact is that the material means for the meaningful use of discretionary time – e.g. books – come from ecological space. So, the material means for the meaningful use of discretionary time means a certain share of ecological space. For the meaningful use of discretionary time, in short, a person needs secure access to a share of ecological space that is adequate for autonomous activities.

For these reasons, I understand ‘discretionary time’ as time not dictated by the necessity of securing access to *a share of ecological space* that is adequate for one’s (and one’s family members’) subsistence *and for one’s (and one’s family members’) autonomous activities*. The access for the purpose of autonomous activities can be secured, for example, by a range of social arrangements intended to support those activities, such as the setting of public libraries.

And third, it seems very rare in reality that a person *completely* lacks autonomous control over time. No matter how long one might be occupied with work, one might still be able to find a tiny amount of time to do or think about something else than work. Therefore, autonomy is ‘a matter of degree’, and ‘[o]ne’s life may be *more or less* autonomous’ (Raz 1986: 373, my emphasis). How much discretionary time a day, a week, a month, a year, or a whole lifespan, would be sufficient for a person to lead a minimally decent autonomous life is a question I do not answer in my project. For my present purpose, however, it suffices to

---

<sup>13</sup> This paragraph does not advocate the ecologically unsustainable consumption culture that we currently preserve.

mention that people who are marginalised into such a socio-economic position in which they need to eke out any kind of living to obtain the basic means of subsistence (i.e. the severely disadvantaged) tend to be deprived of *substantial part* of their autonomous control over time.

Temporal factors (a) through (d) relate to the personal aspect of time: time as the dimension in which a person leads a private life. In addition to this, time has a social aspect: time as the dimension in which a society seeks a productive force – human labour – that is necessary for the creation and accumulation of social wealth (wealth of the substantive kind that conduces to human well-being). Human time, when socially spent as labour time, provides a productive input necessary for a society's affiliative endeavour to ensure its members' (minimum) well-being. Normally, ecological space – another productive force – does not spontaneously produce the items and material conditions conducive to human well-being. Only through the labour time people spend for economic production – or, to speak of the quality rather than the quantity, only through the productive power of humans – does ecological space provide food, drink, clothing, shelter, medicines, desks, paper, pencils and other items conducive to a person's well-being, and the productive infrastructure conducive to people's economic activities.<sup>14</sup> Accordingly, as William Petty writes, if the earth (ecological space) is the 'mother' of social wealth, 'labour is its father' (quoted in Marx 2008: 19).

Labour time one socially spends, therefore, is indispensable for one's enjoyment of minimum well-being. However, the causal connection between one's labour time and one's well-being can be *severed* under an economic system in which

---

<sup>14</sup> I assume that people's economic activities are potentially conducive to their well-being if performed in ecologically sustainable ways, but that their activities are detrimental to their well-being if tied to the expansionist ethos of the capitalist economy.

the time a worker spends for the production of social wealth does not give him/her individual access to the wealth. So, the fifth temporal factor that should be socially guaranteed for a person to enjoy the state of minimum well-being is:

- (e) an amount of time spent for the creation and accumulation of social wealth in such a way as to serve one's own (as well as someone else's) enjoyment of minimum well-being (labour time conducive to one's own minimum well-being).

It should be noted that this temporal factor does not refer to what Karl Marx (2013[1844]: 81-93) describes as 'alienation'. Marx thinks that the following five types of alienation tend to occur under the capitalist system. First, under the capitalist system, one's product is sold but the profit goes to the capitalist, who is then able to renew the unequal wage bargain. So, one's product becomes alien and hostile in the sense that it no longer remains under one's own control but helps reproduce the unequal capitalist-worker relationship. Second, under the capitalist system, one works not out of desire for work but to stay alive. So, one's work becomes alien in the sense that it is no longer felt as one's own activity. Third, a person has the human capacity to work both creatively and communally. In working communally, one finds it satisfying to produce items that meet others' needs. But, under the capitalist system, work is monotonous and intended to serve selfish ends. A person therefore becomes alienated from the essential human capacity to work creatively and communally. Fourth, in working selfishly, a person becomes alienated from all the rest, and comes to treat others merely as means to his/her own satisfaction. And fifth, as a result of all these, people come to see the social world

as a mysterious one moving according to its own will, and ruling its producers instead of being ruled by them. So, under the capitalist system, people become alienated from the social world they have created.

My point, meanwhile, is simpler and weaker than what Marx wishes to discuss with his theory of alienation. The problem I wish to discuss is not the cognitive effect that the unequal inter-class relationship may have upon people's understanding of the nature of work, and the nature of the social world they have created. (The inter-class relationship is for Marx the capitalist-worker relationship, whereas it is for me the relationship between the global advantaged, including affluent workers, and the global disadvantaged, including poor workers.) Instead, the problem I wish to highlight is that, under the global capitalist system, the hours of labour spent by workers in the disadvantaged class may not serve their own minimum well-being.

To sum up, time relates to a person's minimum well-being (at least) in two ways: first, as the dimension in which a person lives a minimally decent private life; and second, as the dimension in which a society seeks a productive force – human labour – necessary for its affiliative endeavour to ensure its members' minimally decent lives. And the social guarantee of factors (a) through (e) is the temporal precondition that is necessary, if not sufficient, for a person to realise the state of minimum well-being.

### **2.3.2. The Material Precondition for Minimum Well-Being: Defending the Ecological-Space Approach**

No matter how much mediated our reliance upon it may be, human life is made possible by interaction with ecological space. Therefore, secure access, both societal and individual, to a variety of biophysical services from ecological space is a

material precondition for a person to realise the state of minimum well-being.

This seems clear in so far as the physical capabilities listed above – continued life, bodily health, and bodily integrity – are concerned. The enjoyment of those capabilities requires food, drink, clothing, shelter, essential medicines, etc., and these items all come from ecological space. A society's affiliative endeavour to ensure those physical capabilities for its members also requires material inputs from ecological space. The creation and accumulation of social wealth are possible through societal interaction with global ecological space (see 1.3. in chapter 1). Furthermore, material inputs from ecological space are necessary for the development and exercise of the human capacity of practical reason (or personal autonomy) as well. As Cécile Fabre points out, '[i]f we are thirsty, cold, hungry, and ill, if we are homeless, then we do not have the personal intellectual and physical capacities to frame and revise a conception of the good life, let alone pursue it', and 'if through lack of resources we must spend most of our time and energy fighting for subsistence, it is unlikely that we will find both the time and the energy necessary to make use of available opportunities, to decide, on the basis of these opportunities, what we want to do with our life' (Fabre 2000: 19). Also noteworthy is that education and other societal affiliative attempts to develop a person's practical reason need material inputs from ecological space – consider desks, textbooks, pencils, notebooks, school buildings, among many other items and conditions that are conducive to such attempts.

Despite these facts, however, some theorists deny the resourcist assumption that material inputs from ecological space – commonly referred to as 'natural resources' – play a determinant role in the creation and accumulation of social wealth. John Rawls, for example, believes that the key determinants of the wealth of a

society are its domestic institutions and human factors rather than the availability of natural resources within its territory. He contends:

Historical examples seem to indicate that resource-poor countries may do very well (e.g., Japan), while resource-rich countries may have serious difficulties (e.g., Argentina). The crucial elements that make the difference are the political culture, the political virtues and civic society of the country, its members' probity and industriousness, their capacity for innovation, and much else. (Rawls 1999: 108)

Risse follows the same line and rejects what he calls 'Resource Significance' – the assumption that the availability of natural resources is a major determinant of social wealth (Risse 2005a: 365). Instead, like Rawls, Risse defends what he calls the 'Institutional Thesis' – the thesis that it is the quality of domestic institutions that primarily determines the wealth of societies (Risse 2005a: 355-9).

Miller also seems to support this thesis (albeit in an inconclusive manner). He considers 'domestic' factors (e.g. the quality of domestic institutions), rather than 'physical' ones (e.g. the availability of natural resources) or 'external' ones (e.g. the global economic system), to be the major determinants of the wealth of societies (Miller 2007: 56-7, 242-3). To support this thesis, he refers to some economic historians (e.g. Landes 1998: chapter 29; Harrison & Huntington 2000; Acemoglu et al 2001), and also to the fact already mentioned in chapter 1: that some formerly impoverished societies have successfully lifted themselves out of poverty under the existing global system at least in monetary terms.

However, three points can be raised against Rawls, Risse and Miller. First, their belief seems untenable from the ecological perspective. The analysis of the geographical movements of matter and energy between societies demonstrates that

resource-poor but industrialised societies (such as Japan) have been able to accumulate social wealth through the unequal exchange with resource-rich but underdeveloped societies (see 1.3. in chapter 1). Then, it can be argued that the wealth of societies depends not so much on the *availability* of natural resources *within their territories* as on their *economic power* to use, occupy and command *globally available* natural resources (cf. Hayward 2006: 353, 359). Therefore, material inputs *imported from other (underdeveloped) societies* may be playing a significant role in determining the wealth of (industrialised) societies.

Second, it is also possible to find historical evidence that supports the view contrary to the one defended by Rawls, Risse and Miller. According to some economic historians (e.g. Pomeranz 2000; Barbier 2005: chapter 2), it is the initial consumption of natural resources that may have enabled the affluent societies which currently exist to consolidate their domestic institutions and productive infrastructure and enhance their ability to accumulate further wealth. On the view of those historians, in short, the quality of a society's domestic institutions (including economic ones) is determined by its initial natural-resource appropriation and wealth accumulation.

And third, the metric of 'ecological footprint' that has been developed for the past two decades (Wackernagel & Rees 1996) offers a useful analytical tool with which to observe the correlation between a society's use of ecological space and the wealth it enjoys. This metric quantifies the amount of biologically productive land and water areas required to support human activities using prevailing technology, and calculates the total amount of a society's domestic resources plus resources imported from abroad and minus resources exported to other societies. Findings based on this metric indicate that there exists a positive correlation between the wealth of a

society and its per capita ecological footprint (e.g. Venetoulis et al 2004; Jorgenson 2003, 2005; Jorgenson et al 2005; Rice 2007: 57-62).

These three points seem to support the assumption that access to material inputs from global ecological space is one of the key determinants, if not the sole one, of social wealth. But there is another challenge to this assumption which can be found in Edward Page's (2007: 456-61) discussion.

Page's main purpose is to defend the set of central capabilities as the 'currency' of egalitarian inter-generational justice. Although finding such a currency is not my present purpose,<sup>15</sup> the relevant point is this: Page argues that the resourcist approach such as the ecological-space approach is '*too indirectly connected to human well-being* to be a coherent focus of our distributive concerns' (461, my emphasis). However, this argument seems to overlook the important connection between the *means* available from ecological space and the *end* of human well-being. As Hayward (2007: 445-8; 2008: 14-7) argues, natural resources, or inputs from ecological space, are important because they provide the material means of what he calls 'a minimally decent human life'. Although Hayward does not offer a detailed account of what composes such a life, we can define it in terms of central human capabilities as I did above. Therefore, the resourcist approach – in particular, Hayward's ecological-space approach – seems compatible with the central capabilities approach.

The view that the central capabilities approach is compatible with the ecological-space approach seems to be in line with the view taken by some

---

<sup>15</sup> Meanwhile, I suggest that, when considering a currency of distributive justice, we should identify not only the end but also the means to achieve the end. Otherwise, any theory of distributive justice would remain impractical. I suggest that it is, after all, some sort of resource – means – that can be (re)distributed for capabilities achievement (the end).

capabilities theorists such as Sen and Nussbaum, since neither of them denies the role material means play in realising central capabilities. The view they share is simply that, when we consider human well-being, more focus should be placed on the end, i.e. the realisation of capabilities, than on the means to achieve it. Especially noteworthy is that, as explained above, Nussbaum defines capabilities as ‘combined capabilities’, i.e. the combination of a person’s internal faculties and capacities (the end) and the external conditions necessary for the development and exercise of those faculties and capacities (the means) (Nussbaum 2000: 84-5; cf. also 53-4). So, she seems to see the means and the end as an inseparable set (like those who advocate the basic needs approach). And this may be why she includes an instrumental capability – ‘material control over one’s environment’ – in her list of central capabilities. Such material control can be reasonably taken to include secure access to ecological space. Therefore, Nussbaum’s central capabilities approach seems compatible with the ecological-space approach defended here.

Now, based on the discussion so far, it seems possible to shift the burden of argument to those who want to reject the important role that access to ecological space plays in the creation and accumulation of social wealth, and in a person’s enjoyment of minimum well-being. Meanwhile, I assume that secure societal and individual access to a minimally adequate share of ecological space is a material condition necessary, if not sufficient, for a person to enjoy the state of minimum well-being.<sup>16</sup>

---

<sup>16</sup> I assume that a society is the primary sphere of economic activities aimed at the creation and accumulation of the material wealth which ensures its members’ minimum well-being. So, I suggest that, for a person to enjoy the state of minimum well-being, not only individual but also societal access to a minimally adequate share of ecological space (adequate for a society to achieve the level of material affluence that can ensure minimum well-being for all its members) should be guaranteed.

## **2.4. Temporal Debt, Ecological Debt, and ‘Absolute Harm’**

I have done three things so far. First, I defined the state of minimum human well-being as the state in which a person enjoys the socially guaranteed opportunity to live a minimally decent life composed at least of continued life, bodily health and integrity, practical reason, and affiliation. Second, I argued that this state of being can be regarded as the minimum threshold below which no one should be made to sink, and one’s being made to sink below which would count as what I call ‘absolute harm’ – a harm of the severe kind that would demand urgent remedial action. And third, I explained that the guarantee of temporal factors (a) through (e) is the temporal precondition, and the guarantee of secure societal and individual access to a share of ecological space is a material precondition, for a person to realise the state of minimum well-being.

In this section, I shall argue that the accumulation of temporal debt and ecological debt by the advantaged under the global system is likely to result in ‘absolute harm’ against the disadvantaged. For this, I shall explain how the debt accumulation is likely to infringe upon the minimum threshold of human well-being. In what follows, I shall start by considering three categories of temporal debt, and then proceed to discuss ecological debt.

### **2.4.1. Three Categories of Temporal Debt<sup>17</sup>**

The existing global economic system is likely to reproduce severe inter-class inequalities in the dimension of time. Under the global system, economic power

---

<sup>17</sup> This subsection is a developed version of the discussion I published in Hayward & Iwaki (2016: 392-5).

tends to flow into the hands of those who can be classified as the advantaged. Using this power, the advantaged can benefit from the fruits of globally available human labour. Also, one can convert material advantage into temporal advantage. The more infrastructure, technology and resources there are at one's disposal, the less one has to do oneself; the easier the material conditions are, the less there is to do in the first place. Therefore, the advantaged are likely to gain extensive freedom with regard to the use of time. Meanwhile, under the global system, those who can be classified as the disadvantaged are likely to be deprived of the temporal factors necessary for minimum well-being in three ways: (a) systemic deprivation of the temporal input into social wealth; (b) systemic deprivation of discretionary time; and (c) systemic deprivation of the time necessary for physical well-being.

These are three categories of systemic time deprivation that can be conceptualised in terms of 'temporal debt'. If we assume that everyone is equally entitled to the state of minimum well-being defined in 2.2., then we can also assume that everyone is equally entitled to temporal factors (a) through (e) identified in 2.3.1. And if so, it can be argued that the advantaged owe the disadvantaged what can be referred to as 'temporal debt' in so far as the former exercise their economic power in such a way as to benefit from the latter's systemic deprivation of those temporal factors.

#### *(a) Systemic Deprivation of the Temporal Input into Social Wealth*

The analysis of the global system highlighted in chapter 1 shows that the inter-societal exchange of labour time – a source of social wealth – is subject to an unequal mechanism. Through this mechanism, industrialised societies tend to gain ever greater command over (the fruits of) globally available human labour, whereas

underdeveloped societies tend to be left with less productive potential. At the inter-class level, recall, those who are likely to benefit from this inter-societal exchange are those who gain the economic power to benefit from it under the global system, i.e. the advantaged. Meanwhile, the disadvantaged tend to be left vulnerable as sources of cheap and long labour, and therefore largely excluded from the wealth that human labour provides (in combination with ecological space). In so far as the advantaged exercise their economic power to gain material, and consequent temporal, benefits from this unequal process, they accumulate ‘temporal debt’.

The unequal exchange of labour time between societies is likely to result in ‘absolute harm’ to the disadvantaged in the following three ways. First, through this exchange, the fruits of the labour time spent by workers in the disadvantaged class tend to benefit exclusively people in the advantaged class, without conferring minimally adequate economic power upon the disadvantaged workers. Therefore, the unequal exchange of labour time may sever the causal connection between one’s labour time and one’s minimum well-being, and undermine temporal factor (e) (labour time conducive to one’s own minimum well-being). Second, labour time is the temporal input necessary for a society’s affiliative endeavour to create and accumulate social wealth. But the unequal exchange of labour time makes this endeavour difficult for some impoverished societies. This means that it may become difficult for people in those societies to realise the capability of socio-economic affiliation – affiliation for ensuring minimum well-being for each other. And third, the realisation of the other central capabilities – continued life, bodily health and integrity, and practical reason – depends upon the successful performance of socio-economic affiliation. Therefore, in making such affiliation

difficult, the unequal exchange of labour time would also undermine the other capabilities.<sup>18</sup>

*(b) Systemic Deprivation of Discretionary Time*

Another category of systemic time deprivation concerns discretionary time and temporal autonomy, i.e. temporal factor (d). One's command over material means of life (e.g. income) and one's level of temporal autonomy are interrelated (cf. Burchardt 2010). People who have extensive command over material means of life are temporally advantaged too, since they are able to employ those means to buy someone else's time or to buy means to fill the time they have under their discretionary control. In this sense, they have extensive temporal autonomy. Meanwhile, people who lack command over material means of life are temporally disadvantaged too, since they need to devote most of a day to trying to eke out any means of subsistence and, as a result, lose discretionary time. In so far as the advantaged exercise their economic power to gain a considerable degree of temporal autonomy at the expense of the discretionary time of the disadvantaged, they accumulate 'temporal debt'. And the reduction of discretionary time to the extent that makes it impossible for the disadvantaged to enjoy minimal autonomy would count as an 'absolute harm'.

To understand this kind of temporal inequality, we need to consider how much *discretionary* time the advantaged have *through their whole lifespans*. One may

---

<sup>18</sup> In the globalised age, it is easier for people to move beyond state borders. So, the inter-societal exchange of labour time may take the form of human migration: the geographical movements of workers' *whole lifetime*, rather than the movements of the *fruits* of their labour. Also, we are observing the trend of 'brain drain', i.e. the emigration of well-educated individuals (sources of skilled labour) to affluent societies where they can gain better payments, working conditions, etc. But the occurrence of these phenomena does not affect my argument: poor societies lose the temporal input into social wealth whereas affluent societies gain it.

argue that some materially affluent workers (e.g. medical doctors, lawyers, accountants, bureaucrats, bankers, CEOs of companies, etc.) are time poor, focusing on the fact that they lack *free time a day, a week or a month*. Those workers may work long hours despite the fact that they are income rich.

However, three points can be raised against this argument. First, my present discussion concerns *discretionary* time, and not *free* time. The former refers to the time left under one's autonomous control *after procuring necessities of subsistence and minimal autonomy*, whereas the latter refers to the time left *after all working hours*. Second, if we step back from one's daily/weekly/monthly use of time to observe one's yearly or even life-long use of time, then we may obtain a completely different picture. People who are income rich may get a week-long or even month-long holiday. Or they may be earning abundant financial resources that will later allow them to retire early and enjoy post-work life with extensive command over time and material resources. And third, it can be assumed that most of those who are materially rich but temporally poor have *chosen* to be busy to display their prosperity and social status (The Economist 2014). If these points are considered, it seems to make sense to argue that inequalities in temporal autonomy and discretionary time exist between the materially advantaged and the materially disadvantaged.

### *(c) Systemic Deprivation of the Time Necessary for Physical Well-Being*

The most basic relation to time for humans is their physiological dependence on it: time is necessary for a broad range of reproductive processes, from the reproduction of individual bodies – i.e. time for personal and familial care (temporal factors (b) and (c)) – to reproduction in the generative sense – i.e. the birthing and

rearing of a child (temporal factor (c)). Also, humans, as mortal beings, live temporal lifespans of a certain length (temporal factor (a)). The global system affects the time necessary for these reproductive activities in the following three ways.

First, severe poverty and environmental degradation attributable to the global system can increase the time one needs for procuring material means for one's own and one's dependants' subsistence, i.e. time for personal and familial care. For example, as a result of environmental degradation, people may have to work twice as long to acquire an adequate amount of food, walk twice as far to get clean water, or make twice as great an effort to create and accumulate social wealth or to fight against entropic degradation. (This also reduces one's discretionary time – category (b).) In the worst case, those systemic problems can reduce the length of one's temporal lifespan. This seems to be the case in the current state of affairs in which a large number of people globally die prematurely as a result of material poverty or air pollution (UNDP 1998: 25; 2006: 33, 174; WHO 2014; cf. also Pogge 2008: 2-3).

Second, the production of some kinds of industrial commodity from which the advantaged may benefit as consumers may impose unhealthy or unsafe working conditions upon poor workers. Such working conditions are likely to prolong the time the victims need for personal care: people who suffer health or bodily damage have to spend more time (and energy) on sleep, curing, recovery, medical care, rehabilitation, etc., than they would otherwise need to. (This also reduces the victims' discretionary time – category (b).) Also, because humans are sentient beings, damage to bodily health and integrity can shorten the victims' temporal lifespans as well.

And third, people in extreme poverty are vulnerable to inhumane working

conditions such as forced labour and child labour. According to ILO reports (2010: 13; 2012: 1; 2013: vii), the total number of forced labourers globally amounts to 20.9 million, whereas 168 million children are the victims of child labour. Forced labourers and child labourers lack any choice, and voice, with regard to their working conditions. So, they are vulnerable to physical threats which may prolong the time they need for personal care, or which may cut short their temporal lifespans.

It should be noted that the temporal disadvantage afflicting forced and child labourers can be compounded by the lack of choice about their occupations, and by low income. They may lack temporal autonomy with regard to the activities to which they will direct their labour time in the first place. And as a result of low income, the labour time they spend may not conduce to their own minimum well-being. In addition, child labourers are also deprived of a temporal prerequisite for the enjoyment of a fulfilled life in adulthood. They may lose the time they need for developing practical reason and the skills they can rely on for future occupations (e.g. time for play, education, etc.).

All these problems should not be disregarded as problems remote from the daily life of the advantaged. The advantaged may directly or indirectly benefit from those problems. For example, I am aware of the fact that some multinational corporations, such as NIKE, Gap and Nestlé, are alleged to have employed child and forced labour at some points in their production chains (BBC 2000, 2010). Also, recently, UNIQLO was reported to have imposed morally problematic working conditions (low wages, long working hours, unsafe/unhealthy working conditions, etc.) upon its factory workers in China (Nikkei Asian Review 2015). Therefore, in so far as the advantaged exercise their economic power to benefit from those kinds of time deprivation, they accumulate ‘temporal debt’. And this category of temporal

debt, as well as the other categories already discussed, would count as an ‘absolute harm’, since it would undermine the physical well-being of the victims (continued life, bodily health, and bodily integrity).

Finally, we should not overlook gender inequality in the use of time for familial care. Women, in every culture, rich or poor, tend to spend far more time than men on activities conducive to the minimum well-being of their children and other dependants. Also, the less infrastructure, technology and resources there are at one’s disposal, the more one has to do oneself; the harder the material conditions are, the more there is to do in the first place. It can be argued, then, that, while women in general tend to devote more of their time to familial care than men, poor women are likely to fare even worse in temporal terms than poor men.

To sum up, the three categories of temporal debt discussed in this subsection are likely to undermine the temporal factors identified in 2.3.1. in relation to the disadvantaged, and ultimately infringe upon the minimum threshold of human well-being identified in 2.2. So, they are likely to result in ‘absolute harm’ to the disadvantaged.

#### **2.4.2. Ecological Debt: Systemic Deprivation of Ecological Space**

The concept of ‘ecological debt’ is still in the phase of development and therefore lacks a widely-accepted meaning. This concept was originally devised by South American NGOs in the early 1990s ‘as a response to the financial debt weighing upon a lot of developing countries’ (Paredis et al 2008: 3). Since then, attempts have been made to quantify the ecological debt run up by industrialised societies in relation to underdeveloped societies in terms of money (e.g. Azar &

Holmberg 1995; Jenkins 1996; Martinez-Alier 2002) or in terms of an alternative unit (e.g. Torras 2003). Such attempts are, I suggest, meaningful because they lay bare the magnitude of the damage done to the earth's biophysical capacity.

But, to understand why damage *to the earth's biophysical capacity* can be regarded as the debt owed *to underdeveloped societies* or *to the global disadvantaged*, we need a clearer definition of the concept. Acción Ecológica (an environmental organisation based in Ecuador), for example, offers a definition. It explains that 'ecological debt' refers to 'the responsibility that the industrialised countries have for *the gradual destruction of the planet caused by their production and consumption patterns*' (Acción Ecológica 1999: 1, my emphasis). However, this definition does not explain why it is underdeveloped societies or the global disadvantaged, rather than the planet earth itself, that should be regarded as the victims of global ecological damage. To define 'ecological debt' in such a way as to reveal a dimension of inter-societal or inter-class inequalities, it seems more meaningful to define it in relation to the analysis of 'unequal exchange', as some scholars do elsewhere (e.g. Martinez-Alier 2002; Roberts & Parks 2009), or, more broadly, in relation to the analysis of the global economic system, as I did in chapter 1.

The existing global economic system is likely to reproduce inter-class inequalities in the dimension of ecological space. Under the global system, economic power tends to flow into the hands of those who can be classified as the advantaged. Using this power, the advantaged can benefit from global ecological space (e.g. in the form of commodities exchanged between societies). Therefore, the advantaged are likely to realise extensive material well-being. Meanwhile, under the same system, those who can be classified as the disadvantaged are likely to be deprived of secure access to a share of ecological space adequate for the

enjoyment of minimum well-being.

This indicates the kind of systemic deprivation that can be conceptualised in terms of ‘ecological debt’. If we assume that everyone is equally entitled to the state of minimum well-being defined in 2.2., then we can also assume that everyone is equally entitled to the material precondition for that state: secure access to a minimally adequate share of ecological space. And if so, it can be argued that the advantaged owe the disadvantaged what can be referred to as ‘ecological debt’ in so far as the former exercise their economic power in such a way as to benefit from the latter’s systemic deprivation of a minimally adequate share of ecological space.

Ecological economist Joan Martinez-Alier (2002: 213-9, 227-33) highlights two categories of ecological debt: ‘dumping’ and ‘carbon debt’. ‘Dumping’ refers to the relocation of hazardous wastes and ecologically harmful production processes to underdeveloped societies (183-5). And ‘carbon debt’ refers to the disproportionate use of the earth’s atmospheric carbon sinks (229-33). Also, I regard what he calls ‘biopiracy’ as a third category of ecological debt, although he does not do so. This refers to ‘not only the robbery of the biological raw materials (genetic resources, as they are called) but also of the knowledge about the use of such resources, whether in agriculture or medicine’ (132). I suggest that at least ‘the robbery of the biological raw materials’ can be seen as a category of ecological debt. Furthermore, it seems reasonable to add a fourth, broader, category: the disproportionate appropriation of any input from ecological space (not limited to raw materials or carbon sinks) required for individual commodity consumption. Commodity consumption by individuals involves the dissipation of ecological space at each stage of it – at production, exchange, distribution, utilisation, and disposal or recycling. Therefore, affluent individuals who appropriate disproportionate

amounts of ecological space through their excessive commodity consumption should be seen as ecological debtors in so far as they deprive others of minimally adequate shares of ecological space.

Ecological debt may also arise as a result of inter-class struggles *within* poor societies. Direct resource capture by the social elite in those societies tends to result in the marginalisation of the poor in those societies (Homer-Dixon 1999: 15-6, 74-9). If so, the social elite engaged in such resource capture can be seen as ecological debtors. But we should not overlook the possibility that people in affluent societies may be also complicit, as consumers, in this marginalising process. They may be giving the social elite in poor societies the incentive to line their pockets by selling captured resources. The problem may become even worse if any of the following applies as well: (a) if the social elite in poor societies are unwilling to reinvest the income from the sale of captured resources in domestic poverty eradication and ecological conservation; (b) if the consumers of captured resources do not pay enough to compensate for the productive potential that has been dissipated; or/and (c) if no effort or monetary compensation can reverse the ecological damage that has been done.

The categories of ecological debt discussed so far are likely to result in ‘absolute harm’ to the disadvantaged. These are likely to infringe upon the minimum threshold of human well-being in the following three ways. First, ecological debt would make the affiliative endeavour to create and accumulate social wealth difficult for some impoverished societies. This is because ecological debt results from the systemic deprivation of ecological space – a source of social wealth. Therefore, ecological debt would undermine the capability of socio-economic affiliation. Second, the other central capabilities – continued life, bodily health and

integrity, and practical reason – would become difficult to realise too. This is because the realisation of those capabilities depends upon the successful performance of people’s socio-economic affiliation. And third, direct resource capture by the social elite in poor societies would also result in an ‘absolute harm’. This is because the poor marginalised by such resource capture would lose direct access to ecological space, and therefore lose fair opportunities to realise minimum well-being through direct interaction with ecological space.

### **2.4.3. The Interchangeability and the Compounding of Disadvantages**

Before closing this chapter, I wish to raise two additional points: one on the interchangeability of disadvantages, and the other on the compounding of them. First, material disadvantages may impose temporal disadvantages upon the poor. As argued above, people who have extensive command over material means of life are able to devote more time to activities outside the necessities of life, whereas people who lack command over material means of life have to devote most of a day to trying to eke out any means of subsistence. From the temporal perspective, therefore, it seems to make sense to see disadvantages in the dimension of ecological space also as disadvantages in the dimension of time. One may experience the former also as the latter. This indicates that there is a degree of *interchangeability* between disadvantages resulting from ecological debt and disadvantages resulting from temporal debt.

And second, disadvantages can be *compounded* both cross-dimensionally and uni-dimensionally. Cross-dimensional compounding occurs when a disadvantage in one dimension entails a disadvantage in another dimension. For example, the deprivation of secure access to an adequate share of ecological space (the

disadvantage in the dimension of ecological space) may entail the deprivation of time for personal and familial care or the reduction of discretionary time (disadvantages in the dimension of time). Meanwhile, uni-dimensional compounding occurs when one kind of disadvantage entails another kind within the same dimension. For example, recall, category (a) of time deprivation (deprivation of labour time) may entail category (b) of time deprivation (deprivation of discretionary time). To identify every case of such compounding is not my present purpose. However, I suggest that we should bear in mind the possibility of such compounding if we intend to grasp a full picture of the disadvantages the poor are likely to suffer under the global system.<sup>19</sup>

## **Conclusion**

In this chapter, I argued that the accumulation of ‘temporal debt’ and ‘ecological debt’ by the advantaged under the global system is likely to result in ‘absolute harm’ against the disadvantaged. For this, I identified the minimum threshold of human well-being below which no one should be made to sink, and one’s being made to sink below which would count as an ‘absolute harm’. I argued that the debt accumulation by the advantaged is likely to make the disadvantaged worse off to the extent that infringes upon the identified threshold. This indicates that the existing global economic system is not only harmful but also severely harmful.

I assume that the ‘absolute harm’ that is likely to be reproduced under the

---

<sup>19</sup> The idea of ‘compounding disadvantages’ was inspired by Henry Shue’s discussion of ‘compound injustice’ (Shue 2014: 36-41). Shue’s argument is that injustices can be compounded because people who are suffering one kind of injustice are vulnerable to another kind of injustice.

global system demands urgent moral attention and remedial action because it undermines the most fundamental aspects of human existence (continued life, bodily health and integrity, practical reason, and affiliation). This point is important for my argument in the next chapter, where I shall discuss the remedial responsibility of the advantaged. It is beyond my present purpose to identify what gives those aspects of human existence such strong normative force as to compel our urgent moral attention when infringed upon. But I suggest that those aspects are what people widely affirm to be fundamental human values, and what demarcate the central moral boundary that no one should violate, i.e. 'the morality of the depths' in Henry Shue's terminology.



### **Chapter 3. Reparation or Remedy: Why the Advantaged Should Take Immediate Action**

The preceding chapters support the following three claims. First, the advantaged are likely to be made better off through the systemic mechanism – the global economic system – that is likely to make the disadvantaged worse off. The disadvantaged are likely to be made worse off both materially, if they lose secure access to a minimally adequate share of ecological space, and temporally, if they lose time necessary for minimum well-being. Second, the global system is likely to marginalise the disadvantaged to the extent that infringes upon the minimum threshold of human well-being (the absolute line below which no one should be made to sink). In this sense, the global system is likely to reproduce what I call ‘absolute harm’. And third, the advantaged run up ‘ecological debt’ and ‘temporal debt’ in relation to the disadvantaged in so far as the former exercise their economic power in such a way as to benefit from the systemic deprivation of the material and the temporal prerequisites for the latter’s minimum well-being.

The advantaged are, therefore, in violation of the negative duty not to be complicit in a harmful practice. If Pogge (2005: 68R; 2008: 56, 178) is right, the violation of a negative duty generates the positive obligation to take some action – for him, to take some reparatory action that corresponds to the degree of one’s complicity.<sup>1</sup> Based on this understanding, in this chapter, I shall discuss what kind of positive action the advantaged should take in relation to the disadvantaged because of their complicity in a harmful practice (i.e. their negative-duty violation).

---

<sup>1</sup> Pogge uses the word ‘compensation’. But what he means by this seems to be ‘reparation’ as I shall define it shortly.

I shall focus on two kinds of action that have been widely discussed in the literature of global justice in general, and in the literature of environmental or climate justice in particular: *reparation* and *remedy*. The following example may clarify the difference between these. Suppose that a teacher returns to her classroom after a short break, but finds the room in a mess. She asks herself who should be held responsible for clearing up the mess.<sup>2</sup>

She could reason like this: whoever is causally responsible for the mess should be held responsible for clearing it up to the extent of his/her causal contribution. This reasoning seeks to discover who is causally responsible for a problem and assign responsibility to each causal contributor to the extent of his/her causal contribution. I shall refer to the kind of responsibility based on this reasoning as responsibility for ‘reparation’, or ‘reparatory’ responsibility. (It is this kind of responsibility that Pogge seems to be discussing.) In real cases, reparatory responsibility is often resorted to in order to demand financial compensation.

Meanwhile, another line of reasoning seems possible as well. There exists a room that must be cleaned up before the next class begins. So, there is an urgent need that someone should be held responsible for cleaning it up. The ‘someone’ in question might be the teacher herself because she has the capacity to clean up the room. But the ‘someone’ also might be a group of children the teacher would pick out for some reason. There may be a variety of reasons why the teacher decides to pick out a certain group of children. For example, she might pick out a group of children who could complete the task more quickly and efficiently than if she did it alone. Or she might, after all, decide to pick out the group of children who are causally responsible for the mess. I shall refer to the kind of responsibility based on

---

<sup>2</sup> Here, I drew on the example that David Miller (2007: 83-6) uses for his own purpose.

this reasoning as responsibility for ‘remedy’, or ‘remedial’ responsibility.

The important difference is this. In the case of reparation, the reasoning starts from the question ‘who is causally responsible for the mess and to what extent’. Meanwhile, in the case of remedy, the reasoning starts from the judgement that a certain state of affairs – e.g. the mess – must be put right because leaving it as it is would be unacceptable for a strong reason. It then proceeds to the question ‘who should be held responsible for putting it right’.

