

Cosmopolitan Principles of Distributive Justice

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ABSTRACT: Cosmopolitans hold that our duties of distributive justice to others do not stop at borders. Darrel Moellendorf is among those who defend the view that principles of distributive justice are applicable beyond borders. He suggests as a principle of international justice the global difference principle, which allows inequalities in the distribution of wealth and resources only if they are to the greatest advantage of the least advantaged individuals. In this paper, I try to indicate that Moellendorf's argument for the global difference principle is far from sustaining it. Instead, I argue for a minimum floor principle of distributive justice on the basis of the idea that each person ought to have an equal standard of living with respect to the fulfillment of their basic interests. I also propose the principle of contribution backed up by the principle of fair equality of opportunity, aiming to equalize background conditions of a competition for socially favored positions, as the basic principles of a complete account of global distributive justice.

KEY WORDS: Cosmopolitanism, the difference principle, distributive justice, fair equality of opportunity, Moellendorf.

Introduction

Cosmopolitans claim that national borders have no moral significance. They advocate global distribution of wealth and resources on the basis of the view that our duties to others do not cease at borders.¹ Although cosmopolitans adopt the ideal of equality of outcome as the benchmark of distribution, they differ from one another with respect to the interpretation of global duties of distributive justice and what principles of distribution are entailed by their interpretation. In this paper, I dwell upon one such suggestion made by Darrel Moellendorf on the ground of John Rawls's

¹ See Beitz (1979); Pogge (1992); Jones (1999) and Moellendorf (2002).

two principles of justice proposed in *A Theory of Justice*. Rawls's two principles are: 1) Each person is to have an equal right to the most extensive total system of equal basic liberties compatible with a similar system of liberty for all, 2) Social and economic inequalities are to be arranged so that they are both: a) to the greatest benefit of the least advantaged, consistent with the just savings principle [the difference principle], and b) attached to offices and positions open to all under conditions of fair equality of opportunity.² Rawls suggests these principles to be applied within liberal societies. In his later work, namely *The Law of Peoples*, he argues that in international arena different principles such as the principle of non-intervention, honoring human rights, and so on should operate.³ Moellendorf challenges Rawls's reasoning in *The Law of Peoples* as its focus is on peoples instead of individuals, and it rules out the application of the principles of distributive justice to foreign peoples.⁴ "I take duties of social justice," he says, "to be associative duties. They exist, when they do, because we owe persons equal respect and we are in a common association with some people."⁵ He goes on to note that economic relations among nations constitute an association of the sort required for generating duties of global distributive justice.⁶

However, Moellendorf, broadly speaking, underwrites Rawls's conception of distributive justice and tries to extend the scope of the application of Rawls's principles to the economic relations among nations. On the ground of Rawls's idea about arbitrary distribution of natural abilities and talents, Moellendorf argues against rewarding individuals on a criterion of desert. He defends equal distribution of wealth and resources. Nevertheless, he insists, a global difference principle,⁷ allowing inequalities only if they are to the greatest advantage of the least well off individuals fits better to his conception of democratic equality than a principle based merely on the strict equality of outcome.⁸

² Rawls (1971: 302).

³ See Rawls (1999: 37).

⁴ Moellendorf (2002: 14).

⁵ Moellendorf (2005: 147).

⁶ Moellendorf (2002: 30).

⁷ Long before Moellendorf, Beitz argued for the global difference principle, requiring that departures from the initial standard of equal distribution can be justified if the resulting inequalities are to the greatest benefit of the least advantaged individuals. See Beitz (1979: 138). Although the main target of my criticism of the global difference principle is Moellendorf's account, many of the critical arguments proposed here are valid for Beitz's conception of the principle, as well. I shall not dwell upon this point any further, however, as it is beyond the limited scope of this paper to provide a fuller account of a theory of distributive justice in comparison with all the main versions of the cosmopolitan conception of distributive justice.

⁸ Moellendorf (2002: 73–80).

