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Religious Ethics and Obligations to Others

1.1 Introduction

This book is about our obligations to others. More specifically, it is about our obligations to assist severely poor people.¹

On severe poverty, consider the following picture, one that is radically different than what affluent people experience. People who live under conditions of severe poverty are subject to widespread exploitation, chronic malnutrition, and a lack of access to adequate shelter, sanitation, and basic preventive healthcare; over a billion adults and approximately 700 million children are illiterate; and because of conditions of desperation, millions of children are chained to looms, conscripted into war, or sold into prostitution.²

¹ When I use the first-person plural pronoun “we,” I refer to those of us who are affluent citizens of developed liberal democracies. This includes those who (and presupposes that we) have sufficient mental maturity, education, and political opportunities and therefore share responsibility in what our government does in our name regarding public policy and trans- and supranational institutional arrangements. This excludes those who lack sufficient mental maturity, education, and political opportunities, e.g., people with radical cognitive disabilities and poor and politically disenfranchised people. On this use, I follow Thomas Pogge, “Are We Violating the Human Rights of the World’s Poor?” 2–3. For a criticism of “we” and collective responsibility, see Michael J. Baxter, “Dispelling the ‘We’ Fallacy from the Body of Christ.”

² On severe poverty, consider the following figures. According to the United Nations Development Programme (UNDP), “821 million people are

Moreover, even though human rights conventions and modern democracies prohibit it, there are roughly forty million people trapped in modern slavery, suffering everything from bonded labor to forced marriage. Given that they are chronically deprived of basic material needs, severely poor people are prevented from living minimally decent and autonomous lives. Moreover, given the gravity of such poverty, severely poor people are systemically precluded from lifting themselves out of such conditions. On any conscionable outlook, the existence of severe poverty is morally horrific.

Conditions of severe poverty continue to obtain, however, while there is great and rising affluence in the Global North.³

chronically undernourished; 844 million lack access to basic drinking water; 2.3 billion lack access to basic sanitation, including 892 million people who practice open defecation; 828 million people live in slums, with the figure continuing to rise; 840 million people lack electricity; 1.6 billion lack access to basic health services; 103 million children lack basic literacy skills; and there are about 265 million child laborers in the world.” The UNDP’s data are available at <http://hdr.undp.org/en/data>. “These severe deprivations persist,” Thomas Pogge observes, “because people in the bottom half of the world’s population are too poor to protect themselves against them,” *World Poverty and Human Rights*, 2. Mortality rates among severely poor children and young adolescents are especially high. According to the United Nations Interagency Group for Child Mortality Estimation, “in 2018 alone, an estimated 6.2 million children and young adolescents under age 15 died, mostly from preventable causes. Newborns account for 2.5 million of these deaths, children aged 1–11 months for 1.5 million, children aged 1–4 years for 1.3 million, children aged 5–9 years for 560,000 and young adolescents aged 10–14 years for 360,000,” *Levels and Trends in Child Mortality*, 8. For further data on severe poverty, see the World Bank’s Poverty Monitor <https://data.worldbank.org/topic/poverty>. Though the data from the UNDP and World Bank are readily available and used in developmental studies, Thomas Pogge, Sanjay Reddy, and others believe that the data-calculation methods to be flawed. See, e.g., Pogge, “The First U.N. Millennium Developmental Goal” and Pogge and Reddy, “How *Not* to Count the Poor.”

³ “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 (relative to an international commodities basket) and about 120 times

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Contrast the lives of severely poor people with what the historian Brad Gregory aptly terms *the goods life*.⁴ Compared with the good life, which is concerned with individual and communal flourishing, committing to the goods life requires prioritizing our own self-interest over and against the well-being of others. On the terms of the goods life, we are formed and act not toward the good but rather toward goods, whose acquisition is restricted only by our credit limit.⁵ Whereas severely poor people labor for access to basic material needs and for the conditions needed to exercise their agency, affluent people committed to the goods life exercise agency through acquisition, whether newer technology or seasonably fashionable clothing, all of which will be quickly discarded and replaced. For those committed to the goods life, Gregory notes, “[m]oneymaking mesmerizes, affluence anesthetizes, and comfort conduces conformist complacency.” Consequently, affluent people don’t have “so much as a thought, much less an action, for millions who are homeless, hungry, persecuted, or otherwise marginalized.”⁶

For religious ethicists, severe poverty gives rise to several overlapping problems. In this book, I frame these problems and develop responses to them.

greater when the comparison is made at currency exchange rates. Assessed at such rates, the 2,533 million poor together accounted for only about 1.67 percent of all household consumption expenditure in 2004, while the 1,004 million people in the high-income countries together accounted for 81 percent,” Pogge, *World Poverty and Human Rights*, 2–3.

⁴ See Gregory, *The Unintended Reformation*, ch. 5. On consumerism as morally formative, see also William Cavanaugh, *Being Consumed*.

⁵ On American consumer practices, luxury, and Christian ethics, see David Cloutier, *The Vice of Luxury*. Even practices such as asceticism have been coopted in the service of the goods life. For an analysis of minimalism as a new form of consumerism, see Dana Logan, “The Lean Closet.”

⁶ Gregory, *The Unintended Reformation*, 294–296.

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I begin with the following commonsense view: We have moral and political relationships with others. These relationships obligate us in one or another way. But this commonsense view quickly opens itself up to a dizzying host of questions. For example, how do we determine who we share these relationships with? Given that we live in an increasingly globalized and interconnected world, where we are connected with people we neither know nor will ever come into contact with, what is the scope of our moral and political obligations? And since so many people in our world are severely poor, what is the intensity of our obligations to them? Does the intensity of our obligations vary according to the nature of relationship – for example, our relationships with our compatriots compared to foreigners? How should we discharge our obligations, that is, through institutional reform or interpersonal giving? How should we adjudicate our obligations to severely poor people and our obligations to our near and dear, for example, our compatriots, family, and friends? And how should we adjudicate our obligations to severely poor people and our obligations to ourselves, including our other moral strivings and personal projects?

Despite starting from the commonsense view, these questions admit of complexity and interrelation. Moreover, considering the extensity and intensity of severe poverty, they are also morally urgent. To develop responses to these questions, the overall arc of my argument is as follows. First, I will argue *why* affluent people have obligations to severely poor people. Second and relatedly, I will argue that affluent people have *demanding* obligations to severely poor people. I develop and attempt to defend these against two criticisms that are widely espoused in popular, philosophical, and religious thought. According to the first criticism, affluent people

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either have *primary* obligations to our compatriots or affluent people don't have *any* obligations to assist severely poor people. According to the second criticism, fulfilling demanding obligations to severely poor people won't permit affluent people the latitude to (i) honor our special relations (e.g., families and friendships) and (ii) maintain proper self-regard, which includes our other moral strivings and personal projects. Taken together, I attempt to defend the following view: Affluent people have demanding obligations, through institutional reform and interpersonal giving, to severely poor people. Committing to fulfilling such obligations, however, need not preclude the possibility of forming special relations or maintaining self-regard.

The questions that I posed earlier have been taken up and responded to in sophisticated ways by developmental economists and moral and political philosophers. For example, inspired by and extending John Rawls's basic structure argument, Charles Beitz and Thomas Pogge each argue for obligations to people around the globe that are incurred by virtue of our shared participation in economic and political institutions. Given our ever increasing global economic and political interdependence, these thinkers argue, our obligations can't be delimited simply by virtue of our membership in a particular nation-state.⁷ In a related vein, Peter Singer in his famous article, "Famine, Affluence, & Morality," argues that we affluent people have demanding interpersonal obligations to assist severely poor people through giving to charitable organizations. Arguing on utilitarian grounds, Singer holds that we affluent people are morally responsible for allowing billions of severely poor people to suffer and die

⁷ I will briefly canvas Rawls's institutionalism in Section 1.4 and more fully explore it in Chapter 3. See also Beitz, *Political Theory and International Relations*; Pogge, *Realizing Rawls*; and Pogge, *World Poverty and Human Rights*.

from easily preventable causes because we prioritize our own well-being instead of the very lives of severely poor people.⁸ Given their widespread influence and philosophical importance, I will be in conversation with such views about our obligations to severely poor people in the following chapters.