In this chapter, I shall argue that reparatory responsibility may be subject to a few problems when applied to the issues I am concerned with, but that, even if that is the case, there are reasons why the advantaged should take their remedial responsibility (more) seriously (than they normally do). The advantaged, therefore, I shall argue, should act immediately to provide remedy for the disadvantaged. For this argument, I shall take the following three steps.

In the first section, I shall overview two principles of reparatory responsibility that have been widely discussed in the literature of environmental/climate justice. These are namely the ‘contributor pays’ principle and the ‘beneficiary pays’ principle. In doing so, I shall indicate that these principles are subject to two problems. First, they are subject to the problem that the degree of each agent’s causal contribution or benefiting needs to be quantified – the problem of quantification. And second, they may be unable to cover all the costs incurred by the disadvantaged – the problem of coverage.

But these principles show just one way in which complicity matters in holding the advantaged responsible for positive action. In the second section, I shall offer an alternative way to think of how complicity matters. (The argument in this section indicates the point at which my view diverges from Pogge’s.) For this, I

shall draw on David Miller's connection theory of remedial responsibility, Pia Halme's 'advantaged pay' principle, and Simon Caney's history-sensitive 'ability to pay' principle. Drawing on these, I shall commend what I call the 'advantaged remedy' principle. The argument in this section is that the advantaged should be held responsible for putting right the harmful feature of the existing global system on the following set of grounds: (a) that there exists a certain state of affairs in urgent need of remedy; (b) that the advantaged are complicit in the systemic mechanism which reproduces this state of affairs; and (c) that the advantaged accumulate the problem-solving ability as a result of this complicity. I shall argue that remedial principles can avoid the coverage problem that reparatory principles may face. But remedial principles may face a variation of the quantification problem: the problem that, for the division of remedial burdens, the ability of each responsible agent needs to be quantified. However, I shall argue that this problem is surmountable in so far as the commended principle is concerned.

And in the third section, I shall consider several arguments that the advantaged may employ to exempt themselves from their remedial responsibility. The purpose of this section is to shift the burden of argument to those who wish to reject the argument presented in this chapter.

### **3.1. Causal Contribution and Benefiting as Grounds for Reparation**

Two kinds of complicity – causal contribution and benefiting – are often referred to as reasons for reparatory responsibility. Two prominent examples are the 'polluter pays', or the 'contributor pays', principle and the 'beneficiary pays' principle. Although these principles have been discussed mainly in the literature of environmental or climate justice, the rationales behind these, I suggest, can be

applied more broadly to the responsibility for global justice in general. The discussion in this section points to two major problems that reparatory principles seem subject to: the problem of quantification and the problem of coverage.

### **3.1.1. The ‘Contributor Pays’ Principle**

The ‘polluter pays’ principle (PPP) is a widely-accepted principle of responsibility. This assigns the burdens of reparation to those who are involved in some polluting activity. The rationale behind this is that, if you break a thing, you are the first to take responsibility to fix it, to the extent of your causal contribution (cf. Singer 2004: 27-34).

The PPP applies to the act of pollution. However, the rationale behind it – you broke it, now you fix it – does not limit its scope of application to the act of pollution. It can be reasonably applied to causal contribution to any problem. I shall refer to this extended version of the PPP as the ‘contributor pays’ principle (CPP): you causally contributed to a problem, now you make reparation to the extent of your causal contribution. Some of the advantaged are causally contributing to the construction and preservation of the existing global system that is likely to harm the disadvantaged. So, the CPP applies to them.

The CPP is a reparatory principle that requires a causal contributor to make reparation *to the extent of his/her causal contribution*. Therefore, the application of the CPP necessitates the quantification of the extent of each person’s causal contribution. As a result, the CPP faces a practical problem. Suppose that I, with short and black hair, share a bath room with my spouse, who has long and blond hair, and that a clump of hair blocks the bath outlet. In this simple case, it seems easy to identify who should do what to what extent: each of us should get rid of the hair that

belonged to each. But in actual cases, it is not always possible to specify the precise extent of each person's causal contribution, or the precise share of burdens each contributor has to accept.

In response to this, one may argue that such a practical problem does not damage the moral force of the CPP. Even if we cannot specify the exact degree of each person's causal contribution, we can still demonstrate that a person has causally contributed to a problem. Then, we can make a general claim that that person should bear a reparatory burden. How much he/she should bear is a secondary question. Or, in so far as a group of people are concerned, if we can show that they have collectively caused a problem, we can argue, in general terms, that they should accept collective responsibility for reparation. How to distribute burdens among them is, again, a secondary question.<sup>3</sup> However, I suggest, we cannot expect that responsible agents will actually make reparation unless those secondary questions are answered. And a problem that needs to be solved immediately, such as the presence of the severely harmful global system, will be left unsolved.

Another problem is that the CPP cannot fully cover the effects of what can be referred to as 'historical debts' (debts traceable to past generations). The CPP assigns reparatory burdens to the *actual* contributors to a problem – actual debtors. But some of the contributors who can be identified as temporal or ecological debtors may be no longer alive and therefore may be unable to discharge their reparatory burdens. Meanwhile, debtors in the present generation have no CPP-based

---

<sup>3</sup> As I shall explain in 3.3. below, responsibility can be allocated to a group of people *qua group* (not *qua* individuals). The allocation of collective responsibility seems to be a new wave in the literature of moral responsibility, which tends to treat the individual as the locus of responsibility (Scheffler 1995: 233). But the literature of collective responsibility is growing (Held 1970; Zimmerman 1985; May 1992; Kutz 2000; Miller 2004; Young 2011; Cripps 2011, 2013).

obligation to make reparation on behalf of the past debtors (cf. Caney 2005b: 756, 767; 2006a: 468-9; 2010: 210-1). This means that several global issues that have long-term effects will be left unsolved.

For example, the present climate change has been caused by delayed effects of past greenhouse gas emissions (historical ecological debt). Also, historical debts include injustices that were prevalent in colonial times, such as the abuse of slave labour (historical temporal debt) and the expropriation of natural resources from colonised territories (historical ecological debt). Such colonial injustices, I assume, have had cumulative effects upon the lives of the present poor (cf. Pogge 2008: 209-10; Farmer 2004: 308R-15L). The CPP, however, cannot require the present affluent to make reparation for those delayed and cumulative effects of historical debts.<sup>4</sup>

In order to avoid this coverage problem, one may draw on an alternative principle of reparation – one that takes into account a morally relevant ‘relatedness’ between people in the present generation and past debtors who are no longer alive. This is the ‘beneficiary pays’ principle (BPP). But, before discussing this alternative, I shall clarify the scope of application of the CPP and that of the BPP.

---

<sup>4</sup> A difficult question is how far back in history the CPP traces. In order to answer this question, we need to consider what Axel Gosseries calls the ‘excusable ignorance’ proviso. This is the proviso that ‘[a] person should not be held morally responsible for the harmful consequences of her own act if they were unknown to her and could not reasonably have been known at the time the action took place’ (Gosseries 2004: 39L). This proviso no longer applies after the moment at which the harmful consequences in question became known, or can be taken to have become known, to the harmer (Gosseries 2004: 40R). It may be difficult to identify the moment at which debtors can be taken to have become aware of the harmful consequences of their debts. With regard to slavery, for example, there is no such cross-cutting moment of awareness, since ‘what is needed are the mere basics of moral thinking and the ability to listen to the people you enslaved’ (Gosseries 2004: 53R). Neither is there a unanimously-agreed cross-cutting moment of awareness with regard to the harmful effects of greenhouse gas emissions, although several candidates are available: 1840, 1896, 1967, 1990 and 1995 (Gosseries 2004: 39R-40L). It is not my present purpose to identify the moments of awareness for each kind of temporal or ecological debt. But we should note that uncertainty concerning the moments of awareness makes it difficult to quantify each agent’s reparatory burden.

### **3.1.2. The Scopes of Application of the CPP and the BPP: Causal Contribution, Causally Contributing Benefiting, and Benefiting Simpliciter**

By being complicit in the global system, the advantaged are jointly complicit in certain patterns of behaviour that are likely to cause or perpetuate some harmful outcome (cf. Scheffler 1995; Kutz 2000; Lichtenberg 2010; Young 2011). Uncoordinated action that can be seen as harmless as far as it is performed by a small number of people may cause a significant collective harm if performed by a large number of people. Consider climate change. It is a case in which relatively small contributions from greenhouse gas emitters, combined together, cause a harmful effect upon the earth's atmosphere, and ultimately upon the lives of the disadvantaged.

It is often difficult to disentangle patterns of behaviour in which people are complicit. But, I suggest, it is possible to identify three broad categories of complicity that can be seen as morally problematic: causal contribution, causally contributing benefiting, and benefiting simpliciter. Let me illustrate with the case with which my project is concerned, i.e. systemic harm (the harm traceable to the global system).

The global system has the mechanism that is likely to reproduce absolute harm against the disadvantaged (see chapter 2). The advantaged are complicit in this mechanism in the following two ways. First, there are people who are close to the drivers of the global economy and who also have the power to shape and influence the structure of the global system (the 'architects' of the system). Using that power, they are *causally contributing* to the construction and preservation of the harmful

mechanism. Second, there are people who are *benefiting* from the mechanism constructed and preserved by the architects (the ‘beneficiaries’ of the system). To the extent that the capitalist logic finds it profitable, the beneficiaries gain the modest economic power (in the form of comfortable income) to purchase the fruits of human labour and ecological space exchanged globally (see 1.3. in chapter 1).

However, in some cases, the distinction between ‘causal contribution’ and ‘benefiting’ may not be very stark. At least in so far as complicity in the global system is concerned, contributors may be also beneficiaries, and beneficiaries may be also contributors. Contributors to the construction and preservation of the global system – for example, capitalists – are also beneficiaries in so far as the system enables them to accumulate command over globally available ecological and human resources. (This is the case of benefiting causal contribution.) Meanwhile, beneficiaries of the global system are causal contributors to the preservation of the system as well in so far as their benefiting is a necessary condition for its preservation. As Norbert Anwander (2005) argues, ‘[u]nless there are people who buy the stolen goods or items that have been produced under exploitative conditions, theft and unacceptable labor conditions would not be profitable and would be more likely to stop’ (42R). Similarly, I suggest, if there were no one who benefits from the appropriation of cheap and long labour and the unsustainable dissipation of ecological space, then the system characterised by these activities would not be profitable and would be more likely to stop. Also, some wage-workers (mainly, those in affluent societies) earn relatively comfortable income whereas others (mainly, those in poor societies) are deployed for low-wage production for the former’s consumption. This is because such income inequality is necessary for the survival of the global system (see 1.3. in chapter 1).

In short, not only the architects but also some beneficiaries of the global system can be regarded as causal contributors to the preservation of the system. This is the case of *causally contributing benefiting*. And the CPP applies to this case as well as to the case of causal contribution (and the case of benefiting causal contribution).

The BPP also applies to the case of causally contributing benefiting when the extent of one's causal contribution and the extent of one's benefiting diverge. One may contribute a lot to the causation of a problem but benefit little from it, or one may contribute very little but benefit a lot from it (Caney 2006a: 472). A majority of the advantaged may be contributing little to but benefiting a lot from the continuation of the global system. If so, the amount of reparatory compensation the CPP demands and the amount of it the BPP demands will differ.

Meanwhile, there may be cases in which only the BPP, and not the CPP, applies to the beneficiaries of the global system. Suppose, following Daniel Butt (2009: 119-20), that four people – A, B, C and D – live on a remote island. Each possesses one quarter of the island. They are all entirely self-sufficient independent farmers: they have no contact with each other. The main source of their household essentials is the Polychrestos plant – the extremely versatile plant whose root can be used to produce a wide range of items necessary for a minimally decent life. The root of the Polychrestos plant grows underground, and the island's underground river distributes water evenly among the four sections of land that the farmers possess. But the Polychrestos plant needs high maintenance: the size of the plant's root underground varies depending on the amount of care the plant receives overground. Each farmer devotes the same amount of time to the daily care of the plant.

One day, however, D, who wants to produce more with the same amount of

labour, decides to divert the underground river away from B's and C's sections of land. But D is not a water engineer: he has in fact diverted water away from C's and his own sections of land, to B's section. As a result, the harvests of the year have turned out to be the following. A has his regular amount. C, whose land has had no water, has no crop. D, who has diverted water away from his own section of land, has no crop. And B, who has received the water diverted from C's and D's sections of land, has more than his regular amount. In this case, C is destitute and needs reparation. The CPP requires D to make reparation. But what if D cannot discharge his obligation either because he is also destitute or because in despair he has hanged himself with a rope? Then, the BPP applies. It requires B, who is the beneficiary of D's act, to make reparation to C to the extent of his benefiting.

This example illustrates the case of *benefiting simpliciter* (benefiting without causally contributing to the problem in question). B has neither directly nor indirectly contributed to D's decision to divert water to B. B is simply the beneficiary of D's act. So, why should B be held responsible for reparation (or for remedy as the case may be)? Similarly, one may argue that affluent wage-workers who are benefiting from the global system are not contributing to capitalists' activities that confer economic benefits upon them. So, why should they be held responsible for reparation (or for remedy as the case may be)? I shall return to this question shortly. But my point here is that, if this is the kind of complicity in which the beneficiaries of the global system are involved, then only the BPP, and not the CPP, applies to them.

Finally, the BPP also applies to the case of historical debts, i.e. the case in which the direct contributors to a problem are no longer alive but the problem has had prolonged effects upon the lives of the present population. Historical debts

may not only inflict disadvantages upon the present poor, but also confer benefits upon the present affluent. If so, the BPP applies to the present affluent. But a question is whether the BPP can fully cover the adverse effects historical debts have had upon the present poor, i.e. whether it can solve the coverage problem found in the CPP. The following two subsections will seek to answer this question.

### **3.1.3. The ‘Beneficiary Pays’ Principle**

What matters in assigning reparatory responsibility based on the ‘beneficiary pays’ principle (BPP) is the fact that one has benefited from a problem. A question concerning historical debts is, then, whether the present advantaged can be regarded as the *continuing beneficiaries* of the activities performed by past debtors who are no longer alive. If they can be regarded as such, the BPP requires them to make reparation to the present victims of the prolonged effects of historical debts to the extent of the benefits they have received (cf. Gosseries 2004; Neumayer 2000: 189L; Shue 1999: 533-7).

Why should not only causal contribution to a problem but also benefiting – in particular, benefiting simpliciter – from it be considered to be a reason for reparatory responsibility (or remedial responsibility as the case may be)? Daniel Butt’s (2009: 127-8) answer seems promising. It is crucial, he argues, that the benefiting in question is benefiting from an act of *injustice* (an act that infringes upon a certain principle of right and wrong). A person of normal competence can be regarded as a moral agent committed to certain principles of right and wrong, or of justice. And we can assume that a moral agent wants justice to prevail over injustice. This means that a person should not only wish to avoid causing injustice him/herself, but should also have a genuine aversion to injustice caused by someone else. Therefore,

it is morally inconsistent for a person to regret that injustice has taken place but also deny that the benefits he/she has received from injustice are wrongful. Then, it can be argued that benefiting from injustice is a reason for responsibility.

Like the CPP, the BPP can be seen as a principle of reparatory responsibility. It requires the beneficiaries of historical debts to bear the burdens of reparation that *'should correspond to the benefits they have derived'* (Caney 2010: 210, original emphasis). So, the BPP is subject to the two problems that the CPP is subject to. First, the BPP requires the quantification of the benefits that have been derived from historical debts in order to divide reparatory burdens among the beneficiaries, but it may be impossible to conduct such quantification in a precise manner (Caney 2010: 206-7). This is the problem of quantification. Second, the costs that historical debts have inflicted upon the present disadvantaged may be greater than the benefits that those debts have conferred upon the present advantaged (Caney 2006a: 476). If so, reparation to the extent that corresponds to the benefits the present advantaged have derived would not completely offset the costs inflicted upon the present disadvantaged. This is the problem of coverage.

The same points that were noted in relation to the CPP can be raised in relation to the BPP. The problem of quantification is a practical problem which does not damage the moral force of the BPP. It may be impossible to specify the precise amounts of the benefits derived from historical debts. But it is still possible to demonstrate that the present advantaged are the continuing beneficiaries of those debts whereas the present disadvantaged are the victims of the prolonged effects of those debts. And if so, we can make a general claim that the present advantaged ought to accept the obligation to make reparation. How to quantify their burdens is a secondary question. However, again, we cannot expect that the advantaged will

actually make reparation unless this secondary question is answered. And the problems that need to be solved immediately – cumulative disadvantages traceable to historical debts – will be left unsolved.

Also, the BPP may have been proposed as an alternative to the CPP – as an alternative that can solve the coverage problem found in the CPP (the problem that the CPP cannot fully cover the costs the present poor have incurred as a result of historical debts). But reparation to the extent that corresponds to the benefits derived from historical debts may be insufficient fully to cover the costs that those debts have inflicted upon the present poor. Then, the BPP cannot be seen as a solution to the coverage problem. In short, the BPP may not meet the purpose it is supposed to meet.

In addition to the problems of quantification and coverage, there is a third, and philosophically more fundamental, problem that the BPP may face when applied to historical debts. The charge is that the present advantaged are not ‘beneficiaries’ of historical debts in the first place because historical debts have neither made them better off than they would otherwise be nor improved their standards of living compared to their previous state. Instead, those debts are *necessary (if not sufficient) conditions for the very existence of the present advantaged, and of the present disadvantaged too.*

This challenge has been raised on the basis of what Derek Parfit (1984: chapter 16) calls the ‘non-identity problem’. Parfit argues that the identities of people to be born are determined by the timings when their parents mate. If parents mated on different timings, different children would be born from different eggs that had been fertilised by different sperms. Also, whether parents mate at all, how frequently they mate, etc., affect the number of children to be born. Activities, choices or

policies that are taken now are likely to affect the timings and frequency of parents' mating. So, it can be assumed that the identities and the number of people to be born in the future are determined partly by what currently living people do. This is a problem that is often referred to when discussing what people in the present generation ought to do in relation to future generations (e.g. Nickel & Magraw 2010: 458-61; Crisp 2010: 475-8). But Simon Caney (2005b: 757-8; 2006a: 474-6) thinks that this problem is also relevant when we consider whether currently living people have been made better off or worse off by historical debts.

Caney defines 'benefit' in comparative terms: something benefits someone if and only if it makes him/her better off than he/she would otherwise be or he/she used to be, e.g. if it improves his/her standard of living. However, Caney argues, the present advantaged have not been made better off by historical debts than they would otherwise be or used to be because they would not have been born in the first place, and a different number of people with different identities would have been born, had it not been for those debts. So, debts traceable to people in past generations have not conferred 'benefits' upon the present advantaged. Those debts are instead necessary conditions for the very existence of the present advantaged. Therefore, according to Caney, the argument that the present advantaged have the BPP-based obligation to make reparation for the delayed and cumulative effects of historical debts is grounded in a wrong assumption – namely, that the present advantaged have 'benefited' from historical debts. And, in Caney's view, to require the present advantaged to make reparation for historical debts based on the BPP is as unfair as to require someone to make reparation for someone else's debts. To find a way around this problem is the task for the next subsection.

### 3.1.4. Henry Shue's BPP and the 'Inheritor Pays' Principle

In accepting the non-identity problem, Caney seems to disregard a morally relevant 'relatedness' that exists between the present advantaged and past debtors. Henry Shue (1999: 533-7), meanwhile, argues that the advantaged in the present generation – for him, the present members of an industrialised society – are 'far from completely unrelated to earlier generations' (536).

Like Caney, Shue thinks that 'one person ought not to be held responsible for what is done by another person who is completely unrelated' (536). But Shue asks '[w]hat is the difference between being born in 1975 in Belgium and being born in 1975 in Bangladesh' (536). The difference, he explains, is that Belgians are born in an affluent – industrialised – society whereas Bangladeshis are not. According to Shue, people who happen to be born in an industrialised society can enjoy a high standard of living as a result of that society's material conditions (e.g. its command over productive infrastructure). And those societal material conditions can be regarded as 'benefits' derived from past debtors' activities – in particular, industrialisation. Therefore, Shue argues:

[O]ne generation of a rich industrial society is not unrelated to other generations past and future. All are participants in enduring economic structures. Benefits and costs, rights and responsibilities, carry across generations. (537)

Following Shue, Pia Halme (2007) also contends that '[t]he reason why some individuals are advantaged is that they have been born into *countries which have benefited* from industrialisation while the present poor have been disadvantaged by being born into countries which have not benefited from the same historical process' (359, original emphasis). Daniel Butt (2009) raises an additional point. He

explains that ‘it is often a principal aim of those who seek to gain unfair advantage to improve the prospects of their descendants’, and that ‘as frequently the motivation for international wrongdoing is to benefit one’s nation, understood as a historic community which exists through time’ (130). So, in the light of past debtors’ motivation as well, it is not accurate to consider the present members of an industrialised society to be completely unrelated to earlier generations.

Drawing on Shue, it seems possible to commend a variation of the BPP: what can be referred to as the ‘inheritor pays’ principle (IPP). This principle requires the present advantaged to make reparation to the present victims of the prolonged effects of historical debts because they have tacitly consented to *inherit* historically accumulated assets – or, in Shue’s words, ‘enduring economic structures’. Both benefits and debts are attached to those assets. On the one hand, those assets confer *material benefits* – productive structures that make high standards of living possible – upon a certain class of people. But, on the other hand, those assets are built upon *historical debts* such as past emissions, the colonial appropriation of ecological space and human labour, etc. Therefore, the class of people who have benefited from historically accumulated assets can be seen as the inheritors of both the benefits and debts attached to those assets.

I suggest that Shue and his followers are right to see the present generation as related to past generations. However, their view about ‘who should be seen as the inheritors of historically accumulated assets’ may need revision. Proponents of the IPP, or the BPP in general, tend to regard the *present members of an industrialised society* as responsible inheritors or beneficiaries (e.g. Butt 2009; Gosseries 2004; Halme 2007: 359; Neumayer 2000: 189L; Shue 1999: 533-7). But I suggest that the inheritors of historical debts are the global advantaged in the present generation

*irrespective of their geographical locations.*

As we saw in chapter 1, under the existing global system, economic power ‘flows across and through space, toward or away from territories’ (Harvey 2005: 91). So, the locations of the population who have the economic power *actually* to benefit from historically accumulated assets (those who can be classified as the advantaged) do not necessarily map onto the locations of industrialised societies. Also, the locations of the population who are left outside the benefits of those assets (those who can be classified as the disadvantaged) do not necessarily map onto the locations of non-industrialised societies either. In short, the advantaged and the disadvantaged may exist in both industrialised and non-industrialised societies. The presence of such inequalities at the inter-class (as opposed to inter-societal) level indicates that people who should be seen as the inheritors of historically accumulated assets, and the attached benefits and debts, are not those who happen to be born in an industrialised society. They are, instead, people who happen to gain command over the assets in question under the global system, including people who happen to gain the modest economic power to purchase the commodities produced using those assets.

Caney may consider the IPP to be morally problematic. The IPP takes a collectivist route that regards the present advantaged as being related to past debtors.

But Caney asks:

In taking a collectivist route are we not being unfair to individuals who did not make those decisions and who might have objected violently to those decisions? Can they not reasonably complain that they were not consulted; they did not vote; they disapprove of the policies and, as such, should not be required to pay for decisions that others took. ‘Normally’, they might add, ‘individuals cannot inherit debts from parents or grandparents, so why should this be any

different [in the case of historical debts]?’ (Caney 2005b: 760)

To sum up, Caney’s objections are these. First, the advantaged in the present generation neither made nor consented to past decisions that led to the accumulation of historical debts (objection 1).<sup>5</sup> And second, normally, individuals do not inherit debts from their ancestors (objection 2).

With regard to objection 2, it seems possible to find evidence that supports a contrary view. In both English common law and Roman law, for example, we can find a general principle that supports the IPP (Miller 2007: 147-51). In those laws, the successors to the initial victim of a wrongdoing have a prima facie case for compensation against the successors to the wrongdoer if they can demonstrate both (a) that they have been harmed by the wrongdoing in question, and (b) that the successors to the wrongdoer have benefited from the wrongdoing. So, at least in some laws, individuals normally inherit debts if they are beneficiaries of those debts.

Some political theorists present normative arguments that can be taken to support this legal principle. For example, Hayward (2008) argues that ‘a creditor’s legitimate interests should not be harmed simply in order that you can benefit from an inheritance to which you are not, in its entirety, entitled’ (15). Also, Halme (2007) contends that, if we accept benefits from past actions knowing that those benefits are traceable to those actions, ‘we express approval of the motivations behind the past actions’ (354). So, individuals can be taken to have given approval to the inheritance of debts if they continue to possess and benefit from what they are not legitimately entitled to knowing that they are not.

---

<sup>5</sup> Axel Gosseries’s ‘powerlessness’ proviso seems to support this objection. This is the proviso that ‘[a] person should not be held morally responsible for the harmful consequences of someone else’s act if she was (physically) unable to do anything against such an act’ (Gosseries 2004: 41).

Objection 1, meanwhile, concerns this question: whether the advantaged in the present generation are in the position to control past decisions that led to the accumulation of historical debts. But we should not confuse this question with another question: whether the present advantaged can make decisions *now* to start to benefit *from now on* from historically accumulated assets knowing those assets are built upon historical debts. The first question concerns decisions made before the births of the present population, whereas the second one concerns decisions to be made after their births. The IPP concerns the second question, and not the first one. As Caney suggests, the answer to the first question may be ‘No’. But, if the answer to the second question is ‘Yes’, the IPP applies.

It may be true that historical debts accumulated before the births of the present advantaged are not only necessary conditions for their very existence but also outside their control. However, once they are born – and once they become aware that the assets they now command, and the material benefits derived from those assets, are built upon historical debts – the present advantaged will face two options. They can choose either (a) to give tacit consent to inherit debts by continuing the lifestyles and economies based on historically accumulated assets, or (b) to express a refusal to inherit debts by starting to seek for alternative lifestyles and economies. In taking option (a), the present advantaged choose to inherit both the benefits and debts attached to historically accumulated assets. In taking option (b), they choose not to inherit the benefits-plus-debts package. Option (a) requires the present advantaged to discharge IPP-based obligations. Option (b) requires them to build debt-free assets and reconstruct their lifestyles and economies depending on those new assets.

Both options may lead to the same action. If the advantaged choose option (a), they may seek for alternative lifestyles and economies as a way to discharge their

reparatory obligations. (Another – simpler – way to discharge those obligations is, of course, to give financial compensation to the present victims of the prolonged effects of historical debts.) And if they choose option (b), they seek for alternative lifestyles and economies as a way to express their refusal to inherit debts.

The present advantaged seem to have a good reason to take option (b). As argued above, it can be assumed that persons, as moral agents, want justice to prevail over injustice. So, they should not only wish to avoid causing injustice themselves but also have a genuine aversion to injustice caused by someone else. The accumulation of historical debts can be seen as an injustice committed by someone else in the past. And historical debts are also causing present injustice by inflicting cumulative disadvantages upon the present poor. Therefore, it is morally inconsistent for the present advantaged to regret that past people accumulated historical debts but deny that the benefits they have received from those debts are wrongful. So, instead of inheriting the benefits-plus-debts package, the present advantaged may want to build alternative lifestyles and economies based on new debt-free assets.

But we can assume that the present advantaged have chosen option (a): continuing to derive material benefits from the inherited assets instead of seeking for alternative lifestyles and economies. As Halme (2007) observes, ‘most people who by all reasonable standards have “enough” are, nonetheless, engaged in ‘the quest for “stuff”’ (357). Then, it can be assumed that they have given tacit consent to inherit the benefits and debts attached to historically accumulated industrial assets. They, therefore, have the IPP-based obligation to make reparation to the present victims of the prolonged effects of historical debts. Additionally, failing to discharge this obligation, the present advantaged are committing a new injustice.

And this new injustice generates a new reparatory obligation – one not grounded in the inheritance of debts, but grounded in the failure to clear the debts. In this sense, the reparatory obligations of the present advantaged are *compounded* ones (cf. Butt 2009: 132).

Now, based on the discussion so far, it can be argued that the IPP is immune to objections 1 and 2. But one may add a third objection: that the IPP puts too much emphasis on the protection of the victims of historical debts and fails to accommodate the debt-inheritors' perspective. The charge is that we should consider the matter of responsibility from both victims' and responsible agents' perspectives, and that, from responsible agents' perspective, it is unfair to ask too much of them (cf. Caney 2005b: 762). However, I suggest that, even from responsible agents' (i.e. the debt-inheritors') perspective, it is not unfair to require them to discharge the IPP-based obligation. This is because what the IPP demands is the transfer of what the inheritors are not legitimately entitled to in the first place. So, even if the inheritors' gain is reduced by the reparatory transfer based on the IPP, they have no strong ground for complaint.

It has been shown that the IPP can avoid Caney's two objections. It can be also argued that the IPP can avoid Caney's objection based on the non-identity problem. The IPP is based on the assumption that the present advantaged have benefited from historically accumulated assets since their births. In other words, what matter in the application of the IPP are the benefits received, and the decisions made, *after* one's birth. So, the objection that historical debts have not 'benefited' the present advantaged because those debts are necessary conditions for their very existence does not apply to the IPP. Even if historical debts are necessary conditions for the very existence of the present advantaged, once they are born, and

once they become aware that the assets they command are built upon historical debts, the present advantaged can decide whether or not they will continue to benefit from those assets. But how does this principle fare in relation to the quantification and the coverage problems identified above?

We can assume that both debt-generating and debt-free activities in the past have congealed into the assets that confer material benefits upon the present advantaged. Past debtors who happened to have command over a piece of assets added both debt-free contribution and debt-generating contribution to the development of that piece. If so, it is not easy to measure to what extent a certain piece of assets is built upon past debt-free activities and to what extent it is built upon historical debts. Therefore, the IPP may face the quantification problem: it may be next to impossible to quantify the precise amounts of debt-attached benefits, which demand reparation, and the precise amounts of debt-free benefits, which do not demand reparation.

The IPP may face the coverage problem as well. The costs historical debts have inflicted upon the present disadvantaged may be greater than the benefits the present advantaged have derived from those debts. If this is the case, reparation that corresponds to the benefits derived from historical debts would not completely offset the costs inflicted upon the present disadvantaged.

### **3.1.5. Section Conclusion**

In this section, I overviewed two principles of reparation: the CPP and the BPP (as well as a variation of the BPP, i.e. the IPP). I argued that these principles are subject to the problem of quantification and the problem of coverage. These are practical problems that do not damage the moral force of those principles.

Therefore, we can still argue that the present advantaged have reparatory obligations based on those principles. However, I suggest that we cannot expect them actually to make reparation until the quantification problem is solved. And the issues that need to be solved immediately – the presence of the severely harmful global system and the cumulative disadvantages traceable to historical debts – will be left unsolved. Meanwhile, even if the quantification problem is solved, reparation to be made based on the CPP or the BPP may be insufficient to rectify the situation of the present disadvantaged. This is the coverage problem. Therefore, we may need to reframe the discussion of positive obligations of the advantaged if we want them to act here and now, and in such a way as to rectify the situation of the disadvantaged.

### **3.2. On the Remedial Responsibility of the Advantaged**

We can think of ‘causal contribution’ and ‘benefiting’ as grounds for another kind of responsibility: remedial responsibility. In what follows, I shall commend what I refer to as the ‘advantaged remedy’ principle. For this, I shall draw on David Miller’s connection theory of remedial responsibility, Pia Halme’s ‘advantaged pay’ principle, and Simon Caney’s history-sensitive ‘ability to pay’ principle. I shall argue that remedial principles including the commended one can avoid the coverage problem that reparatory principles are subject to. Meanwhile, remedial principles may face a variation of the quantification problem. But I shall argue that this problem may be surmountable in so far as the commended principle is concerned.

#### **3.2.1. Reparation v. Remedy**

Principles of reparatory responsibility start by asking who has causally contributed to or benefited from a problem, and – importantly – how much he/she

has done so. To answer the ‘how much’ question, we need the quantification of one’s causal contribution or benefiting. But, as argued above, such quantification is either difficult or even impossible. Also, reparatory compensation that causal contributors and beneficiaries ought to provide is limited to the degree of their causal contribution or benefiting. So, such compensation may be insufficient to rectify the situation of the disadvantaged.

Meanwhile, principles of remedial responsibility start with the recognition that there exists a certain state of affairs which infringes upon, or is likely to infringe upon, some morally paramount principle, i.e. the recognition that it is morally unacceptable to leave that state of affairs unchanged. Only after recognising this do we ask who should be picked out to assume the obligation to put right the state of affairs in question. As Miller writes:

With remedial responsibility we begin with a state of affairs in need of remedy [...], and we then ask whether there is anyone whose responsibility it is to put that state of affairs right. If there is, then we require that person to act and stand ready to apply sanctions of one form or other if she fails. (Miller 2007: 98)

But who should this ‘someone’ be? To answer this question, Miller (2007: 99-104; cf. also 2001: 455-60) offers what he calls a ‘connection theory’ of remedial responsibility. According to him, ‘A should be considered remedially responsible for P’s condition when he is linked to P in one or more of the ways that [Miller specifies]’ (2007: 99). Miller identifies causal contribution to and benefiting from P’s condition as grounds that establish such a special link between A and P.<sup>6</sup> Therefore, what Miller defends can be described as the ‘contributor remedies’

---

<sup>6</sup> Miller identifies not only ‘causal contribution’ but also ‘benefiting’ as one of such grounds drawing on Butt (2007: 130-5).

principle (CRP) and the ‘beneficiary remedies’ principle (BRP).

Like the CPP and the BPP, the scope of application of the CRP and that of the BRP may overlap in some cases – in particular, in the case of causally contributing beneficiaries from the global system. As argued above, a majority of the advantaged do not possess the power of ‘architects’ to shape or influence the structure of the global system. But, as argued above, the benefits the global system confers upon them, nonetheless, causally contribute to the survival of the system. Furthermore, this system is likely to reproduce a morally unacceptable state of affairs, i.e. absolute harm against the disadvantaged. If so, not only the architects but also some of the beneficiaries can be regarded as causal contributors to the continuation of the severely harmful global system. Therefore, in so far as causally contributing beneficiaries is concerned, both the CRP and the BRP apply.<sup>7</sup>

The CRP and the BRP are immune to the problem of coverage to which the CPP and the BPP are subject. Unlike reparatory responsibility, remedial responsibility is not limited to the extent of one’s causal contribution or benefiting. The reason for assigning remedial responsibility to a certain (group of) agent(s) is the urgent need to put right a problem. So, remedial responsibility has a specific target:

---

<sup>7</sup> One may argue that it is implausible to integrate the CRP and the BRP for two reasons. First, it is possible to imagine cases where causal contributors and beneficiaries do not overlap, e.g. where ‘some pollute and others benefit’ (Caney 2006a: 472). Second, even if they overlap, the extent to which one causally contributes does not necessarily correspond exactly to the extent to which one benefits: we can imagine cases where ‘[s]ome may pollute a lot and benefit little and others may pollute very little but gain a great deal’ (ibid). However, my view is not subject to these objections. First, my intention is not to ‘integrate’ the CRP and the BRP into one principle, but to argue that both the CRP and the BRP apply in the case of causally contributing beneficiaries. And second, the divergence between how much one benefits and how much one contributes does not matter in assigning remedial responsibility to causally contributing beneficiaries. What matter instead are (a) the fact that one benefits from and thereby causally contributes to a certain problem, and (b) the special connection this fact establishes between the victim of the problem and the causally contributing beneficiary of the problem. So, whether we apply the CRP or the BRP, the consequence is the same: causally contributing beneficiaries should be held responsible for putting right the problem in question.

to realise the state of affairs in which the problem in question no longer exists. This means that the responsible agent ought to provide remedy beyond the extent of his/her causal contribution or benefiting, up to the point beyond which he/she will become a victim him/herself or will need to sacrifice something morally significant.