Against Moellendorf's argument for the global difference principle, Gillian Brock rightly points out that in a global original position,⁹ people opt for a needs-based floor principle rather than for the global difference principle. Based on an empirical research carried out in different countries by Norman Frohlich and Joe Oppenheimer, she states that:

unanimous agreement was reached on a single principle in all cases in which the experiments were run properly. Interestingly, the principles chosen in the experiment do not support either Rawls' or Harsanyi's models. Indeed, there was almost no support for the Difference Principle – it was chosen in only about 1 % of cases. It was certainly the least popular choice. By far the most popular choice in all countries was the principle with the guaranteed floor constraint: around 78 % chose the floor constraint principle.¹⁰

Although Moellendorf does attempt to dispel Brock's criticism,¹¹ his reply to defend the global difference principle as opposed to the minimum floor principle is far from convincing. Even if we accept the global difference principle as a basic principle of distributive justice, however, it is not adequate to deal effectively many significant issues around global distribution of wealth and resource. Unfortunately, Moellendorf's theory can barely be said to provide a comprehensive account of the basic principles of global distributive justice.

As an alternative to the global difference principle, I argue for the minimum floor principle, according to which basic needs of each individual ought to be satisfied by certain bundles of commodities in a way that each has equal standard of living with respect to the fulfillment of their vital interests. In addition to the empirical reasons adduced by Brock, I provide some compelling conceptual reasons for the minimum floor principle as opposed to the global difference principle. Moreover, I underline the significance of individuals' own contributions to their achievements and its relation to considerations about distributive justice. A requirement of justice is to give each person his or her due, and what is one's due is intimately related to one's exercise of one's skills, efforts, etc. Hence one of the ideal principles of global distributive justice: the principle of

⁹ The idea of original position has been employed to determine the principles of justice by Rawls twice: first at the national level and second at the international level. He assumes that parties to a hypothetical social contract are situated behind a veil of ignorance in the original position to determine the principles of justice. The aim is to obtain a fair procedure so that the principles agreed upon will be just. If the effects of specific contingencies, which put men at odds and attract them to exploit social and natural differences to their own advantage, are eliminated, the principles agreed upon by the parties to the agreement will be fair. See Rawls (1999: 39–41).

¹⁰ Brock (2005: 11); see also Brock (2004: 173–74).

¹¹ See Moellendorf (2004: 216–18).

contribution, which involves that when a person contributes to a common stock through his or her labor, the person should get back the portion of the common stock he has himself produced.¹² If it is just to give one's due based on one's labor, effort, etc., then to subject the products of one's labor to redistribution is unjust, everything else being equal. The principle of contribution backed up by the principle of fair equality of opportunity, aiming to equalize background conditions of a competition, I think, serves justice better than a criterion of merit without such a qualification, however. The principle of fair equality of opportunity requires that social institutions be arranged so that any two persons with the same talent and ambition should have the same prospect of success in the competition for positions of advantage.¹³ Given the differences in the background conditions, it would be unfair to distribute wealth and resources solely on the criterion of contribution based on the idea of desert.

In what follows, I first handle Moellendorf's conception of global distributive justice. I try to show that his argument for the global difference principle in comparison with the principle of fair equality of opportunity is unconvincing. Then, I propose an alternative account of global distributive justice comprising the minimum floor principle along with the principle of contribution and the principle of fair equality of opportunity. After that, I provide a rationale for these principles and endeavor to dismiss some objections that might be raised against the three principles of distributive justice. Lastly, I underline the difference of the present account from its basic alternatives appeared in the philosophical literature.

The Global Difference Principle

On the basis of the current global economic associations, Moellendorf contends, as mentioned above, that there are duties of cosmopolitan justice, and he denies that duties of justice to compatriots are necessarily

¹² There are various formulations of the principle of contribution. One such prominent formulation belongs to Milton Friedman: "To each according to what he and the instruments he owns produces." In Friedman (1962: 161–62). Friedman's formulation, called "the principle of productivity," requires that in a free market society, individuals should get benefits in accordance with how much they produce. Another version of the principle – it might suitably be called "the principle of success" – applies in the context of individual competition to get a certain score, e. g. a student who competes for higher grades, an athlete who runs in the Olympic games for a prize, etc. What is common in all these formulations is their permission for differential rates of reward based on the outcomes of individuals' voluntary actions. Throughout the paper, I shall use the notion of "the principle of contribution" to refer to this underlying concept of each version of its formulation.