Whereas moral and political philosophers have long discussed our obligations to severely poor people, religious ethicists haven't yet given the questions that I posed sustained attention. Compared to conversations about related topics in human rights, for example, just war theory or the very universality of human rights language itself, to which religious ethicists continue to contribute, the relative lack of attention is surprising.⁹ Similarly, Protestant social ethicists and liberation theologians have focused on related topics, for example, the demands of love of God and love of neighbor or structural sin and personal behavior.¹⁰ To be sure, in our sinful and fallen world, these are salient topics for moral and theological reflection. But in the former case, the focus often becomes overly abstract: What we need is normative guidance about what love of God and love of neighbor demands in our current context of global interdependence. And in the latter case, the focus becomes overly concrete, attending too greatly on our contingencies and what *is* rather than what

⁸ I will briefly canvas Singer's interpersonalism in Section 1.4 and more fully explore it in Chapter 4. See also Section 1.4 for my discussion of the means/ends and doing/allowing distinctions.

⁹ Some recent exceptions from which I have learned include Eric Gregory, "Remember the Poor"; Susan Holman, *Beholden*; and Esther Reed, "Nation States and Love of Neighbour."

¹⁰ In Protestant social ethics, Gene Outka's *Agape* is the standard text for thinking about obligations to God and to neighbor. In liberation theology, theologians from Gustavo Gutierrez (e.g., *A Theology of Liberation*) and Oscar Romero (e.g., *The Violence of Love*) to Daniel Finn (e.g., "What Is a Sinful Social Structure?") and Katie Grimes (e.g., *Christ Divided*) have focused on sinful social structures and personal behavior.

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is necessary and what *ought* to be. In examining our obligations to severely poor people, one challenge is how we are to be informed by and bring to bear general and abstract moral and religious principles and particular and contingent economic, political, and social realities.¹¹

To borrow from and improvise on an insight from the legal philosopher Jeremy Waldron, are there arguments, concepts, and frameworks in religious thought that religious ethicists may use to develop arguments about our obligations to assist severely poor people? And may these be put into productive conversation with developments in contemporary moral and political philosophy?¹² In conversation with influential moral and political philosophers who have theorized about our institutional and interpersonal obligations to severely poor people, I aim to illustrate how and why religious ethicists may learn from and contribute to debates about such obligations.

I further hope that my discussion about our obligations to severely poor people will also prompt religious ethicists to reflect on some foundational questions. For example, how does severe poverty force religious ethicists to rethink who counts as our neighbor and what neighbor-love normatively requires? How (if at all) does recognizing someone as our neighbor demand that we rethink our ordinary allegiances to our compatriots or bonds with our friends and family? And given that we are to

¹¹ In offering these descriptions, I have improvised on an idea from Bernard Williams, *In the Beginning Was the Deed*, ch. 2. Commenting on the relationship between universal human rights and our political context, Williams writes: “Utopian thought is not necessarily frivolous, but the nearer political thought gets to action, as in the concrete affirmation of human rights, the more likely it is to be frivolous if it is utopian,” 25. See Section 1.6 for my methodological commitments.

¹² See Waldron, “What Can Christian Teaching Add to the Debate about Torture?,” 337. See also Waldron, “Religious Contributions in Public Deliberation.”

love our neighbors, how are we implicated in economic, political, and social institutions that preserve and promote gross economic inequality? In response to questions like these, this book focuses on our current situation of global economic interdependence and severe poverty and how these relate to the biblical injunction to prove ourselves neighbor, especially to the least among us.

1.3 Neighbor-Love and Moral Obligations

In Christian ethics and theology, there is a strong normative emphasis on our obligations to others, especially the least among us. More specifically, love of God and love of neighbor are, to use Paul Ramsey's characterization,¹³ the *ground floor* of Christian ethics: "You shall love the Lord your God with all your heart, and with all your soul, and with all your mind. This is the greatest and first commandment. And a second is like it: 'You shall love your neighbor as yourself.' On these two commandments hang all the law and all the prophets" (Matt. 22:37–40). By orienting ourselves first and foremost to God, our consequent love for our neighbors is, even if abstract and general in articulation, understood as normatively fixed and unalterable. Given the primacy of these commands, Christians must *love everyone as neighbor*.¹⁴

Throughout the Gospels and the Johannine and Pauline epistles, we find this message consistently emphasized. For example, in the Sermon on the Mount, Jesus teaches:

¹³ Paul Ramsey, *Basic Christian Ethics*, 115n14. For an explication of Ramsey's ethics in conversation with contemporary deontology, see Bharat Ranganathan, "Paul Ramsey's Christian Deontology."

¹⁴ On the various issues that concern the relationship between Christian ethics and religious ethics, see Bharat Ranganathan and Derek Woodard-Lehman, "Normative Dimensions in Christian Ethics." See also Bharat Ranganathan, "Between Distinctiveness and Integrity."

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You have heard that it was said, “You shall love your neighbor and hate your enemy.” But I say to you, Love your enemies and pray for those who persecute you, so that you may be children of your Father in heaven; for his sun rises on the evil and on the good, and sends rain on the righteous and on the unrighteous. For if you love those who love you, what reward do you have? Do not even the tax collectors do the same? And if you greet only your brothers and sisters, what more are you doing than others? Do not even the Gentiles do the same? Be perfect, therefore, as your heavenly Father is perfect.

(Matt. 5:43–48)

And in the Parable of the Good Samaritan, Jesus converses with the lawyer and identifies what it is to *prove* ourselves neighbor:

Just then a lawyer stood up to test Jesus. “Teacher,” he said, “what must I do to inherit eternal life?” He said to him, “What is written in the law? What do you read there?” He answered, “You shall love the Lord your God with all your heart, and with all your soul, and with all your strength, and with all your mind; and your neighbor as yourself.” And he said to him, “You have given the right answer; do this, and you will live.”

But wanting to justify himself, he asked Jesus, “And who is my neighbor?” Jesus replied, “A man was going down from Jerusalem to Jericho, and fell into the hands of robbers, who stripped him, beat him, and went away, leaving him half dead. Now by chance a priest was going down that road; and when he saw him, he passed by on the other side. So likewise a Levite, when he came to the place and saw him, passed by on the other side. But a Samaritan while traveling came near him; and when he saw him, he was moved with pity. He went to him and bandaged his wounds, having poured oil and wine on them. Then he put him on his own animal, brought him to an inn, and took care of him. The next day he took out two denarii, gave them to the innkeeper, and said, ‘Take care of him; and when I come back, I will repay you whatever more you spend.’ Which of these three, do you think, was a neighbor to the man who fell

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into the hands of the robbers?” He said, “The one who showed him mercy.” Jesus said to him, “Go and do likewise.”

(Luke 10:25–37)

In these two examples, the normative direction of Jesus’s teaching is clear. What Christian ethics demands is that we love all people as our neighbors, making no exceptions for even our enemies and strangers. Indeed, “since God loved us so much, we also ought to love one another. No one has ever seen God; if we love one another, God lives in us, and his love is perfected in us” (1 John 4:11–12).

In the Judgment of the Nations, Jesus’s teaching continues. “For when I was hungry and you gave me something to eat, I was thirsty and you gave me something to drink, I was a stranger and you invited me in, I needed clothes and you clothed me, I was sick and you looked after me, I was in prison and you came to visit me” (Matt. 25:34–36). Each reflects love of neighbor; moreover, each contains a particular by which to love the neighbor. But consider Jesus’s teaching in relation to our contemporary world, where an overwhelming portion of the world’s population is severely poor. Severely poor people *are* our neighbors. And yet severe poverty continues to exist. The continuing existence of severe poverty, however, conflicts with a further normative edict in the Judgment of the Nations: “Truly I tell you, whatever you did not do for one of the least of these, you did not do for me” (Matt. 25:45).