There are, however, two limits to this kind of responsibility. One is the limit of possibility. Because 'ought' implies 'can', the responsible agent is not required to do what is impossible to do (or at least what is too demanding to do). And the other is the limit set by the target. Remedy stops at the point at which the state of affairs in urgent need of remedy no longer exists.

Besides 'causal contribution' and 'benefiting', Miller also identifies the 'ability to remedy' ('capacity' in his terminology) as a ground that establishes a special connection between A and P (Miller 2001: 460-2; 2007: 103). In doing so, he defends what can be referred to as the 'ability to remedy' principle (ARP) – the principle that those who have the ability to provide remedy should provide remedy. Miller lists 'causal contribution', 'benefiting' and the 'ability to remedy' as distinct sources of connection. To determine which one of these establishes a stronger connection than the others in particular cases, according to Miller, we must rely on our moral intuitions. He writes:

There may be disputes about how the different sources of connection should be weighed against each other – for instance how far the historical impact of the As on the Ps should be weighed against the greater present capacity of the Bs. As far as I can see, there is no algorithm that could resolve such disputes. We have to rely on our intuitions about the relative importance of different sources of connection. (Miller 2007: 107)

What I suggest, however, is that, in certain cases, one's ability to remedy a problem

comes about as a result of one's causal contribution to or benefiting from the same problem. In such cases, 'causal contribution', 'benefiting' and the 'ability to remedy' are not distinct matters, but refer to the same causal process through which the ability in question comes about. And in such cases, those three sources of connection point to the same (group of) agent(s).

Arguably, the ability that matters in efforts to remedy the harmful feature of the global system may be economic power over socially useful resources and assets (e.g. natural, physical, financial, technological, human, intellectual, institutional, etc.). And as we saw in chapter 1, under the existing global system, such economic power tends to be concentrated into the hands of those who can be classified as the advantaged. These points indicate that the 'ability to remedy' that matters in my project is the ability that the advantaged accumulate as a result of their causal contribution to or benefiting from – i.e. their complicity in – the existing global system. This understanding of how the relevant ability comes about seems to support the following view that reconceptualises the ability of the advantaged in relation to their complicity.

### **3.2.2. The 'Advantaged Remedy' Principle**

What matters in assigning remedial responsibility is that there is a *circumstantial reason* for which we consider it morally urgent that someone should be held remedially responsible. We can pick out this 'someone' if there is a (set of) ground(s) that establishes a *special connection* between victims and responsible agents. Agents who have such a special connection with victims have a stronger reason to assume remedial obligations than those who do not have such a connection. And grounds for such a special connection include *complicity* in the causation or

perpetuation of a problem (as causal contributors or/and beneficiaries) and the *ability* to put right a problem (as well as other factors). Based on this understanding, it seems possible to argue that the advantaged should be held remedially responsible for the situation of the disadvantaged. For this argument, discussions in chapters 1 and 2 play a crucial role.

Three points can be distilled from the discussions in those chapters. First, as we saw in chapter 2, the existing global system under which the advantaged accumulate economic power is likely to reproduce the problem that I described as absolute harm against the disadvantaged. The system threatens the very basic aspects of human existence (continued life, bodily health and integrity, minimal autonomy, and socio-economic affiliation for subsistence). Therefore, the system is likely to infringe upon a morally paramount principle such as the principle of equal concern and respect (Dworkin 1977; 2000), the principle of basic human rights (Shue 1996; Miller 2007; Pogge 2008), or the ‘morality of the depths’ principle (Shue 1996: 18-9). In chapter 2, I adopted the ‘morality of the depths’ principle: the principle that no one should be made to sink below the minimum threshold of human well-being. But, no matter which principle is chosen, we can argue that the present state of affairs in which the disadvantaged are likely to be severely harmed under the existing global system is in urgent need of remedy. There is, then, a circumstantial reason for which we consider it morally urgent that someone should be held responsible for putting right the present state of affairs under the global system.

Second, as we saw in chapter 1, the advantaged are complicit in the preservation of the existing global system. They are causal contributors to or/and beneficiaries from its preservation. Their complicity establishes their special connection with the disadvantaged – the poor who are likely to be severely harmed

under the global system. And third, as we saw in the same chapter, the advantaged accumulate economic power over socially useful resources and assets under the existing global system. In other words, they accumulate the ability to remedy the situation of the disadvantaged under the global system.

To sum up, there is the following set of grounds for assigning remedial responsibility to the global advantaged: (a) that there exists a morally unacceptable state of affairs in urgent need of remedy; (b) that the advantaged are complicit in the systemic reproduction of that state of affairs; and (c) that, through this complicity, the advantaged accumulate the ability to remedy that state of affairs. This view supports what I call the ‘advantaged remedy’ principle (AdRP). The AdRP requires that those who become advantaged, and gain the ability to remedy, by being complicit in the harmful global system should be held responsible for putting right the misery of those who are likely to be harmed, and become disadvantaged, under the same system. The AdRP applies to particular cases in which one’s ability to remedy a problem comes about as a result of one’s causal contribution to or benefiting from the same problem. Like the other remedial principles Miller discusses, there are two limits to the AdRP-based responsibility. First, the responsible agents are not required to do what is impossible (or too demanding) to do. And second, remedy stops at the point at which a morally unacceptable state of affairs in urgent need of remedy no longer exists.

Halme (2007: 358-63) takes a similar view. She presents what she calls the ‘advantaged pay’ principle (AdPP). This seems to be a remedial, as opposed to reparatory, principle that starts with the recognition of a morally unacceptable state of affairs in urgent need of remedy. Halme thinks that ‘the entitlement of the present poor is not dependent on what happened, would have or should have

happened in the past, but is justified on entirely different grounds, i.e. on respect for equal human worth which requires that the vital interests of all are to be protected' (361-2). It can be argued that some vital interests of the poor (continued life, bodily health and integrity, minimal autonomy, and affiliation) are not protected in the present state of affairs. So, the present state of affairs is in urgent need of remedy. A question then is who should be picked out to assume the obligation to put right this state of affairs. Halme's answer is, like mine, that the *advantaged population in the globe* should be.

But the view she commends and the one I do diverge on this question: who should be considered to be the 'advantaged'. For Halme, the advantaged population in question are 'those in industrialised societies'. She defines the AdPP as follows:

The AdPP is [...], first of all, a claim about some people being better off *relative* to others. However, it is also a claim about *how* they have come to be better off. The reason why some individuals are advantaged is that they have been born into *countries which have benefited* from industrialisation while the present poor have been disadvantaged by being born into countries which have not benefited from the same historical process. Thus, the AdPP incorporates awareness of the fact that we are in our respective positions partly because of what has happened in the past. (Halme 2007: 359, original emphases)

In short, what matters in assigning the AdPP-based obligation is the fact that some of the global population happen to be born in industrialised societies and others in non-industrialised ones. And, according to Halme, the former population are 'advantaged' by virtue of being born in industrialised societies.

However, as already argued, the locations of those who have the economic power actually to use, occupy or command the resources and assets conducive to remedial tasks may not map onto the locations of industrialised societies. Therefore,

people who should be seen as the ‘advantaged’ are not limited to ‘those in industrialised societies’. The ‘advantaged’ need to be redefined. The global advantaged are, in my view, people who gain economic power over socially productive resources and assets, and consequently the ability to remedy, under the global system, irrespective of their geographical locations.

### **3.2.3. Simon Caney’s History-Sensitive ‘Ability to Pay’ Principle**

The AdRP commended in this chapter can be regarded as a variation of Caney’s history-sensitive ‘ability to pay’ principle (2005b: 769-70; 2006a: 476-9; 2009: 240-4; 2010: 213). Following Peter Singer (see 1.1. in chapter 1), Caney suggests that those who have the ability to tackle a problem should assume the obligation to do so. Caney calls this principle the ‘ability to pay’ principle (APP). The APP in its pure form is ‘indifferent to who caused a harm’ because ‘its emphasis is on who can rectify that harm’ (2010: 213). This kind of APP, however, Caney thinks, disregards a ‘deep conviction’ that, ‘by giving no place to the historical genesis of a problem’, the APP ‘ignores a morally relevant consideration’ (2010: 214). So, Caney offers a variation of the APP that accommodates a causal account of how the relevant ability came about: the *history-sensitive* APP.

The history-sensitive APP is based on what Caney calls a ‘negative’ view of history (2006a: 476-9). This view is opposed to a ‘positive’ view of history. On the ‘positive’ view, Caney explains, the aim of a historical account is to ‘explore what would have happened had history evolved in a just way’ in order to ‘rearrange things so that the historic injustice is undone’ (2006a: 477). Meanwhile, on the ‘negative’ view, the aim of a historical account is only to offer a reason to ‘call into question the legitimacy of the current distribution and hence (some) wealthy people’s

entitlements to their current holdings' (ibid). Caney writes:

One of the most important arguments deployed (indeed perhaps *the* most important one) maintains that the affluent are entitled to their wealth because their ownership of this wealth came about in a fair way. This view maintains a market theory of justice and infers from it that the currently wealthy are entitled to their wealth. Now according to the Negative View, the significance of historic injustices is that they refute this kind of anti-redistributive reason, for they show that the current holdings did *not* come about in a fair way. (2006a: 477, original emphases)

Because it seems next to impossible to know for certain 'what would have happened had history evolved in a just way' (cf. one of Risse's objections to Pogge discussed in chapter 1), I suggest that we need to accept the 'negative' view of history.

The AdRP as I commend it is a variation of the history-sensitive APP with a narrower scope of application. The focus of the AdRP is placed not on the illegitimacy, unfairness or unjustness of the *activities in past generations* upon which the present advantaged are building their wealth, but on the illegitimacy, unfairness or unjustness of the *ongoing systemic process* through which the present advantaged are accumulating their wealth. Therefore, my argument is not that the holdings of the present advantaged are unjust because those holdings are built upon unjust historical activities performed by past debtors. My argument is instead that the holdings of the present advantaged are unjust because they are now accumulating those holdings through an unjust (severely harmful) process themselves. The process that characterises the existing global system is unjust because it is likely to reproduce a morally unacceptable problem (absolute harm against the disadvantaged). The holdings that the present advantaged are now accumulating through this 'unjust' process are, therefore, 'unjust' and should be called into question.

By focusing on the ongoing systemic injustice committed by people in the present generation rather than on historical injustices committed by past debtors, the AdRP can avoid one line of objection that Caney's variation with a broader scope may face. The possible objection is that historical injustices may not play a significant role in reproducing present-day severe global inequalities. Miller, for example, argues that it is questionable whether historical injustices such as colonialism and slavery 'explain present-day affluence and poverty' because there is 'no reason to assume that their longer-term results include impoverishment of the societies in which they occurred' (Miller 2007: 251, original emphasis). Whether such historical injustices play a role in the reproduction of present-day global inequalities or not, the AdRP holds the present advantaged responsible for putting right those inequalities.<sup>8</sup>

Also, Caney differentiates between two groups of the advantaged: (i) those whose wealth is just, or 'clean', in the sense that it is derived from debt-free activities, and (ii) those whose wealth is unjust, or 'dirty', in the sense that it is derived from debt-generating activities (2010: 215). And he argues that 'we should apportion greater responsibility to (i) than to (ii)' (2010: 217-8). However, I suggest that, in the highly-globalised world in which we actually live, we cannot make such a distinction. As Hayward writes, we live 'in a world of mobile capital, massive exchanges of natural resources, and phenomenal transfers of claims to them in the form of finance, where people suffer from radical inequality, and the planet suffers from ecological overshoot' (Hayward 2014b: 8). Therefore, it cannot be assumed

---

<sup>8</sup> Miller's objection may be raised against the IPP discussed above as well. The accumulation of historical debts may not play a significant role in reproducing present-day severe global inequalities. Therefore, there may be no point applying the IPP. The AdRP commended here is immune to such an objection. So, the AdRP has an advantage over the IPP.

‘that the attainment of affluence is ever entirely “clean”; nor, given the incommensurability of the various issues involved, can we expect to devise a method of reliably differentiating degrees of guilt and then determining prospective duties on its basis’ (ibid). Even if some of the advantaged are accumulating wealth without engaging in dirty activities themselves, ‘the[ir] overall benefit depends on someone having done it’ (ibid). These indicate that, in practice, it is next to impossible to make a distinction between the ‘clean’ advantaged and the ‘dirty’ advantaged. Caney himself admits this point elsewhere (2009), and writes that ‘it would be highly impractical to propose separating people into categories (i) and (ii)’ (242).

The AdRP does not make a distinction between the just and the unjust advantaged in the first place. It regards all those who are likely to be advantaged under the existing global system as the unjust advantaged. They are all unjust because their wealth, or their ability to remedy, comes about as a result of their complicity in the existing global system. In my view, what makes their wealth ‘unjust’ is the ‘unjust’ (severely harmful) global system under which their wealth is accumulated.

#### **3.2.4. The AdRP and the Two Practical Problems: Towards Institutional Remedy**

Like the other remedial principles discussed by Miller (the CRP, the BRP and the ARP), the AdRP can avoid the coverage problem to which the CPP and the BPP are subject. Remedy has this specific target: to realise the state of affairs in which a problem in urgent need of remedy no longer exists. (The ‘problem’, in my present argument, is the state of affairs in which the disadvantaged are likely to be severely harmed under the global system.) The AdRP identifies as responsible agents those

who accumulate the ability to remedy as a result of being complicit in the unjust (severely harmful) global system. The identified agents ought to provide remedy beyond the extent of their causal contribution to or benefiting from the global system, up to the extent of their ability. This is because it is morally urgent that someone should provide remedy immediately and because the identified agents have the ability to do so without becoming victims themselves or sacrificing something morally significant.

In assigning AdRP-based obligations, the fact about complicity – i.e. the fact that the identified agents accumulate the ability to remedy *as a result of being complicit in the unjust global system* – also matters. It matters in two ways. First, it is a second factor that establishes a special connection between the advantaged and the disadvantaged. Therefore, the fact about complicity and the fact about ability together provide a stronger reason to hold the advantaged responsible than the latter fact alone provides. Second, the fact about complicity calls into question the legitimacy, fairness or justness of the economic power (the ability to remedy) the identified agents have accumulated under the global system. In other words, it negates the claim that the ability to remedy of the advantaged has come about in a legitimate/fair/just way, and that the advantaged are therefore entitled to keep it (cf. Caney 2009: 242).

So, the AdRP seems immune to the coverage problem. But is it also immune to the quantification problem? I suggest that the AdRP does not face a problem about quantification in so far as the initial assignment of responsibility is concerned. What matters at this stage is the fact that the advantaged have the ability to remedy the problem in question by virtue of being complicit in the unjust global system. How much they are complicit is not a relevant question. Neither do we need to

consider at this stage how much each of the responsible agents is able to remedy. What we need at this stage is simply the qualitative judgement that the advantaged (as collective) are able to do something to remedy the problem in question.

A problem about quantification arises at the stage where we divide remedial burdens among the advantaged. It can be assumed that each advantaged agent should take on a remedial obligation in proportion to his/her ability (economic power). But, in order to divide remedial burdens proportionally, we need to quantify each agent's ability first. Then, in so far as the division of labour among the advantaged is concerned, the AdRP faces the quantification problem. What I suggest, however, is that this quantification problem is surmountable in so far as the principle commended in this chapter is concerned – and in so far as the specific kind of remedy I shall focus on in the subsequent chapters is concerned.

First, the AdRP commended in this chapter is an ability-based principle. And the ability to remedy of each advantaged agent seems much easier to quantify than the extent of each agent's causal contribution to or benefiting from the global system. What we need is simply the quantification of each agent's economic power (each agent's command over socially useful resources and assets). Therefore, in so far as the principle commended in this chapter is concerned, the quantification problem seems surmountable.

And second, I assume that one way in which the advantaged can remedy the situation of the disadvantaged is to employ the resources and assets they command in such a way as to create and develop, and gradually replace the existing harmful institutions with, new harmless institutions. This kind of remedy – i.e. institutional remedy – is the task I shall focus on in the subsequent chapters. And what matters in carrying out this task is the responsible agents' self-reflection of what they can do

individually and collectively to create and develop such new institutions. In this self-reflection, they may quantify their individual and collective ability. But, as already mentioned, the quantification of ability seems relatively easy.

### **3.2.5. Section Conclusion**

To sum up, even if the reparatory responsibility of the advantaged is subject to the problems of coverage and quantification, there is a reason to think that the advantaged should be held remedially responsible. The AdRP-based responsibility commended here faces the problem of quantification. But this problem seems surmountable. This leads to the conclusion that the advantaged should act immediately to provide remedy – in particular, institutional remedy – for the disadvantaged. In the subsequent chapters, I shall discuss some institutions that may serve the remedial end. But, before doing so, in what follows, I shall consider several arguments that the advantaged may employ to exempt themselves from their remedial responsibility.

### **3.3. Excuse and Justification: Are There Reasons to Exempt the Advantaged from Their Remedial Responsibility?**

T. M. Scanlon writes that ‘an action is wrong if it would be excluded by any principles that no one could reasonably reject’ (Scanlon 1998: 33). Analogously, I suggest that a person can be held morally responsible for remedying a harmful practice in which he/she is complicit if that practice would be shown to be wrong by some argument that no one could reasonably reject. In this final section, I shall consider several counterarguments one may employ to reject the ‘advantaged remedy’ argument commended in this chapter. The purpose of the following

discussion is to shift the burden of argument to those who wish to exempt the advantaged from their AdRP-based remedial responsibility.

According to Joel Feinberg, ‘[e]xcused or justified wrongdoing is not wrongdoing at all, and without wrongdoing there is no “harming,” however severe the harm that might have resulted’ (1987: 109, my emphases). Similarly, one may argue that the harm traceable to the systemic process in which the advantaged are complicit is not wrong, or morally blameworthy, no matter how severe it may become, if it is either ‘excusable’ or ‘justifiable’. On the one hand, the harm in question is ‘excusable’ if it is either unforeseeable or unavoidable. It is unforeseeable if we are excusably ignorant of the harmful consequences that the existing global system is likely to bring about. And it is unavoidable if we have no practical option but to go along with the existing global system. On the other hand, the harm in question is ‘justifiable’ if it is caused due to the victims’ free and informed consent. This is because our intuition seems to support the *volenti-non-fit-injuria* maxim: the maxim that ‘To one who has consented no wrong is done’ (Feinberg 1987: 115; more generally, 115-7). Therefore, my following discussion concerns whether the harm traceable to the existing global system is either unforeseeable or unavoidable, and whether the victims (the disadvantaged) have given their free and informed consent to the severe harm that is likely to happen under the existing global system.

### **3.3.1. Foreseeability**

The unforeseeability argument demands that the remedial responsibility of the advantaged should be diminished or removed because there is no way for them reasonably to predict the possible harmful consequences that the existing global

system may produce against the disadvantaged. However, this argument seems difficult to make in the globalised world we inhabit today.

We live in the age of a globalised economy where nearly infinite interrelations shape each other's landscapes and alter people's lives (Cronon 1991: 384-5). Also, we have worldwide communication and information networks. So, we can no longer see ourselves as living in a world in which our social relations are contained within state borders and have no consequence in remote places (Scheffler 1995). It cannot be assumed, then, that we are materially, and morally, disconnected from others in the global system (Harvey 1996: 231-4). So, I suggest, a person of normal competence is able to see the causal relationship between eco-space and labour-time consumption in one place and the consequences it may have somewhere else. This seems to be the case in particular with a person in the advantaged class because he/she has relatively easy access to a wide range of information concerning his/her social, and material, surroundings.

Also, we are surrounded by a variety of material clues that indicate the dependency of our lives upon the unequal exchange under the existing global system. For example, following Harvey, we could ask ourselves where our last meal came from:

Tracing back all the items used in the production of that meal reveals a relation of dependence upon a whole world of social labour conducted in many different places under very different social relations and ecological conditions of production. That dependency expands even further when we consider the materials and goods used indirectly in the production of the goods we directly consume. (Harvey 1996: 231)

The presence of such material clues may enable us to foresee the possible harm that

our consumption culture may cause against others in the global system.

### **3.3.2. Avoidability**

Meanwhile, the unavailability argument concerns the possibility that the advantaged may have no practical option but to go along with the existing global system. It is true that the narrowly defined view of our social relations is now under pressure due to the developments of the global economy and worldwide communication and information networks. But it may be also true that each agent has only limited control over systemic processes that are likely to cause harm. This is partly because each agent makes only limited contribution to those processes. But this is also because those processes in which people are complicit are so pervasive that it seems almost impossible for any individual to avoid participating in them. These indicate that individuals, taken separately, have little or no power (ability) to change the global system in which they are complicit.

However, as Samuel Scheffler (1995) points out, this is a difficulty traceable to ‘our [traditional] practice of treating the *individual* agent as the primary locus of [...] responsibility’ (233, my emphasis). Then, it seems possible to overcome this difficulty by shifting our focus from the responsibility of the advantaged as individual agents to the responsibility of them *as a group*. This shift of focus enables us to see that it is not their individual actions but their collective actions that matter in discharging their remedial responsibility. In this respect, Elizabeth Cripps’s (2011; 2013: chapters 2 and 3) theory of collective moral responsibility seems instructive.

Margaret Gilbert (2006: chapters 6-8) argues that individuals who intentionally participate in a collective venture, knowing its common purpose or goal, constitute a

collectivity, and therefore can be held collectively responsible for the harmful consequences of that venture. As opposed to this ‘intentionalist’ model of collectivity, Cripps introduces what she calls the ‘non-intentionalist’ model. According to Cripps, ‘a set of individuals constitutes a collectivity if and only if those individuals are mutually dependent for the achievement or satisfaction of some common or shared purpose, goal, or fundamental interest, *whether or not they acknowledge it themselves*’ (2013: 32-3, original emphasis). So, in her view, what matters in identifying a set of individuals as a collectivity is the mutual dependence among them for the satisfaction of a certain collective interest. And this collectivity, even if its emergence is an unintended result of uncoordinated individual activities, can be seen as the locus of responsibility in so far as all its participants can be taken to be sharing a certain common interest.

We should note that individual participants in the global economic system cannot necessarily be seen as a collectivity of this kind. In one way of seeing, it may be possible to consider them to be mutually dependent in the collective venture for global capital accumulation. But another – and I suggest more accurate – way of seeing is to consider them to be engaged in the pursuit of individual goals and interests rather than common ones. Therefore, participants in the global economy cannot be held collectively responsible on this model.

Even if this is the case, individuals who are advantaged by virtue of participating in the global economic system can be seen as the locus of collective responsibility if we accept the following argument Cripps also defends:

A number of individuals who do not yet constitute a collectivity (either formally, with an acknowledged decision-making structure, or informally, with some vaguely defined common

interest or goal) can be held collectively morally responsible for serious harm (fundamental interest deprivation) which has been caused by the *predictable* aggregation of *avoidable* individual actions. (Cripps 2013: 69, my emphases)

This argument identifies two conditions for assigning collective responsibility to a set of individuals whose uncoordinated actions may in aggregate cause harm (cf. also Cripps 2013: 69, 74). First, the harm in question must be ‘predictable’. The individuals in question must be able to foresee (a) that their individual actions may in aggregate cause harm, and (b) that there are enough others similarly motivated for their combined actions to cause harm. Second, the harm in question must be also ‘avoidable’. The individuals in question, as a group if not as individuals, must be able to avoid causing harm without incurring significant cost.

As already argued, in the globalised economy, a person of normal competence can reasonably foresee the harmful consequences his/her participation in the existing global system may have. We can also assume that the advantaged as a group (if not as individuals) are able to avoid harming the disadvantaged without incurring significant cost – for example by institutionalising an alternative economic system in place of the existing one (see chapter 5).<sup>9</sup> Therefore, it can be argued that the advantaged can be held collectively responsible for providing (institutional) remedy for the disadvantaged.

To demonstrate that her argument is intuitively plausible, Cripps (2011: 180-2;

---

<sup>9</sup> Here, I have in mind four types of cost that could be diminished if the advantaged were to act collectively: (i) the cost of taking ‘the actions contributing to some collective or combined endeavour to secure the common end’ (the cost of action) (Cripps 2013: 64); (ii) the cost of ‘bringing the necessary collective action about in the first place’ (the cost of coordination) (ibid); (iii) ‘the time and effort required to learn whether a given sort of activity is in fact harmful and ought to be avoided and what conduct ought instead to take its place’ (the cost of research) (Lichtenberg 2010: 576); and (iv) the cost ‘it takes to avoid or break a habit that may be convenient for one or another reason’ (the cost of changing behaviour) (ibid).

2013: 70-4) offers the example of an unsafe footbridge.<sup>10</sup> Suppose that this bridge can hold up to 250kg, and that this is clearly signed. Three people of an average weight of 70kg – A, B and C – are approaching this bridge. Each knows that the others are approaching, and can tell from their appearance that each has body-weight around or a little below the average. Below the bridge, children are playing in the water, and this is clearly visible to all. A, B and C weigh 210kg in total, and so the bridge would hold their total body-weight. But they are each carrying 15kg rucksacks – 45kg in total. They all know this. But they all step onto the bridge. The bridge falls, and some of the children get injured. In this case, the injured children could legitimately say, ‘[y]ou all knew what would happen if you all stepped onto the bridge, you saw the signs in time to decide to do otherwise’ (Cripps 2013: 72). But ‘you [plural] went right ahead and broke the bridge’, and this ‘gives us a special claim on you, over and above the claim we would have on any other set of individuals who could save us from this situation’ (ibid).

This example shows that, from victims’ perspective, it is relatively easy to identify the responsible collectivity. Similarly, from victims’ perspective, it seems relatively easy to identify the collectivity responsible for the systemic reproduction of harm against the disadvantaged. It is the set of individuals whose uncoordinated activities, in aggregate, contribute to that reproduction, i.e. the advantaged. But this collectivist assignment of responsibility from victims’ perspective may be ineffective if it is not accompanied by individual self-reflection by each responsible agent. This is because responsible agents, I assume, can respond effectively to moral blame from victims if and only if that blame elicits a sense of guilt or shame, or a sense of individual responsibility, from those agents. A collectivity cannot respond

---

<sup>10</sup> I modified Cripps’s original example to make it serve my present purpose.

affectively, and therefore effectively, to moral blame from victims. Only its individual participants can. Assignment of collective responsibility, therefore, needs to be supported by individual ethical reflection by responsible agents.

Christopher Kutz (2000: 186-91) seems aware of this problem. Kutz, like Cripps, argues that participants in what he calls the ‘unstructured collective harm’ (the unintended harm resulting from the aggregation of uncoordinated individual actions) should be held responsible for remedying that harm. But, with his ‘character-based’ account, Kutz indicates that participants in that harm have a good reason to feel *individually* responsible for that harm. This is because their individual decisions to participate in that harm represent their characters and moral commitments. Kutz explains:

Agents who show no concern for their participation in collective harms [...] make themselves vulnerable to the suspicion [that] they will be indifferent even when they could make a difference. By contrast, agents who distinguish themselves from other participants demonstrate a commitment to the value of the lives of those they harm. (190)

Following this line, it can be argued that individual decisions by the advantaged to participate in the systemic reproduction of harm against the disadvantaged represent their indifference to the value of the lives of the disadvantaged. The advantaged, therefore, have a good reason to reflect upon their characters and moral commitments. And this ethical self-reflection at the individual level may elicit a sense of guilt or shame, or a sense of individual responsibility, from the advantaged.

Finally, Kutz’s argument helps us understand why agents can feel responsible even when their contribution to a problem constitutes over-determination. Suppose, again, that A, B and C are approaching the unsafe footbridge mentioned above, each

carrying a 15kg rucksack. But, this time, suppose that another person D, also carrying a 15kg rucksack, is approaching the bridge, and that this is clearly visible to all the parties. D's stepping onto the bridge in this case is over-determinate because, even if D did not step onto the bridge, the bridge would fall anyway. So, why does D feel responsible together with A, B and C?

Analogously, it is conceivable that the systemic process which is likely to harm the disadvantaged would persist even if some of the advantaged did not participate in that process. What reason, then, do those over-determining participants have to feel responsible for the continuation of that process? Following Kutz, I suggest that they have a good reason to feel responsible because their individual decisions to participate in that process represent their indifference to the value of the lives of those who are likely to be severely harmed through that process. What matters here is that one's decision to participate represents one's character and moral commitment. Therefore, the over-determining agents have a good reason to reflect upon the ways of living they are committed to and the patterns of behaviour they are complicit in. And this ethical self-reflection at the individual level may elicit a sense of guilt or shame, or a sense of responsibility, from those agents.

To sum up, individuals may have little or no power to change the harmful global system on their own. The advantaged as individuals may have no option but to go along with the existing system. But I assume that the system can be changed through people's collective action. Then, arguably, the advantaged as a collectivity (not as individuals) can choose not to go along with the existing system. Based on the discussion so far, I suggest that the advantaged can be held collectively responsible for remedying the severe harm traceable to the global system, and that their collective responsibility can be supported by their individual self-reflection and

affective responses. In short, the unavoidability argument fails in so far as we consider the advantaged as a collectivity to be the locus of responsibility.

### **3.3.3. Victims' Free and Informed Consent**

The *volenti* argument is that the victims, or those who are likely to be disadvantaged under the existing global system, have given free and informed consent to the system. Against this argument, I wish to make three points to question the nature of the consent given by the disadvantaged.

First, arguably, the members of a society can be taken to have given consent to economic decisions made by the government if and only if the following conditions are met in that society (cf. Caney 2006a: 470; Miller 2004: 259-65; 2007: 126-34). First, general congruence must exist between the will of those who actually make decisions (the government of the society) and the will of those who are affected by those decisions (the population of the society). And second, the society must be characterised by a general cooperative scheme through which the benefits and burdens resulting from its economic decisions will be distributed fairly among its members.

In an affluent society, its members seem to have extensive control over the society's decision-making processes. Also, the general cooperative scheme seems to exist. So, the two conditions are met. However, it is questionable whether those conditions are also met in underdeveloped societies (especially, those governed by despots). Many people in an underdeveloped society are not only disadvantaged in material and temporal terms, but also politically excluded. Neither is it the case that the benefits and burdens of the society's economic decisions are fairly distributed among its members. Then, it cannot be assumed that the disadvantaged

in such a society have given any consent to the existing global system even if the social elite who make economic decisions in that society have given consent to it.

Second, it seems unlikely that those in the disadvantaged class are in the position to give genuinely ‘free’ consent to their systemic marginalisation. It is now becoming more difficult for them to pursue an alternative way of life outside the harmful global system, as a result of state-led proletarianisation (coercive incorporation into the capitalist system) (Harvey 2010: 60). And under the global system, the disadvantaged tend to face a choice between exploitative working conditions and no subsistence at all. So, we cannot assume that their consent to such working conditions is ‘free’ in its proper sense. And third, as Kristin Shrader-Frechette (2002) writes, most of the disadvantaged ‘not only lack the ability to be informed but, more important, lack the *social institutions* – the background conditions, such as education and a free press, that could help remedy their inability to give free informed consent’ (174, original emphasis). Then, we cannot assume that their consent is ‘informed’ in its proper sense either.

In short, the disadvantaged tend to be politically excluded, have little or no choice but to accept abusive working conditions, and lack broad access to information. It is therefore hardly the case that they have given free and informed consent to their systemic immiseration.

## **Conclusion**

I have done three things in this chapter. First, I argued that principles of reparatory responsibility such as the ‘contributor pays’ principle and the ‘beneficiary pays’ principle may face two practical problems: the coverage problem and the quantification problem. Second, I argued that the coverage problem can be avoided,

and the quantification problem may become surmountable, if we accept what I call the ‘advantaged remedy’ principle. And third, I considered several arguments that may be employed to exempt the advantaged from their remedial responsibility, in order to shift the burden of argument to those who wish to reject the view commended here. Based on these arguments, I conclude that, even if the reparatory responsibility of the advantaged faces the coverage and the quantification problems, the advantaged should act immediately to provide remedy – in particular, institutional remedy – for the disadvantaged based on the ‘advantaged remedy’ principle. In the following chapters, I shall discuss what institutions may serve the end of remedy, and therefore should be developed and upheld by the advantaged.

This chapter also serves to clarify the point at which my argument diverges from Pogge’s. Pogge argues that the advantaged are in violation of a stringent negative duty by being complicit in the harmful global system. Pogge seems to consider this to be a ground for the reparatory responsibility of the advantaged. The basic line of his argument is as follows. First, the advantaged are causally contributing to or benefiting from the maintenance of harmful institutions. Therefore, second, the advantaged should ‘contribute toward reforming unjust institutions and toward mitigating the harms they cause’, to the extent that ‘depends on how much one is contributing to, and benefiting from, their maintenance’ (Pogge 2008: 56). So, Pogge seems to be following the line of reasoning for reparation: ‘you were complicit in a problem, now you fix it to the extent of your complicity’. In following this line, he seems to be defending the ‘contributor pays’ and the ‘beneficiary pays’ principles. But, as we saw in this chapter, these principles may face the coverage and the quantification problems. Meanwhile, like Pogge, I also suggest that the advantaged are in violation of a stringent negative duty by being

complicit in the harmful global system. But I consider this to be a ground for holding the advantaged remedially responsible. As I argued in this chapter, I regard complicity as a factor which establishes a special connection between the advantaged and the disadvantaged, and which also offers a reason to call into question the legitimacy of the former's economic power, or ability to remedy. Therefore, my argument (for remedy) seems immune to the problems that Pogge's argument (for reparation) may be subject to.

## **Chapter 4. The UN Global Compact: Its Possibilities and Limits as a Remedial Institution**

In chapter 1, I argued that the advantaged are complicit in the systemic process through which they are likely to become materially and temporally better off whereas the disadvantaged are likely to become materially and temporally worse off. As a result, I argued in chapter 2, the latter group of people are likely to suffer what can be described as absolute harm. This means that the advantaged are complicit in a severely harmful practice, and also that they are in violation of a stringent negative duty. Because of this negative-duty violation, the advantaged should be held responsible for making positive efforts to address the situation of the disadvantaged. In chapter 3, I argued for their remedial (as opposed to reparatory) responsibility. As argued in that chapter, the advantaged should be held remedially responsible (a) because there exists a state of affairs in urgent need of remedy (the state of affairs in which the disadvantaged are likely to be severely harmed under the global system), (b) because the advantaged are complicit in the systemic reproduction of this state of affairs (the negative-duty violation), and (c) because, as a result of this complicity, the advantaged are accumulating the ability to put right that state of affairs (the ability to remedy).

There are two limits to remedy. On the one hand, what responsible agents ought to do as a matter of remedy is limited to what is possible to do. This is because 'ought' implies 'can'. On the other hand, 'remedy' is not 'endless assistance'. So, remedy is limited by its target: remedial efforts stop at the point at which a problem in urgent need of remedy no longer exists.

In my project, remedy stops when the disadvantaged are no longer likely to be

severely harmed under the global system. The disadvantaged are likely to be severely harmed because their minimum well-being and its temporal and ecological preconditions are likely to be undermined under the global system (see chapter 2). Therefore, in my project, the target of remedy is the realisation of the state of affairs in which the global population including the disadvantaged can enjoy minimum well-being and temporal and ecological desiderata under the global system. Hereinafter, I shall call this a basically just global state of affairs. Although the target is limited in this way, remedy, unlike reparation, is not limited to the extent of one's causal contribution to or benefiting from the problem in question (see chapter 3). So, the advantaged ought to do whatever they can do, as far as it is possible (or at least not too demanding), to achieve the identified target.