¹³ See Rawls (1971: 65–85).

prior to duties to non-compatriots.¹⁴ He also argues for the idea of equality of outcome as a benchmark of distribution of wealth and resources.¹⁵ He propounds that the benchmark of equality does not give any privilege to existing holdings, which might be an outcome of past injustices;¹⁶ and more importantly, he notes, the idea of equal distribution of resources is compatible with the notion of moral equality of all persons. That is, the benchmark of equality among individuals is consistent with equal respect to persons, according to him. “As a justificatory constraint,” he writes,

equal respect requires that deliberation about institutional rules for how to assign the benefits and burdens of association be constrained by a presumption in favor of equality. This is because any rule must receive hypothetical consent from all of those to whom it applies, and rules that assign benefits and burdens differentially will tend to be rejected, depending on the criteria of assignment and the constraints on consent.¹⁷

What should be taken into consideration in determining distribution of benefits and burdens in an association is moral equality of all individuals. Entitlement of each person to equal respect involves an equal distribution of benefits and burdens in a social setting.

One might object to the idea of the equal distribution of benefits and burdens in society by pointing to the vast differences among individuals with respect to their needs and circumstances of sharing the burdens. A handicapped person may need some benefits more than an ordinary person only to be able to catch up normal life circumstances. For instance, the handicapped may need a wheel-chair or some other medical assistance, which engenders extra costs for those who are in a position to give that assistance. Likewise, it may be odd to expect from the handicapped or elderly people an equal contribution to the social production or sharing burdens equally with the young, healthy people in the society.¹⁸

¹⁴ Moellendorf (2002: 30).

¹⁵ Moellendorf is not alone in defending equal distribution of benefits and burdens. Long before him, philosophers with consequentialist leanings like Peter Singer has advocated the idea of equal distribution of benefits and burdens in society, irrespective of how these benefits and burdens ensue. On this need-based view, individuals have obligations of distributive justice regardless of whether they are causally responsible for these burdens or not. See Singer (1972: 232).

¹⁶ Moellendorf (2002: 73). Moellendorf believes that the benchmark of equal distribution of wealth and resources is superior to the benchmark of the prior holdings of societies. Here he indirectly argues against Robert Nozick’s historical entitlement theory of justice which involves taking account of prior holdings of individuals in determining justness of a distribution. See Nozick (1974: 152).

¹⁷ Moellendorf (2006: 609).

¹⁸ James S. Fishkin’s objection to strong egalitarianism relies, I think, on a proper diagnosis of one of the main problems it gives rise to: “The difficulty with strong equal-

Moellendorf might indeed concede such inevitable inequalities. His stress is on eliminating inequalities in general as much as possible. In his view, differences in physical and mental capacities and in social status are all arbitrary from a moral point of view, and as such they cannot be taken as criteria of distribution of benefits and burdens. He compares the idea of fair equality of opportunity, which he labels as liberal equality, with his notion of democratic equality and argues for the superiority of the latter to the former:

Democratic equality not only equalizes the starting point of competition, through fair equality of opportunity, it also restricts the degree of inequality of outcomes by putting talents and abilities to work not only for their possessors but for others as well. Intuitively this is consistent with the democratic ideal that everyone, regardless of talent and ability, may be equal citizens.¹⁹

Moellendorf thinks of the principle of fair equality of opportunity as minimally egalitarian because he believes that it allows unlimited inequalities based on talents and abilities. To neutralize the effects of talents and fortune on the point where competition begins is only minimally egalitarian for him. A distribution that permits inequalities relying on existing holdings is as unjust as a distribution licensing inequalities based on talents and psychological capacities.²⁰

At first glance, Moellendorf seems to be right in defending what he calls democratic equality as opposed to liberal equality. However, he mistakenly identifies the idea of equality of opportunity with the notion of fair equality of opportunity. The former refers simply to procedural fairness whereas the latter requires a sort of redistribution in order to achieve “background fairness.” The principle of fair equality of opportunity requires that social institutions be arranged in a way that individuals with the same ability and ambition possess the same prospect of success in the competition for socially desirable positions. The equality of opportunity principle is a weaker one, which simply holds that social offices should be open to all citizens on a competitive basis.²¹ So, while the fair equality of opportunity principle aims at correcting inequalities at the starting point, the principle of equality of opportunity does not have such a target.

ity is that it is only realizable at an even more severe cost in liberty than that required for meritocracy. A clue as to the issues at stake can be found in the restriction of negative liberty by strong equality, not only in the public sphere but also in the private sphere.” Fishkin (1997: 151).