For affluent people, Jesus’s edict is damning. By failing to love our severely poor neighbors, we will “go away to eternal punishment” whereas the “righteous to eternal life” (Matt. 25:46). To my mind, the Judgment of the Nations recasts the tension that I introduced with my comparison of the lives of severely poor people with the goods life. What is this tension? On the one side, we are given clear commands

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to love all others, especially the least among us. Failing to do so will earn us eternal punishment. On the other side, we affluent people are more often than not convinced that “there is nothing seriously wrong, morally speaking, with the lives we lead,”¹⁵ including pursuing the goods life. But despite this conviction, neighbor-love demands that “[w]hoever has two coats must share with anyone who has none; and whoever has food must do likewise” (Luke 3:10).¹⁶

How should we understand the normative import of neighbor-love in a world like ours? And how might Christian conversations about neighbor-love be put into conversation with moral and political philosophy to think about our obligations to severely poor people? Taken together, these questions pose moral and philosophical problems for any religious ethics that takes seriously severe poverty and its human costs. In the remainder of this chapter, I will canvas the concepts, definitions, and thinkers that I will draw upon and examine in greater detail in later chapters.

1.4 Definitions and Distinctions

Dignity. In popular, philosophical, and religious thought, human beings possess dignity. For example, unless we profess racist, sexist, or otherwise dehumanizing views, we ordinarily recognize all other humans as our equals. This ordinary view is enshrined in human rights and religious doctrine. According to the Universal Declaration of Human

¹⁵ Pogge, *Realizing Rawls*, 36n30.

¹⁶ I admit that rehearsing these passages might be read as nothing more than an appeal to proof texts. To be sure, each of these passages has been subject to centuries of interpretive history and exegetical debate. While I risk flattening this history and debate, I submit these as important scriptural sources within the Christian tradition that offer normative guidance about our obligations to severely poor people. Thanks to Travis Cooper for pressing me on this point.

Rights (UDHR), “[a]ll human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood” (Art. 1). Subsequent human rights documents, for example, the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social, and Cultural Rights (ICESCR), the Convention on the Rights of the Child (CRC), and the Convention on the Rights of Persons with Disabilities (CRPD) all recognize the fundamentality of dignity. And it is mirrored in religious thought. According to the *Catechism of the Catholic Church*, for example, our “equal dignity as persons demands that we strive for fairer and more humane conditions. Excessive economic and social disparity between individuals and peoples of the one human race is a source of scandal and militates against social justice, equity, human dignity, as well as social and international peace” (§1938).

On these views, dignity is normative. From the Christian notion of *neighbor* to the Kantian idea of persons as *ends-in-themselves*, we find the normativity of dignity at work. Simply by virtue of being human, human rights doctrine states, we all possess dignity. While this statement may seem straightforward, it is worth unpacking. We *all* possess human dignity regardless of our empirical status or national identity: male or female, rich or poor, abled or disabled, compatriot or foreigner, adult or child. What’s more, we all possess *equal* dignity: Dignity is neither ranked nor tiered and it isn’t something we can achieve or sacrifice. And because we possess dignity, we make normative claims on one another: We recognize one another as bearers of equal dignity; we respect one another as members of the shared moral and political communities; and we should organize our cooperative lives together to promote and protect one another’s dignity.

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Rights. In contemporary human rights conversations, rights are intimately linked to dignity. On my use, rights give us claims to or protect us from something that is consistent with our dignity.¹⁷ For example, the right to bodily integrity makes a normative claim on others not to torture us (UDHR, Art. 5); the right to freedom of conscience to practice our religion (UDHR, Art. 18); and the right to freedom and liberty to govern ourselves in deliberation with others (UDHR, Art. 21). I will be concerned specifically with the right to subsistence (UDHR, Art. 25). According to this article:

1. Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social

¹⁷ I will take as a pre-theoretical given the fact that rights exist. Therefore, I will eschew engaging in two debates in contemporary human rights theory. First, I won't engage thinkers who deny the existence of rights. Here, I have in mind two thinkers influential in Christian ethics. For example, Stanley Hauerwas says, "America is the only country that has the misfortune of being founded on a philosophical mistake—namely, the notion of inalienable rights. Christians do not believe that we have inalienable rights," *The Hauerwas Reader*, 608. For his clarifications and qualifications about this view, see Hauerwas, "How to Think Theologically about Rights." Similarly, Alasdair MacIntyre claims, "there are no such rights, and belief in them is one with belief in witches and unicorns," *After Virtue*, 69. While both express limited sympathies for rights language, Hauerwas and MacIntyre believe that rights language overemphasizes individualism at the expense of communality. Second, I won't engage theorists who are concerned with the *grounding* of human rights. For theorists interested in grounding human rights, the concern is about source of inherent human dignity and inalienable rights. According to James Griffin, human rights suffer from an "indeterminateness of sense," which affects the human rights enterprise as both a theory and a practical morality. For Griffin, this indeterminateness turns on the filtering out of theological content from our common ethical concepts. This filtering out, which began during the Enlightenment, he says, leaves common ethical concepts, e.g., "rights," without content and, therefore, normative force. See Griffin, *On Human Rights*, ch. 1. Against Griffin's account, Nicholas Wolterstorff argues that human rights must necessarily rest on theological grounds. See Wolterstorff, *Justice: Rights and Wrongs*. In Appendix II, I will consider the challenges associated with understanding

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service, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.

2. Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

Following from our inherent human dignity, *the right to subsistence is the instrument with which we make claims upon or protect ourselves from one another.* (When discussing the means/ends distinction and contractualism below, I will flesh this idea out further.) In making this claim, I employ a specific conception of rights commonly known as *claim rights*.¹⁸ On this conception, rights have two components: (1) a rights holder and (2) someone or something (i.e., an individual or an institution) with a corresponding obligation to fulfill the substance of that right. Our status as rights holders, which is held universally by all human beings, gives everyone a justified demand to the substance of the right to subsistence. Given that this right – along with other human rights – is universal, I will develop a corresponding account of obligations.

Taken together, the human right to subsistence aims to allow people to live minimally decent and autonomous lives. Consistent with Article 25, minimal decency requires access

human dignity in relation to human rights. Furthermore, I will prescind from historical debates about the origins and framing of human rights discourse. On the history and framing of the UDHR, see, e.g., Mary Ann Glendon, *A World Made New* and Johannes Morsink, *The Universal Declaration of Human Rights*. For criticisms, see, e.g., Samuel Moyn, *The Last Utopia* and Moyn, *Christian Human Rights*. For a rejoinder to Moyn's criticisms, see David Little, *Essays on Religion and Human Rights*, ch. 2.

¹⁸ On claim rights, see Wesley Hohfeld, *Fundamental Legal Conceptions as Applied in Judicial Reasoning*; Onora O'Neill, *Towards Justice and Virtue*, 128–136; O'Neill, *Bounds of Justice*, 98–101; and O'Neill, "The Dark Side of Human Rights." For a typology of rights, see Ronald Dworkin, *Taking Rights Seriously*, 90–94.

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to certain material needs: clothing, food, education, and basic preventive healthcare. Whatever else someone wants, to develop their personality or pursue social relations, these needs must be satisfied. Moreover, having guaranteed access to these material needs is necessary for people to develop and exercise their autonomy. For example, children who lack access to basic material needs not only risk disease and hunger but will also suffer developmental problems; adults who lack them will have little to no recourse when required to work in humiliating, laborious, and underpaying circumstances.¹⁹ I will take a minimally decent and autonomous life to be consonant with a life of dignity. On this view, someone suffers a human rights violation when they aren't guaranteed the substance of their rights and therefore aren't able to live a minimally decent and autonomous life.