A question which arises naturally, then, is *in what way* the advantaged can fulfil their remedial responsibility. To put the question differently, *what ought to be done* to realise the basically just global state of affairs? I assume that one of the things that ought to be done as a matter of remedy is to provide institutional remedy: to support, promote, and, if necessary, create *institutional* arrangements that will serve to realise the basically just global state of affairs more effectively than uncoordinated individual actions.<sup>1</sup> If so, this question arises: *what* institutional arrangements? This and the following chapter address this question.

This chapter focuses on a specific institutional arrangement which we already have: the UN Global Compact. This was launched on the initiative of the United Nations (UN). And it is intended to harness corporate actors – or, more specifically,

---

<sup>1</sup> This assumption is based on the following two points made by Henry Shue (1988: 695; more generally, 695-8). First, coordination of individual actions is important to produce a significant consequence with smallest individual costs. And second, such coordination can be stabilised through the establishment of institutions.

business managers who command the operations of corporate actors – to a certain set of norms that defines the concept of ‘corporate social responsibility’ (CSR).

Among various CSR-related instruments that have been actually implemented at the transnational level, I suggest it is meaningful to focus on this specific one, because this arrangement is unique in the following three respects. First, the Compact has an advantage over other CSR-related instruments in that it invites corporate and other non-state actors directly to express their commitment to it. (Those actors express their commitment by submitting a letter signed by the chief executive to the Global Compact office). Second, it has been widely accepted by influential corporate actors. And third, it can be regarded as the ‘umbrella’ framework referred to and supported by other CSR-related instruments developed outside the UN (e.g. the OECD Guidelines for Multinational Enterprises).

Because the UN Global Compact has been actually implemented and has received widespread support, it can be considered to be an institution that is not only possible but also feasible.<sup>2</sup> But can it play a remedial role such that the basically just global state of affairs will be realised? To answer this question, I shall take the following steps.

In the first section, I shall identify what is at the core of the concept of CSR and explain why transnational arrangements to promote CSR needed to be set up in the first place. In doing so, I shall admit two points. First, internationally affirmed human rights play a central role in defining what CSR means. And second, instruments to promote CSR at the transnational level, such as the UN Global

---

<sup>2</sup> I draw a distinction between possibility and feasibility here. A feasible action is an action that can be easily accepted and carried out by relevant actors. Meanwhile, a possible action is an action that can be carried out by relevant actors however difficult it may be. In this sense, feasibility is a subcategory of possibility.

Compact, are necessary in the light of current global economic circumstances.

So, I shall argue that the UN Global Compact is a *necessary* instrument. In the second section, I shall proceed to ask whether it is an *appropriate* instrument that would serve to realise the basically just global state of affairs. Since internationally affirmed human rights define the core of CSR, I shall start by asking which ones have reason to be respected by corporate actors and business managers as a matter of CSR. More specifically, I shall argue that corporate actors and business managers ought to avoid infringing upon three *core* basic human rights concerning a person's minimum well-being and a set of *derivative* ones derived from them. For this argument, I shall draw on the idea of 'rights holism' and Henry Shue's 'basic rights'. In the light of the identified set of basic human rights, I shall judge that the UN Global Compact is, at least in principle, appropriate to realise the basically just global state of affairs: it presents a set of principles that is appropriate to protect a person's minimum well-being and temporal and ecological desiderata against corporate infringements.

In the third section, I shall consider several challenges familiarly posed to the idea of CSR in general and the UN Global Compact in particular. In doing so, I shall concede that the UN Global Compact is defensible against those familiar objections.

However, in the final section, I shall argue that the UN Global Compact may be subject to two further challenges. First, at a less fundamental level, the Compact's reference to the ILO's particular set of labour standards may divert business managers' attention from the broad set of rights which they have actually signed up for by subscribing to the Compact. Second, at a more fundamental level, because it is a reformist scheme, the Compact may be, if appropriate in principle,

*insufficient* in practice. My argument is that, within the existing global economic system, it seems extremely difficult for corporate actors and business managers to adhere to some of the Compact's principles (especially ecological ones).

The general conclusion I shall draw is this. The UN Global Compact advances a set of principles appropriate to protect a person's minimum well-being and temporal and ecological desiderata against corporate infringements. So, the Compact is appropriate, at least in principle, as a remedial arrangement. But, in practice, the Compact would fail to play a remedial role in an expected manner under the existing global system. Therefore, if we want the Compact's principles to be fulfilled in practice, we may need a further arrangement to alter the structure of the existing global system. This conclusion will set up the starting point for a more radical proposal I shall support in the next chapter.

#### **4.1. Human Rights, State Enforcement, and a Necessary Complement**

With regard to precisely what CSR refers to, a variety of views can be found within the relevant literature.<sup>3</sup> As Dow Votaw (1972) writes, '[t]he term [...] means something, but not always the same thing, to everybody' (25L). However, among those engaged in the promotion of CSR at the transnational level, there seems to be a shared understanding as to what is at the core of the concept. In this section, I shall highlight several key features that characterise transnational arrangements to promote CSR, and explain why those arrangements needed to be set up in the first place.

For this, I shall partly draw on the interview I held at the ILO's Multinational Enterprises and Enterprise Engagement Unit back in 2011 together with Professor

---

<sup>3</sup> For an illuminating description of major theories and approaches concerning CSR, see Garriga & Melé (2004).

Takahiro Yamada (then at Tokyo Metropolitan University; now at Nagoya University). In that year, I was working as his research assistant. We held interviews with several officials engaged in CSR-related matters at the ILO, the OECD, and the European Commission. The transcripts of those interviews, including the one to be quoted here, are in the possession of the author.

Among those engaged in designing transnational CSR instruments, it seems to be widely agreed that the concept of CSR has at its core the idea of corporate respect for human rights. For example, the ILO official we interviewed explained to us, using the example of the most egregious (and, what is worse, actual) human rights infringement in which a company can get involved to maximise profits:

I have a colleague who works in Russia. She told me about a case where the company just found it cheaper to kill the entire work force at the end of the season. [...] So they just killed the work force. And as a business case, I have nothing to tell them. It is probably cheaper for them to kill those people. [...] So that's the limit of a logic of a business case. [...] [T]here are lots of things that cannot be solved as a business case: they can only [be solved as a human rights case] and [so] you'll really need the rights language.

Also, John Ruggie, when he was the UN Secretary-General's Special Representative for Business and Human Rights, emphasised the corporate responsibility to respect human rights. According to him, corporate actors should not only '[a]void causing or contributing to adverse human rights impacts through their own activities', but also '[s]eek to prevent or mitigate adverse human rights impacts that are directly linked to their operations, products or services by their business relationships' (Ruggie 2011: 14; more generally, 13-5). In the same vein, the UN Global Compact advances the following principles on human rights:

Businesses should (a) support and respect the protection of internationally proclaimed human rights; and (b) make sure that they are not complicit in human rights abuses.<sup>4</sup>

Therefore, it can be said that CSR requires at the very least that corporate actors should not infringe upon human rights – in particular, internationally affirmed ones – through their own activities or as a result of their business relationships.

Also, it seems to be widely agreed that obligations to enforce human rights are, primarily, *state* obligations. Under the current structure of the international community, states are the key sites of legitimate political and regulatory power (such as is protected by the principle of state sovereignty). So, it is each state that is expected to enforce human rights within its jurisdiction through its domestic institutions.<sup>5</sup> Neither the ILO's CSR instruments nor the UN Global Compact is intended to replace this state-centric structure of the international community.

The same ILO official we interviewed emphasised to us:

[O]ur instrument on CSR-related issues [which is the ILO Tripartite Declaration of Principles Concerning Multinational Enterprises and Social Policy (the MNE Declaration)] [...] speaks half to enterprises; but the other half is talking to the government. And the role of regulation has never been [...] understated or minimised or [...] set aside for private actors to come in to

---

<sup>4</sup> Cf. <<https://www.unglobalcompact.org/what-is-gc/mission/principles>>, retrieved on 30 January 2016.

<sup>5</sup> This overlaps with a familiar way to understand the relationship between the principle of state sovereignty and the principle of human rights that is proposed by some legal philosophers (e.g. Endicott 2010: 255-9; Cohen 2010: 276-7, 279). The international community recognises both these principles (UN Charter Articles 1 and 2). This indicates that the state's claims based on the principle of state sovereignty are legitimate only if the state is committed to the principle of human rights. State sovereignty represents a legitimate tie between the citizenry and the government in so far as the government bears, or at least is willing to bear, primary obligations to protect the citizenry against human rights infringements. And it is only when this tie breaks down as a result of the government's systematic failures to fulfil those obligations that the international community is expected (on certain conditions) to intervene in the state's domestic affairs.

regulate in a private system. It's always talking about how they can complement, but never substitute for, the role of the state in protecting workers' rights. [...] [T]he whole purpose of the MNE Declaration [...] is to recognise [that], at this point in time, hopefully not in the future, but at this point in time, a lot of governments don't assume the regulatory roles. So, it's not enough to say to workers and in particular to companies, 'Well, if there is no regulation in the state, I guess you are free to do whatever you want'. It says, 'No, it doesn't work that way'. But that's different than saying [...], 'Private system should come in and replace state'. We're always emphasising the importance of the state.

Ruggie also emphasises that states have primary obligations to enforce human rights by regulating corporate actors doing business within their jurisdictions, and to provide effective remedy for the victims of human rights infringements by corporate actors (Ruggie 2011: 6-13, 22-7). In the same vein, the UN Global Compact, as Mwangi et al (2013) write, 'does not replace the main compliance mechanisms set out by the legal obligations assumed by states under international law, but its goal is to supplement those existing mechanisms with an additional, non-binding avenue of promoting universal human rights principles' (203). Therefore, CSR-related instruments implemented at the transnational level should be seen as complementary arrangements to facilitate the state enforcement of human rights.

Transnational arrangements to promote CSR are intended to play a practically important role in the present global context. To adapt the ILO official's phrase quoted above, this is the context in which 'a lot of governments *can't easily* (rather than don't) assume the regulatory roles' as the primary enforcers of human rights. The problem is that the particular form of globalisation driven by the treadmill of capital accumulation tends to make it difficult for some states (esp. poor ones) to enforce human rights effectively within their jurisdictions.

It is true that economic globalisation has facilitated the global exchange of

useful goods and services. But the particular economic system that has been globalised – the capitalist system – seems to be characterised by the two harmful logics that are likely to reproduce severe global inequalities (see chapters 1 and 2). Due to the territorial logic, recall, powerful societies tend to take advantage of asymmetrical bargaining positions to attract material benefits to their territories. As a result, the inter-societal exchange of socially productive resources (e.g. labour time and ecological space) tends to become unequal. Due to the capitalist logic, recall, capitalists – e.g. business managers who command the operations of corporate actors – tend to take all available opportunities to maximise profits, including low labour and environmental standards in poor societies. As a result, workers in underdeveloped parts of the world are temporally exploited as sources of long and cheap labour, and natural resources available in those parts of the world are dissipated unsustainably. The combination of these logics tends to result in the phenomenon often referred to as a ‘race to the bottom’:

[A] world increasingly free of restrictions on trade and capital flows allows investors to scour the globe in pursuit of the highest rate of returns. Nations that harbor public policies that raise production costs or inhibit sound macroeconomic fundamentals risk lower profit margins and capital flight. Fearing such reprisals, governments are constrained from initiating (or maintaining) policies that guarantee a higher quality of life for their citizens, such as safety nets, environmental standards, and acceptable labor costs and protections. The anticipated result is that domestic politics loses its vigor and the forces of global commerce trump efforts to pursue all other things important to society. (Rudra 2008: 2)

It can be therefore argued that the capitalist form of globalisation is likely to hamper poor societies’ effective human rights enforcement.

It is in this context of capitalist globalisation that international organisations

such as the ILO and the UN have been prompted to devise CSR instruments. They see those instruments as necessary to put right the situation for (the poor in) poor societies. Activities of corporate actors and business managers under the global capitalist system are likely to hamper poor societies' human rights enforcement. Transnational arrangements to promote CSR are intended to harness those actors to a certain set of norms affirmed by the international community in the language of human rights.

To sum up, three points have been made. First, CSR requires corporate actors to respect internationally affirmed human rights. Second, although primary obligations to enforce human rights fall upon state governments, the capitalist form of globalisation poses a systemic obstacle to the state enforcement of human rights. And third, it is in this global economic context that transnational arrangements to promote CSR, such as the UN Global Compact, are necessary.

#### **4.2. The UN Global Compact and a Holistic Set of Basic Human Rights**

The points made in the previous section carry the following implications. First, human rights – in particular, those affirmed by the international community – play a central role in defining CSR. Human rights present codes of conduct which corporate actors, and business managers who command their operations, ought to adhere to as a matter of CSR even if the capitalist imperative of profit maximisation demands otherwise. Second, transnational arrangements to promote CSR, such as the UN Global Compact, are necessary in the light of current global economic circumstances. Admitting these, I shall now turn to my main question: whether the UN Global Compact would play a remedial role. Would it serve to realise the basically just state of affairs in which everyone in the globe can enjoy minimum

well-being, and the temporal and ecological desiderata necessary for it?

This question can be divided into three sub-questions. First, is the UN Global Compact, or any instrument to harness corporate activities, necessary to realise the basically just global state of affairs (question (a))? Second, does the Compact present an appropriate set of principles that would serve to protect a person's minimum well-being and temporal and ecological desiderata against corporate infringements (question (b))? And third, in practice, is it possible for corporate actors and business managers to adhere to the Compact's principles within the existing global economic system (question (c))?

Based on the discussion in the previous section, I assume that question (a) can be answered in the affirmative. Corporate actors and business managers are at the heart of the process of global capital accumulation. And the capitalist logic often urges them to undermine minimum well-being, and its temporal and ecological preconditions, in relation to their employees in particular, and in relation to the members of the societies in which they do business or have business relationships in general. So, harnessing their activities to a certain set of norms seems to be a necessary step towards the realisation of the basically just global state of affairs. If the UN Global Compact can do this, then it can be seen as a necessary instrument.

If questions (b) and (c) can be answered in the affirmative as well, it can be said that the UN Global Compact is not only necessary but also appropriate in principle and sufficient in practice. Meanwhile, if (b) can but (c) cannot, then the Compact is, if appropriate in principle, insufficient in practice. If this is the case, we will need a further arrangement to make the Compact work in an expected manner. This section addresses question (b). I shall return to question (c) later in this chapter.

Question (b) asks: Does the UN Global Compact present a set of principles appropriate to protect a person's minimum well-being and temporal and ecological desiderata against corporate infringements? I shall answer this question by taking the following steps. Since internationally affirmed human rights define the core of CSR, I shall start by asking which human rights (at least) have reason to be respected by corporate actors and business managers as a matter of CSR. More specifically, drawing on the idea of 'rights holism' and Henry Shue's 'basic rights', I shall argue that corporate actors and business managers ought to respect basic human rights to the following substances. These are all affirmed by the international community either in the 1948 Universal Declaration of Human Rights (UDHR) or in the 1972 Declaration of the United Nations Conference on the Human Environment (Stockholm Declaration):

- Life, liberty and security of person (UDHR Article 3);
- Protection against slavery (UDHR Article 4);
- Protection against torture and degrading treatment (UDHR Article 5);
- Freedom of thought and conscience (UDHR Article 18);
- Freedom of opinion and expression, and access to information (UDHR Article 19);
- Freely chosen work, just and favourable working conditions, minimally adequate remuneration, social protection against un-/underemployment (social security), and freedom to form and join trade unions (UDHR Article 23);
- Rest and leisure (UDHR Article 24);
- Protection of children (UDHR Article 25);
- Education (UDHR Article 26);

- A social and international order that can realise the defended rights (UDHR Article 28); and
- Life in an adequate environment (Stockholm Declaration Principle 1).

Human rights to the listed substances constitute a holistic set: most are derivative, and therefore indivisible, from the rest. Then, in the light of those rights, I shall judge that the UN Global Compact is appropriate in principle: it advances a set of principles appropriate to protect a person's minimum well-being and temporal and ecological desiderata against corporate infringements.

My present purpose is not to develop a 'grand theory' of human rights.<sup>6</sup> However, as a preliminary, I should clarify how I understand 'a human right', since this concept has invited a wide variety of interpretations and justifications.<sup>7</sup> I understand a human right as a moral assertion that an agent, individual or collective, makes based on his/her/its reasonable conviction that the substance of the assertion refers to what a person needs to enjoy minimum well-being as a properly functioning human being. Normally, a human right is asserted in the form of 'everyone has a (human) right to substance X' or 'X is a human right'.

A human-right assertion is, in general, intended to turn the attention of its

---

<sup>6</sup> For a prominent example of such a theory, see James Griffin's *On Human Rights* (2008).

<sup>7</sup> Some theorists focus on the international practice of human rights (e.g. Beitz 2001; Raz 2010). Some interpret human rights as norms that have gained societies' overlapping consensus (e.g. Donnelly 2003; cf. Rawls 1999). Others justify human rights as moral assertions grounded in fundamental human interests or basic human needs (e.g. Caney 2005a; Miller 2007). Yet others construct distinctive interpretations. Jürgen Habermas (1996: chapter 3; 1998), for example, defines human rights as the legal system that does two things. First, the system of human rights recognises a person as an equal member of a politico-legal community (as a 'citizen') who is free to form a personal life within certain limits of personal freedom drawn by legitimate law. And second, it legally institutionalises a procedure for setting legitimate law, i.e. a procedure that satisfies the following principle: 'the only law that counts as legitimate is one that could be rationally accepted by all citizens in a discursive process of opinion- and will-formation' (Habermas 1996: 135). Meanwhile, to develop my understanding that follows, I drew on Hayward (2005a, 2013) and Sen (2004b).

addressees to certain codes of conduct that its assertor reasonably believes the addressees ought to adhere to. But the asserted human right and the codes of conduct it represents will not automatically become social norms (codes of conduct that the members of a society can expect each other to adhere to). For them to become such, they need to be socially recognised as such: they need to be recognised by the members of a society as part of the principles of right and wrong that apply to their social interactions. In short, human-right assertions, like moral assertions of other kinds, need to survive the society's open and informed public scrutiny.

The codes of conduct that a human-right assertion represents, once socially recognised, will present a set of moral duties and obligations on the part of each member of the society. There is a continuing debate about the range of duties and obligations that a socially recognised human right entails. Minimalists (e.g. libertarians) argue that the moral duties that a human right entails are limited to the negative duty not to deprive others of their opportunities to enjoy the substance of the right. Positive duties, such as the duties of reparation or remedy, arise only when this negative duty has been violated. Meanwhile, maximalists argue that a human right entails not only the negative duty not to deprive but also the positive duties to protect and assist those whose human rights are unfulfilled. In short, for minimalists, only deprivation would count as human rights infringement whereas, for maximalists, both deprivation and the failure to take positive actions would count as such.

If we accept the maximalist conception of human rights, my arguments in the preceding chapters – that the existing global system is severely harmful, that the advantaged are complicit in this system, and that, because of this complicity, and the problem-solving ability they accumulate through it, the advantaged should be held

remedially responsible – will become redundant and unnecessary. Suppose that there exists a moral community at the global level in which everyone everywhere is bound by shared moral principles and rules. Suppose also that, within this community, a certain human right is universally recognised as part of the shared principles and rules. On the maximalist view, this universal human-right recognition entails an open list of corresponding moral duties, both negative and positive, on the part of everyone everywhere, or at least on the part of those who can fulfil the right in question without incurring significant cost. (The latter may be the case because a universally recognised human right does not necessarily entail universal duties borne by everyone everywhere but the full coverage of the right (cf. Shue 1988: 690).) Therefore, if we accept the maximalist conception of human rights, we can argue that everyone everywhere or a team of the able ought to take actions to fulfil the right in question, whether or not they have a causal relation to its non-fulfilment.

I reserve judgement about whether such a global moral community – the global community of the maximalist human rights-based morality – already exists. Instead, I shall take the minimalist view that seems compatible with the line of argument I supported in the preceding chapters. If human rights at least entail negative duties not to deprive, then the violation of those duties can be seen as a reason for holding the violators remedially responsible. The advantaged are in violation of those negative duties because they are complicit in the systemic mechanism that is likely to deprive a majority of the global population of the ecological and the temporal preconditions for enjoying the substances of basic human rights. So, the advantaged should be held remedially responsible for putting right the situation.

The human-right assertions I shall defend in this chapter were affirmed at the level of the UN and have been widely recognised by states. And, as we shall see, those assertions refer to the basic desiderata necessary for a person to enjoy minimum well-being as a properly functioning human being. Those assertions are addressed primarily to state governments. Article 28 of the UDHR affirms that '[e]veryone is entitled to a *social and international order* in which the rights and freedoms set forth in this Declaration can be fully realized' (my emphasis). This means that state governments ought to provide, at the very least, institutional guarantees for citizens to enjoy the substances of human rights. To use the term I prefer, they ought to create social and international institutions under which citizens can enjoy *central human capabilities* (central human faculties and capacities combined with socially, or institutionally, guaranteed opportunities to develop and exercise those faculties and capacities – see chapter 2).

Meanwhile, international human-right assertions are addressed secondarily to non-state actors. The UDHR sets forth the negative duty of non-state actors not to engage in activities that will infringe upon the rights affirmed therein (Article 30). I do not assume that internationally affirmed human rights entail not only this negative duty but also positive duties that apply to inter-personal relationships beyond state borders. (The UDHR affirms everyone's duties to the political community to which he/she belongs (Article 29), but not the duties of everyone everywhere to the global community.) But I suggest that the said negative duty of non-state actors requires transnational agents acting in, or having relationships with someone acting in, a foreign state to act in a specific way – in a way that will not impede the attempts of that state to satisfy the demands of human rights. Also, I suggest that the labour rights in the UDHR and the environmental right in the Stockholm Declaration entail

the duties of business managers and corporate actors to respect those rights when employing globally available human labour and ecological space.

Finally, the concept of ‘human rights’ has been challenged. For example, some believe that the Western values embodied in the concept of ‘human rights’ (e.g. individual freedom and personal autonomy) are incompatible with ‘Asian values’ (e.g. the priority of duties to family and community over individual freedom and personal autonomy). Also, some (e.g. Sandel 1984) believe that the image of a person embodied in that concept is incompatible with the communitarian image of a person as the ‘encumbered self’ – a person as the being whose identity is determined partly by his/her social and cultural attachments.

However, I assume that those challenges can be either refuted (e.g. Donnelly 2007; Inoue 1999; Sen 1997) or even incorporated into the conception of human rights (e.g. Taylor 1985: chapter 7; 1999). For example, it can be argued that the argument based on Asian values is implausible because the difference of cultural values does not map onto the geographical difference. There is an enormous diversity of cultural values within the Asian region, as well as within the Western region. To this, one can add what Jack Donnelly emphasises. ‘Human rights ideas and practices arose not from any deep Western cultural roots but from the social, economic, and political transformations of modernity. They thus have relevance wherever those transformations have occurred, irrespective of the pre-existing culture of the place’ (Donnelly 2007: 287; more generally, 287-8). Also, at least in so far as human rights in the UDHR are concerned, the communitarian challenge may not succeed. This is because the UDHR seems to embody the image of a person as the ‘encumbered self’. Article 29 of the UDHR affirms that ‘[e]veryone has duties to the community *in which alone the free and full development of his*

*personality is possible*' (my emphasis).

#### **4.2.1. Rights Holism and Henry Shue's Basic Rights**

Now, which internationally affirmed human rights have reason to be respected by corporate actors and business managers as a matter of CSR? My strategy is to support an extensive list of basic human rights related to CSR by drawing on the idea of 'rights holism'. This is the idea that the substances of some (human) rights are interconnected in such a way that one is derivative, and therefore indivisible, from another, and so that they constitute a holistic set. In practice, this idea is internationally affirmed in Article 5 of the 1993 Vienna Declaration and Programme of Action, which states that all internationally affirmed human rights are 'indivisible and interdependent and interrelated'. In theory, Joseph Raz seems to offer a meaningful starting point.

Raz (1986: 168-70) makes a distinction between 'core' and 'derivative' rights, and argues that the latter can be derived from the former if sound arguments are given to support such rights derivation. There seem to be four types of ground that can support such rights derivation (Caney 2005a: 83; Fabre 2000: 123-4).

First, right P has a *logical* link with right Q when the former logically entails the latter. For example, a right to privacy logically entails a right to housing that shelters one's private activities from the public gaze. Second, right P has an *empirical* link with right Q when, in the light of the actual circumstances in which right P is to be protected, the best way to protect right P is to protect right Q. For example, under the economic system where money mediates exchange, the best way to protect a right to subsistence may be to protect a right to a certain level of income – the level of income that secures one's minimum access to material means of

subsistence. Third, right P is *incomplete* without right Q when the former requires the latter for its valid exercise. For example, in employment relations, a right to health is incomplete without a right to rest (time for personal care); a right to bodily integrity for workers engaged in dangerous tasks (e.g. construction) is incomplete without a right to the instruments that protect them from injury (e.g. helmets, etc.); and a right to liberty (the exercise of autonomy) is incomplete without a right to discretionary time. And fourth, right P has a *normative* link with right Q when the rationale grounding the former also grounds the latter. This link makes it impossible to affirm right P while denying right Q. For example, the rationale grounding the right to subsistence seems to ground the right to food. So, one cannot affirm the former while denying the latter. It is often possible to find more than one type of link between a core right and a derivative right.

A core right and the rights deriving from it can be taken to constitute a holistic set whose components are indivisible, interdependent and interrelated. For the present purpose, I shall draw on this theory and derive an extensive set of basic human rights related to CSR. But an important question here is which rights can be seen as core ones from which this set can be derived. I suggest that Henry Shue's tripartite set of 'basic rights' can be seen as such.

Shue (1996) identifies rights to *physical security*, *subsistence* and *liberty* as 'basic rights'. These correspond to the fundamental substances affirmed in Article 3 of the UDHR, which states that '[e]veryone has the right to life, liberty and security of person'. 'Physical security' in Shue's terminology corresponds to 'security of person' in the UDHR; 'subsistence' to 'life'; and 'liberty', of course, to 'liberty'. The substances of Shue's basic rights, and of Article 3 of the UDHR, refer to the fundamental human faculties and capacities that define a person's minimum

well-being (see chapter 2). Physical security refers to ‘bodily health and integrity’; subsistence to ‘continued life’ and the ‘affiliation’ for subsistence; and liberty to the freedom to exercise ‘practical reason’, or ‘(personal) autonomy’. So, these rights are ‘basic’ in the sense that their substances are basic human faculties and capacities (sense 1). It is this first sense of ‘basicness’ that Shue seems to have in mind when he claims that the basic rights constitute what he calls ‘the morality of the depths’: the minimum threshold below which no one should be made or allowed to sink (Shue 1996: 18).

Shue, however, seems to use the word ‘basic’ mainly in another sense (sense 2). According to him, rights to physical security, subsistence and liberty are ‘basic’ in the sense that social protection of these rights is an essential part of what it means to protect any other – ‘non-basic’ – right (Shue 1996: 26-7). What Shue means by this is summarised in his account of the sense in which the right to freedom of peaceful assembly (UDHR Article 20), for example, presupposes social protection of the basic rights.

Protection of this right obviously presupposes protection of the right to liberty, since this right refers to the *freedom* to assemble based on one’s practical reason, or autonomy. (Whether or not to exercise this right is left to one’s autonomous decision.) According to Shue, however, protection of this right also presupposes protection of the rights to physical security and subsistence. He explains:

Being secure from beatings if one chooses to hold a meeting is part of being free to assemble. If one cannot safely assemble, one is not free to assemble. One is, on the contrary, being coerced not to assemble by the threat of the beatings. The same is true if taking part in the meeting would lead to dismissal by the only available employer when employment is the only source of income for the purchase of food. Guarantees of security and subsistence are not

added advantages over and above enjoyment of the right to assembly. They are essential parts of it. (Shue 1996: 26)

Therefore, ‘there is no such thing as a situation in which people do have social guarantees for assembly and do not have social guarantees for security’, and subsistence (Shue 1996: 27). If people do not have social guarantees for security and subsistence, what they can do is only to ‘assemble and merely hope for the best’ (ibid).

Simon Caney (2005a) challenges Shue’s line of argument. He argues that Shue ‘tries to squeeze too much content out of his argument’ (120). Using the examples of freedom of speech, freedom of conscience, and fair trial (UDHR Articles 19, 18, and 10), Caney asks:

Is it, however, true that one needs not to be malnourished to exercise free speech? Or, consider diseases like rickets: can one not exercise freedom of conscience even though one is suffering from rickets? Or consider the right to a fair trial: can one not exercise this right even if one is suffering from emphysema? (Caney 2005a: 120)

In Caney’s view, in short, there are some rights that a person can exercise without enjoying physical security or subsistence.

Caney, however, I suggest, fails to distinguish between what it means to enjoy the *substance* of a right and what it means to enjoy the *right* to that substance. According to Shue (1996: 13-8; esp. 16-7), the assertion of a right represents a demand, justified or justifiable on rational grounds, that a person should have *socially guaranteed* opportunities to enjoy the substance of the right both *freely* and, no less importantly, *securely*. One can enjoy the substance of a right freely if whether or not to enjoy it is left to one’s autonomous choice. And one can enjoy

the substance of a right securely if one can choose to enjoy it without the fear that one's physical security or subsistence may face threat as a result of one's choice (as a result of exercising the right).

It is one thing to say, as Caney does, that a person can enjoy the substance of a certain non-basic right without enjoying the substance of a basic right. A person who happens to be unable to enjoy physical security or subsistence as a result of malnutrition, rickets or emphysema may still have the internal faculties and capacities to enjoy speech, conscience and fair trial. If so, that person may be able to exercise those faculties and capacities. And if he/she is in luck, he/she may be able to do so without facing any external threat to his/her physical security or subsistence.

Meanwhile, it is completely another thing to say, as Shue does, that what the assertion of a right demands cannot be provided without providing social guarantees for physical security, subsistence and liberty. What the assertion of a right demands is the provision of *social guarantees* for the *free and secure* enjoyment of the substance of the right. It may be true that a person who is malnourished or suffering from rickets or emphysema may have the internal faculties and capacities to enjoy speech, conscience, or fair trial. And it may be true that that person, by luck, may be able to exercise those faculties and capacities without facing external threat to his/her physical security, subsistence, or liberty. But, if there is no social guarantee for physical security, subsistence and liberty, the enjoyment of speech, conscience or fair trial is neither socially guaranteed nor free nor secure in the first place. The person in question will be subject to the possibility that he/she may be deprived of access to food, or to medications against rickets or emphysema, as a result of the decision to enjoy speech, conscience, or fair trial. So, it cannot be said

that that person has socially guaranteed opportunities to enjoy those substances freely and securely.

In Shue's view, in short, a person enjoys a right, as opposed to the substance of a right, when he/she enjoys social guarantees for the free and secure enjoyment of the substance of the right. And a person enjoys such social guarantees when he/she can choose to enjoy the substance in question without facing threat to his/her physical security, subsistence or liberty, not as a matter of luck, but as a matter of social guarantees. In this sense, the enjoyment of any right logically presupposes the provision of social guarantees for physical security, subsistence and liberty.

It is now clear from the discussion so far that, in Shue's view, the rights to physical security, subsistence and liberty are 'basic' in the sense that these rights are *logically inherent* in all other rights: the enjoyment of any right entails, with inherent necessity, the enjoyment of the three basic rights. This does not mean that all rights are *derivative* from, and therefore *reducible* to, the three basic rights. Nor is this what Shue intends to claim. What he does is not to derive all rights from the three basic rights, but to find shared components in all rights. Thus, Shue's argument is immune to Caney's objection that he 'tries to squeeze too much content out of his argument'.

Unlike Shue, however, I suggest that, from his tripartite set of basic rights, even if we cannot derive *all* other rights, we can still derive *some* rights if certain links can be found to ground such rights derivation. And those derivative rights, although Shue may call them 'non-basic', can be regarded as 'basic' in both sense 1 and sense 2 along with the rights to physical security, subsistence and liberty. Those rights are 'basic' in sense 1 because they are all grounded in Shue's basic rights, and therefore ultimately in a person's basic human faculties and capacities.

Those rights are also ‘basic’ in sense 2 because they are all necessary preconditions for the enjoyment of Shue’s basic rights. Without the enjoyment of those rights, Shue’s basic rights cannot be enjoyed, and ultimately, no other right can be enjoyed.

To sum up, for the present purpose, I regard Shue’s tripartite set of basic rights as the set of core basic human rights from which some derivative basic human rights can be derived. And I assume that Shue’s basic rights and the rights derivative from them together constitute a holistic system of basic human rights whose components are indivisible, interdependent and interrelated.

#### **4.2.2. Basic Human Rights Related to CSR**

I shall now identify a holistic set of basic human rights that corporate actors and business managers ought to respect as a matter of CSR in order to avoid undermining a person’s minimum well-being and temporal and ecological desiderata. For this, the idea that some rights are interconnected in such a way that one is derivative from another offers a meaningful starting point. Also, I have already specified the three basic rights identified by Shue, and affirmed in Article 3 of the UDHR, as the core human rights from which some derivative human rights can be derived. For the present purpose, I shall focus on the ‘logical’ and the ‘incompleteness’ grounds for rights derivation.

From the basic right to physical security logically derive the right to *protection against slavery* and the right to *protection against torture and degrading treatment*, since these inhumane treatments constitute direct harm against a person’s physical security. Slavery, torture, and degrading treatment, I suggest, also undermine liberty by depriving a person of opportunities to exercise personal autonomy. Slavery leaves very little room for the victim to make autonomous life decisions that

are authentically his/her own. Torture and degrading treatment may prolong the time the victim will need for bodily reproduction and substantially reduce his/her discretionary time. So, the rights against slavery, torture and degrading treatment can be logically derived from the basic right to liberty as well.

Meanwhile, from the basic right to liberty derive the rights to *freedom of thought and conscience, freedom of opinion and expression, access to information, and education*. Free formation and expression of thought, conscience and opinion are essential part of the exercise of practical reason. So, the basic right to liberty logically entails the right to freedom of thought, conscience, opinion, and expression. For a person to develop the capacity of practical reason in the first place, he/she needs a certain quantity and quality of education (esp. during childhood). So, the basic right to liberty seems incomplete without the right to education. And for a person to form thought, conscience and opinion in a proper (not manipulated) way, he/she needs access to relevant information. So, the right of access to information seems to be the logical corollary of the right to freedom of thought, conscience and opinion.

These rights identified so far represent *general* human desiderata. These are therefore general rights that apply to any person, whether he/she is a child or a grown person, whether he/she is in employment or not, or ‘without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status’ (UDHR Article 2). But these rights are also important in the context of employment and CSR. To enjoy the rights against slavery, torture and other inhumane treatments including forced labour is part of what it means to enjoy the labour right to ‘just and favourable conditions of work’ (UDHR Article 23). And to enjoy the rights to freedom of thought, opinion and expression,

access to information, and education is a necessary prerequisite for workers ‘to form and to join trade unions’ (UDHR Article 23). As I shall argue below, freedom to form and join trade unions is incomplete without freedom of thought, opinion and expression, access to information, and education.

Meanwhile, some human rights represent *special* human desiderata that apply to people in specific situations or social relations. A person lives a temporal trajectory from childhood to adulthood. And a person in adulthood is considered to be a potential worker. These aspects of human existence ground human rights to the desiderata that apply specifically to a person in childhood and a person in employment: *rights of children* and *rights of workers*.