¹⁹ Moellendorf (2002: 80).

²⁰ Ibid.

²¹ See Arneson (1999: 77–112).

Moellendorf's complaints about the principle of fair equality of opportunity might be proper for the principle of equality of opportunity, which is actually minimally egalitarian. Obviously, mere opportunity to participate in a race with unequal starting points and circumstances would result in unfair inequalities in success. Nozick's example of a race would be illustrative at this point: "A race where some started closer to finish line than others would be unfair, as would a race where some were forced to carry heavy weights, or run with pebbles in their sneakers."²² Although the principle of equal opportunity does not possess any qualification for the equalization of the circumstances of a race, the fair equality of opportunity principle entails the equalization not only of formal conditions of a race such as the same starting point but also of background circumstances of the participants to the race through the provision of necessary means for the development of their relevant skills and abilities. The principle of fair equality of opportunity is a redistributive principle, which might involve significant transfers of wealth and resources from the rich to the poor, and as such it can hardly be characterized as minimally egalitarian. Moellendorf seems to miss the redistributive aspect of the principle of fair equality of opportunity. The target of his criticism must be the principle of equality of opportunity, which is only minimally egalitarian in his words if his major argument against the principle of fair equality of opportunity is the vast inequalities it supposedly allows.

Indeed, Moellendorf is aware of the redistributive aspect of the principle of fair equality of opportunity. He rejects the principle on the ground of its being "very demanding" in the face of present global inequalities.²³ But he also notes that the principle of fair equality of opportunity is only minimally egalitarian. This implies that in his view, there is need for a stronger or more egalitarian principle of distributive justice on the way of securing equality among individuals. If so, he has to show how a principle of justice stronger than the minimally egalitarian principle of fair equality of opportunity can be convincingly defended in the presence of vast global inequalities against the plausible charge of being too demanding. Unfortunately, his defense of the global difference principle as an alternative and supposedly more egalitarian principle of justice is far from satisfying this requirement. Furthermore, the global difference principle allows unlimited inequalities if they are to the benefit of the worst-off. This insinuates that Moellendorf does not think that inequality is bad in itself; rather, what is bad for him is the source of this inequality, namely rewarding individuals on the basis of their talents. But this involves a separate argument from the

²² Nozick (1974: 235).

²³ Moellendorf (2002: 80).

one brought against the minimal egalitarian aspect of the principle of fair equality of opportunity. That is, Moellendorf has to provide a convincing argument against the differential rewarding of individuals on the ground of their talents in order his argument against the minimal egalitarian aspect of the principle of fair equality of opportunity to make any sense at all.²⁴

Moellendorf's association of the idea of fair equality of opportunity with meritocracy is also misleading. The vast inequalities he complains about might be an outcome of the application of a meritocratic criterion in determining distribution of wealth and resources. The ranking of contestants in a competition and the rewarding of those who are most capable and successful with regard to a definite criterion of desert are the requirements of the meritocratic approach. The principle of fair equality of opportunity does not say anything about the amount and the type of rewards, resulting from the application of a meritocratic criterion, which might give rise to significant inequalities; rather it purports to curb such inequalities by requiring redistribution for equalizing background conditions. Thus it would be wrong to blame the principle of fair equality of opportunity for being unjust simply because it presupposes a competitive setting as a given condition. The principle relies on an egalitarian ideal, aiming to equalize the circumstances of a competition for the contestants. It is not a meritocratic ideal. If it did require that only the most competent might participate in a competition or that there must be a huge difference between successful and unsuccessful participants of the competition with regard to their earnings, perhaps Moellendorf's attack on the principle would be in place. But the principle is just saying the opposite. It states that if an individual wants to participate in a competition, an opportunity to develop his or her skills must be bestowed on that individual. In this way, the individual is supposed to have the necessary skills to be able to compete with the most talented and skilled under similar circumstances as much as possible.