Means/Ends. In contemporary normative ethics, deontology and consequentialism are rival moral theories. Each informs us about how we ought to act and how we should evaluate whether our actions are right or wrong, good or bad. On the one side, deontology prioritizes the right over the good. Therefore, deontological normative theories require, forbid, or permit actions as a matter of principle, conforming to particular norms, largely regardless of the outcomes produced by those actions. In prioritizing the right over the good, deontological normative theories have restrictions on the *means* that may be used to bring about particular *ends*. On the other side, consequentialism prioritizes the good over the right. Therefore, consequentialist normative theories prescribe and evaluate the rightness or wrongness, goodness or badness of an action solely according to the consequences brought about by the action. In prioritizing the good over the

¹⁹ On the relationship between autonomy and severe poverty, see Nicole Hassoun, *Globalization and Global Justice*, ch.1.

right, consequentialist normative theories don't have restrictions on the *means* that may be used to bring about particular *ends*.²⁰

To distinguish between deontology and consequentialism, between means and ends, consider the following case:

TORTURE. Frank is holding hostage five innocent people; he will kill them if his demands aren't met. Fortunately, counterterrorism agent John has captured Frank. If he tortures Frank, John will be able to ascertain the location of the hostages. If he tortures *and* then kills Frank, John will not only be able to ascertain the location of the hostages but also prevent Frank from ever taking hostages again. The counterterrorism agency's analysts have been unable to ascertain where Frank is keeping the hostages. Therefore, the director of the counterterrorism agency has licensed John to use his best judgment. What should John do?

What features from TORTURE should we note? There is an initial *state-of-affairs* (Frank holding five hostages), an *agent* (John) who *aims* through some *means* (torturing, killing) to bring about some *end* (saving five people). Conflicts between deontologists and consequentialists emerge when we reflect on whether (and if so how) John might bring about this desired end.

On the one hand, if he employs consequentialist reasoning, John will have one of two options. On the first option, if he *merely* tortures Frank, he will be able to discern the location of and rescue the hostages. The promotional function of this action, then, would result in saving five lives. On the second option, if he tortures *and* then kills Frank, John will not only be able to discern the location of and rescue the hostages but also prevent Frank from ever again taking hostages. The

²⁰ "Consequentialist rationality," Bernard Williams notes, "will have something to say even on the difference between massacring seven million, and massacring seven million and one," "A Critique of Utilitarianism," 93.

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promotional function of this action would result not only in saving five lives but also ensuring that Frank will never again be able to commit some wrong action that detracts from the overall state-of-affairs. On either option, though, John overrides Frank's right to bodily integrity.

On the other hand, if he employs deontological reasoning, John will not have recourse to either of the options available to the consequentialist. This is because deontological theories privilege the means/ends distinction. For deontologists, we are restricted from using particular means (torturing, killing) in order to bring about some desired end (saving five hostages). Because Frank possesses dignity and is protected by the right to bodily integrity, John is normatively constrained from torturing Frank in the pursuit of his goals. On these normative constraints, consider Robert Nozick's definition:

In contrast to incorporating rights into the end state to be achieved, one might place them as side constraints upon the actions to be done: don't violate constraints C. The rights of others determine the constraints upon your actions The side-constraint view forbids you to violate these moral constraints in the pursuit of your goals.²¹

In TORTURE, both deontologists and consequentialists can agree that John's aim of saving five people is laudable. But from a deontological point-of-view, given that Frank possesses a particular (and equal) status, John is normatively restricted from taking either option available to the consequentialist in order to save the hostages. Why? The rightness of certain actions (e.g., respecting Frank's dignity) is antecedent to and therefore restricts the ways (e.g., torturing, killing) by which he may pursue some end (i.e., saving five people).

²¹ Nozick, *Anarchy, State, and Utopia*, 29.

Agent-Neutrality and Agent-Relativity. Another distinction between consequentialism and deontology is that the former is agent-*neutral* whereas the latter is agent-*relative*. Samuel Scheffler distinguishes the two as follows.²² For consequentialists, there are agent-neutral reasons to bring about some state-of-affairs: Since a state-of-affairs in which five people are saved is *better than* a state-of-affairs in which they are not, John has reasons to aim for that state-of-affairs, using whatever means are necessary to bring it about. But deontological theories have constraints on the means by which some end may be brought about, constraints that are relative to the agent who must undertake an action. “Side constraints,” Nozick writes, “express the inviolability of other persons.”²³ In a particularly famous passage, he comments further on respect for the inviolability – or separate-ness – of persons:

Individually, we each sometimes choose to undergo some pain or sacrifice for a greater benefit or to avoid a greater harm: we go to the dentist to avoid worse suffering later; we do some unpleasant work for its results; some persons diet to improve their health or looks; some save money to support themselves when they are older. In each case, some cost is borne for the sake of the greater overall good. Why not, *similarly*, hold that some persons have to bear some costs that benefit other persons more, for the sake of the overall social good? But there is no *social entity* with a good that undergoes some sacrifice for its own good. There are only individual people, different individual people, with their own individual lives. Using one of these people for the benefit of others, uses him and benefits the others. Nothing more. What happens is that something is done to him for the sake of the others. Talk of an overall social good covers this up. (Intentionally?) To use a person in this way does not

²² Scheffler, *The Rejection of Consequentialism*, 80.

²³ Nozick, *Anarchy, State, and Utopia*, 32.

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sufficiently respect and take account of the fact that he is a separate person, that his is the only life he has.²⁴

These constraints prohibit John from *treating* Frank in a certain way (torturing, killing) to bring about the state-of-affairs in which five people are saved. John has agent-relative reasons not to torture and/or kill Frank. So, while both consequentialists and deontologists may agree that a state-of-affairs in which five lives are saved is better than one in which five are not, they disagree over the means that we may employ to achieve this end.

Doing and Allowing. Reflecting a common pre-philosophical commitment, the distinction between *doing* and *allowing*, *commission* and *omission*, also separates consequentialists and deontologists. Roughly speaking, we have duties and obligations to another depending on whether we *do* something or merely *allow* something to happen to another. For example, Andrew and Bartholomew are interacting with one another. Since they are interacting, they have particular duties and obligations toward one another, for example, Andrew owes it to Bartholomew to treat Bartholomew according to some acceptable terms. If Andrew and Bartholomew are trading baseball cards and Andrew damages one of Bartholomew's cards, then, by virtue of their interaction, Andrew has particular obligations to Bartholomew, for example, to replace Bartholomew's baseball card. If some third party, Kate, damages one of Bartholomew's baseball cards while Andrew is present, Andrew might not have these obligations because he merely allowed something to happen. He may have a prerogative to do so – that is, to respect Bartholomew's humanity – but failing to do so doesn't mean he acted wrongly.

²⁴ Ibid., 32–33.

While deontologists accept the distinction between doing and allowing, consequentialists reject it. For example, in his classic article, “Active and Passive Euthanasia,” James Rachels introduces two cases, which I’ll call BATHTUB, with the aim of collapsing the distinction between doing and allowing. In the first case:

Smith stands to gain a large inheritance if anything should happen to his six-year-old cousin. One evening while the child is taking his bath, Smith sneaks into the bathroom and drowns the child, and then arranges things so that it will look like an accident.

And in the second:

Jones also stands to gain if anything should happen to his six-year-old cousin. Like Smith, Jones sneaks in planning to drown the child in his bath. However, just as he enters the bathroom Jones sees the child slip and hit his head, and fall face down in the water. Jones is delighted; he stands by, ready to push the child’s head back under if it is necessary, but it is not necessary. With only a little thrashing about, the child drowns all by himself, “accidentally,” as Jones watches and does nothing.²⁵

Smith acted by commission: He actively drowned his cousin. Jones acted by omission: He allowed his cousin to drown. For both Smith and Jones, their desired end – a large inheritance – and the circumstances according to which that end might be reached – the death of each person’s cousin – are the same. Commenting on this pair of cases, Rachels claims: “If the difference between killing and letting die were in itself a morally important matter, one should say that Jones’s behavior was less reprehensible than Smith’s. But does one really want to say that? I think not.” And if Jones defends himself by claiming that he merely let his cousin die, Rachels

²⁵ Rachels, “Active and Passive Euthanasia,” 79L-R.

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says, “[s]uch a ‘defense’ can only be regarded as a grotesque perversion of moral reasoning. Morally speaking, it is no defense at all.”²⁶ For Rachels, there isn’t a morally relevant distinction between doing and allowing. From the point-of-view of consequences, both Smith and Jones acted wrongly.