Children need time for education in order to unfold their mental (and emotional) faculties and capacities, on the one hand, and develop skills they can rely on for their future occupations, on the other. Education is, therefore, necessary for a child to enjoy liberty and autonomy in adulthood. Child labour of an abusive kind would deprive children of the time necessary for this important activity. Also, child labourers are especially vulnerable to physical abuse by adult employers. So, *children’s right to protection against social abuses such as child labour* logically derives from the basic rights to liberty and physical security.

Also, the following five sets of workers’ rights can be derived from Shue’s basic rights based on logical considerations. As we saw in chapter 2, employment of human labour is necessary for a society to create and accumulate social wealth – wealth of the kind that is ultimately conducive to a person’s minimum well-being (physical security, subsistence and liberty). From workers’ perspective, labour is a primary source of individual access to such wealth: in this sense, work is necessary for them to enjoy physical security, subsistence and liberty. Therefore, first, from

the basic rights to physical security, subsistence and liberty logically derives the right of a grown person to *work*; and the basic right to liberty logically requires that work should be *freely chosen* by each worker (within the limits of one's skills and the choices available in the society one belongs to).

Second, if labour is a primary source of individual access to socially accumulated wealth, this access must be adequate for workers, and their dependants, to enjoy, at the very least, the state of minimum well-being. So, from the basic rights to physical security, subsistence and liberty logically derives workers' right to *just and favourable remuneration* – the level of remuneration that ensures workers' and their dependants' minimum well-being. Also, logically from those basic rights derives workers' right to *just and favourable working conditions* – working conditions that do not undermine workers' fundamental faculties and capacities as humans.

Third, the existing economic system, or perhaps any economic system, can cause a certain rate of unemployment or underemployment. So, again logically from the three basic rights derives workers' (and their dependants') right to *social protection against dire effects of unemployment or underemployment*, i.e. their right to social security. Obligations to set up social security programmes are primarily state obligations. But, as a matter of CSR, corporate actors and business managers ought to support those programmes implemented in the societies in which they do business – e.g. by paying tax.

Fourth, although workers need to work in order to realise their own and their dependants' minimum well-being, they also need time *off work* for their own and their dependants' minimum well-being. As we saw in chapter 2, a person needs time off work for personal care (the maintenance of one's physical well-being), for

familial care (the maintenance of one's dependants' minimum well-being), and for the exercise of personal autonomy (discretionary time). Therefore, workers' right to *rest and leisure* is the logical corollary of the basic rights to physical security, subsistence and liberty.

And fifth, workers are vulnerable to abusive working conditions, in particular when they lack any voice against such conditions. But, by organising trade unions, workers can negotiate with employers about their working conditions, sometimes by resorting to a strike. Through such organisations, workers can exert their collective power of self-protection against low wages, unsafe or unhealthy conditions, forced labour, slavery, and other degrading treatments. Therefore, from the basic rights to physical security, subsistence and liberty logically derives workers' right to *freedom to form and join trade unions*.

As noted earlier, freedom to form and join trade unions is incomplete without freedom of thought, opinion and expression, access to information, and education. A trade union brings workers together to achieve common goals through collective negotiations with employers. However, if employers (or the government) suppress workers' free formation and expression of thought and opinion about their working conditions, deny them access to relevant information, or control information to manipulate their thought and opinion, then the presence of a trade union will be simply formal without substantial functions. Also, education of workers – e.g. provision of knowledge of what legal instruments or social policies are available for their protection, how they can use those instruments and policies for negotiations with employers, etc. – is essential for the effective operation of a trade union.

The rights identified so far are all affirmed in the UDHR. Meanwhile, from Shue's basic rights, we can logically derive another right affirmed in the Stockholm

Declaration. This is, namely, the right to *an environment adequate for minimum well-being*. As noted above, the substances of Shue's basic rights – physical security, subsistence, and liberty – are components of a person's minimum well-being. But, to realise minimum well-being, a person needs various material inputs. And, as we saw in chapter 2, such material inputs can be procured only through collective or individual human interaction with the natural environment (often via the built environment such as productive infrastructure). Also, for a person to realise minimum well-being, he/she needs an adequate (e.g. unpolluted) living environment. Therefore, from the basic rights to physical security, subsistence and liberty logically derives the right to ecological means of, and a living environment adequate for, minimum well-being.

Finally, I suggest that social guarantees for the substances of human rights cannot be secured without institutional arrangements. So, the right to a *social and international order* that can fully realise the rights identified here can be justified on the incompleteness ground. The UN Global Compact and other transnational CSR-related instruments can be regarded as fruits of political attempts to develop an international order where human rights can be fully realised. Again, obligations to set up such a social and international order fall primarily upon the state government as the key locus of legitimate political and regulatory power. But, as a matter of CSR, corporate actors and business managers ought to support such an order by respecting internationally affirmed human rights.

#### **4.2.3. Does the UN Global Compact Advance Appropriate Principles?**

To recapitulate, from Shue's three basic rights, we can derive a wide range of derivative basic rights related to CSR. The core basic rights to physical security,

subsistence and liberty are grounded in the central human faculties and capacities that define a person's minimum well-being. Some of the derivative ones relate directly to a person's minimum well-being (e.g. protection against slavery, torture and other degrading treatments, freedom of thought, conscience, opinion and expression, access to information, education, and protection of children). And some relate to the temporal and ecological desiderata necessary for a person's minimum well-being (e.g. rest and leisure, and life in an adequate environment). Others refer to the institutional preconditions necessary for a person to enjoy minimum well-being (e.g. social security, and a social and international order that can fulfil basic human rights). Yet others refer to the preconditions necessary for a person as an economic agent (as a worker) to enjoy minimum well-being (e.g. freely chosen work, just and favourable working conditions, minimally adequate remuneration, and freedom to form and join trade unions).

The identified derivative rights can be regarded as 'basic' along with the core ones. They are all grounded in the basic rights to physical security, subsistence and liberty, and therefore ultimately in the basic human faculties and capacities that define a person's minimum well-being. So, they are 'basic' in sense 1. Also, to enjoy those rights is part of what it means to enjoy the core basic rights: without the enjoyment of those rights, the core basic rights cannot be enjoyed, and ultimately, no other right can be enjoyed. So, they are 'basic' in sense 2.

The core and derivative rights identified above can be taken to constitute a holistic set of basic human rights: the derivative ones are indivisible from the core ones. Because the derivative basic rights are derivative from the core basic rights, infringement upon the former would result in infringement upon the latter, and ultimately upon a person's central human faculties and capacities that the latter are

intended to protect. Therefore, if corporate actors and business managers ought to avoid undermining a person's central human faculties and capacities, they ought to respect all the identified rights as an indivisible set.

Does the UN Global Compact present a set of principles appropriate to harness corporate activities to all the identified human-right norms, and therefore to protect a person's minimum well-being and temporal and ecological desiderata from corporate infringements? I judge it does.

As mentioned above, the UN Global Compact advances a set of principles on human rights. And in doing so, the Compact refers to the UDHR.<sup>8</sup> So, it requires corporate actors and business managers to respect all the human rights affirmed in the UDHR (including those identified in this chapter). Also, the Compact advances a set of principles that accommodates urgent ecological concern, although it avoids the language of human rights in setting out those principles.<sup>9</sup> The Compact upholds the following principles on the environment:

Businesses should (a) support a precautionary approach to environmental challenges; (b) undertake initiatives to promote greater environmental responsibility; and (c) encourage the development and diffusion of

---

<sup>8</sup> Cf. <<https://www.unglobalcompact.org/what-is-gc/mission/principles>>, retrieved on 30 January 2016.

<sup>9</sup> The Compact does not refer to the environmental right affirmed in the Stockholm Declaration because the international agreement the Compact directly refers to in setting out its environmental principles – the 1992 Rio Declaration on Environment and Development – does not affirm this right. And the failure of the Rio Declaration to affirm this right is attributable to the 'continuing uncertainty and debate about the proper place of human rights law in the development of international environmental law' (Boyle 1996: 43). But the environmental right in question seems to have strong theoretical grounds, and also it has been widely accepted by states. For a strong theoretical defence of this right, see Hayward (2005a). Meanwhile, the social acceptability of this right can be illustrated by the fact that, as of 2012, 177 states have recognised this right constitutionally or otherwise (Boyd 2012).

environmentally friendly technologies.<sup>10</sup>

These principles, if corporate actors and business managers could adhere to them, would serve to protect the right to ecological means of, and a living environment adequate for, a person's minimum well-being against corporate infringements.

Therefore, it can be argued that the UN Global Compact is reconcilable with the holistic set of basic human rights identified above. So, the Compact is appropriate at least in principle: it presents an appropriate set of principles that would serve to protect a person's minimum well-being and temporal and ecological desiderata against corporate infringements.

#### **4.3. Familiar Challenges to CSR and the UN Global Compact**

The remaining question is whether the UN Global Compact is sufficient in the sense that, in practice, corporate actors and business managers can adhere to its principles without any further arrangement. But, before answering this question, I shall consider several challenges that have been familiarly posed to CSR in general and the UN Global Compact in particular. My claim is that CSR and the UN Global Compact can be defended against those challenges.

The idea of CSR in general has been challenged by those who believe that corporate actors should serve society only by maximising profits (and thereby supporting the government's tax revenues, enhancing employment, meeting consumer demands, and rewarding investors). The most prominent scholar who takes this view – and who is also frequently cited in the CSR literature – is Milton

---

<sup>10</sup> Cf. <<https://www.unglobalcompact.org/what-is-gc/mission/principles>>, retrieved on 30 January 2016.

Friedman (2002[1962]: 133-6).

Following Adam Smith's (1904[1776]) theory of the laissez-faire economy, Friedman argues that markets, if so structured as to facilitate endless capital accumulation and to minimise public intervention, can provide an 'invisible' mechanism for realising maximum human well-being. In a 'free economy', Friedman writes, 'there is one and only one social responsibility of business', which is 'to use its resources and engage in activities designed to increase its profits so long as it stays within the rules of the game' (Friedman 2002[1962]: 133). Meanwhile:

It is the responsibility of the rest of us to establish a framework of law such that an individual in pursuing his own interest is, to quote Adam Smith again, "led by an invisible hand to promote an end which was no part of his intention. Nor is it always the worse for the society that it was no part of it. By pursuing his own interest, he frequently promotes that of the society more effectually than when he really intends to promote it. I have never known much good done by those who affected to trade for the public good." (Friedman 2002[1962]: 133; quoting Smith 1904[1776]: IV.2.9)

For Friedman, in short, it is the responsibility of the government (and, if the government is democratic, the responsibility of citizens as participants in democratic law-setting procedures) to set the rules of the game that regulate corporate activities, whereas the responsibility of corporations is only to perform the commercial role as profit maximisers, conforming to those rules of the game. In this sense, Friedman takes a dichotomous view on business and politics.

Friedman, elsewhere (1970), offers three reasons why he considers it appropriate to take this dichotomous view. First, on a standard view of the corporate structure, business managers are responsible exclusively to shareholders, and not to the society as a whole, because they are 'agents' acting on behalf of

‘principals’, i.e. shareholders (cf. Jensen & Meckling 1976). And it can be assumed that the interest of shareholders lies in making more money. So, according to Friedman, investment in CSR would distort the ‘agent-principal’ relationship. He argues that spending shareholders’ money for purposes other than making more money, e.g. for investing in CSR, would mean ‘spending someone else’s money for a general social interest’ that is likely to ‘reduce returns to stockholders’ (Friedman 1970). Second, CSR would undermine the principle of democracy (which Friedman takes as an important value). According to Friedman, CSR would mean letting business managers who are either self-selected or appointed by shareholders – not democratically elected representatives – determine the objectives that society should collectively pursue. And third, business managers lack the expertise necessary for developing and managing CSR-related policies. Such policies can be best developed and managed by civil servants and political representatives, and not by business managers.

There are five points that can be made against Friedman’s argument. First, it is not so obvious as Friedman believes that the ‘free economy’ driven by the process of endless capital accumulation will promote the interest of a society as a whole effectually. As we saw in 4.1. above, the process of endless capital accumulation (at the global level) tends to undermine the competence of the governments of poor societies to enforce basic human rights within their jurisdictions. So, in so far as a poor society is concerned, the process in question is likely to undermine, rather than promote, the interest of the society as a whole. Moreover, societies need material inputs from, and outputs to, ecological space in order to create and accumulate social wealth. But, as we shall see later in this chapter, there is a reason to think that the imperative inherent in the process of capital accumulation is such that this material

base of societies' economic activities will be undermined. So, the process in question is likely to undermine the material interest of a society as a whole as well.

Second, CSR-related investment by agents (business managers) should not be seen as an act that is irresponsible to principals (shareholders). CSR requires not only agents but also principals to respect human rights when seeking profits. The concept of 'socially responsible investment', or SRI, requires investors to avoid investing in socially irresponsible corporations. So, it can be argued that, just as agents are required to seek profits in such a way as not to infringe upon human rights, so are principals. This means that principals ought to expect agents to maximise profits in such a way as not to infringe upon human rights in the first place. Therefore, it seems incorrect to argue that CSR investment by agents would distort the agent-principal relationship.

Third, the argument that democratically elected representatives, and not business managers, should determine what social objectives to pursue presupposes a rigid dichotomy between the political sphere and the business sphere. But, in reality, these spheres are not mutually exclusive as Friedman imagines. It is often the case that associations of business managers are involved in setting the rules of the game – e.g. rules about pollution, employment conditions, etc. – in order to make them favourable for profit maximisation. (Recall the process Pogge refers to as 'regulatory capture' (see chapter 1).) So, business managers *are* influencing the political sphere in order to satisfy their short-term private interests that are not necessarily compatible with long-term social interests. Friedman would be right if he meant that business interferences in the political sphere would subvert political attempts to set and enforce socially desirable rules of the game. If so, Friedman's standpoint would be reconcilable with the CSR standpoint. But this is not what he

means. Meanwhile, it is not clear from Friedman's account exactly how *CSR* – a political interference in the business sphere – would subvert, rather than support, such political attempts.

Also, fourth, the argument that *CSR* means letting business managers determine what social objectives to pursue seems wrong. *CSR* does not let them do so. What *CSR* demands is defined not by business managers but by state governments according to internationally affirmed norms such as human rights. Business managers can only decide *how* to avoid infringing upon those norms. But they do not have the discretion to decide the *contents* of those norms as they like.

And finally, there are two reasons why it seems wrong to assume that the lack of expertise on the part of business managers would obstruct the implementation of *CSR*. First, business managers can employ experts and professions to develop and manage *CSR*-related corporate policies. Or they can learn how to develop and manage such corporate policies through social dialogue and peer learning among a full range of stakeholders (including employers, employees, civil servants from state governments and international organisations, NGOs, lawyers, accountants, consultants, academics, etc.). Transnational *CSR* instruments are designed to facilitate such social dialogue and peer learning (cf. Rasche 2009). Second, business managers have already started to ask themselves what human rights impacts they may have within their spheres of influence and what they can do about those impacts (Clapham 2006: 219-20, 231-2). So, the lack of expertise on the part of business managers does not obstruct, and has not obstructed, the implementation of *CSR*.

Based on these, it can be argued that Friedman's objection to *CSR* in general fails. Meanwhile, the UN Global Compact, as a specific instrument for

implementing CSR, has invited the following line of criticism from civil society organisations such as the Global Compact Critics.<sup>11</sup>

The UN Global Compact lacks a strong enforcement mechanism such as can be found in the national legal context (e.g. sanctions). The only follow-up mechanism the Compact has is the system of annual reporting: a corporation that has subscribed to the Compact is required to report to the Global Compact office every year on the progress it has made in internalising and fulfilling the Compact's principles. Meanwhile, the Global Compact office does not monitor each corporation's actual fulfilment or non-fulfilment of the Compact's principles. The membership of the Compact, once granted to a corporation, continues in so far as the corporation submits the annual report by the deadline, even if the corporation does not comply with the Compact's principles. As a result, a corporation with poor human rights and environmental records is able to retain its membership. So, some critics argue that the Compact is merely a 'bluewashing' instrument – an instrument designed to improve the images of corporations without producing expected outcomes.

Three points can be raised against this line of criticism. First, despite the lack of strong enforcement and monitoring mechanisms, the Compact at least has a mechanism for 'naming and shaming'. 'Naming and shaming' is an effective way to call norm-violators' attention to their obligations based on social norms. It is effective especially when the violators have already accepted those social norms as justifiable ones (cf. Risse & Ropp 2013: 14-6; Clark 2013: 125-44). Also, this strategy can put the violators on the defensive by shifting the burden of justification to them (Sen 2004: 349). The Compact implements this strategy in the following

---

<sup>11</sup> Cf. <<http://www.globalcompactcritics.net/>>, accessed on 1 June 2015.

way. If a member corporation misses the deadline for annual reporting, it will be classified as ‘non-communicating’. And if that corporation fails to respond within three months after it receives a complaint from the Global Compact office, the name of the corporation will be removed from the list of participants and published on the Global Compact website. This mechanism has had a negative impact upon the reputation of delisted corporations (Mwangi et al 2013: 207).

Second, although the Global Compact office does not delist corporations with poor human rights and environmental records in so far as they meet the deadline for annual reporting, civil society organisations can make up this deficit by turning consumers’ critical gaze to socially irresponsible corporations. Criticisms by those organisations seem to have been effective in changing consumer attitudes towards the criticised corporations. Not only the UN Global Compact but also any institutional arrangement to protect human rights at the transnational level – the level at which a norm enforcer with legitimate authority is absent – would not succeed without such critical gaze of civil society groups and the public.<sup>12</sup>

And third, if the Compact is likely to turn out to be a ‘bluewashing’ instrument, that may be not so much because the Compact lacks a strong enforcement mechanism or fails to present an appropriate set of principles, as because the Compact does not address the root cause of the problem – namely, the global system that makes it hard for business managers to adhere to its principles. I suggest that, if business managers *could* (easily) act in socially responsible manners, then they *would* do so partly in order to pre-empt social criticisms, and partly in order to maintain or improve the images of their corporations. But the problem seems to be

---

<sup>12</sup> For an illustration of how criticisms from civil society organisations have prompted formerly irresponsible corporations to comply with the Compact’s principles in particular, and human rights norms in general, see Deitelhoff & Wolf (2013).

that they *cannot* easily act in socially responsible ways within the capitalist system. This may be part of the reason why a UN proposal for coercive enforcement of CSR has scared away business managers, whereas a voluntary, legally non-binding route such as the UN Global Compact has attracted their strong support.<sup>13</sup>

Finally, some critics (e.g. Williams 2004) have also pointed out that participants in the UN Global Compact remain only a fraction of all the corporations that exist globally, and that they are largely corporations based in Western Europe. However, against this, it can be argued that those participants include the world's largest 250 corporations that are likely to have up- and down-stream effects widely through other large-, middle-, and small-sized businesses (Moon 2014: 129).

#### **4.4. A Reference Problem and a Fundamental Problem**

Based on the discussion so far, I conclude that the UN Global Compact is necessary in the light of current global economic circumstances, appropriate in principle in the light of the identified set of basic human rights, and defensible against familiar objections. However, I shall argue in this section that the Compact is problematic in two respects. First, at a less fundamental level, its reference to the ILO's particular instrument – the Core Labour Standards – is misleading. Second, at a more fundamental level, the Compact, even if appropriate in principle, should not be regarded as the final solution to the harm that is likely to be reproduced under the global system, because it is a reformist scheme.

---

<sup>13</sup> The ICC and the IOE – international organisations that represent corporate interests – have jointly criticised the UN's proposal to implement CSR through strong enforcement mechanisms: the UN Draft Norms on the Responsibilities of Transnational Corporations and other Business Enterprises with Regard to Human Rights (ICC & IOE 2004). Meanwhile, a legally non-binding instrument such as the UN Global Compact has been widely accepted by business managers.

#### 4.4.1. A Reference Problem

One of the two problems I wish to highlight is what I call a ‘reference problem’. In addition to the human rights and the environmental principles that were already mentioned, the Compact upholds another set of principles on labour rights:

Businesses should uphold (a) the freedom of association and the effective recognition of the right to collective bargaining; (b) the elimination of all forms of forced and compulsory labour; (c) the effective abolition of child labour; and (d) the elimination of discrimination in respect of employment and occupation.<sup>14</sup>

In setting out these principles, the Compact refers to a specific set of standards proposed by the ILO. It is, namely, the 1998 ILO Declaration on Fundamental Principles and Rights at Work, which is commonly known as the ILO’s Core Labour Standards (CLS).

The ILO has proposed several CSR-related instruments including the 1977 MNE Declaration (the ILO Tripartite Declaration of Principles Concerning Multinational Enterprises and Social Policy) and the 1999 Decent Work Agenda. These two instruments affirm the extensive set of labour rights that was identified in 4.2. above. The CLS, however, requires employers only to ensure the following four substances: (i) employees’ freedom of association and collective bargaining; (ii) the elimination of forced labour; (iii) the elimination of child labour; and (iv)

---

<sup>14</sup> Cf. <<https://www.unglobalcompact.org/what-is-gc/mission/principles>>, retrieved on 30 January 2016.

non-discrimination at work. But focusing on these four substances is too selective to meet the demand of basic labour justice (cf. MacNaughton & Frey 2011).

Basic justice, as I understand it, requires that everyone in the globe should be able to enjoy minimum well-being and the temporal and ecological desiderata necessary for it. And this requires that an extensive set of basic human rights including a broad set of basic labour rights – much broader than the set affirmed in the CLS – should be protected against corporate infringements. Therefore, the CLS is not appropriate to realise basic justice in relation to labour. If the aim of the UN Global Compact is to harness employers to the demand of basic justice, then it should affirm the broad set of basic labour rights identified in 4.2. above, i.e. the set affirmed in the UDHR.

Indeed, as we saw above, the Compact refers to the UDHR in setting out its principles on human rights. So, the Compact requires employers to respect the broad set of basic labour rights affirmed in the UDHR, including not only the rights to freedom of association and collective bargaining and protection against forced labour, child labour and discrimination at work, but also the rights to minimally adequate remuneration, healthy and safe working conditions, and rest and leisure. This means that the reference to the CLS by the Compact is redundant or, worse, diverts employers' attention from what they have actually signed up for – the UDHR.

There may be a reason why the UN Global Compact should refer to a set of labour standards proposed by the ILO. The ILO has the internationally recognised authority to protect workers' well-being; so, reference to an ILO instrument gives legitimacy to the Compact's principles on labour rights. Even if this is the case, it can be argued that the Compact should have referred to either the MNE Declaration or the Decent Work Agenda because these instruments are compatible with the

UDHR and therefore appropriate to harness corporate activities to basic labour justice. In short, the UN Global Compact should stop referring to the CLS.

#### **4.4.2. A Fundamental Problem: From the Perspectives of Ecological Space and Human Time**

The second problem I wish to highlight is that the UN Global Compact is a reformist institution. This problem is more fundamental than the first one. I argued that the UN Global Compact is appropriate in principle, and also necessary because corporate actors and business managers are likely to infringe upon a person's minimum well-being and temporal and ecological desiderata in order to maximise profits. But what if corporate actors and business managers *cannot* (easily) adhere to the Compact's principles within the existing global economic system?

Here, it is useful to distinguish between two ways to design an institution to put right a problem. One is to design an institution that simply advances a set of norms that restricts the activities of specific actors who are likely to become complicit in the causation of the problem. This would be effective if there were no systemic obstacle that would make it hard for those actors to avoid complicity. I call this a *reformist* scheme since this does not involve a further arrangement that addresses the systemic obstacle in question. The other way is to create an additional institution as well to remove the systemic obstacle in question. This would make it easier for the targeted actors to avoid complicity in the causation of the problem. I call this a *radical* scheme since this requires more than advancing a set of norms that cannot be easily adhered to by the actors in question.

CSR-related instruments that are currently implemented at the transnational level, including the UN Global Compact, are reformist institutions. They simply

advance a set of norms designed to harness business managers (and capitalists in general) so that their profit-making activities will not result in human rights infringements, or infringements upon a person's minimum well-being and temporal and ecological desiderata. But those instruments do not address the systemic imperative that makes it hard for business managers (and capitalists in general) not to become complicit in those norm-infringements. So, a relevant question to ask is: Does it suffice to expect corporate actors and business managers to adhere to the principles advanced by the UN Global Compact without altering the existing global economic system?

At least in so far as the Compact's environmental principles are concerned, the answer seems to be 'No'. As some critical theorists (e.g. Foster et al 2010, Harvey 2010, Hayward 2009, Hornborg 2001, Sweezy 1989) emphasise, the built-in imperative of the capitalist economy is that of ceaseless material expansion. And ceaseless material expansion is, as Herman Daly writes, 'biophysically impossible' (Daly 2005: 102R), since it requires infinite material inputs from, and outputs to, finite ecological space. Even service sectors of the economy, as Daly points out, 'turn out on closer inspection to have a substantial physical base' (Daly 2005: 105L). To this, capitalists may object that expansion would be possible without causing such ecological overload if the growth of economic value could be decoupled from the consumption of ecological space. But it is questionable whether economic value can grow in a dematerialised way. What does 'dematerialised economic growth' mean? As Hayward writes, 'if it were simply an increase in the amount of money circulating, that would be pure inflation; if it is growth of some tangible source of value, then what' (Hayward 2014b: 23)? (Then, it is material growth.)

Or should we place our faith in an 'environmental Kuznets curve' (EKC)?

This is the hypothesis that the level of consumption of ecological space will rise with the level of economic growth up to a certain point but will automatically decline beyond that point (cf. World Bank 1992: 9-11, 38-41). If we accept this hypothesis, we can argue that the finitude of ecological space is nothing to worry about because the time will eventually come when the current level of ecological-space consumption will be no longer needed for economic growth.

But there are at least three reasons why we should not accept this hypothesis. First, the EKC is not a conclusive hypothesis. As Arrow et al admit, so far, this hypothesis ‘has been shown to apply to a selected set of pollutants only’ (Arrow et al 1995: 92L). So, those who wish to defend this hypothesis need further empirical evidence to make the general case that it holds for any indicator of environmental degradation, both over time and across societies (Barbier 2003: 259).

Second, the threshold point on the EKC (the point at which economic growth will be decoupled from ecological-space consumption) has proven to be very high (Barbier 2003: 261; Opschoor 1995: 138R). Even affluent societies have not yet reached that point. So, environmental degradation is highly likely to continue over time. And, if underdeveloped societies are to attain the same level of development in the same resource-intensive manner as affluent societies, then the worst-case scenario will be an ecological catastrophe. If we consider these – and the fact that the overall economic activities of humans have already exceeded the capacity of one earth (Meadows et al 1992: xii-xvii; Global Footprint Network 2013: 6) – it seems optimistic to hope that ecological-space consumption will start to decline in, say, 20 or 30 years’ time.

And third, we should also note the ‘relinking hypothesis’. Hans Opschoor (1995) reports:

[T]here may come a time, or income level, at which growth of income overtakes weak delinking simply because the possibility of increasing energy and materials efficiency may have a technological or even economic upper limit. From that point onward, the economy and environmental pressure will be *relinked*, at least until further breakthroughs in research and development occur, or a more intensive application of environmental policy checks is implemented. (138R-9L, my emphasis).

Opschoor also found that several affluent societies actually ‘showed an upswing in their throughput intensities’ (139L). So, even if the level of ecological-space consumption declined automatically beyond a certain point of economic growth, it would rise again beyond another point. For all these reasons, we should not accept the EKC hypothesis.

Neither should we assume, as Wilfred Beckerman (1974/75: 24R-5R) does, that, even if the ecological resources we presently rely on become scarce, economies can always adjust to such scarcity through technological advancements and the discovery of new substitutive resources. Historically, technological advancements and the discovery of new resources have not reduced but increased total matter and energy consumption (Foster et al 2010: 139-43). This is partly because, even if a substitutive resource is discovered, resource substitution often requires a large amount of the newly discovered resource. For example, plastics or chemical fertilisers are now widely used as substitutes for naturally occurring materials. But their production requires heavy use of fossil fuels (Hayward 2009: 287). Also, as John O’Neill (2017) points out, even if technological advancements and the discovery of new resources bring about a fall in relative resource and energy intensity, they also lead to ‘a relative cheapening of the goods’ (48). And the cheapening of the goods ‘will either increase or displace demand and hence potentially negate the

claimed resource and energy savings' (ibid).

Also, the capitalist economy is characterised by fierce competition (Foster et al 2010: 109; Harvey 2010: 43). Capitalists must either reinvest their earnings in further expansion, which necessarily entails further ecological-space consumption, or lose to competitors and get driven out of business. This means that business managers, and capitalists in general, must keep consuming ecological space infinitely in order to survive under the capitalist system. Moreover, capitalists must reinvest *immediately* after they gain earnings, in order to avoid the 'liquidity trap'. This is the problem that is likely to occur when people hold money rather than spend it: if people hold money rather than spend it, effective demand collapses, reinvestment becomes less profitable, and, as a result, a downward spiral occurs (Harvey 2010: 111). Fierce competition under capitalism therefore makes it hard for capitalists to take a precautionary approach to the ecological impacts of their activities. Under capitalism, the speed of reinvestment is of paramount importance in keeping accumulation going without disruptions. Meanwhile, precaution requires careful, and often very long, deliberation about the consequences of each reinvestment.

The UN Global Compact expects business managers to take a precautionary approach to ecological challenges and fulfil greater environmental responsibility. But it expects them to do so *within the capitalist system*. But, as we just saw, one of the systemic imperatives under capitalism is to consume ecological space both *infinitely* and *fast*. This capitalist imperative is irreconcilable with ecological sustainability and environmental responsibility. Therefore, we can conclude that the UN Global Compact is, if necessary and appropriate, *insufficient*. The fundamental problem lies in the fact that the Compact is a reformist institution: it does not address the systemic imperative which makes it difficult, or even impossible,

for business managers to adhere to its environmental principles.

In short, the UN Global Compact is insufficient from the ecological perspective. What should be added from the temporal perspective is this. The infinite and fast consumption of ecological space diminishes the quantity and quality of the services ecological space provides for productive activities. As Keekok Lee (1989) writes, ‘work may be performed but only at a price, the price being that the amount of available energy for further work in the future has diminished’; and ‘the faster the rate of transformation by human agents in their productive activities, the greater the entropy, or the greater the rate at which available energy for work decreases’ (74-5). And as available energy for work decreases, I suggest, workers will need to devote more and more time to producing the same amounts of commodities as before – or more than before because expansion is a capitalist imperative – and to fighting against entropic degradation such as climate change, resource depletion, etc. This means that the infinite and fast consumption of ecological space will, in the long run, result in the prolongation of labour time and the reduction of discretionary time for workers. In short, in the long run, it is difficult for business managers to ensure not only the environmental right but also workers’ right to rest and leisure – time for personal care and discretionary time – under the capitalist system.

### **Concluding Remarks: A Happy Moment, or an Uneasy Moment?**

This chapter has raised four points. First, institutions to promote CSR at the transnational level, such as the UN Global Compact, are necessary in the light of present global economic circumstances. Second, the UN Global Compact advances a set of principles that is appropriate to protect a person’s minimum well-being and

temporal and ecological desiderata against corporate infringements. So, if corporate actors could adhere to the Compact's principles, the Compact would serve to remedy the state of affairs in which the disadvantaged are likely to be severely harmed under the global system. Third, the Compact can be defended against several familiar challenges. However, fourth, the Compact is problematic because it refers to the ILO's Core Labour Standards, and because it is a reformist institution. The latter fact – that the Compact is a reformist institution – indicates that, in practice, the Compact may fail to work in an expected manner within the existing global economic system. Therefore, I argue, if we want to make the Compact work in practice, we may need to alter the core structure of the existing global system.

This argument would come as a shock if investors and business managers, as well as UN officials and state governments, were all enjoying the happy moment in the belief that, now that the Compact has been set up and got many influential companies on board, nothing bad will ever happen. The argument may also unnerve the ILO official we interviewed. At the end of our interview, she argued we should never forget that the business case cannot solve human rights problems, and continued:

[M]aybe, we can combine the two [the business case and the human rights case]. But we should never forget that. And it's the job of organisations like the ILO to really always be there [and] say 'Fine, talk about a business case, but I'm here to talk about rights whether or not there is a business case, and really, you know, make sure that the message is clear for everyone'.

I think she is right to emphasise the normative importance of internationally affirmed human rights. But she nevertheless seems to believe that it is sufficient only to

emphasise their importance to business managers without addressing core structural obstacles inherent in the global capitalist system – obstacles that may make it difficult for business managers to meet the demands of basic human rights. I think what we need to solve human rights problems is not only to emphasise the human rights case to business managers, but also to consider how we can interfere in systemic imperatives behind the business case.

In conclusion, a critical question we should ask may be this. Should we see the UN Global Compact as the final solution to the absolute harm that is likely to be reproduced under the existing global economic system? Or do we need a further arrangement to alter the core structure of the existing global economic system? On the basis of the discussion in this chapter, I conclude that we are not at a happy moment. We are at an uneasy moment – the moment from which we need to start working to alter the core structure of the existing global system. And this conclusion provides the starting point for a more radical proposal to be supported in the next chapter.



## **Chapter 5. Replacing the Drivers, Changing the Gears, and Turning the Wheel to the Left: Towards the Globalisation of Ecological Market Socialism**

The existing global economic system is severely harmful (see chapters 1 and 2). It is likely to undermine the minimum well-being of the disadvantaged, and therefore reproduce what can be described as absolute harm. The advantaged are complicit in this severely harmful system. And I assume they are also able to put right the situation for the disadvantaged without incurring significant cost – in particular, if they choose an institutional route. They accumulate such ability as a result of being complicit in the global system. So, they should be held responsible for providing institutional remedy (see chapter 3). As a matter of remedial obligation, in short, the advantaged should support, promote, and, if necessary, create institutions that would serve to ensure minimum well-being for the global population including the disadvantaged.

The dual problem which the existing global system is likely to reproduce, and which is likely to result in absolute harm, is the problem of severe poverty and ecological overshoot. These problems are likely to make the disadvantaged materially, and also temporally, worse off to the extent that infringes upon the minimum threshold of human well-being. (Severe poverty in particular may make the disadvantaged vulnerable to various kinds of treatment that may compound their temporal disadvantages, such as cheap and long working hours, unsafe or unhealthy working conditions, physical abuse, etc.) So, institutions that the advantaged should create and support as a matter of remedy are those that would at least contribute to poverty eradication and ecological sustainability.

Chapter 4 focused on one of remedial institutions that we already have at the transnational level: the UN Global Compact. This is, as we saw, a reformist institution that does not address the root structure of the existing global system. It advances a set of principles appropriate to protect the minimum well-being of the disadvantaged against corporate infringements, and expects relevant actors to comply with it within the existing global system. But, as I argued, a reformist institution may be insufficient. I argued that the existing global system, which is a capitalist system, seems to have an inherent structure that may make appropriate principles – in particular, environmental ones – difficult to comply with. Therefore, the advantaged may need to consider a more radical way to provide institutional remedy.

I assume that, pragmatically, the advantaged should consider and do what they can do to provide such remedy from where they are – from the societies which they are members of. I also assume that a majority of the advantaged including affluent workers (including the present author) are members of an affluent society. On these assumptions, this chapter will support a particular institutional arrangement that the advantaged members of an affluent society should, and can, strive to establish from where they are: market socialism.<sup>1</sup> Market socialism is an institutional arrangement in which productive capital is socially owned; capitalist firms are replaced by workers' self-managed cooperatives; and cooperatives lease productive capital from a public agency (or pay a tax on the capital they command) and compete in markets for profit.