For deontologists, the distinction between doing and allowing *is* morally significant. So, how might a deontologist respond to Rachels’s charges regarding a case like BATHTUB? The deontologist can agree with the consequentialist that both Smith and Jones acted wrongly. But evaluating the wrongness of their actions as wrong isn’t done by an appeal to the consequences brought about by either’s (in)action. Instead, the deontologist can point out that neither treated his respective cousin as a bearer of a particular (and equal) status. That is to say, each treated his respective cousin, through his (in)action, merely as a means toward some desired end rather than as an end-in-himself. Compared to John in TORTURE and Smith in BATHTUB, each of which highlighted restrictions about whether one may pursue some desired end, Jones gives rise to obligations about how one ought to positively act. So, deontologists acknowledge that respect for others may, depending on the case, either negatively restrict or positively obligate. And the justification and motivation for restrictions and obligations derives not from an appeal to consequences but rather from a respect for persons.

For deontologists, then, treating others as bearers of a particular (and equal) status can also give rise to positive obligations. On such obligations, consider the following case:

DINNER. Samantha has at long last secured a dinner reservation at Exclusive Restaurant. On her walk to dinner, she witnesses a man being involved in a hit-and-run. The man is badly injured.

²⁶ Ibid., 79R.

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No one else is around who can help. Samantha could call an ambulance, apply pressure to his wounds, and wait with him until help arrives. If she were to do so, however, she would miss her reservation. What should Samantha do?

Commonsensically, Samantha ought to stay with the man and provide whatever care she can until the ambulance arrives. This obligation obtains even though she will miss her reservation; it also obtains even though Samantha herself didn't hit the man. That is, she didn't directly *override* the man's particular (and equal) status. Respecting his status, however, requires some positive obligations. Thus, to respect the man, Samantha ought to stay with him and provide whatever help she can.²⁷

Affluence and Poverty. I will use "affluence" and "affluent people" as shorthand for conditions and people who have greater financial means than those necessary to meet their basic requirements. Against conditions of affluence, people don't need to worry about access to clothing, education, healthcare, and shelter. Moreover, affluent people use their financial means to satisfy their preferences, whether they are aesthetic choices, what jobs they work, or where they live.²⁸ To be sure, there is some degree of context-sensitivity to my use of these terms. For example, the financial resources that a family of four requires to meet their basic necessities are greater than those required by a bachelor. I will use "poverty" and "poor people" as shorthand for conditions and people who lack the financial means necessary to meet their basic requirements. Against conditions of poverty, people do need to worry about access to clothing, education, healthcare, and shelter. Moreover, poor people don't have the

²⁷ Cf. Scanlon, *What We Owe to Each Other*, 103–107, 152ff.

²⁸ On *who* qualifies as affluent, see also Henry Shue, *Basic Rights*, 120 and Peter Singer, *Practical Ethics*, 231.

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financial means to make the same choices as affluent people, for example, their aesthetic choices, what jobs they work, or where they live.

Relative Poverty and Severe Poverty. Compared to affluent people, poor people don't have regular access to certain goods. But we should distinguish *relative poverty* from *severe poverty*. On the one side, relative poverty is indexed to the economic status of a particular country. On standard uses, relatively poor people have incomes lower than the national median income of the country in which they live. Because they are impoverished, relatively poor people won't have the options available to affluent people. But they often have access to basic needs and perhaps even some luxuries.²⁹ On the other side, severe poverty isn't indexed to the economic status of a particular country – severely poor people are poor on *absolute terms*. On standard uses, severely poor people are chronically deprived basic necessities: clothing, education, food, healthcare, and housing. And because they are chronically impoverished, severely poor people are largely precluded from escaping their horrific circumstances.³⁰

²⁹ According to recent data from United Census Bureau, even poor people in America are comparatively better off than severely poor people. Peter Singer reports “97 percent ... own a color TV. Three quarters of them own a car. Three quarters of them have air-conditioning. Three quarters of them have a VCR or DVD player. All of them have access to health care.” He doesn't quote these figures, he adds, “in order to deny that the poor in the United States face genuine difficulties. Nevertheless, for most, these difficulties are of a different order than those of the world's poorest people. The 1.4 billion people living in extreme poverty are poor by an absolute standard tied to the most basic human needs,” *The Life You Can Save*, 8. For the challenges faced by relatively poor people in America, see also Matthew Desmond, *Evicted*; Kathryn Edin and Luke Schaefer, *\$2.00 a Day*; and Barbara Ehrenreich, *Nicked and Dimed*.

³⁰ For empirical measurements of relative and severe poverty as they relate to normative assessments about participation in political and social life, see, e.g., Amartya Sen, “Issues in the Measurement of Poverty”; Sen, “Poor, Relatively Speaking”; and Sen, *Resources, Value and Development*.

While both relative poverty and severe poverty undermine to greater or lesser degrees the ability to maintain minimally decent and autonomous lives, I will be concerned here with severe poverty.

Material Poverty, Voluntary Poverty, and Spiritual Poverty. Severely poor people are materially poor: They lack the means necessary to meet their basic requirements. But material poverty should be distinguished from voluntary poverty. The voluntarily poor become poor in order to live materially simple lives. For example, a Catholic Worker will voluntarily become poor, giving away their wealth and worldly possessions, to create the sort of communities found in houses of hospitality. In such communities, voluntary poverty is necessary on the part of the Catholic Worker to cooperate with other people and with God. For Christians, spiritual poverty designates the dependence of humanity and the rest of creation upon God. This loving surrender acknowledges that “since all have sinned and fall short of the glory of God; they are now justified by his grace as a gift, through the redemption that is in Jesus Christ” (Rom. 3:23–24).³¹

Institutionalism and Interpersonalism. How should we respond to severe poverty? More specifically, through what means should affluent people fulfill their obligations to severely poor people? In conversations about fulfilling human rights, the two dominant approaches are institutionalism about human rights and interpersonalism about human rights. In contemporary moral and political philosophy, John Rawls represents the institutional approach while Peter Singer represents the interpersonal one. While both have made significant contributions to how ethicists think about matters of

³¹ On material poverty, voluntary poverty, and spiritual poverty, see Margaret Pfeil, “Love and Poverty.”

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domestic and international justice, there are notable conflicts and differences between their approaches. The first difference is philosophical. On the one side, Rawls's approach is deontological. On the other side, Singer's approach is consequentialist. And the distinction between deontologists and consequentialists, as I discussed above, concerns means/ends, agent-relativity/agent-neutrality, and doing/allowing.

The second difference concerns what is called the *site* of justice. The site of justice refers to who or what is governed by and responsible for justice. Singer develops what is commonly called an *interpersonal* account. On this account, our individual actions are the site of justice. Interpersonal accounts, moreover, have both negative and positive sides. On the negative side, we should not directly override the rights of others. For example, if someone has the right to bodily integrity, we have a corresponding (negative) obligation not to torture them. On the positive side, we have obligations to fulfill the rights of others. For example, if someone has a right to education, we have a corresponding (positive) obligation to enable them to go to school. (While I will use Singer as a touchstone for developing the interpersonal approach, interpersonalism about human rights can be uncoupled from consequentialist theories like Singer's.) Rawls develops what is commonly called an *institutional* account. On this account, our rights claims are made to the economic, political, and social institutions that govern us – these institutions are the site of justice. Compared to the interpersonal account that is concerned with our obligations to one another as individuals, the institutional account focuses on whether institutions protect our rights, including our right to subsistence.

In human rights debates, how we normatively evaluate the justness of a society follows from these two sites. For institutionalists, we should evaluate the economic, political,

and social institutions that govern us. For example, are the principles of distributive justice that regulate these institutions justifiable to all persons these institutions govern? On this approach, domestic institutions are just if the principles that regulate them are justifiable to all people who live within a domestic polity; international institutions are just if the principles that regulate them are justifiable to all people who fall within the scope of these institutions. Furthermore, according to institutionalism about human rights, human rights violations occur only in cases of systemic violations – for example, state-sponsored genocide – of people’s rights. On this approach, one-off cases, for example, hate crimes, don’t count as human rights violations because such violations lack the systematicity of state-sponsored violations.

For interpersonalists, however, focusing solely on institutions isn’t sufficient, normatively speaking. There are two reasons why we need to move beyond focusing solely on institutions. First, in our contemporary world there are non-institutional rights violations. This class of cases, which I will discuss in later chapters, obtains when we directly violate the rights of others. The disagreement between the institutionalist and the interpersonalist hinges on what counts as human rights violations. For the institutionalist, an “interpersonal” violation that occurs in a context where coercive social and political institutions are just shouldn’t be counted as a human rights violation; rather, it would have to be classified as some other sort of moral transgression. But this explanation fails to acknowledge the force of the interpersonalist criticism. If someone suffers a non-institutional violation, then they are still deprived the substance of their rights. Considering these non-institutional violations to be human rights violations is essential to fully cover the actual range of violations to which someone may be subjected.

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The second reason stems from the slow-moving nature of institutional reform. For interpersonalists, there is a further concern that emerges: What sorts of obligation do affluent people have to severely poor people? For interpersonalists like Singer, affluent people have greater obligations to severely poor people than ordinary moral judgments suggest. These obligations obtain regardless of whether affluent people are considered to have “directly” contributed to causing the plight of severely poor people. From this perspective, there isn’t a distinction between doing harm and failing to prevent harm. In other words, affluent people are responsible for all the consequences of their actions. If affluent people spend money on luxuries rather than making charitable donations to combat severe poverty, then affluent people are responsible for any resulting deaths. According to the interpersonalist, affluent people are thus obligated to simplify their lives materially to assist severely poor people. And so, the interpersonalist argues, we are able to avoid the problems associated with both non-institutional violations and the slow-moving nature institutional reform.

Despite the interpersonalist’s concerns, there are reasons why institutionalism is normatively attractive. First, one advantage is a matter of scale. On the simplest level, we live decentralized and myopic lives; moreover, our daily interactions are too numerous to move beyond the evaluation of a finite number of interactions. Considering the web of our many interactions, to borrow from A. J. Julius,³² our economic, political, and social institutions would protect us against standard threats to our human rights. For an institutionalist like Rawls, there is an additional and deeper reason to support institutions. Roughly, the influence of institutions on our lives is pervasive and present from birth; institutions

³² A. J. Julius, “Basic Structure and the Value of Equality,” 321.

shape our lives and life prospects. In relation to the right to subsistence in particular, the justness of our institutions is singularly important in determining whether we are able to live lives free from debilitating illness or malnourishment.

Second, institutions have the potential to be more just than people. Unlike us, institutions don't have their own (complicated) lives to lead.³³ If we sustain just economic, political, and social institutions, we don't have to know about each and every other person's life; but we can still (largely) be sure that, from an evaluation of justice, they are able to live minimally decent and autonomous lives. Since we sustain just institutions, we don't need to worry about whether all our actions contribute to an unjust state-of-affairs; rather, we need to focus only on a handful of representative interactions. To be sure, these representative interactions (largely) speak to how we sustain our institutions; however, as I discussed above, there are still some interpersonal interactions that aren't handled by a strictly institutional approach.

And third, there is also the problem that the interpersonal approach obligates affluent people to *always* act on our positive obligations to severely poor people. Thus, the implications of a strictly interpersonal approach may be in tension with (and may even require us to violate) what we ordinarily hold to be morally required. The demandingness of a strict interpersonal approach, then, would require affluent people to violate our moral integrity (i.e., override our identity-forming moral or non-moral commitments) or moral status (i.e., override our status qua human being). If affluent people are always committed to fulfilling our obligations to severely poor people, then we won't be granted the latitude to protect ourselves, form special relations, or maintain proper self-regard.

³³ See Nagel, *Equality and Partiality*, 59.

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Charity and Justice. Providing definitions for charity and justice and identifying the relationship between them is a hallmark topic in much contemporary religious ethics. On one understanding, charity is interpersonal whereas justice is institutional. On another understanding, charity is supererogatory whereas justice is obligatory. And on another understanding still, charity is concerned with meeting someone's immediate needs whereas justice is concerned with meeting long-term ones. In developing my argument, I will hold that our obligations to others, especially severely poor people, is morally obligatory and should be fulfilled through both institutional reform and interpersonal giving and responding to both immediate and long-term needs. While my argument will be deontological in character,³⁴ I am not averse to thinking about how habitual dispositions – for example, charity or justice as virtues – may enable us to fulfill our obligations.³⁵

Rationality, Reasonableness, and Sinfulness. To develop my argument, I will presuppose the following about people. First, we are *rational*. Following Rawls, to be rational means that we have our own aims: We have the capacity to pursue and revise what we view as valuable in our lives. Rawls calls this *a conception of the good*. Second, we are *reasonable*. To be reasonable requires that we recognize that we are all one another's moral equals; it also requires that we aim to fairly cooperate with one another, even if it requires constraining our own interests, because others are willing to do so as well. Rawls calls this as having *a sense of justice*. Taken together, our capacity for rationality and reasonableness are what Rawls calls *the two moral powers*. And third, we are *sinful* (Gen. 3). Because we are sinful, we fail to properly order ourselves to

³⁴ See Section 1.5.

³⁵ Thanks to an anonymous reviewer for encouraging me to discuss charity and justice in this section.

God, to our neighbors, and to ourselves. Consequently, we fail (more often than not) to pursue morally good rational ends; we also fail (more often than not) to treat one another reasonably, whether institutionally or interpersonally. Taken together, these three inform my conception of the individual.

1.5 Contractualism and Christian Ethics

Rawls and Thomas M. Scanlon further explicate deontological reasoning in contractualist terms.³⁶ Contractualism is concerned with determining the authority, content, and legitimacy of moral norms – norms that evaluate and prescribe the conduct of individuals and/or political and social institutions. In the domain of politics, for example, the authority and legitimacy of political institutions hinges on those institutions being designed and consented to by the people whom those institutions govern. And in the domain of morality, the authority and legitimacy of actions and principles turns on mutual agreement among those affected by those norms. For example, Scanlon writes:

When we think of those to whom justification is owed, we naturally think first of the specific individuals who are affected by

³⁶ Rahul Kumar distinguishes Rawlsian and Scanlonian contractualism from Hobbesian contractualism. Hobbesian accounts, he writes, “take as their audience those who initially do not take themselves to have an interest in complying with moral standards, and tries to show how it is that compliance with moral standards better advances an individual’s non-moral interests than non-compliance with such standards.” Conversely, the sort of contractualism I am concerned with, he says, “is in no way concerned with presenting non-moral reasons, to those who do not recognize moral standards to be authoritative guides to proper reasoning and conduct, as to why it is in their interest to adopt such standards as authoritative. It is a characterization of moral reasoning that is firmly in the tradition of taking as its intended audience those who already recognize morality to be authoritative for them in their practical deliberations,” *Consensualism in Principle*, x.

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specific actions ... [W]e must [also] take into account not only the consequences of particular actions, but also the consequences of general performance or nonperformance of such actions and of the other implications (for both agents and others) of having agents be licensed and directed to think in a way that that principle requires.³⁷

Without such considerations, actions or principles are neither authoritative nor legitimate. Like its non-contractualist varieties, contractualist deontology aims to respect individual persons. Following Scanlon's description, respect for individual persons requires justification to those affected by particular actions. Moreover, discerning the content and authority of moral principles in general likewise requires agreement among those aiming to discern the content and authority of those principles.

Contractualists are interested in finding the mutually justifiable terms according to which we will coordinate our lives together. To find these terms, contractualists prioritize autonomy, equality, and reciprocity. I discussed autonomy and equality above. By reciprocity, I mean that we recognize one another as cooperating members of society, however widely or narrowly conceived, with whom we need to deliberate and justify ourselves. Because we recognize each other as such members, we not only provide reasons to one another when we deliberate about our individual actions and institutional policy but also provide the means by which we are all able to pursue our own rational ends.