The institutional shift to market socialism in affluent societies would have two

---

<sup>1</sup> Therefore, this chapter will focus on an institutional shift that the advantaged in affluent societies should bring about. This does not mean that the advantaged in poor societies need not do anything. The advantaged in a poor society should, for example, work to develop appropriate domestic institutions that will ensure minimum well-being for all the members of that society.

advantages. First, it would serve to change the present course of globalisation. The existing global system is a capitalist system because globalisation, as we observe it, is capitalist globalisation. To alter the global capitalist system, then, the advantaged should promote the globalisation of a (market-)socialist system from where they are. And I suggest that the first step towards it is the institutional shift to (market) socialism within societies that can bring about that shift, i.e. affluent societies.

Second, market socialism, if implemented in affluent societies, would serve to eradicate global poverty in an ecologically sustainable manner. This point is important because the global population are presently faced with the following dilemma. To attain a minimally adequate level of material affluence (adequate for minimum well-being), the disadvantaged need to increase consumption of ecological space. So do poor societies, in order to attain a level of material growth and development that ensures minimum well-being for all their members.<sup>2</sup> But resources available from global ecological space (including waste sinks) are finite. Therefore, it seems biophysically impossible to ensure everyone on the planet the same level of material affluence that the advantaged are presently enjoying. Also, if poor societies seek to attain the same level of material growth as affluent societies, while affluent societies continue to grow as ever, the predictable outcome will be the worsening of ecological overshoot.

So, two demands must be met simultaneously if the disadvantaged are to lift themselves out of severe poverty, but in such a way as not to intensify ecological overshoot. First, growth and development by affluent societies, and consumption

---

<sup>2</sup> 'Development' includes institutional development. Poor societies need to develop domestic institutions that will ensure minimum well-being for all their members.

by the advantaged, must be made to contract down to free up ecological space for growth and development by poor societies, and for consumption by the disadvantaged. Second, poor societies must be allowed to grow and develop at least up to the point where all their members can obtain a minimally adequate level of material affluence. These demands indicate a dual process that needs to be pursued by the global population faced with the dual problem of severe poverty and ecological overshoot. It is, namely, the process of ‘contraction and convergence’ (e.g. Foster et al 2010; Hayward 2014b; cf. also Athanasiou & Baer 2002).

In short, the global population should reach the converging point where not only the advantaged but also the disadvantaged can enjoy minimum well-being; but, at the same time, they should make global economic activities contract down to an ecologically benign scale. Some theorists suggest that the institutional shift to market socialism in affluent societies would serve this end by making the scale of production and consumption in those societies contract down. To support this institutional shift, this chapter will take the following steps.

My point of departure is Leslie Sklair’s argument for market socialism from the global perspective. In general, advocates of market socialism have developed their theories without discussing at great length the implications market socialism may have for issues of global justice. But Sklair regards the institutional shift to market socialism in each (affluent) society as a solution to the dual global problem I am concerned with. In the first section, therefore, I shall briefly outline his account.

In the second section, I shall elaborate on two influential theories of market socialism: a classical one presented by David Miller and a recent one presented by David Schweickart. These were formulated independently of each other. But these together offer a reason to think that Sklair may be right. The globalisation of

socialism that should be pursued may be, as Sklair suggests, that of market socialism rather than that of a non-market alternative (e.g. central planning). And, as he also suggests, market socialism may serve to remedy the dual global problem of severe poverty and ecological overshoot. However, theories of market socialism in general have been subject to challenges from advocates of non-market socialism. So, in the same section, I shall consider major challenges to market socialism in order to indicate that those challenges are surmountable.

And in the third section, I shall evaluate market socialism from another – ecological – perspective. More specifically, I shall consider whether the shift to market socialism in affluent societies would, as a matter of course, serve the end of contraction in those societies. I shall argue that the institutional shift to market socialism would not contribute to ecological sustainability without a shift in ethos: a shift away from the ethos of material pursuit to that of material restraint. I shall also indicate a possible way to bring about such an ethical shift.

Based on these sections, this chapter will draw the following conclusion. The institutional shift to market socialism in affluent societies, if accompanied by the ecological ethos of material restraint, would facilitate the process of global contraction and convergence. Market socialism with an appropriate ethos would therefore serve to remedy severe poverty and ecological overshoot. So, the present economic drivers in affluent societies should be replaced by workers' cooperatives; the ethical gears in those societies should be changed to the ethos of restraint; and the wheel of globalisation should be turned in the direction of ecological market socialism.

### **5.1. Leslie Sklair on Socialist Globalisation: Market Socialism from the**

## **Global Perspective**

In general, market socialists have developed their theories without discussing implications for issues of global justice in detail (e.g. Selucky 1979, Miller 1989, Nove 1991, Roemer 1994, Keat 2015). In so far as ecology is concerned, for example, they either disregard it or discuss it primarily as a societal matter. But Leslie Sklair (2002: chapter 11) is an exception. He regards the institutional shift to market socialism at the societal level as an important step to change the present course of globalisation, and to remedy severe poverty and ecological overshoot at the global level. This societal, and the consequent global, shift to market socialism can start from affluent societies. Sklair writes that ‘we must start from where we are and where the present writer is at present is in one of the relatively rich countries of the First World’ (305).

Sklair takes a position similar to the one I took in this project. He thinks that economic globalisation has been advanced, and the global economic system has been developed, in a specific – capitalist – form. In the economic sphere, capitalist globalisation has allowed capitalists to seek profits anywhere in the globe. In the political sphere, it has allowed them to capture regulations so as to satisfy their sectarian interests. And in the culture-ideology sphere, capitalist globalisation has made the ethos of material pursuit, or consumerism, prevail. With a detailed account of how transnational actors (capitalists) behave under the global capitalist system, Sklair argues that capitalist globalisation, or the globalised capitalist system, is reproducing severe inequalities and ecological overshoot at the global level. And, on the assumption that these problems cannot be solved within the capitalist system, he proceeds to discuss an alternative – socialist – form of globalisation.

Sklair defines ‘socialist globalisation’ as ‘a system of transitional practices in

the economic, political, and culture-ideology spheres' (302). In the economic sphere, the present drivers of the global economy – capitalist corporations – should be replaced by workers' self-managed cooperatives. In the political sphere, cooperatives should be included in the process of organising the global system, in place of 'the transnational capitalist class focused on organizing the global system for private profits' (305). In the culture-ideology sphere, socialist globalisation would require the elimination of consumerism, and the reorientation of the patterns of production/consumption to the set of norms that defines minimum human well-being – for Sklair, the set of human rights affirmed by the international community.

He also discusses how this alternative form of globalisation would likely happen. He explains that 'the globalization of human rights can play a powerful part in this transformation' (319). Socialist globalisation would be advanced by people working together through social movements and networks against severe inequalities and ecological overshoot. The development of those movements and networks would require political will and conviction on the part of activists, and a focal point that would bring activists together. Internationally affirmed human rights, Sklair thinks, would provide such a focal point (306).

What is particularly relevant to my present discussion is that, for Sklair, it is market socialism that would characterise socialist globalisation in the economic sphere (300-2).<sup>3</sup> He argues that 'capitalist globalization cannot resolve the crises of class polarization and ecological unsustainability', but that 'the gradual elimination of privately owned big business and its replacement by producer-consumer co-operatives is more likely to resolve these crises than muddling through with

---

<sup>3</sup> Sklair also discusses the transitional stage between capitalism and market socialism. At this stage, 'private ownership and control are restricted to small enterprises', and 'larger enterprises are genuinely socialized' (Sklair 2002: 302).

capitalist globalization' (319). So, if Sklair is right, the institutional shift to market socialism at the level of each (affluent) society would serve to advance an alternative form of globalisation, and the globalisation of market socialism would serve to remedy the dual global-capitalist problem of severe poverty and ecological overshoot.

However, Sklair's account seems to have two gaps. It does not explain why it is the globalisation of market socialism rather than that of a non-market alternative that should be pursued. Neither does it show how exactly market socialism would remedy the dual global-capitalist problem in question. To answer these questions, we need a more detailed account. In the next section, therefore, I shall offer answers to those questions by drawing on two market socialists.

## **5.2. Why the Market Should Be Retained, and How Market Socialism Would Remedy the Dual Global Problem**

In *Market, State, and Community* (1989), David Miller discusses the theoretical foundations of market socialism. He does not intend this book to offer a solution to issues of global justice. This is because his aim at that time was to develop a theory of social justice, and not of global justice. And, as we shall see shortly, his theory of market socialism is not grounded in ecological concern. This may be because, at that time, ecological issues were not at the fore of public concern. But his theory articulates several reasons to think that market socialism may be a more desirable alternative to capitalism than a non-market alternative (e.g. central planning).

Meanwhile, more recently, David Schweickart developed his account of market socialism, or what he calls 'Economic Democracy', for example in *After*

*Capitalism* (2002). Unlike Miller, Schweickart intends his theory to offer a remedial solution to the dual problem that is likely to be reproduced under global capitalism. Therefore, his theory explains how the institutional shift to market socialism at least in affluent societies would remedy severe poverty and ecological overshoot at the global level.

### **5.2.1. David Miller: Why the Market Should Be Retained**

Miller (1989) presents what can be seen as a standard theory of market socialism. But it should be noted that there is nothing inherent in market socialism that would, as a matter of course, make a market-socialist society ecologically benign. And Miller admits this. He writes that ‘we need to distinguish socialism itself from various other goals that socialists may adopt’ (324). He then continues:

The point is simply that these goals may be orthogonal to socialism: one can envisage a socialist society that achieves them and equally another that does not. In the case of environmental protection, for instance, people in a market socialist system might decide to impose strict anti-pollution legislation, to take large areas of the countryside into public ownership, and so on; on the other hand, they might opt for *laissez-faire*. Neither of these policies is in itself more ‘socialist’ than the other. There may, I think, be affinities, stronger or weaker, between socialism and positions taken on the kind of issues mentioned above. It may, for instance, plausibly be argued that socialist institutions are in practice a precondition for an effective environmental policy. But an affinity is only that; it does not amount to a conceptual connection. (324, italic in the original)

In short, according to Miller, ecological concern is not conceptually inherent in market socialism.

Therefore, Miller’s theory of market socialism cannot be taken to provide a solution to global ecological overshoot. Neither does it discuss what implications

market socialism may have for the problem of severe poverty at the global level. However, I suggest that Miller's theory offers a detailed account of why the socialist economy that retains the market mechanism can be considered to be more desirable than a non-market socialist economy.

Among various kinds of non-market socialism, Miller's direct target is state socialism, or non-market central planning. Miller argues that history shows at least two problems with central planning (6-8). First, centrally planned economies, in general, tend to be unable to respond to consumers' needs and preferences as efficiently as market economies. And second, in practice, those economies have made not only citizens' democratic control over the state but also workers' self-management infeasible. Meanwhile, market socialism, Miller suggests, could overcome these problems while also promoting certain socialist values.

The market-socialist economy, in its pure form, has the following features (10):

- (a) The market mechanism is retained;
- (b) Workers' cooperatives are main productive units;
- (c) They compete in markets for profit;
- (d) The means of production are socially owned and leased to cooperatives e.g. via public investment agencies; and
- (e) Each cooperative democratically decides what to produce, how to produce it, how to price it, how to distribute profits among members, and so forth, considering various market factors such as demand.

To defend this arrangement, Miller (chapters 5-8) offers the following four reasons

for retaining the market mechanism but not in the capitalist form: (a) efficiency, (b) desert, (c) non-exploitation, and (d) developed individuality.

*(a) Efficiency*

First, Miller (chapter 5; cf. also pp. 217-8) argues that, at least in so far as mundane private goods such as food, clothing and household items are concerned, the market has proven to respond quickly and flexibly to consumer needs and preferences, and to their changes. The market is, according to Miller, the most efficient mechanism for fulfilling the principle of ‘consumer sovereignty’ (the principle that consumers should get what they need or want) that is currently available and conceivable. This is because the market provides a certain denominator that enables producers to detect what and how much consumers need or want.

To satisfy consumer needs and preferences, producers must strike a balance between their personal satisfaction and the satisfaction of others’ needs and preferences. But, in the absence of a certain denominator that enables producers to detect what and how much consumers need or want, producers would not know what or how much to produce. They would, therefore, only seek personal satisfaction. And, as a result, consumer needs and preferences (including basic ones) would be left largely unmet. Under market socialism, however, the ‘equilibrium price’ reached through the market mechanism (the price at which the amount of an item being supplied is equal to the amount being demanded) would provide such a denominator. As a result, consumer needs and preferences would be efficiently met. (Under market socialism, producers could strike a balance between their personal satisfaction and the satisfaction of others’ needs and preferences, also by choosing

whether to remain in or move from the present cooperative to which they belong, and by participating in the cooperative's collective decision-making procedure.)

It should be noted that Miller does not refer to the equilibrium price reached through the present market mechanism. He argues that equilibrium price ought to be determined by (a) natural facts about the economic world (e.g. facts about labour, raw materials, the tastes of the population, the distribution of skills and talents, etc.), and by (b) the morally defensible entitlements of the individuals participating in the market (as opposed to the set of entitlements prevailing under the capitalist market) (187). So, I suggest that equilibrium price as he discusses it would reflect what it would take to restore the dissipated productive potential of ecological space and workers' entitlements to basic human desiderata.

Miller admits that consumption may not contribute to personal welfare as much as family life, leisure activities, etc., and that consumption may not contribute endlessly to personal welfare once a certain threshold is reached. But it does not follow from these, he argues, that consumption does not contribute to personal welfare at all. He also notes that there are certain kinds of item that markets are ill-equipped to provide in an efficient manner (e.g. medical care). Those kinds of item should be distributed through other mechanisms. But, in the light of efficiency and consumer sovereignty, according to him, there is no good reason entirely to remove the market mechanism. The market-socialist economy is a market economy. Therefore, it would retain the efficiency advantages of the market.

#### *(b) Desert*

Second, Miller (chapter 6) defends market socialism in the light of distributive justice that applies to the societal sphere. In a market-socialist society, income

inequalities within a cooperative would be offset, to a certain extent, by its members' solidarity, and by their active participation in the cooperative's decision-making concerning income distribution. Therefore, market socialism would achieve greater income equalities within productive units. However, income inequalities would arise within cooperatives due to differences in skills and responsibilities among the members, and between cooperatives due to differences in their economic performance. A question, then, is what kind of income inequality can be seen as socially just. Miller suggests that distributive outcomes in a market society can be justified if they conform to the principle of 'desert' (the principle that one should receive what one deserves).

According to him, personal desert should relate to personal responsibility. Each producer should be responsible, at least to a certain extent, for the consequence of his/her own action, i.e. for the consequence of the choices and efforts he/she makes. The reward each producer deserves is the consequence he/she should be responsible for. Miller assumes that 'it would be anomalous from the point of view of our conception of the person if people acquired deserts, or failed to acquire them, through processes lying beyond their conscious control' (160). So, 'we want to see a close connection between what a person deserves to have and the choices and efforts that he makes', although 'we don't necessarily want to base desert *entirely* on these voluntary choices' (160, original emphasis). If Miller is right, then, at least in the societal sphere, a producer should come to deserve reward through directing his/her activities autonomously, through making autonomous choices and efforts considering a variety of market factors.<sup>4</sup> Miller thinks that entrepreneurship is an

---

<sup>4</sup> I refrain from making a stronger claim that the principle of desert should apply to the global sphere. Instead, I applied a sufficientarian principle to the global sphere: the principle that labour time should be conducive at least to workers' and their dependants' minimum well-being

example of such choices and efforts that make a producer deserve reward. I suggest that how quickly and flexibly a producer satisfies others' needs and preferences, or responds to their changes, is another.

A person can be responsible for the consequence of his/her action only when he/she can detect what will happen to him/her if he/she acts in a certain way. Similarly, a producer can be responsible for the consequence of his/her action (the reward he/she deserves) only when he/she can detect what will happen to him/her (how much he/she will come to deserve) if he/she embarks on a certain productive enterprise. According to Miller, market-based criteria, such as price and demand, provide such detectability.

Also, how much each producer deserves cannot be determined without a valid general denominator which enables us to compare the relative value created by each producer. Productive activities may have ethical value (how much a produced item serves a genuine humanistic end) or welfare value (how much satisfaction a produced item brings to a consumer). However, we cannot measure desert with these denominators, since there is no certain way of telling how much ethical value or welfare value a customer derives from a certain item as compared with another customer. Miller suggests that the market solves this problem by measuring relative value and desert by equilibrium price.

In short, in a market-socialist economy, because it is a market economy, it would be possible to base desert on each producer's autonomous choices and efforts. Also, I suggest, income distribution based on desert would provide producers with material incentives to produce efficiently. In a market-socialist society, therefore, consumer needs and preferences including basic ones would be efficiently met. In

---

(see chapter 2).

so far as basic needs could be efficiently met under market socialism, market socialism would be desirable in the light of basic justice as well as in the light of desert.

*(c) Non-Exploitation*

Third, Miller (chapter 7) argues that the relationship between capitalist employers and wage-workers inevitably becomes exploitative in a society where the means of production are privately owned by the former. According to Miller, 'exploitation' occurs when these two conditions are met:

- (i) The terms of transaction can be judged to be comparatively advantageous to the exploiting party and comparatively disadvantageous to the exploited party in the light of a certain benchmark transaction; and
- (ii) The exploiting party already enjoys some special advantage that he/she can employ to induce the exploited party to engage in the transaction which is comparatively disadvantageous to him/her.

The benchmark transaction Miller offers is the one that occurs at equilibrium price – the one under a competitive equilibrium. And special advantages that the exploiter may employ include asymmetries in information, training, capacities, skills, and bargaining power.

Miller thinks that this account of exploitation is important partly because, when a market transaction diverges from equilibrium price and therefore becomes exploitative, deviation from the principle of desert will occur. When a transaction is exploitative, the exploiting party will receive more than what he/she deserves

whereas the exploited party will receive less than what he/she deserves. To restore competitive equilibrium and distributive justice based on desert, Miller suggests, we need extensive political intervention including market monitoring and ad hoc rectification of inequalities.

According to Miller, the account of exploitation is important also because it enables us to see why the exploitation of workers inevitably occurs in a capitalist society. In a capitalist society, the employment of workers meets both conditions (i) and (ii). First, the terms of employment are such that capitalists (employers) can command more of returns on capital investment whereas workers must accept less than what they would receive under a competitive equilibrium. As a result, capitalists receive more than what they deserve whereas workers receive less than what they deserve. So, condition (i) is met. (Miller notes that gains to capitalists are not entirely traceable to their efforts and entrepreneurship. Some of the gains they receive are, instead, entirely traceable to the fact that they happen to command scarce capital. So, capitalists do not deserve all the gains they receive.) Second, because capitalists command what workers need for production, workers have little or no alternative but to deal with capitalists to get access to what they need. So, condition (ii) is met. In short, in a society where the means of production are privately owned by capitalists, capitalists inevitably become the exploiters of workers.

For this reason, Miller defends a socialist market economy, as opposed to a capitalist market economy. Under market socialism, workers would have the option to enter non-capitalist employment because they would have access to the means of production that are publicly owned. Also, under market socialism, unequal starting positions (e.g. unequal endowments of assets) would less likely have cumulative

effects than under capitalism, since people would be prohibited from converting productive capital into private assets. Therefore, market socialism would avoid systematic exploitation that characterises a capitalist society.

*(d) Developed Individuality*

And fourth, Miller (chapter 8, esp. pp. 208-19) defends market socialism on the grounds that it would inherit capitalism's human achievement – 'developed individuality' – without reverting to capitalism. The development of capitalist societies has brought about material achievement: the improvement of machinery, productive techniques, scientific know-how, the organisation of work, and so forth. But it has also laid the path to the creation of the self as an 'individual', i.e. the self with a certain degree of independence from natural and social ties.

In a pre-capitalist society, Miller explains, one's social role was 'naturally' assigned, and people saw themselves as tied 'naturally' to the communities to which they belonged. Meanwhile, in a market society, the self is no longer engulfed in the community, and one's social role is, to some extent, subject to one's choice. So, people in a capitalist society have at least a limited sense of freedom. Also, a limited kind of equality emerged with capitalist markets: in markets, individuals are equally regarded as bearers of exchange value. (Of course, as Miller admits, the formal exchange between equals in the capitalist market conceals a real inequality between capitalist employers and wage-workers.) In short, the development of capitalist market societies has enabled a person to obtain a sense of individuality characterised by certain degrees of freedom and equality.

A person in a market society is not only an individual but also a 'developed' individual: he/she possesses a set of capacities and needs that is being continually

expanded and enriched. Miller thinks that such enrichment of personal capacities and needs is a positive development: the greater the extent of personal capacities and needs in a society, the wealthier that society has become. This enrichment, however, he argues, is an accidental by-product of a market economy. In a market economy, producers are primarily concerned with maximising exchange value, or profit. So, what they produce is not limited by customers' pre-existing capacities and needs. Instead, producers produce anything in so far as they can create a market. As a result, market economies not only satisfy people's pre-existing capacities and needs but also facilitate the creation of new ones.

I suggest that we should value developed individuality in so far as we value the full unfolding of individual faculties and capacities (in an ecologically benign manner). A societal economy, therefore, I suggest, should be organised in such a way as to sustain this human achievement of capitalism. But, as we saw above, capitalism is inevitably exploitative. So, a societal economy should transcend capitalism. Meanwhile, as Miller argues, a non-market economy may not have any in-built mechanism that could sustain developed individuality. If Miller is right, it is incorrect to think of capitalism's human achievement in the same way as its material achievement, i.e. as an irreversible shift. Developed individuality relates closely to certain features of a market economy (e.g. contractual relations). So, in the absence of markets, the kind of self-consciousness that grounds developed individuality might fade out. The market-socialist society is a market society. Therefore, it would retain features that sustain, and foster, developed individuality.<sup>5</sup>

---

<sup>5</sup> I suggest that Miller's argument highlighted here applies not only to Miller's direct target (central planning) but to any kind of non-market socialism, such as the kind of non-market society envisaged by John O'Neill (1993: chapter 10: cf. also 1998). Such a society would not retain capitalism's human achievement. Meanwhile, one may construct a different line of argument for a non-market society like this: the development of capitalist societies has brought

To sum up, market socialism could promote socialist values such as workplace democracy, greater (if not complete) income equality, distributive justice based on desert, non-exploitative work, and developed individuality, while also overcoming the defects in a non-market economy by retaining the advantages of the market. Therefore, it can be argued that the globalisation of socialism that should be pursued may be, as Sklair suggests, that of market socialism rather than that of a non-market alternative, at least in so far as the above-mentioned socialist values are considered to be socially important besides ecological ones, and in so far as advocates of non-market socialism do not provide solutions to the defects Miller finds in it.

### **5.2.2. David Schweickart: How Market Socialism Would Remedy the Dual Global Problem**

A more recent argument for market socialism is advanced by Schweickart (2002: chapters 3 and 5). Schweickart proposes a more detailed model of a market-socialist society than Miller: 'Economic Democracy' (ED). Also, unlike Miller, Schweickart suggests that the institutional shift to ED in (affluent) societies would not only promote socialist values, but also help solve the dual global problem of severe poverty and ecological overshoot (as well as other capitalist problems at the societal level). Before proceeding to discuss how he thinks ED would remedy the

---

about an institution other than the market – e.g. education – that could be employed to sustain and foster developed individuality even if the market had been abolished. But this argument overlooks the fact that education is a public institution whose end is highly dependent upon people's self-consciousness in the first place (or upon the discretion of the social elite who command such an institution). Therefore, in a non-market society, the kind of education required to cultivate developed individuality might fade out as the kind of self-consciousness that grounds developed individuality faded out. (Or the social elite could employ education to undermine such self-consciousness.) In short, there is no guarantee that a non-market society could retain capitalism's human achievement.

dual global problem in question, I shall first explain the three elements that characterise this arrangement. These are, namely, (a) worker self-management, (b) the market, and (c) social control of investment.

*(a) Worker Self-Management*

‘Each productive enterprise is controlled by those who work there’ (47). Members of each enterprise democratically decide every aspect of the enterprise’s operation including ‘organization of the workplace, enterprise discipline, techniques of production, what and how much to produce, what to charge for what is produced, and how the net proceeds are to be distributed’ (ibid), based on the one-worker-one-vote principle, and considering demand. Schweickart, like other market socialists, thinks that distributive inequalities might occur among members of each enterprise. ‘In all likelihood’, he writes, ‘most firms will award larger shares to more highly skilled workers, to those with greater seniority, and to those with more managerial responsibility’, since ‘egalitarian considerations must be balanced against the need to motivate and retain good workers’ (ibid). Also, he suggests that workers might democratically decide to delegate some degree of authority to a representative body – ‘an elected workers’ council’ – which would then appoint executives and managers (48). However, each enterprise would be required to do this: to guarantee a minimally adequate level of income for every member. ‘If a firm is unable to generate even the nationally specified minimum per capita income – Economic Democracy’s equivalent to the minimum wage – then it must declare bankruptcy’ (ibid).

*(b) The Market*

Like Miller, Schweickart assumes that the market-socialist economy would be more desirable than a non-market alternative in the light of efficiency and material incentive. He writes:

Without a price mechanism sensitive to supply and demand, it is extremely difficult for a producer or planner to know what and how much to produce, and which production and marketing methods are the most efficient. It is also extremely difficult in the absence of a market to design a set of incentives that will motivate producers to be both efficient and innovative. (49)

ED retains the market mechanism. Under ED, enterprises would buy inputs necessary for production and sell their products on the market. Prices would be mainly determined by the market forces of supply and demand – ‘although in some cases price controls or price supports might be in order’ (ibid).

Enterprises under ED, like capitalist firms, would produce and sell commodities to maximise a profit. But there is an important difference between worker-managed enterprises and capitalist firms:

Market economy firms, whether capitalist or worker-self-managed, strive to maximize the difference between total sales and total costs. *However, for a capitalist firm, labor is counted as a cost; for a worker-run enterprise, it is not.* In Economic Democracy, labor is not another ‘factor of production’ on technical par with land and capital. Instead, labor is the residual claimant. Workers get all that remains, once nonlabor costs, including depreciation set-asides and the capital assets tax [both to be explained below], have been paid. (ibid, original emphasis)

In short, under capitalism, profits go to capitalists whereas, under ED, they would go to workers. How to distribute profits among workers would be a matter left to the democratic decision of each enterprise.

*(c) Social Control of Investment*

ED is characterised by three socialist elements. First, under ED, the means of production would be owned by the society, not by each enterprise. Therefore, second, enterprises would be required to pay a tax, or a rent, on their capital assets, i.e. the capital assets tax. ‘This tax’, Schweickart explains, ‘may be regarded as a leasing fee paid by the workers of the enterprise for use of social property that belongs to all’ (50). (In addition, enterprises would be also ‘required to preserve the value of the capital stock entrusted to them’ (48). This means that each enterprise would need to set aside money to repair or replace the capital assets that the society entrusted to it, i.e. depreciation set-asides.) And third, the tax paid by enterprises under ED would go into the society’s investment fund.

The way investment funds are generated has significant implications for the way those funds could be employed. Schweickart writes:

In a capitalist society, they come largely from private savings, either the direct savings of private individuals or the retained earnings of corporations, that is, the indirect savings of stockholders. These savings are then either invested directly, or deposited in banks or other financial institutions, which lend them out to businesses or entrepreneurs. (50)

This means that private investors can determine the amount and direction of investment according to their sectarian interests that are not necessarily conducive to social or human interests. In a capitalist society, in short, what the society’s labour and ecological inputs are devoted to is generally immune to public control. Meanwhile, under ED, investment funds would come from a public source – the capital assets tax. ‘Since investment funds are publicly, not privately, generated,

their allocation back into the economy is a public, not a private, matter' (ibid). Therefore, in an ED society, investment could be democratically controlled by the members of the society.

Schweickart (51-6) also discusses how social control of investment should be institutionalised. 'Decisions as to the allocation of investment between the public and market sectors', he argues, 'should be made democratically by the legislative bodies at each level, national, regional, and local' (55). The national government would first decide how much of investment fund (revenues from the capital assets tax) should be spent on national public goods, set the amount aside, and distribute the remainder on a per capita basis among regions. Each regional government would then decide how much to spend on regional public goods, and pass the remainder down to local communities on a per capita basis. And finally, each local government would decide how much to spend on local public goods, and distribute the remainder to public investment banks within the community. Distribution on a per capita basis means that, if the population size of region or local community A is the same as that of region or local community B, then A receives the same amount as B. This would protect regions or local communities from a fierce race to the bottom because each region or local community would receive its share of the investment fund no matter what labour or environmental standard it would adopt.

The share of each public bank would be determined by the size and number of enterprises it serves, and by its prior success in making economically sound investments and in creating new employment. Each bank would then invest in worker-managed enterprises. Applications for investment from enterprises would be assessed on the basis of profitability, employment creation, and other socially

specified criteria such as ecological impact.<sup>6</sup>

To sum up, ED is a market-socialist arrangement: in an ED society, workers' self-managed cooperatives would compete with each other in markets to maximise profits employing the socially owned means of production leased to them. Cooperatives under ED would be required to pay a rent on the leased means of production in the form of a tax – the capital assets tax. The revenues from this tax would be invested back in the societal economy through public investment banks. Public investment banks would decide which enterprises to invest in on the basis not only of profitability but also of other socially specified goals such as job creation and ecological sustainability. So, investment under ED would be subject to social control.

What is particularly relevant to my present discussion is that, unlike Miller, Schweickart thinks that market socialism has important implications not only for the societal economy but also for the global economy. According to him, the institutional shift to ED in affluent societies would change the behaviour of those societies, and this behavioural change would serve to remedy the dual global-systemic problem of severe poverty and ecological overshoot. To show this, Schweickart raises three interrelated points (76-80).

First, although an affluent ED country 'could continue to trade peacefully with other countries, capitalist or socialist' (77), there would be a significant difference in the nature of inter-societal transactions because '*there would be virtually no*

---

<sup>6</sup> In the book I am focusing on here, Schweickart identifies only the first two criteria (profitability and employment creation). But, in his 2006 paper with Richard Rosen, he includes the ecological criterion as well (Rosen & Schweickart 2006: 20-7). They write that applications for investment from enterprises should be approved 'only if they are compatible with the regional Sustainable Development Plan' (26).

*cross-border capital flows*' (ibid, original emphasis). Worker-managed enterprises would not move abroad because the lives of the members of those enterprises would be based in local communities. Financial capital would not flow abroad because, under ED, funds for investment would be generated from a public source – the capital assets tax – and therefore legally mandated to be invested back in the domestic economy. So, capital, human or financial, would not flow out of a country. Neither would it flow into it because there would be 'no stocks or corporate bonds or businesses to buy' (ibid), and because the means of production of the country would be socially owned, 'not for sale' (ibid).

Second, because there would be no cross-border capital flow, there would be no fierce race to the bottom in terms of national labour and environmental standards. Schweickart writes:

- There is no downward pressure on workers' incomes coming from company threats to relocate to low-wage regions abroad.
- Countries cannot cite the need to attract capital as an excuse for lax environmental standards. (ibid)

However, this does not mean that the incentive to soften national labour and environmental regulations would be completely removed from the global economy. If inter-societal trade were *free* trade regulated only by market forces of supply and demand, then producers in affluent ED societies with tight labour and environmental regulations would lose competition with producers in poor non-ED societies with lax labour and environmental regulations. This is because the former would produce commodities at higher prices whereas the latter could produce the same kinds of commodity at lower prices. 'Free trade is fine so long as the trading partners are

roughly equal in terms of worker incomes and environmental regulations’; but, ‘when trading with a poorer country or one whose environmental regulations are lax, Economic Democracy will adopt a policy of *socialist protectionism*’ (78, original emphasis).

Therefore, third, to make inter-societal trade *fair* (as opposed to free), a ‘social tariff’ should ‘be imposed on imported goods, designed to compensate for low wages and/or a lack of commitment to social goals regarding the environment, worker health and safety, and social welfare’ (79). All imports from poor societies including foods and raw materials should be subject to this tariff ‘even when the imports do not compete with domestic producers’ (ibid). This tariff would protect worker-producers in affluent ED societies from the kind of competition that would damage their enterprises.

The tariff proceeds should not go into the national revenues of the importing affluent societies but would be ‘rebated back to the countries of origin of the goods on which the tariffs were placed’ (ibid). Those rebates are intended to contribute to the alleviation of severe poverty as well as other social goals such as ecological sustainability in the exporting poor societies. So, they ‘should be directed to those agencies in the poor country most likely to be effective in addressing the problems of poverty and attendant environmental degradation – state agencies where effective, labor unions, environmental groups, and other relevant nongovernmental organizations (NGOs)’ (80). If the receiving agencies employed the rebates appropriately, the social tariff imposed by affluent ED societies would serve to remedy the dual global problem of severe poverty and ecological overshoot.

Finally, according to Schweickart, ED has other features that would make societies ecologically benign (156-8). First, enterprises in an ED society would not

be subject to the grow-or-die imperative of capitalism. So, they would be less concerned with the expansion of production than capitalist firms. Second, social control of investment would make it easier to reconstruct the built structures of local communities. The present structures necessitate people to use ecologically hazardous technologies (e.g. cars) to lead daily lives. But those structures could be redesigned so that people's behavioural patterns would be brought into compliance with ecological sustainability. 'We could have better public transportation, more bicycle paths, more small, local markets near our residences, and more decent, affordable housing close to our work sites' (157). For this, public investment would be vital.

### **5.2.3. A Debate Among Socialists: Major Challenges to Market Socialism**

Market socialists have been challenged by those who advocate non-market socialism.<sup>7</sup> Hillel Ticktin (1998), for example, argues that the idea of market socialism is 'definitional nonsense' (59). However, Ticktin's argument seems untenable because he seems to start with inadequate definitions that make the market synonymous with capitalism, and socialism with non-market socialism. Market socialists avoid such confusion. Russell Keat (2015), for example, writes:

Of particular significance here is that what has so far been referred to simply as 'capitalism' is better understood as consisting in at least two, largely distinct sets of institutions: those concerning the form of property ownership applying to the means of production, namely, private ownership (and hence class-divisions, wage-labour and so on); and those concerning

---

<sup>7</sup> I focus on a debate among socialists here. I am aware that there are also right-wing critiques of market socialism from advocates of the capitalist economy (e.g. Gray 1993: 92-9). But I suggest that the capitalist economy is incompatible with some human values – in particular, ecological sustainability (see 4.4.2. in chapter 4). Therefore, I shall take socialists' arguments more seriously.

the mode of economic coordination and resource allocation, namely *market* institutions (and hence production for exchange, competition between firms, and so on). That is: capitalist economies (of the kind that Marx was concerned with) are more perspicuously described as *capitalist market* economies. So one needs to know whether their normative defects are due to their capitalist or to their market elements. (195, original emphases)

Therefore, it is possible to conceive of a *socialist market* economy where the market mechanism would be retained, but where the means of production would be socially owned.

In response, one may still argue that '[m]arket socialism is capitalism' after all (Chattopadhyay 2002: 240; more generally, pp. 240-4) since the market necessarily leads to material expansion. As we shall see shortly, market competition may necessarily lead to the expansion of production. However, as we shall also see, under market socialism, its advocates think, producers could stop expansion at a certain point if they chose to. So, market socialism would not share a distinctive feature that characterises capitalism – namely, *endless* expansion.

Meanwhile, Bertell Ollman (1998) argues that the market reproduces what he calls 'a market ideology'. Due to this ideology, 'human beings get thought of as atomistic, highly rational and egoistic creatures' whose main relations 'are taken to be competition and calculated utility, where each tries to use others as a means to his ends' (84). Also, according to Ollman, people in the market experience subjection to 'the violence of things' (88): they feel controlled by the social world that manifests itself through the medium of things, rather than controlling it. These broadly correspond to what Marx conceptualises in terms of alienation (see 2.3.1. in chapter 2). Ollman's argument, in short, is that market socialism would not remove the problem of alienation since it is a market economy. And market socialists, one may

add, seem to have generally disregarded this problem (McNally 1999: 706R).