Furthermore, the moral horrors with which human rights theorists are concerned provide data that may inform our deliberations. These data become our settled convictions, which in turn affect both our moral and political norms. On these settled convictions, Rawls writes:

³⁷ Scanlon, *What We Owe to Each Other*, 203.

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We collect such settled convictions as the belief in religious toleration and the rejection of slavery and try to organize the basic ideas and principles implicit in these convictions into a coherent political conception of justice. These convictions are settled points that it seems any reasonable conception must account for.

(PL, 8)

These settled convictions highlight the role that rights play in protecting our dignity. On this point, Nicholas Wolterstorff remarks:

The language of duty and guilt enables the oppressed to point to the effect of the oppressor's actions on the moral condition of the oppressed; the oppressors are guilty. The language of rights and of being wronged enables the oppressed to bring their own moral condition into the picture: they have been deprived of their right to better treatment, treated as if they were of little worth. The oppressors are guilty of having wronged them. The reason the language of rights has proved so powerful in social protest movements is that it brings the victims and their moral condition into the light of day.³⁸

For deontologists, the wrongness of certain actions may be plain. In TORTURE, for example, if John were to torture and/or kill Frank, John would override Frank's particular (and equal) status. On deontological views, such actions are morally wrong. Since some acts are plainly morally wrong, they are settled convictions for which we must account in our moral reasoning. We may further point to the fixity of these norms to identify why some action or institution isn't morally legitimate.

If we take autonomy, equality, and reciprocity seriously in our deliberations with one another, our actions or institutional policies may be justifiable to one another. But there

³⁸ Wolterstorff, *Justice*, 9.

1.5 Contractualism and Christian Ethics

is an important qualification to make about contractualism. First, taking autonomy, equality, and reciprocity seriously doesn't permit anything and everything. Recognizing and respecting one another as moral equals precludes certain "contracts," for example, consensual cannibalism or slavery, as morally impermissible. Rawls offers another characterization of this view:

To say that the basic liberties are inalienable is to say that any agreement by citizens which waives or violates a basic liberty, however rational and voluntary this agreement may be, is void *ab initio*; that is, it has no legal force and does not affect any citizen's basic liberties. Moreover, the priority of the basic liberties implies that they cannot be justly denied to anyone, or to any group of persons, or even to all citizens generally, on the grounds that such is the desire, or overwhelming preference, of an effective political majority, however strong and enduring. The priority of liberty excludes such considerations from the grounds that can be entertained.

(PL, 365)

Such constraints concern cases in which a person's moral status is overridden either by another individual or an institutional arrangement. Contractualism shouldn't be confused, then, with libertarian contracts; the latter may permit us to rationally contract ourselves into arrangements that override our autonomy and/or equality.³⁹

Furthermore, given that it is concerned with the authority, content, and legitimacy of moral norms, contractualism may incorporate religious views about right or wrong, good or bad. Thus, so far as we are attentive to values such as autonomy, equality, and reciprocity, we can draw resources

³⁹ On this characterization, contractualism isn't merely a *procedural* but rather a *substantive* moral and political theory. For a defense of this view, see Bharat Ranganathan, "Mahmood, Liberalism, and Agency," 249–254.

from a variety of traditions and sources to help develop an account of our obligations to one another.⁴⁰ For example, Paul Ramsey's Christian social ethics, I have argued,⁴¹ shares concerns with Rawls's and Scanlon's contractualism. Like Rawls and Scanlon, Ramsey's emphasis on our relationship with one another as neighbors might be seen as recognizing the moral symmetry that obtains among us as members of the moral and political communities. "In order to create and maintain community of persons, or to evoke and sustain personality in community," he writes, "much more (and more intentionally) than in economic change it is necessary that each seek not his own good, but the good of his neighbor."⁴² Because we express concern for our neighbors for our neighbors' own sake, Ramsey's Christian contractualism tracks the notion of reasonableness (i.e., that we each recognize the moral symmetry between and among us and aim to act in accord with such symmetry) that characterizes contemporary contractualism. These contractualist commitments will further inform my discussion of institutionalism and interpersonalism about human rights, as well as how we might think about our obligations to our special relations and ourselves.

1.6 Methodological Commitments

In this book, I speak primarily to religious ethicists who are concerned with severe poverty, obligations to others,

⁴⁰ In this sense, I endorse a *moral* rather than a *political* conception of contractualism. On a political conception, we would need to draw solely from what Rawls calls *public materials* that aren't linked to our comprehensive moral and religious views. On a political conception of justice, see Rawls, *Political Liberalism*, 19.

⁴¹ See Ranganathan, "Paul Ramsey's Christian Deontology," 173–176.

⁴² Ramsey, *Basic Christian Ethics*, 235.

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and human rights. I develop my argument at some degree of philosophical abstraction and generality. Focusing on idealized and simplified cases, which are informed by non-ideal real-world problems, I will develop an account of obligations of affluent people to severely poor people. While I will develop this argument under the heading of religious ethics and intend to speak to religious ethicists, I will not be concerned here to define or debate what religious ethics is or isn't and what (if any) distinction there is between religious ethics and Christian ethics. This isn't because I am unconcerned with these matters – I have argued about these disciplinary and methodological issues elsewhere.⁴³ But focusing on them here would detract from the aim of this book.

As I have shown in this chapter, I will develop my argument using thought experiments. I will continue to use such experiments to elicit intuitions and refine my argument about obligations to severely poor people. How do thought experiments work? Frances Myrna Kamm offers a useful overview:

[Ethicists] test and develop theories or principles by means of intuitive judgments about cases. They compare the implications that proposed principles of permissible conduct have for hypothetical cases (such as the Trolley Case) with their considered judgments about what can be permissibly done in such cases. If the implications of the principles and judgments conflict, they may develop alternative principles. If the implications of the principles and judgments are compatible, the nonconsequentialist must still offer a theory identifying the

⁴³ See Ranganathan and Clairmont, "Ethnography, Moral Theory, and Comparative Religious Ethics"; Ranganathan and Woodard-Lehman, "Normative Dimensions in Christian Ethics"; Ranganathan, "The Limits of the Ethnographic Turn"; and Ranganathan, "Between Distinctiveness and Integrity."

fundamental, morally significant factors that underlie the principles in order for those principles to be fully justified. If the principles cannot be fully justified, she may have to treat her initial judgment of cases as errors and ignore them in developing principles. She might also seek an error theory to account for her mistaken judgments.⁴⁴

In Section 1.4, I defined and distinguished deontological moral reasoning from consequentialist moral reasoning. In using thought experiments, I will identify what deontological commitments entail with regard to institutionalism and interpersonalism. I will also use such experiments, in the latter chapters of the book, to help adjudicate among our obligations to our neighbors, to our special relations, and to ourselves.

Next, debates about severe poverty have both empirical and moral dimensions. The empirical dimension focuses on (among other things) the following interrelated things: (1) the extensity and intensity of severe poverty; (2) how institutions might be arranged in order to efficaciously allocate the substance of the right to subsistence; and (3) identifying which agents and institutions are causally responsible for contributing to severe poverty.⁴⁵ To be sure, there is an intimate link between the third empirical dimension and the moral dimension: if empirical data identify some agents as causally responsible for contributing to severe poverty, then those agents are morally obligated to full the substance of

⁴⁴ Kamm, *Intricate Ethics*, 14–15.

⁴⁵ On empirical data and ethics, Pogge offers two examples: “[i]n order to save the lives of 2,000 pedestrians annually, would we merely have to lower the speed limit within residential areas from 30 to 25 miles per hour or would we have to invest billions into construction of tunnels and overpasses? To avoid 20,000 cases of child abuse annually, would we merely need to modify the training of school teachers or would we have to spy on millions of private homes with video equipment?” *World Poverty and Human Rights*, 49; Cf. Rawls, *A Theory of Justice*, 59–64.

1.7 Overview

others' rights.⁴⁶ Furthermore, the relationship between these two dimensions identifies why particular agents have such obligations and on what terms. If they are persuasive, the arguments I offer here will contribute to conversations about the moral dimensions of severe poverty.