As I noted in chapter 2, my present project does not rely on the theory of alienation. But I wish to note that, even if alienation matters, Miller (1989: chapter 8) offers a solution to this problem. Like Ollman, Miller thinks that some types of alienation would continue under market socialism because market socialism is a market economy. First, the immediate aim of producers in a market economy is to maximise the profit they receive – a selfish end. This means that production under market socialism would not be communal in Marx’s sense – in the sense that people produce primarily to serve unselfish ends (alienation from the human capacity to work communally). Second, social relations in a market economy are based on competition. Therefore, to return to Ollman’s words, under market socialism, ‘each tries to use others as a means to his ends’ (alienation from all the rest). And third, in a market economy, the collective results of productive activities are beyond control of any individual. This would be the case also with a market-socialist economy where how the economy would precisely work out would be deliberately left unplanned (alienation from the social world people have created).

Miller (1989: 220-2) nevertheless argues that, under market socialism, social relations that would appear to be alienating might not be so at a deeper level. He thinks that market socialism, as an economic system, should be accompanied by a genuinely democratic political system (1989: chapter 10). If people consciously chose market socialism through this political system, and if this choice were to be renewed and updated through regular debates, then, he argues, market socialism could be taken to represent people’s collective will. And if market socialism could be taken to represent people’s collective will, then social relations under market socialism could be taken to have this dual character: ‘their underlying quality as

communal relations' offsetting 'the alienating effect of their immediate quality as market relations' (220). If everyone in a society understood this underling character of social relations under market socialism, then alienation could be seen only as an apparent effect. Work that would appear to be instrumental would actually be communal. Social relations that would appear to be competitive would actually serve the welfare of all the rest – an unselfish end. And the collective results of economic activities would not be experienced as alien, since the overall shape of the societal economy would be planned and controlled through the democratic political system even if how the economy would precisely work out were left unplanned – 'planned spontaneity' (222).

Based on these, I suggest that major challenges to market socialism from advocates of non-market socialism are surmountable. Meanwhile, in the next section, I shall evaluate this arrangement from another – ecological – perspective.

### **5.3. Ecological Evaluation: Towards a Shift in Ethos to Material Restraint**

Two points can be distilled from the two theories of market socialism highlighted above. First, if Miller is right, the globalisation of socialism that should be pursued may be, as Sklair suggests, that of market socialism rather than that of a non-market alternative. Second, if Schweickart is right, the institutional shift to market socialism in affluent societies would, as Sklair suggests, serve to remedy the dual misery of the global disadvantaged (severe poverty and ecological overshoot). Market socialism implemented in affluent societies would facilitate consumption of ecological space by the global disadvantaged and underdeveloped societies (with tariff rebates) while also making consumption of ecological space by affluent societies contract down to an ecologically benign scale (with small-scale cooperative

production and public investment). The point that market socialism would make consumption of ecological space by affluent societies contract down to an ecologically benign scale is particularly relevant to the discussion in this section. The question I wish to ask in this section is this: Would the institutional shift to market socialism in affluent societies, as a matter of course, serve the end of material contraction in those societies? Would the scale of production in a market-socialist society necessarily stay within ecological limits? In short, would the shift to market socialism be sufficient to make affluent societies ecologically benign? There are, I suggest, at least three reasons to conclude that it would be insufficient.

First, the market mechanism seems to have an inherent structure that drives growth at least up to a certain point. A key feature of any market economy, including a market-socialist one, is competition for profit among participants in markets. And competition plays a decisive role in expansion (Harvey 2010: 43). There is a structural difference between capitalist competition and socialist competition. As Schweickart (2002: 157) explains, the former is driven by the grow-or-die imperative whereas the latter is not. So, expansion under market socialism is not endless. But Schweickart also explains that this ‘does not imply that a democratic firm will *never* vote to [...] expand production’ (129, original emphasis). ‘So long as there are sufficient economies of scale involved’, he continues, ‘the firm will expand – to the point of optimal efficiency’, if ‘not beyond that’ (ibid). If Schweickart is right, then, I suggest, expansion under market socialism might stop at a certain level of production and profit, but expansion might nevertheless occur up to that level. In short, even if the present drivers of affluent societal economies (capitalist firms) were replaced by the new ones (workers’ cooperatives), the expansion of production might take place due to market

competition at least up to the threshold point where such expansion would be no longer profitable. And there is no guarantee that this threshold point would be below ecological limits.

This growth imperative due to market competition might be offset to some extent by cooperatives' tendency not to reinvest as heavily as capitalist firms, and by workers' desire to strike a decent balance between working time and time off work. Miller points out the first factor. He writes that 'co-operatives will be unwilling to invest as heavily as capitalist enterprises, and will therefore be unable to compete in an open market whenever investment is needed to maintain technological advance' (Miller 1989: 90). Meanwhile, the second factor is identified by John Barry. He writes that, beyond a certain level of production and profit, worker-managed cooperatives would seek to 'achieve "work-life" balance patterns that encourage any productivity gains being translated into more free time [...] as opposed to more wage income and consumption' (Barry 2017: 339-40; cf. also 2012: 250-1). Therefore, competition in socialist markets might be less harsh than in capitalist ones.

But what this indicates is merely that the overall scale of production in a market-socialist society would be relatively smaller than that in a capitalist society, and not that it would necessarily stay within ecological limits (without any regulatory arrangement that sets boundaries of markets). Also, whether workers would decide to stop expansion at the threshold level of production and profit may depend on whether workers would actually desire to strike a decent balance between working time and time off work, or whether they would instead desire to gain income for further consumption. So, if a majority of workers (who are also consumers) in a market-socialist society were concerned with material pursuit, and not so much with a decent work-life balance, the expansion of production (and consumption) would

not stop at the threshold point.

Second, one may support the thesis that a market-socialist economy would necessarily become ecologically benign, by arguing as follows: because workers' cooperatives would be less concerned with the expansion of production than capitalist firms, they could be content with small-scale production which does not exceed ecological limits. One may also argue as follows: because workers are more sensitive than capitalists, or at least transnational ones, to changes in the local environment on which their lives rely, they would likely adopt ecologically benign business policies if workplace democracy were in place. But this line of argument presupposes that a majority of workers would be already ecologically conscious before the formation of cooperatives, since it cannot be assumed that the cooperative organisation of work per se has a unique feature that would cultivate such consciousness in workers. Therefore, much of what would happen under workplace democracy may depend upon what workers in general would or would not be concerned with, and ultimately upon the ethos prevalent among them. The argument in question, in short, may not hold for a society where a majority of the population display the ethos of material pursuit.

Even if we admit that workers in general are more concerned with their local environment than (transnational) capitalists, it does not necessarily follow from this that they would be also concerned as much with the global environment. As the analysis based on the metric of 'ecological footprint' shows (Rice 2007: 54-6), some societies in the present global system stay environmentally 'clean' by leaving ecological burdens to other societies. This indicates that, if members of a market-socialist society were only concerned with their local environment, they might attempt to build a society that would merely *appear* to be ecologically

sustainable (sustainable in so far as the society is analysed in isolation from its material transactions with other societies). Apparent sustainability at the societal level, whether under capitalism or under market socialism, might conceal unsustainability at the global level. Therefore, again, much of what would happen in a market-socialist society may depend upon what the population of that society in general would or would not be concerned with.

And third, neither is there anything inherently ecologically benign in the self-understanding that Miller thinks would prevail under market socialism, i.e. developed individuality. Whether the enrichment of personal capacities and needs in a market-socialist society would turn out to be ecologically favourable or unfavourable may, again, I suggest, depend upon the ethos prevalent in that society. If the ethos shared among a majority of the population were that of material restraint, then the economy of the society in question would probably operate in such a way as to foster personal capacities whose exercise would not entail unsustainable expansion – such as affective, creative, aesthetic, intellectual, and spiritual capacities. Suppose, however, that a majority of the population in a market-socialist society displayed the ethos of material pursuit. Then, productive activities that would be immediately profitable in that society would be those conducive to the population's luxury consumption (material consumption beyond the level that relates to subsistence and minimal autonomy). The enrichment of personal capacities and needs in that society would therefore entail unsustainable material expansion. So, the state of affairs we would observe in that society would most likely be very similar to the one we are presently observing in a capitalist society. The only major difference is that the material expansion of a market-socialist society would be based on workers' self-determination through workplace democracy whereas that of a

capitalist society is not.

I should note that market socialism would make it easier for workers to satisfy their immediate temporal desiderata through work. Members of each cooperative could, for example, obtain minimally adequate remuneration and more (depending on one's desert), safe and healthy working conditions, a decent work-life balance, and so forth, through workplace solidarity and democracy.<sup>8</sup> But what can be concluded from the evaluation so far is that market socialism would not necessarily serve the end of material contraction in market-socialist societies: that market socialism would not alone satisfy the ecological (and long-term temporal<sup>9</sup>) desideratum of humans.

Based on these three points, I argue that there is nothing inherent in market socialism that would necessarily make societies ecologically benign. There need to be regulatory interventions in the market (to set its boundaries) so that the overall scale of production in a society would stay within ecological limits. And more importantly, a shift in ethos – a shift from the ethos of material pursuit to that of material restraint – needs to occur. Much of what would happen in a market-socialist society, I conclude, may depend on the ethos shared among its population (what, in general, people would or would not value or be concerned with). Neil Carter (1996) draws a similar conclusion, using the term 'ecological

---

<sup>8</sup> This, of course, does not mean that, under market socialism, the government would be released from its responsibility for providing social protection. The government should provide such protection if workers could not obtain minimally adequate remuneration through cooperative work as a result of unemployment or underemployment. And the government should also 'function as the employer of last resort' (Schweickart 2002: 136).

<sup>9</sup> As global ecological space is consumed at an unsustainable rate, recall, the services it provides for humans' productive activities will be diminished in quantity and quality. As a result, humans will need to devote more time to producing the same number of items in the same quality as before, and to fighting against entropic degradation such as climate change, pollution, resource depletion, etc. Therefore, in the long run, humans may face a temporal problem resulting from societal and global material expansion (see 4.4.2. in chapter 4).

consciousness' instead of 'the ethos of restraint'. He writes: 'what goes on inside a co-operative (and, by the same token, in a small community) will be greatly influenced by the kind of society in which it is located', and therefore 'leaving decisions to the locals who are affected "makes sense only when the locals possess an appropriate social and ecological consciousness"' (Carter 1996: 71; quoting Eckersley 1992: 173). And this conclusion, I should also note, corresponds to what Sklair seems to have in mind when he argues that socialist globalisation would require the cultural-ideological shift from consumerism (material pursuit) to the patterns of production/consumption associated with minimum human well-being.

Market socialism, nevertheless, exhibits the following three features that I suggest would help (ecologically conscious) people realise an ecologically benign societal economy. First, if Miller is right, market socialism would enable a societal economy to operate according to the principle of consumer sovereignty. What and how much would be produced – supply – would be determined mainly by (changes in) what and how much people would need or want – demand. Therefore, under market socialism, I assume, supply could flexibly increase or decrease as demand increased or decreased. If so, contraction in consumers' demand would no longer result in what can be seen in a capitalist society as the 'underconsumption' problem: the problem that consumption cannot be reduced without triggering an economic crisis (Harvey 2010: 106-7). Then, the shift to market socialism would enable consumption to contract down in affluent societies without causing economic disruptions.

Second, citizens of a market-socialist society would democratically identify boundaries of markets. For example, market transactions could be limited to certain goods such as food, clothing and other mundane household items. If a boundary

were appropriately drawn between what could be produced and exchanged through the market mechanism and what could not, then the expansion that market competition inevitably induces up to a certain point would occur only within the production of a limited range of goods. Therefore, setting boundaries of markets through regulatory arrangements might be an effective way to keep the overall scale of inevitable expansion within ecological limits.<sup>10</sup>

And third, market socialism would allow extensive public control over production. Under market socialism, the society would own the means of production and investment. Therefore, conditions that producers must meet to employ those means would be determined by the regulations that the society would democratically adopt. So, if the society adopted regulations designed to serve the end of ecological sustainability (without making other societies bear ecological burdens), then productive capital and public investment would go exclusively to those producers who would employ them in ecologically benign manners.

I should emphasise, however, again, that all these would happen only if the members of a market-socialist society already shared the ecological ethos of material restraint. The features that market socialism possesses would serve the end of material contraction only if people consciously took advantage of those features to pursue that end. Therefore, I reiterate, the institutional shift to market socialism in affluent societies should be accompanied by a shift in ethos from material pursuit to material restraint.

How can the commended ethical shift be brought about? Or how can the ethos of material restraint be cultivated in the members of affluent societies? I suggest that such a shift in ethos will occur, if only partly, when the advantaged in

---

<sup>10</sup> For a more general discussion on 'market boundaries', see Keat (2000).

those societies start to take their remedial responsibility (discussed in chapter 3) more seriously than they do now. Also, social movements and networks will play, and are playing, a significant role in people's moral enlightenment. But there may be also another source of the shift: environmental education.

'A focus on the ecological ethos', as Daniel Butt (2017) argues, 'permits a particular, interventionist role for the state in the promotion of environmental education in schooling and in public health campaigns' (58-9). This may sound paternalistic because this means that the state will use its coercive power to promote a certain value. However, as Butt continues, 'state interventions in relation to environmental education are already commonplace in many countries', and:

If we conceive of the furthering of the ecological ethos as a necessary component of the pursuit of justice, it is more straightforward that the state has an obligation to seek to encourage a respect for the environment in its citizens, in the same way that it is entitled to promote respect for the rule of law and the prevention of harm to others; or to promote the civic virtue of its citizens and thus encourage democratic participation; or to go beyond the promulgation of anti-discriminatory law and actively encourage respect for cultural, racial, and sexual diversity. (59)

After all, if we consider the scale of human-induced ecological overshoot, 'it is not tenable for modern day states to adopt an air of neutrality in relation to the desirability of the inculcation of an environmentally-friendly disposition within its citizenry' (ibid).

Environmental education would serve to develop ecological consciousness. Political and workplace democracies in a market-socialist society would enable ecologically conscious individuals to bring ecological and other human values into public dialogue and critical reflection with fellow citizens or workers. Such

market-socialist institutions would thus further the dissemination of the ecological ethos through the society. And, if the ecological ethos became prevalent, a market-socialist society would start to direct public investment to sustainable production, and to the redesign of social institutions and built structures. The institutional and structural redesigns would make it less costly for people to choose ecologically benign lifestyles. In short, to bring about the ethical shift commended in this section, I suggest, market-socialist societies should institutionalise environmental education.

### **Conclusion: Returning to the Title**

Before concluding, I wish to make two points. First, although I suggest that the shift to market socialism is an ecologically and temporally desirable step that affluent societies should immediately take, I do not claim that poor societies should immediately do so as well. 'It is', as Sklair writes, 'pointless to speak of any type of genuine socialism without first having a certain level of economic development' (Sklair 2002: 300). And it may be the case that the private ownership of the means of production and investment is necessary for poor societies swiftly to reach a sufficient level of economic and institutional development, i.e. the level that will ensure minimum well-being for all the members. If the shift to market socialism can be considered to be burdensome in the light of minimum well-being, it should not be immediately pursued by a poor society, although it may need to be pursued later. (Meanwhile, poor societies should grow and develop in ecologically sustainable manners. This indicates that the redistribution of clean technologies should occur.)

Second, following Sklair and Schweickart, I assume that the shift to market

socialism in affluent societies is not only possible but also feasible. This is partly because affluent societies 'are theoretically in a position in terms of resources, potential for social mobilization, and openness of their political systems to begin the transition' (Sklair 2002: 300), and partly because 'powerful, entrenched special interests that can be counted on to resist any move to a more rational system', such as capitalists' interests, 'don't always win' (Schweickart 2002: 63). Much of what will happen, I suggest, depends upon the development of people's political will and conviction – such will and conviction that ground their social movements and networks against capitalist globalisation.

It is time to conclude. The discussion in this chapter supports the following three claims. First, a gradual institutional shift to market socialism should be carried out at least in affluent societies. This shift would replace the present drivers of affluent economies and the global economy (transnational capitalist corporations) with new ones (community-based worker cooperatives). Second, the new drivers would engage in ecologically benign production only if an appropriate change of ethical gears occurred as well. So, the institutional shift to market socialism should be accompanied by a shift in ethos from material pursuit to material restraint. And third, those institutional and ethical shifts in affluent societies would facilitate the turning of the wheel of globalisation in the left (socialist) direction. Those shifts would help advance an alternative form of globalisation – the globalisation of ecological market socialism (market socialism accompanied by the ecological ethos).

## **Conclusion: In the Meantime**

We should note that the present global economy is a highly integrated one where production in a poor society is dependent upon consumption in an affluent society. Therefore, the shift to market socialism in affluent societies, I suggest, should be carried out in a gradual manner so as to give poor societies time to adapt to a new economic environment. (Poor societies would need time to develop their internal markets and achieve a degree of self-sufficiency.) But this means that, during the transitional period, the global system would continue to reproduce the dual capitalist problem with which I am concerned. On this assumption, I shall conclude this project by considering a supplementary redistribution scheme that may need to be implemented during the transitional period: Thomas Pogge's Global Resources Dividend. This scheme, as I shall explain, would serve to remedy severe poverty, but not ecological overshoot. So, it should not be regarded as the final solution to the dual global problem; it should be regarded as a temporary scheme. For this discussion, I shall draw on Hayward's assessment of the scheme.

### **A Temporary Scheme for the Transitional Period: Thomas Pogge's Global Resources Dividend**

Pogge (1994: 199-205; 2008: chapter 8) proposes what he calls a 'Global Resources Tax' or 'Global Resources Dividend' (GRT/D).<sup>1</sup> This is a global

---

<sup>1</sup> Pogge initially called it a 'Tax' (1994). But he now refers to it as a 'Dividend' (2008). This is 'because it is based on the idea that the global poor own an inalienable stake in all limited natural resources' (2008: 202). 'As in the case of preferred stock', Pogge explains, 'this stake confers no right to participate in decisions about whether or how natural resources are to be used and so does not interfere with national control over resources, or eminent domain. But it does entitle its holders to a share of the economic value of the resource in question, if indeed the decision is to use it' (2008: 202-3).

redistribution scheme based on an ecological tax levied on the extraction of selected natural resources and the discharge of selected pollutants, i.e. ‘resources and pollutants whose extraction or discharge is reasonably easy to monitor or estimate’ (1994: 203-4). Revenues from this tax would be redistributed for aiding the global disadvantaged. Pogge also points out that the implementation of this scheme would not require a central bureaucracy at the global level – a world government – since ‘governments would simply transfer the GRT amounts to one another through some facilitating organization, such as the World Bank, perhaps, or the UN’ (1994: 202).

According to Pogge, the GRT/D scheme has two merits. First, it would avoid arbitrariness concerning whom the tax would ultimately fall upon. As he writes:

The burdens of the GRT would not be borne by the owners of resources alone. The tax would lead to higher prices for crude oil, minerals, and so forth. Therefore, some of the GRT on oil would ultimately fall upon the Japanese (who have no oil of their own, but import a good bit), even while the tax would be actually paid by the peoples who own oil reserves and choose to extract them. This point significantly mitigates the concern that the GRT proposal might be arbitrarily biased against some rich peoples, the resource-rich, and in favor of others. (1994: 200)

Then, if Pogge is right, the burdens of the GRT/D would be passed, through prices, from those engaged in the extraction of targeted resources (or the discharging of targeted pollutants) on to those ultimately benefiting from the extraction of those resources (or the discharging of those pollutants). And second, since the GRT/D would raise prices for the targeted resources, it would discourage overuse of those resources. The scheme, therefore, Pogge suggests, would have ‘considerable benefits for environmental protection and conservation’ (1994: 204).

Pogge also mentions several ways in which the proposed scheme could be

made effective (1994: 201-4; 2008: 212-3). First, in so far as the government concerned cares about the well-being of its citizens, revenues from the GRT/D could be first distributed to that government based on, say, the per capita income and population size of the society so that payments would be later passed on to the poor in that society. Second, in so far as corrupt governments are concerned, redistribution could be carried out by making cash payments directly to the poor or to civil society groups representing the interests of the poor, or by using funds for administering meaningful anti-poverty programmes through UN agencies or suitable NGOs. Third, ‘imposing any GRT on land use for cultivation of basic commodities (grains, beans, cotton, etc.) might increase their prices and thereby have a deleterious effect on the position of the globally worst-off’ (1994: 203). So, such land use should be excluded from the target of the tax. And fourth, some incentive structure could be devised so as to reward a country or a government based on progress: ‘by allocating more funds to this country and/or by assigning more of its allocation directly to its government’ (2008: 212).

Pogge’s GRT/D, however, may have at least the following three problems. First, the scheme would require the continuation of the extraction of resources (depletion) and the discharging of pollutants (pollution), since it is upon these activities that the tax would be levied. Without these activities, the scheme would not generate revenues, and without revenues to be redistributed, the disadvantaged could not receive economic benefits from the scheme. Meanwhile, environmental protection requires the absence of depletion and pollution. Therefore, as Hayward (2005b: 322) argues, it seems questionable whether the GRT/D could serve both the end of global redistribution and that of environmental protection, or ecological sustainability, at the same time.

Perhaps, a more meaningful way to implement this scheme may be to focus on its primary end – global redistribution. This, I suggest, indicates that the GRT/D cannot be seen as the final solution to the dual global challenge which humanity are faced with, and that it should be seen instead as a temporary transitional scheme that should be implemented while affluent societies are carrying out the institutional shift to market socialism (a more fundamental solution).

Second, however, it also seems questionable whether Pogge's GRT/D would serve its primary end at all. According to Pogge, the GRT/D should target the extraction of certain resources and the discharging of certain pollutants. Arguably, the tax levied on these activities would fall most heavily upon those engaged in primary extraction and pollution rather than upon those who have command over finished products. In general, the former benefit least from these activities since they yield the least added economic value from them, whereas the latter benefit most since they yield the most added economic value. The burden of the tax, Pogge suggests, could be passed through higher commodity prices on to the latter group of people. But, as Hayward points out following Joseph Heath, 'Pogge "forgets that it will be passed right back to poorer nations, in the form of higher prices for manufactured goods, which is what those commodities are exchanged for"' (2005b: 320; quoting Heath 2005: 215-6). This means that the benefit the GRT/D would confer upon the poor would be offset by the cost they would finally have to incur.

Pogge's solution to this problem seems to be to exclude land use for the cultivation of certain subsistence commodities from the target of the tax. But, in practice, this ad hoc solution might turn out to be ineffective since the poor are under economic and political pressure to switch from land use for producing subsistence crops (e.g. grains, beans or cotton) to land use for producing cash crops (e.g. tobacco,

coffee, cocoa or flowers). Land use for the latter purpose is subject to the GRT/D.

And third, the transformation of raw materials and energy sources into finished commodities involves various processes each of which can be seen as the new utilisation of the earth's biophysical functions (including waste sinks). Then, as Hayward argues, there seems to be 'a certain arbitrariness in taxing the resources that can easily be taxed rather than those which reasons of justice or environmental concern suggest should be taxed' (2005b: 321). Pogge's scheme, which targets a relatively small range of selectively chosen resources and pollutants, therefore seems inappropriate from the ecological perspective.

To make the GRT/D 'conform more to the principle "tax the rich and redistribute to the poor"' (322), and less arbitrary from the ecological perspective, Hayward (2005b: 322-8) indicates a way in which the GRT/D could be revised. He calls the revised version an 'ecological space tax' (330).

Hayward, recall, argues that economic benefit in the form of resource consumption necessarily entails ecological disbenefit in the form of pollution, and therefore that both these positive and negative aspects of productive processes should be treated holistically (see chapter 1). According to him, this holistic understanding can be appropriately obtained by drawing on the concepts of 'ecological space' and 'ecological footprint'. 'Ecological space', recall, refers to the totality of the earth's biophysical functions that are required to produce and reproduce the resources humans consume, or to assimilate the wastes they generate, using prevailing technology. 'Ecological footprint', meanwhile, refers to the use or occupation of an amount of ecological space. The footprint is not made on a continuous area of land or water. It represents an aggregate of the ecological functions that each actor utilises, wherever they may originate. In short, it tracks each actor's resource

consumption and pollution on the global scale.

Drawing on these concepts, Hayward argues that a tax should target actors' ecological footprint. The actors in question, according to him, are nation-societies – collective entities – because 'the methodology of calculating ecological footprints is sufficiently refined at least to make meaningful comparisons between nations' (324). So, the tax should be levied upon the national-societal ecological footprint, i.e. each society's per capita utilisation of ecological space measured in 'global hectares' including imports to and excluding exports from its domestic production. Unlike Pogge's GRT/D, the ecological space tax could track each stage of a society's ongoing utilisation of the earth's biophysical functions in a non-arbitrary manner. And, since there is a positive correlation between a society's wealth and its per capita ecological footprint, the burden of the tax would fall proportionately upon the populations of affluent societies (including resource-poor affluent societies) rather than upon those of poor societies (including resource-rich poor societies).

Therefore, Hayward's ecological space tax looks more commendable than Pogge's GRT/D in the light of both the 'taxing the rich' principle and ecological non-arbitrariness. Meanwhile, I wish to raise three supplementary points.

First, it can be assumed that the members of each society generally benefit from socially accumulated wealth. So, Hayward's collectivist argument for taxing the ecological footprints of societies, rather than those of individuals, seems defensible. However, distributional inequalities may exist between the rich and the poor at the societal level, as well as at the global level. So, I suggest that the tax levied on societal ecological footprints should be accompanied by some societal policy which would allocate the burdens of the tax among citizens in proportion to one's individual access to socially accumulated wealth.

Second, a distinction can be drawn between ‘deserved’ benefits and ‘undeserved’ gains from ecological space. ‘The economic benefits derived from one’s equal ecological space entitlement’, Hayward writes, ‘can be considered “deserved”; gains derived from the utilization of an excess amount of ecological space cannot be considered deserved, whatever ingenuity or industriousness was applied in yielding them’ (332). The ecological space tax should apply to the latter type of economic gain – namely, gains that relate to ‘the utilization of an excess amount of ecological space’. But an *excess* amount refers to an amount exceeding a *fair* share that one is entitled to; therefore, in order to know what amount constitutes an excess amount, we also need to know what amount constitutes a fair share. So, to operationalise the ecological space tax, I suggest, we need to answer the following question concerning distributive justice: how much of global ecological space each society should be entitled to.

Hayward offers an egalitarian answer in the paper drawn upon here (2005b).

He writes:

[T]he only inequalities that are justified are those achieved by a more efficient extraction of benefits from one’s *equal* share of ecological space. It is worth emphasizing that there is a difference between allowing efficiency gains from an *equal* share of a single resource base and justifying inequalities in the share of the resource base itself. (326, my emphases)

But this egalitarian answer (an entitlement to an *equal* amount of ecological space) should be seen as provisional, since Hayward develops a sufficientarian answer (an entitlement to a *sufficient* amount of ecological space) in a more recent paper (Hayward 2014a). The latter seems compatible with what follows.

The sufficientarian answer, I suggest, is morally more plausible than the

egalitarian one because the egalitarian answer seems to disregard a variety of contingent factors that may affect societies' resource-converting capacities (capacities to convert ecological inputs into the members' individual well-being). For example, the amounts of certain kinds of ecological input that a severely cold country needs to ensure its population's basic health (e.g. through heating) may differ from those that another country with relatively mild temperature needs (a geographical factor). A society with a larger population may need more agricultural resources than another society with a smaller population to ensure subsistence for all within the territory (a demographic factor). Or a society with less developed means of production may need more ecological inputs (including waste sinks) than another society with highly developed ones to ensure the members' minimum well-being (a capital factor). In short, we should recognise variations in the ways in which societies convert identical bundles of ecological space into individual well-being. To determine a sufficient amount for each society, we need to draw on scientific evidence concerning a variety of contingent factors that may influence societal resource-converting capacities.

And third, one of the problems Hayward raises against Pogge's GRT/D may apply to Hayward's ecological space tax as well. The problem in question is that the tax burdens passed through prices on to people in affluent societies could be passed back to people in poor societies in the form of higher prices for finished products, since it is generally the former group of people that have command over finished products. It is true that, in the case of the ecological space tax, tax burdens would fall directly upon people in affluent societies – those who are collectively making ecological footprints exceeding their societies' fair shares. (So, the ecological space tax fulfils the 'taxing the rich' principle.) But there seems to be no

guarantee that the tax burdens people in affluent societies should bear themselves would not be passed on to people in poor societies in the form of higher prices for the finished products under the former's command. Therefore, I suggest that the ecological space tax should be supplemented by some international and societal regulatory arrangement which would prevent such burden shifting.

To sum up, based on the discussion so far, I commend the following:

- Each society should be entitled to a minimally adequate share of ecological space determined by scientific evidence concerning various contingent factors.
- A tax should be levied on the ecological footprint of each society that exceeds its share of ecological space.
- Revenues from this tax should be used for aiding the global disadvantaged.
- This scheme should be supplemented by domestic policies designed to facilitate a fair allocation of the tax burdens within societies.
- And this scheme should be supplemented by international and societal regulatory arrangements designed to prevent burden shifting from affluent societies to poor societies.

As I argued following Hayward, this global redistribution scheme would not ensure ecological sustainability. Therefore, it should not be regarded as a permanent solution to the dual global challenge which humanity are presently faced with. But it should be regarded as a temporary scheme that applies during the transitional period when affluent societies are carrying out a more fundamental shift – the shift to market socialism.

## **Conclusion**

The existing global economic system is severely harmful. Under the system, the disadvantaged are likely to become materially and temporally worse off to the extent that infringes upon the minimum threshold of human well-being. The advantaged are complicit in this harmful system. Through this complicity, they also accumulate the ability to remedy the situation of the disadvantaged. So, they have a relational obligation to provide remedy for the disadvantaged. They should at least provide institutional remedy. But I argued that reformist institutions such as the one we already have – the UN Global Compact – may be insufficient. The advantaged should therefore strive to bring about a more radical – socialist – transition from where they are. The shift to market socialism in affluent societies, accompanied by a shift in ethos to material restraint, may be the first step. This societal shift may serve to remedy the situation of the global disadvantaged while also retaining advantages of markets (e.g. efficient production, desert-based incentive, non-exploitative work, and developed individuality). This shift should take place in a gradual manner. In the meantime, a temporary redistribution scheme – such as the ecological space tax – may need to be implemented.

## Bibliography

- Acción Ecológica (1999), 'No More Plunder, They Owe Us the Ecological Debt!', *Bulletin of Acción Ecológica*, 78 (Oct. 1999), Quito, Ecuador: Acción Ecológica.
- Acemoglu, Daron, Johnson, Simon, and Robinson, James A. (2001), 'The Colonial Origins of Comparative Development: An Empirical Investigation', *The American Economic Review*, 91(5): 1369-401.
- Adam, Barbara (1990), *Time and Social Theory*, Cambridge: Polity.
- (1995), *Timewatch: The Social Analysis of Time*, Cambridge: Polity.
- (2004), *Time*, Cambridge: Polity.
- Antonopoulos, Rania and Memis, Emel (2010), 'Time and Poverty from a Developing Country Perspective', *Working Paper No. 600*, Levy Economics Institute of Bard College.
- Anwander, Norbert (2005), 'Contributing and Benefiting: Two Grounds for Duties to the Victims of Injustice', *Ethics and International Affairs*, 19(1): 39-45.
- Aristotle (1980), *The World's Classics: The Nicomachean Ethics*, translated with an introduction by David Ross, revised by J. L. Ackrill and J. O. Urmson, Oxford: Oxford University Press.
- Arrow, Kenneth, Bolin, Bert, Costanza, Robert, Dasgupta, Partha, Folke, Carl, Holling, C.S., Jansson, Bengt-Owe, Levin, Simon, Mäler, Karl-Göran, Perrings, Charles, and Pimentel, David (1995), 'Economic growth, carrying capacity, and the environment', *Ecological Economics*, 15(2): 91-95.
- Athanasiou, Tom and Baer, Paul (2002), *Dead Heat: Global Justice and Global Warming*, New York: Seven Stories Press.
- Azar, Christian and Holmberg, John (1995), 'Defining the generational environmental debt', *Ecological Economics*, 14(1): 7-19.
- Barbier, Edward B. (2003), 'The Role of Natural Resources in Economic Development', *Australian Economic Papers*, 42(2): 253-72.
- (2005), *Natural Resources and Economic Development*, Cambridge: Cambridge University Press.
- Bardasi, Elena and Wodon, Quentin (2009), 'Working Long Hours and Having No Choice: Time Poverty in Guinea', *Policy Research Working Paper 4961*, The World Bank.
- Barry, John (2012), *The Politics of Actually Existing Unsustainability: Human Flourishing in a Climate-Changed, Carbon Constrained World*, Oxford: Oxford University Press.
- (2017), 'Citizenship and (Un)Sustainability: A Green Republican Perspective', in

- Stephen M. Gardiner and Allen Thompson (eds.), *The Oxford Handbook of Environmental Ethics*, Oxford: Oxford University Press.
- BBC (2000), 'Gap and Nike: No Sweat?', available at <http://news.bbc.co.uk/1/hi/programmes/panorama/970385.stm>, retrieved on 10 Feb 2015.
- (2010), 'Tracing the bitter truth of chocolate and child labour', available at [http://news.bbc.co.uk/panorama/hi/front\\_page/newsid\\_8583000/8583499.stm](http://news.bbc.co.uk/panorama/hi/front_page/newsid_8583000/8583499.stm), retrieved on 10 Feb 2015.
- Beckerman, Wilfred (1974/75), 'The Myth of "Finite" Resources', *Business and Society Review*, 12: 21-5.
- Beitz, Charles R. (2001), 'Human Rights as a Common Concern', *American Political Science Review*, 95(2): 269-82.
- Bell, Derek (2011), 'Does anthropogenic climate change violate human rights?', *Critical Review of International Social and Political Philosophy*, 14(2): 99-124.
- Bergson, Henri (1921[1889]), *Time and Free Will: An Essay on the Immediate Data of Consciousness*, translated by F. L. Pogson, London: George Allen & Unwin.
- Boltvinik, Julio (1998), *Poverty Measurement Methods: An Overview*, SEPED Series on Poverty Reduction, New York: UNDP.
- Boyd, David R. (2012), 'The Constitutional Right to a Healthy Environment', *Environment: Science and Policy for Sustainable Development*, available at <http://www.environmentmagazine.org/Archives/Back%20Issues/2012/July-August%202012/constitutional-rights-full.html>, retrieved on 26 Nov 2015.
- Boyle, Alan (1996), 'The Role of International Human Rights Law in the Protection of the Environment', in Alan E. Boyle and Michael R. Anderson (eds.), *Human Rights Approaches to Environmental Protection*, Oxford: Oxford University Press.
- Brady, Henry E. (2008), 'Causation and Explanation in Social Science', in Janet M. Box-Steffensmeier, Henry E. Brady, and David Collier (eds.), *The Oxford Handbook of Political Methodology*, Oxford: Oxford University Press.
- Burchardt, Tania (2010), 'Time, income and substantive freedom: A capability approach', *Time and Society*, 19(3): 318-44.
- Butt, Daniel (2007), 'On Benefiting from Injustice', *Canadian Journal of Philosophy*, 37(1): 129-52.
- (2009), *Rectifying International Injustice: Principles of Compensation and Restitution Between Nations*, Oxford: Oxford University Press.
- (2017), 'Law, Governance, and the Ecological Ethos', in Stephen M. Gardiner and Allen Thompson (eds.), *The Oxford Handbook of Environmental Ethics*, Oxford:

- Oxford University Press.
- Caney, Simon (2005a), *Justice Beyond Borders: A Global Political Theory*, Oxford: Oxford University Press.
- (2005b), ‘Cosmopolitan Justice, Responsibility, and Global Climate Change’, *Leiden Journal of International Law*, 18(4): 747-75.
- (2006a), ‘Environmental Degradation, Reparations, and the Moral Significance of History’, *Journal of Social Philosophy*, 37(3): 464-82.
- (2006b), ‘Cosmopolitan Justice, Rights and Global Climate Change’, *Canadian Journal of Law and Jurisprudence*, 19(2): 255-78.
- (2009), ‘Human Rights, Responsibilities, and Climate Change’, in Charles R. Beitz and Robert E. Goodin (eds.), *Global Basic Rights*, Oxford: Oxford University Press.
- (2010), ‘Climate change and the duties of the advantaged’, *Critical Review of International Social and Political Philosophy*, 13(1): 203-28.
- Carter, Neil (1996), ‘Worker Co-Operatives and Green Political Theory’, in Brian Doherty and Marius de Geus (eds.), *Democracy and Green Political Thought: Sustainability, Rights and Citizenship*, London: Routledge.
- Chattopadhyay, Paresh (2002), ‘Market Socialism: The Debate Among Socialists, James Lawler, Bertell Ollman, David Schweickart & Hillel Ticktin, edited by Bertell Ollman, London: Routledge, 1998; *Self-Management and the Crisis of Socialism*, by Michael Howard, New York: Rowman and Littlefield, 2000’, book review, *Historical Materialism*, 10(1): 223-50.
- Clapham, Andrew (2006), *Human Rights Obligations of Non-State Actors*, Oxford: Oxford University Press.
- Clark, Ann Marie (2013), ‘The normative context of human rights criticism: treaty ratification and UN mechanisms’, in Thomas Risse, Stephen C. Ropp, and Kathryn Sikkink, *The Persistent Power of Human Rights: From Commitment to Compliance*, Cambridge: Cambridge University Press.
- Cohen, G. A. (1989), ‘On the Currency of Egalitarian Justice’, *Ethics*, 99(4): 906-44.
- (1993), ‘Equality of What? on Welfare, Goods, and Capabilities’, in Martha Nussbaum and Amartya Sen (eds.), *The Quality of Life*, Oxford: Clarendon Press.
- Cohen, Jean L. (2010), ‘Sovereignty in the Context of Globalization: A Constitutional Pluralist Perspective’, in Samantha Besson and John Tasioulas (eds.), *The Philosophy of International Law*, Oxford: Oxford University Press.
- Cripps, Elizabeth (2011), ‘Climate Change, Collective Harm and Legitimate Coercion’, *Critical Review of International Social and Political Philosophy*, 14(2): 171-93.

- (2013), *Climate Change and the Moral Agent: Individual Duties in an Interdependent World*, Oxford: Oxford University Press.
- Crisp, Roger (2010), ‘Ethics and International Environmental Law’, in Samantha Besson and John Tasioulas (eds.), *The Philosophy of International Law*, Oxford: Oxford University Press.
- Cronon, William (1991), *Nature’s Metropolis: Chicago and the Great West*, New York: W. W. Norton.
- Daly, Herman E. (2005), ‘Economics in a Full World’, *Scientific American*, 293: 100-7.
- Deitelhoff, Nicole and Wolf, Klaus Dieter (2013), ‘Business and human rights: how corporate norm violators become norm entrepreneurs’, in Thomas Risse, Stephen C. Ropp, and Kathryn Sikkink, *The Persistent Power of Human Rights: From Commitment to Compliance*, Cambridge: Cambridge University Press.
- Donnelly, Jack (2003), *Universal Human Rights in Theory and Practice*, 2nd edition, Ithaca: Cornell University Press.
- (2007), ‘The Relative Universality of Human Rights’, *Human Rights Quarterly*, 29(2): 281-306.
- Durkheim, Émile (1976[1912]), *The Elementary Forms of the Religious Life*, translated by Joseph Ward Swain, introduction by Robert Nisbet, London: George Allen & Unwin.
- Dworkin, Ronald (1977), *Taking Rights Seriously*, London: Duckworth.
- (1981a), ‘What is Equality? Part 1: Equality of Welfare’, *Philosophy and Public Affairs*, 10(3): 185-246.
- (1981b), ‘What is Equality? Part 2: Equality of Resources’, *Philosophy and Public Affairs*, 10(4): 283-345.
- (2000), *Sovereign Virtue: The Theory and Practice of Equality*, Cambridge, Mass.: Harvard University Press.
- (2011), *Justice for Hedgehogs*, Cambridge, Massachusetts: The Belknap Press of Harvard University Press.
- Eckersley, Robyn (1992), *Environmentalism and Political Theory: Toward an Ecocentric Approach*, London: UCL Press.
- Elster, Jon (1982), ‘Sour grapes – utilitarianism and the genesis of wants’, in Amartya Sen and Bernard Williams (eds.), *Utilitarianism and Beyond*, Cambridge: Cambridge University Press.
- (1983), *Sour Grapes: Studies in the Subversion of Rationality*, Cambridge: Cambridge University Press.
- Emmanuel, Arghiri (1972), *Unequal Exchange: A Study of the Imperialism of Trade*,

- with additional comments by Charles Bettelheim, translated by Brian Pearce, New York: Monthly Review Press.
- Endicott, Timothy (2010), 'The Logic of Freedom and Power', in Samantha Besson and John Tasioulas (eds.), *The Philosophy of International Law*, Oxford: Oxford University Press.
- Fabre, Cécile (2000), *Social Rights Under the Constitution: Government and the Decent Life*, Oxford: Oxford University Press.
- and Miller, David (2003), 'Justice and Culture: Rawls, Sen, Nussbaum and O'Neill', *Political Studies Review*, 1(1): 4-17.
- Farmer, Paul (2004), 'An Anthropology of Structural Violence', *Current Anthropology*, 45(3): 305-25.
- Feinberg, Joel (1987), *The Moral Limits of the Criminal Law Volume 1: Harm to Others*, Oxford: Oxford University Press.
- Fields, Gary S. (2012), *Working Hard, Working Poor: A Global Journey*, Oxford: Oxford University Press.
- Foster, John Bellamy, Clark, Brett, and York, Richard (2010), *The Ecological Rift: Capitalism's War on the Earth*, New York: Monthly Review Press.
- Friedman, Milton (1970), 'The Social Responsibility of Business is to Increase Its Profits', *The New York Times Magazine*, 13 September 1970.
- (2002[1962]), *Capitalism and Freedom*, 40th anniversary edition, Chicago: University of Chicago Press.
- Fromm, Erich (2013[1976]), *To Have or To Be?*, London: Bloomsbury.
- Garriga, Elisabet and Méle, Domènec (2004), 'Corporate Social Responsibility Theories: Mapping the Territory', *Journal of Business Ethics*, 53(1): 51-71.
- Georgescu-Roegen, Nicholas (1975), 'Energy and Economic Myths', *Southern Economic Journal*, 41(3): 347-81.
- Gilbert, Margaret (2006), *A Theory of Political Obligation: Membership, Commitment, and the Bonds of Society*, Oxford: Oxford University Press.
- Global Footprint Network (2013), *The National Footprint Accounts, 2012 Edition*, available at  
 <[http://www.footprintnetwork.org/images/article\\_uploads/National\\_Footprint\\_Accounts\\_2012\\_Edition\\_Report.pdf](http://www.footprintnetwork.org/images/article_uploads/National_Footprint_Accounts_2012_Edition_Report.pdf)>, retrieved on 28 Nov. 2013.
- Goodin, Robert E. (2010), 'Temporal Justice', *Journal of Social Policy*, 39(1): 1-16.
- , Rice, James Mahmud, Parpo, Antti, and Eriksson, Lina (2008), *Discretionary Time: A New Measure of Freedom*, Cambridge: Cambridge University Press.
- Gosseries, Axel (2004), 'Historical Emissions and Free-Riding', *Ethical Perspectives*, 11(1): 36-60.

- Graeber, David (2012), *Debt: The First 5,000 Years*, Brooklyn: Melville House.
- Gray, John (1993), *Beyond the New Right: Markets, Government and the Common Environment*, Abingdon, Oxon: Routledge.
- Griffin, James (2008), *On Human Rights*, Oxford: Oxford University Press.
- Habermas, Jürgen (1996), *Between Facts and Norms: Contributions to a Discourse Theory of Law and Democracy*, translated by William Rehg, Cambridge: Polity.
- (1998), ‘Remarks on legitimation through human rights’, *Philosophy and Social Criticism*, 24(2/3): 157-71.
- Hall, Ned (2004), ‘Two Concepts of Causation’, in John Collins, Ned Hall, and L. A. Paul (eds.), *Causation and Counterfactuals*, Cambridge, Mass.: MIT Press.
- Halme, Pia (2007), ‘Carbon Debt and the (In)significance of History’, *Trames*, 11(61/56), 4: 346-65.
- Harrison, Lawrence E. and Huntington, Samuel P. (eds.) (2000), *Culture Matters: How Values Shape Human Progress*, New York: Basic Books.
- Harvey, David (1996), *Justice, Nature and the Geography of Difference*, Oxford: Blackwell.
- (2005), ‘From Globalization to the New Imperialism’, in Richard P. Appelbaum and William I. Robinson (eds.), *Critical Globalization Studies*, Abingdon, Oxon: Routledge.
- (2010), *The Enigma of Capital: and the Crises of Capitalism*, London: Profile Books.
- Hayward, Tim (1994), *Ecological Thought: An Introduction*, Cambridge: Polity.
- (2005a), *Constitutional Environmental Rights*, Oxford: Oxford University Press.
- (2005b), ‘Thomas Pogge’s Global Resources Dividend: A Critique and an Alternative’, *Journal of Moral Philosophy*, 2(3): 317-32.
- (2006), ‘Global Justice and the Distribution of Natural Resources’, *Political Studies*, 54(2): 349-69.
- (2007), ‘Human Rights Versus Emissions Rights: Climate Justice and the Equitable Distribution of Ecological Space’, *Ethics and International Affairs*, 21(4): 431-50.
- (2008), ‘On the Nature of Our Debt to the Global Poor’, *Journal of Social Philosophy*, 39(1): 1-19.
- (2009), ‘International Political Theory and the Global Environment: Some Critical Questions for Liberal Cosmopolitans’, *Journal of Social Philosophy*, 40(2): 276-95.
- (2013), ‘The Sense and Significance of Rights Talk: A Dialectical View’, *SSRN Electronic Journal*, DOI: 10.2139/ssrn.2292089.

- (2014a), ‘Equality and Ecological Space’, *JWI Working Paper 2014/2*, Edinburgh: Just World Institute.
- (2014b), ‘Just Institutions for a Crowded Planet’, *JWI Working Paper 2014/6*, Edinburgh: Just World Institute.
- (2017), ‘Ecological Space: The Concept and Its Ethical Significance’, in Stephen M. Gardiner and Allen Thompson (eds.), *The Oxford Handbook of Environmental Ethics*, Oxford: Oxford University Press.
- and Iwaki, Yukinori (2016), ‘Had we but world enough, and time: integrating the dimensions of global justice’, *Critical Review of International Social and Political Philosophy*, 19(4): 383-99.
- Heath, Joseph (2005), ‘Rawls on Global Distributive Justice: A Defence’, *Canadian Journal of Philosophy*, Supplementary Volume 31: 193-226.
- Hegel, Georg Wilhelm Friedrich (1977[1807]), *Hegel’s Phenomenology of Spirit*, translated by A. V. Miller, with analysis of the text and foreword by J. N. Findlay, Oxford: Clarendon Press.
- Heidegger, Martin (1973[1927]), *Being and Time*, translated by John Macquarrie and Edward Robinson, Oxford: Blackwell.
- Held, Virginia (1970), ‘Can a Random Collection of Individuals be Morally Responsible?’, *Journal of Philosophy*, 67(14): 471-81.
- Homer-Dixon, Thomas F. (1999), *Environment, Scarcity, and Violence*, Princeton, NJ: Princeton University Press.
- Hornborg, Alf (2001), *The Power of the Machine: Global Inequalities of Economy, Technology, and Environment*, Walnut Creek, CA: AltaMira Press.
- (2003), ‘The Unequal Exchange of Time and Space: Toward a Non-Normative Ecological Theory of Exploitation’, *Journal of Ecological Anthropology*, 7(1): 4-10.
- (2013), *Global Ecology and Unequal Exchange: Fetishism in a Zero-Sum World*, Abingdon, Oxon: Routledge.
- Howse, Robert and Teitel, Ruti (2010), ‘Global Justice, Poverty, and the International Economic Order’, in Samantha Besson and John Tasioulas (eds.), *The Philosophy of International Law*, Oxford: Oxford University Press.
- Husserl, Edmund (1991[1893-1917]), *On the Phenomenology of the Consciousness of Internal Time*, translated by John Barnett Brough, Dordrecht, London: Kluwer Academic.
- ICC and IOE (2004), *Joint views of the IOE and ICC on the draft ‘Norms on the responsibilities of transnational corporations and other business enterprises with regard to human rights’*, available at

- <<http://business-humanrights.org/en/joint-views-of-the-ioe-icc-on-the-un-human-rights-norms-for-business>>, retrieved on 26 Nov 2015.
- ILO (2010), *Global child labour developments: Measuring trends from 2004 to 2008*, Geneva: ILO.
- (2012), *Global estimate of forced labour: Executive summary*, available at <[http://www.ilo.org/global/topics/forced-labour/publications/WCMS\\_181953/lang--en/index.htm](http://www.ilo.org/global/topics/forced-labour/publications/WCMS_181953/lang--en/index.htm)>, retrieved on 12 May 2014.
- (2013), *Marking progress against child labour: Global estimates and trends 2000-2012*, Geneva: ILO.
- Inoue, Tatsuo (1999), 'Liberal Democracy and Asian Orientalism', in Joanne R. Bauer and Daniel A. Bell (eds.), *The East Asian Challenge for Human Rights*, Cambridge: Cambridge University Press.
- Jenkins, T. N. (1996), 'Democratising the global economy by ecologicalising economics: The example of global warming', *Ecological Economics*, 16(3): 227-38.
- Jensen, Michael C. and Meckling, William H. (1976), 'Theory of the Firm: Managerial Behavior, Agency Costs and Ownership Structure', *Journal of Financial Economics*, 3(4): 305-60.
- Jorgenson, Andrew K. (2003), 'Consumption and Environmental Degradation: A Cross-National Analysis of the Ecological Footprint', *Social Problems*, 50(3): 374-94.
- (2005), 'Unpacking International Power and the Ecological Footprints of Nations: A Quantitative Cross-National Study', *Sociological Perspectives*, 48(3): 383-402.
- , Rice, James, and Crowe, Jessica (2005), 'Unpacking the Ecological Footprint of Nations', *International Journal of Comparative Sociology*, 46(3): 241-60.
- Kamm, F. M. (2000), 'Does Distance Matter Morally to the Duty to Rescue?', *Law and Philosophy*, 19(6): 655-81.
- Kant, Immanuel (1998[1848]), *Critique of Pure Reason*, translated and edited by Paul Guyer and Allen W. Wood, Cambridge: Cambridge University Press.
- Keat, Russell (2000), 'Market Boundaries and Human Goods', in John Haldane (ed.), *Philosophy and Public Affairs*, Cambridge: Cambridge University Press.
- (2015), 'Towards a Critical Ethical Economy', in Andrius Bielskis and Kelvin Knight (eds.), *Virtue and Economy: Essays on Morality and Markets*, London: Routledge.
- Knights, Paul and O'Neill, John (2016), 'Consumption and Well-being', in Teena Gabrielson, Cheryl Hall, John M. Meyer, and David Schlosberg (eds.), *The Oxford Handbook of Environmental Political Theory*, Oxford: Oxford University

- Press.
- Kutz, Christopher (2000), *Complicity: Ethics and Law for a Collective Age*, Cambridge: Cambridge University Press.
- Landes, David S. (1998), *The Wealth and Poverty of Nations: Why Some Are So Rich and Some So Poor*, London: Little, Brown and Company.
- Lee, Keekok (1989), *Social Philosophy and Ecological Scarcity*, London: Routledge.
- Lee, Sangheon, McCann, Deirdre, and Messenger, Jon C. (2007), *Working Time Around the World: Trends in working hours, laws and policies in a global comparative perspective*, Abingdon, Oxon: Routledge.
- Lichtenberg, Judith (2010), ‘Negative Duties, Positive Duties, and the “New Harms”’, *Ethics*, 120(3): 557-78.
- List, Christian and Spiekermann, Kai (2013), ‘Methodological Individualism and Holism in Political Science: A Reconciliation’, *American Political Science Review*, 107(4): 629-643.
- Locke, John (1996[1689]), *Second Treatise of Government*, in David Wootton (ed.), *Modern Political Thought: Readings from Machiavelli to Nietzsche*, Indianapolis, Indiana: Hackett.
- MacNaughton, Gillian and Frey, Diane F. (2011), ‘Decent Work for All: A Holistic Human Rights Approach’, *American University International Law Review*, 26(2): 441-83.
- Martinez-Alier, Joan (2002), *The Environmentalism of the Poor: A Study of Ecological Conflicts and Valuation*, Cheltenham: Edward Elgar.
- Marx, Karl (2008), *Oxford World’s Classics: Capital: A new abridgement*, edited with an introduction and notes by David McLellan, Oxford: Oxford University Press.
- (2013[1844]), ‘Economic and Philosophical Manuscripts’, in Erich Fromm and Karl Marx (2013), *Marx’s Concept of Man: Including ‘Economic and Philosophical Manuscripts’*, London: Bloomsbury.
- May, Larry (1992), *Sharing Responsibility*, Chicago: The University of Chicago Press.
- McNally, David (1999), ‘Market Socialism: The Debate among Socialists’, book review, *The American Political Science Review*, 93(3): 706.
- Meadows, Donella, Meadows, Dennis, and Randers, Jorgen (1992), *Beyond the Limits: Global Collapse or a Sustainable Future*, London: Earthscan.
- Meyer, Lukas H. (2003), ‘Past and Future: The Case for a Threshold Notion of Harm’, in Lukas H. Meyer, Stanley L. Paulson, and Thomas W. Pogge (eds.), *Rights, Culture and the Law: Themes from the Legal and Political Philosophy of*

- Joseph Raz*, Oxford: Oxford University Press.
- Miller, David (1989), *Market, State, and Community: Theoretical Foundations of Market Socialism*, Oxford: Clarendon Press.
- (1999a), ‘Justice and Global Inequality’, in Andrew Hurrell and Ngaire Woods (eds.), *Inequality, Globalization, and World Politics*, Oxford: Oxford University Press.
- (1999b), *Principles of Social Justice*, Cambridge, Massachusetts: Harvard University Press.
- (2001), ‘Distributing Responsibilities’, *The Journal of Political Philosophy*, 9(4): 453-71.
- (2004), ‘Holding Nations Responsible’, *Ethics*, 114(2): 240-68.
- (2007), *National Responsibility and Global Justice*, Oxford: Oxford University Press.
- Moon, Jeremy (2014), *Corporate Social Responsibility: A Very Short Introduction*, Oxford: Oxford University Press.
- Mulhall, Stephen (2013), *The Routledge Guidebook to Heidegger’s Being and Time*, Abingdon, Oxon: Routledge.
- Mwangi, Wagaki, Rieth, Lothar, and Schmitz, Hans Peter (2013), ‘Encouraging greater compliance: local networks and the United Nations Global Compact’, in Thomas Risse, Stephen C. Ropp, and Kathryn Sikkink, *The Persistent Power of Human Rights: From Commitment to Compliance*, Cambridge: Cambridge University Press.
- Nagel, Thomas (1977), ‘Poverty and Food: Why Charity Is Not Enough’, in Peter Brown and Henry Shue (eds.), *Food Policy: The Responsibility of the United States in the Life and Death Choices*, New York: Free Press.
- Neumayer, Eric (2000), ‘In defence of historical accountability for greenhouse gas emissions’, *Ecological Economics*, 33(2): 185-92.
- Nickel, James and Magraw, Daniel (2010), ‘Philosophical Issues in International Environmental Law’, in Samantha Besson and John Tasioulas (eds.), *The Philosophy of International Law*, Oxford: Oxford University Press.
- Nikkei Asian Review (2015), ‘Uniqlo suppliers criticized for harsh working conditions’, available at <http://asia.nikkei.com/Business/Companies/Uniqlo-suppliers-criticized-for-harsh-working-conditions>, retrieved on 10 Feb 2015.
- Nove, Alec (1991), *The Economics of Feasible Socialism Revisited*, 2nd edition, London: HarperCollins.
- Nussbaum, Martha (1990), ‘Aristotelian Social Democracy’, in R. Bruce Douglass,

- Gerald M. Mara, and Henry S. Richardson (eds.), *Liberalism and the Good*, London: Routledge.
- Nussbaum, Martha C. (1992), 'Human Functioning and Social Justice: In Defense of Aristotelian Essentialism', *Political Theory*, 20(2): 202-46.
- (2000), *Women and Human Development: The Capabilities Approach*, Cambridge: Cambridge University Press.
- (2011), *Creating Capabilities: The Human Development Approach*, Cambridge, Massachusetts: The Belknap Press of Harvard University Press.
- Ollman, Bertell (1998), 'Market Mystification in Capitalist and Market Socialist Societies', in Bertell Ollman (ed.), *Market Socialism: The Debate Among Socialists*, London: Routledge.
- O'Neill, John (1993), *Ecology, Policy and Politics: Human Well-Being and the Natural World*, London: Routledge.
- (1998), *The Market: Ethics, Knowledge and Politics*, London: Routledge.
- (2017), 'Markets, Ethics and Environment', in Stephen M. Gardiner and Allen Thompson (eds.), *The Oxford Handbook of Environmental Ethics*, Oxford: Oxford University Press.
- Opschoor, J. (Hans) B. (1995), 'Ecospace and the fall and rise of throughput intensity', *Ecological Economics*, 15(2): 137-40.
- Page, Edward A. (2007), 'Intergenerational Justice of What: Welfare, Resources or Capabilities?', *Environmental Politics*, 16(3): 453-69.
- Paredis, Erik, Goeminne, Gert, Vanhove, Wouter, Maes, Frank, and Lambrecht, Jesse (2008), *The Concept of Ecological Debt: Its Meaning and Applicability in International Policy*, Gent: Academia Press.
- Parfit, Derek (1984), *Reasons and Persons*, Oxford: Oxford University Press.
- Peeters, Wouter, Dirix, Jo, and Sterckx, Sigrid (2014), 'Towards an Integration of the Ecological Space Paradigm and the Capabilities Approach', *Journal of Agricultural and Environmental Ethics*, online article available at <[http://link.springer.com/article/10.1007/s10806-014-9498-7?sa\\_campaign=email/event/articleAuthor/onlineFirst](http://link.springer.com/article/10.1007/s10806-014-9498-7?sa_campaign=email/event/articleAuthor/onlineFirst)>, retrieved on 13 Sept. 2014.
- Peterson, Christopher (1999), 'Personal Control and Well-Being', in Daniel Kahneman, Ed Diener, and Norbert Schwarz (eds.), *Well-Being: The Foundations of Hedonic Psychology*, New York: Russell Sage Foundation.
- Pogge, Thomas (1994), 'An Egalitarian Law of Peoples', *Philosophy and Public Affairs*, 23(3): 195-224.
- (2005), 'Severe Poverty as a Violation of Negative Duties', *Ethics and International Affairs*, 19(1): 55-83.

- (2008), *World Poverty and Human Rights*, 2nd edition, Cambridge: Polity.
- (2010), ‘Poverty, Climate Change, and Overpopulation’, *Georgia Journal of International and Comparative Law*, 38(3): 525-42.
- Pomeranz, Kenneth (2000), *The Great Divergence: China, Europe, and the Making of the Modern World Economy*, Princeton: Princeton University Press.
- Rasche, Andreas (2009), “‘A Necessary Supplement’: What the United Nations Global Compact Is and Is Not”, *Business and Society*, 48(4): 511-37.
- Rawls, John (1999), *The Law of Peoples: With ‘The Idea of Public Reasons Revisited’*, Cambridge, Massachusetts: Harvard University Press.
- Raz, Joseph (1986), *The Morality of Freedom*, Oxford: Clarendon Press.
- (2010), ‘Human Rights without Foundations’, in Samantha Besson and John Tasioulas (eds.), *The Philosophy of International Law*, Oxford: Oxford University Press.
- Rice, James (2007), ‘Ecological Unequal Exchange: Consumption, Equity, and Unsustainable Structural Relationships within the Global Economy’, *International Journal of Comparative Sociology*, 48(1): 43-72.
- Risse, Mathias (2005a), ‘How Does the Global Order Harm the Poor?’, *Philosophy and Public Affairs*, 33(4): 349-76.
- (2005b), ‘Do We Owe the Global Poor Assistance or Rectification?’, *Ethics and International Affairs*, 19(1): 9-18.
- Risse, Thomas and Ropp, Stephen C. (2013), ‘Introduction and overview’, in Thomas Risse, Stephen C. Ropp, and Kathryn Sikkink, *The Persistent Power of Human Rights: From Commitment to Compliance*, Cambridge: Cambridge University Press.
- Roberts, J. Timmons and Parks, Bradley C. (2009), ‘Ecologically Unequal Exchange, Ecological Debt, and Climate Justice: The History and Implications of Three Related Ideas for a New Social Movement’, *International Journal of Comparative Sociology*, 50(3-4): 385-409.
- Roemer, John E. (1994), *A Future for Socialism*, Cambridge, Mass.: Harvard University Press.
- Rosen, Richard and Schweickart, David (2006), *Visions of Regional Economies in a Great Transition World*, Boston, MA: Tellus Institute.
- Rudra, Nita (2008), *Globalization and the Race to the Bottom in Developing Countries: Who Really Gets Hurt?*, Cambridge: Cambridge University Press.
- Ruggie, John (2011), *Guiding Principles on Business and Human Rights: Implementing the United Nations ‘Protect, Respect and Remedy’ Framework*, available at

- <[http://www.ohchr.org/Documents/Issues/Business/A-HRC-17-31\\_AEV.pdf](http://www.ohchr.org/Documents/Issues/Business/A-HRC-17-31_AEV.pdf)>, retrieved on 26 Nov 2015.
- Sandel, Michael J. (1984), 'The Procedural Republic and the Unencumbered Self', *Political Theory*, 12(1): 81-96.
- Scanlon, T. M. (1998), *What We Owe to Each Other*, Cambridge, Massachusetts: The Belknap Press of Harvard University Press.
- Scheffler, Samuel (1995), 'Individual Responsibility in a Global Age', *Social Philosophy and Policy*, 12(1): 219-36.
- Schmidtz, David (2000), 'Islands in a Sea of Obligation: Limits of the Duty to Rescue', *Law and Philosophy*, 19(6): 683-705.
- Schweickart, David (2002), *After Capitalism*, Lanham, MD: Rowman & Littlefield.
- Selucký, Radoslav (1979), *Marxism, Socialism, Freedom: Towards a General Democratic Theory of Labour-Managed Systems*, London: Macmillan.
- Sen, Amartya (1979), 'Equality of What?', *The Tanner Lectures on Human Values*, available at <[http://tannerlectures.utah.edu/\\_documents/a-to-z/s/sen80.pdf](http://tannerlectures.utah.edu/_documents/a-to-z/s/sen80.pdf)>, retrieved on 6 July 2014.
- (1984), *Resources, Values and Development*, Oxford: Blackwell.
- (1993), 'Capability and Well-Being', in Martha Nussbaum and Amartya Sen (eds.), *The Quality of Life*, Oxford: Clarendon Press.
- (1995), 'Gender Inequality and Theories of Justice', in Martha C. Nussbaum and Jonathan Glover (eds.), *Women, Culture, and Development: A Study of Human Capabilities*, Oxford: Oxford University Press.
- (1997), *Human Rights and Asian Values*, Sixteenth Morgenthau Memorial Lecture on Ethics and Foreign Policy, New York: Carnegie Council on Ethics and International Affairs.
- (1999), *Development As Freedom*, Oxford: Oxford University Press.
- (2004a), 'Capabilities, Lists, and Public Reason: Continuing the Conversation', *Feminist Economics*, 10(3): 77-80.
- (2004b), 'Elements of a Theory of Human Rights', *Philosophy and Public Affairs*, 32(4): 315-56.
- (2009), *The Idea of Justice*, Cambridge, Massachusetts: The Belknap Press of Harvard University Press.
- Shrader-Frechette, Kristin (2002), *Environmental Justice: Creating Equity, Reclaiming Democracy*, Oxford: Oxford University Press.
- Shue, Henry (1988), 'Mediating Duties', *Ethics*, 98(4): 687-704.
- (1996), *Basic Rights: Subsistence, Affluence, and U.S. Foreign Policy*, 2nd edition, Princeton: Princeton University Press.

- (1999), ‘Global Environment and International Inequality’, *International Affairs*, 75(3): 531-45.
- (2014), *Climate Justice: Vulnerability and Protection*, Oxford: Oxford University Press.
- Singer, Peter (1972), ‘Famine, Affluence, and Morality’, *Philosophy and Public Affairs*, 1(3): 229-43.
- (2004), *One World: The Ethics of Globalization*, 2nd edition, New Haven, Conn.: Yale University Press.
- Sklair, Leslie (2002), *Globalization: Capitalism and its Alternatives*, 3rd edition, Oxford: Oxford University Press.
- Smith, Adam (1904[1776]), *An Inquiry into the Nature and Causes of the Wealth of Nations*, edited by Edwin Cannan, London: Methuen & Co., Ltd, available at Library of Economics and Liberty, <<http://www.econlib.org/library/Smith/smWN.html>>, retrieved on 10 Nov 2015.
- Smith, Patricia (1990), ‘The Duty to Rescue and the Slippery Slope Problem’, *Social Theory and Practice*, 16(1): 19-41.
- Stewart, Frances (1996), ‘Basic Needs, Capabilities, and Human Development’, in Avner Offer (ed.), *In Pursuit of the Quality of Life*, Oxford: Oxford University Press.
- Streeten, Paul P. (1979), ‘Basic Needs: Premises and Promises’, *Journal of Policy Modeling*, 1(1): 136-46.
- Streeten, Paul (1984), ‘Basic Needs: Some Unsettled Questions’, *World Development*, 12(9): 973-8.
- , Burki, Shahid Javed, Haq, Mahbub Ul, Hicks, Norman, and Stewart, Frances (1981), *First Things First: Meeting Basic Human Needs in the Developing Countries*, Oxford: Oxford University Press.
- Sumner, L. W. (1996), *Welfare, Happiness, and Ethics*, Oxford: Clarendon Press.
- Sweezy, Paul M. (1989), ‘Capitalism and the Environment’, *Monthly Review*, 41(2): 1-10.
- Taylor, Charles (1985), *Philosophy and the Human Sciences: Philosophical Papers Volume 2*, Cambridge: Cambridge University Press.
- (1999), ‘Conditions of an Unforced Consensus on Human Rights’, in Joanne R. Bauer and Daniel A. Bell (eds.), *The East Asian Challenge for Human Rights*, Cambridge: Cambridge University Press.
- The Economist (2014), ‘In search of lost time: Why is everyone so busy?’, available at <<http://www.economist.com/news/christmas-specials/21636612-time-poverty-pro>>

- blem-partly-perception-and-partly-distribution-why?fsrc=scn%2Ffb%2Fte%2Fbl%2Fed%2F>, retrieved on 25 May 2017.
- Ticktin, Hillel (1998), 'The Problem is Market Socialism', in Bertell Ollman (ed.), *Market Socialism: The Debate Among Socialists*, London: Routledge.
- Torras, Mariano (2003), 'An Ecological Footprint Approach to External Debt Relief', *World Development*, 31(12): 2161-71.
- UNDP (1990), *Human Development Report 1990: Concept and Measurement of Human Development*, available at <<http://hdr.undp.org/en/reports/global/hdr1990>>, retrieved on 13 June 2014.
- (1998), *Human Development Report 1998*, available at <<http://hdr.undp.org/en/content/human-development-report-1998>>, retrieved on 13 June 2014.
- (2006), *Human Development Report 2006: Beyond scarcity: Power, poverty and the global water crisis*, available at <<http://hdr.undp.org/en/content/human-development-report-2006>>, retrieved on 13 June 2014.
- US Census Bureau (2013a), *Income, Poverty, and Health Insurance Coverage in the United States: 2012: Current Population Reports*, available at <<http://www.census.gov/hhes/www/poverty/>>, retrieved on 12 May 2014.
- (2013b), *Poverty: 2000 to 2012: American Community Survey Briefs*, available at <<http://www.census.gov/hhes/www/poverty/>>, retrieved on 12 May 2014.
- Veenhoven, Ruut (1999), 'Quality-of-Life in Individualistic Society', *Social Indicators Research*, 48(2): 157-86.
- Venetoulis, Jason, Chazan, Dahlia, and Gaudet, Christopher (2004), *Ecological Footprint of Nations 2004*, Oakland, CA: Redefining Progress.
- Votaw, Dow (1972), 'Genius Becomes Rare: A Comment on the Doctrine of Social Responsibility Pt. I', *California Management Review*, 15(2): 25-31.
- Wackernagel, Mathis and Rees, William (1996), *Our Ecological Footprint: Reducing Human Impact on the Earth*, Gabriola Island, BC: New Society.
- Waldron, Jeremy (1993), 'A Right-Based Critique of Constitutional Rights', *Oxford Journal of Legal Studies*, 13(1): 18-51.
- Wallerstein, Immanuel (2004), *World-Systems Analysis: An Introduction*, Durham, NC: Duke University Press.
- Wenar, Leif (2003), 'What We Owe to Distant Others', *Politics, Philosophy and Economics*, 2(3): 283-304.
- WHO (2014), '7 million premature deaths annually linked to air pollution', available at

- <<http://www.who.int/mediacentre/news/releases/2014/air-pollution/en/>>, retrieved on 12 May 2014.
- Williams, Oliver F. (2004), 'The UN Global Compact: The Challenge and the Promise', *Business Ethics Quarterly*, 14(4): 755-74.
- Wisor, Scott (2011), 'Against shallow ponds: an argument against Singer's approach to global poverty', *Journal of Global Ethics*, 7(1): 19-32.
- Wolff, Jonathan and de-Shalit, Avner (2007), *Disadvantage*, Oxford: Oxford University Press.
- Woollard, Fiona (2015), *Doing and Allowing Harm*, Oxford: Oxford University Press.
- World Bank (1992), *World Development Report 1992: Development and the Environment*, Oxford: Oxford University Press.
- (2010), *World Development Indicators 2010*, Washington, D.C.: World Bank.
- (2014), 'GNI per capita, Atlas method (current US\$)', available at <[http://data.worldbank.org/indicator/NY.GNP.PCAP.CD?order=wbapi\\_data\\_value\\_2012+wbapi\\_data\\_value&sort=desc](http://data.worldbank.org/indicator/NY.GNP.PCAP.CD?order=wbapi_data_value_2012+wbapi_data_value&sort=desc)>, retrieved on 6 September 2014.
- Young, Iris Marion (2011), *Responsibility for Justice*, Oxford: Oxford University Press.
- Zimmerman, Michael J. (1985), 'Sharing Responsibility', *American Philosophical Quarterly*, 22(2): 115-22.