1.7 Overview

In the remaining chapters of this book, I cover in greater detail the problems that concern severe poverty and will offer preliminary responses to them. I will argue that affluent people have demanding obligations, through institutional reform and interpersonal giving, to severely poor people. In doing so, I speak to religious ethicists, drawing from thinkers in both religious ethics and moral and political philosophy who have often spoken past or misunderstood one another. I will develop my argument over the course of four chapters. These chapters will focus on (a) universalism about human rights, (b) different aspects of our obligations to severely poor people, and (c) our obligations to our special relations and ourselves in light of our obligations to severely poor people. I conclude by tying together the threads of our obligations to severely poor people. I present abstracts for these chapters below.

In Chapter 2, "Universalism and Relativism, Minimalism and Maximalism," I develop and defend an account of human rights as universalist and minimalist. In response to critics who seek to parochialize and relativize liberal accounts about rights, for example, Talal Asad and Saba Mahmood, I defend the universality of human rights. First, I will characterize rights as universal, protecting all people universally

⁴⁶ On how empirical data brings moral and political questions into sharper focus, see, e.g., Martha Nussbaum, *Women and Human Development*; Susan Moller Okin, *Justice, Gender, and the Family*; and Pogge, *Realizing Rawls*.

and absent any qualifying characteristic, for example, sex, social status, race, or religion. Second, drawing from human rights theorist Henry Shue, I will argue that the human right to subsistence is a *basic* human right. Following Shue, I will argue that without enjoying the substance of the human right to subsistence, we will neither be able to enjoy the substance of any other, non-basic right nor pursue any other ends, moral or non-moral. And third, in response to critics who believe that the universality of human rights entails remaking the world in our image (i.e., maximalism), I will develop a *minimalist* account of human rights. According to minimalism about human rights, human rights should enable us to live minimally decent and autonomous lives. On these terms, human rights aim to protect people from the worst rather than promote the best.

In Chapters 3 and 4, I develop my accounts of our institutional and interpersonal obligations to severely poor people. In Chapter 3, “Institutions, Severe Poverty, and the Obligations of Affluence,” I will confront views offered by *anti-cosmopolitan* theorists, for example, Michael Blake, Thomas Nagel, and Michael Walzer. These anti-cosmopolitans defend one of two views. According to the first anti-cosmopolitan view, our obligations to guarantee the substance of the right to subsistence is owed primarily to our compatriots. These obligations outweigh our obligations to those beyond our borders. According to the second anti-cosmopolitan view, we don’t have *any* obligations beyond our own borders. On these views, our obligations to others are delimited by the particularities of our reciprocal relationship with our compatriots; they also argue that there aren’t institutions at the global level whose economic, political, and social implication of us is analogous to the institutions found at the domestic level. In response to these criticisms, I will articulate an institutional conception of rights. In such a

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conception, our obligations toward others arise in particular contexts where we interact with and coerce one another vis-à-vis our participation in an institutional scheme. Because we are implicated in trans- and supra-national economic, political, and social institutions, we interact institutionally with severely poor people. Employing such an argument, I believe, will serve as a defense against anti-cosmopolitan theorists.

In Chapter 4, “On Helping One’s Neighbor,” I will take up two problems. The first problem, which I characterize at the end of Chapter 3, focuses on “non-institutional,” or “non-standard,” violations of people’s rights. Such violations obtain in a society where there is a just institutional scheme but one individual interpersonally violates the rights of another. The second problem focuses on affluent people’s positive obligations in the face of slow-moving institutional change. In response to these problems, I will develop an account of negative and positive interpersonal obligations. I will develop this account as follows. I will first argue that while we have a primary obligation to advance institutional justice (i.e., to advance the just-making features of the global economic, political, and social institutions), we also have obligations to refrain from rights-depriving activities. That is to say, we have obligations to respect others’ human rights that aren’t solely institutional; rather, we also have obligations that constrain our interpersonal behavior. If human rights norms don’t apply to interpersonal interactions, then human rights won’t be able to account for non-institutional violations. Thus, my aim is to begin showing that obligations to secure others’ human rights obligates us not only to advance the basic structure but also to refrain from interpersonal rights-depriving activities. In response to the second problem, I will elicit intuitions from Peter Singer’s shallow pond example and the Parable of the Good Samaritan (Luke 10:25–37). Building on constructive readings of these

examples, I will argue that affluent people have greater obligations to severely poor people than commonsense judgments suggest. We affluent people are morally required to act on our positive interpersonal obligations to others, regardless of whether others act as well; and we are required to scrutinize the personal prerogatives we have taken up unchecked and simplify our lives in order to act on this obligation in a morally demanding way.

In Chapter 5, “Moral Demandingness and Obligations to Special Relations and Self,” I will confront a problem that I begin to characterize at the end of Chapter 4. On this problem, the moral demandingness of positive obligations to severely poor people may require us to violate our moral integrity since we are *always* required to act in order to help others. Call this the “moral demandingness objection.” In response to this objection, I will draw from conversations within Christian ethics that call on us to treat all persons, including ourselves, with neighbor-love. Such conversations commend positive obligations to others. But they also include space for proper self-regard and for regard toward our special relations. Thus, affluent people are morally obligated to help severely poor people. But affluent people are simultaneously obligated to violate neither our own moral status nor our own moral integrity. Therefore, we are permitted to form special relations and to pursue our personal projects, which are part of our rational life plans. Affluent people are morally obligated, however, to scrutinize the personal prerogatives we have taken up unchecked and to locate these self-regarding activities against the demands of aiding severely poor people. In sum, I will attempt to wed our obligations to (a) severely poor people, (b) ourselves, and (c) our special relations. Our obligations to severely poor people, then, can be fitted into our day-to-day moral framework.

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In the Conclusion, I will tie together the threads of our obligations to our neighbors, our special relations, and ourselves. I will also highlight the implications of these arguments for further issues at the intersection of religious ethics, human rights, and obligations to others. And I will signal issues that arise from severe poverty that are becoming ever more pressing and need to be addressed.

Each of the arguments that I present in Chapters 2 to 5 contributes to my account about our obligations to severely poor people. Taken on its own, each of these arguments is subject to criticism. But when they are taken together, I hope, we will have a sufficient account about our obligations that takes seriously the universality of the human right to subsistence and the institutional and interpersonal nature of such obligations that are correlative to that right.

This book has two appendices. Appendix I diagrams the relationship among moral rights, human rights, and basic human rights. This diagram shows the continuity among these three classes of rights; it also illustrates the priority of human rights and the even greater priority of basic human rights. Through engaging religious philosopher Glenn Hughes, Appendix II discusses the difficulties that confront identifying and defending what, exactly, inherent human dignity is and what its grounds are.

Severe poverty is a moral horror. It brings about the premature and easily preventable deaths of thousands of people each and every day; it subjects billions of others to lives of material misery, depriving them the basic needs that we affluent people all too regularly take for granted. What's more, in the face of such poverty, many ethicists and ordinary people have denied that we affluent people have any obligations to help severely poor people. For these people, ethicists and ordinary people alike, our obligations (if we have any at all) are first and foremost to ourselves and to our near and

dear and only secondarily and supererogatorily to severely poor people. But like the priest and Levite who pass by the wounded man on Jericho Road, these ordinary practices and philosophical defenses of them fail to acknowledge severely poor people as our neighbors, for whom we are responsible and whose plight we morally and politically implicated in.

The task of this book is to marshal resources from religious ethics and moral and political philosophy to develop an account of our obligations to assist our severely poor neighbors. How might the commandment to love God and to love our neighbors be understood in a world like ours, where there is so much poverty-related suffering and where economics and politics divide rather than unite? Starting from the normative conviction that we are to love our neighbors as we love ourselves, I explicate and defend the view that we have demanding obligations to our severely poor neighbors. If we fail to respond to the moral horror that is severe poverty we concomitantly fail to recognize and love our neighbors and we fail to prove ourselves neighbor.