Moellendorf is not alone in obscuring the difference between the principle of fair equality of opportunity and the principle of equality of opportunity and the difference between the two and the meritocratic approach. John H. Schaar, for example, makes the same mistake when he argues against the principle of equal opportunity:

The doctrine sets on a narrow theory of motivation and a meager conception of man and society. It reduces man to a bundle of abilities, an instrument val-

²⁴ Moellendorf does not adduce any novel argument against the idea of differential rewarding of individuals on the basis of their talents; he simply repeats Rawls's problematic claim that the allocation of wealth on the basis of individual talents is unjust because the distribution of talents among individuals is morally arbitrary. For a criticism of Rawls's argument on this issue, see my (2007).

ued according to its capacity for performing socially valued functions with more or less efficiency. Also, the doctrine leads inevitably to hierarchy and oligarchy, and tries to soften that hard outcome by new form of the ancient argument that the best should rule. In all these ways, the idea of equality of opportunity constitutes a through misunderstanding of a democratic conception of equality.²⁵

Here again Schaar pretends to argue against the idea of equality of opportunity though in fact he argues against the meritocratic approach, which mainly concerns with how decisions are to be made about the allocation of advantageous social positions. The idea of equality of opportunity, on the other hand, concerns with “adequate access to the qualifications” required for attaining social offices. To try to equalize the opportunities to access to advantageous social posts for everyone is one thing, to pick out certain individuals from a pool of candidates according to their qualifications and to reward the chosen individuals more or less equally or differentially is another. As S. J. D. Green correctly observes: “In modern competitive societies winners are lauded and losers derided; winners gain material rewards and losers gain very little. This is unjust. It is also nothing to do with the concept of equality of opportunity.”²⁶

Besides, the notion of the merit to which both Moellendorf and Schaar oppose is not so clear. It seems that they criticize the appointment of some individuals with definite qualifications to advantageous social positions in a free-exchange society. They believe that inequalities resulting from a process of choosing people according to some criteria of merit are unjust. However, suppose that although in a social setting offices are allocated to those who are the most capable and have requisite properties to fulfill those offices, the reward basket for each person chosen is fiscally the same as others, including those selected for other social positions and those who are eliminated. In that case, there would not be any difference among people with respect to their economic capacity. It is not plain whether Moellendorf, along with Schaar, objects to such a social structure. If the target of their criticism is not such a social structure, this implies that what they criticize is not indeed the meritocratic view but only a variant of its application which involves significant inequalities among the income levels of those who are holding social posts and those who are not.

Moellendorf might insist that the locus of his challenge is the meritocratic approach itself rather than a version of its application. For even if there were no difference between office holders and outsiders with regard to their income levels, there would still be inequalities with respect to their

²⁵ Schaar (1997: 143).

²⁶ Green (1988: 8).

prestige and power. Why should we, he might ask, accept the oligarchy of the talented technocrats and let them rule over us? Is not a scheme of ruling of each citizen in turns – a scheme likens to the one offered by Aristotle – for instance, more democratic?

The allocation of social offices to every ordinary citizen in turns might be more democratic. But is it just? Suppose we are in a position to employ a bus driver for students of a primary school. Suppose also that there are only two candidates for the job. For the sake of argument let the first driver have a history of causing many traffic accidents and the other driver is a professional one with a history of few traffic accidents within a longer time period than the first driver. We naturally tend to choose the professional driver with the history of few accidents for the job. Is this unfair to the first driver? Suppose that the answer is in the affirmative. Despite his efforts, let us assume, the first driver was not able to derive successfully due either to economic or some socio-psychological reasons, which are beyond his control. And suppose further that he needs the job as much as the professional driver. So it seems unfair not to bestow the job on him. Is this unfairness, however, a sufficient reason for us to partition the job between the two drivers so that both are employed in turns? How about the students who are under a greater risk of becoming victims of a traffic accident during the period the first candidate drives the bus? They may be injured or may even lose their lives as a result of a plausible accident. Would it not be unfair to jeopardize their lives? If Moellendorf's choice in such a case is to be the employment of the professional driver only, it amounts to endorsing the meritocratic view to which he objects. If, however, he opts for employing the both drivers in turns, then he should justify his decision. That is, he must show that the injustice in leaving one person unemployed is much greater or important than the injustice in endangering lives of, let us say, forty students.

The moral is that to protest inequalities without paying enough attention to background conditions giving rise to those inequalities does not make much sense. It is unclear what Moellendorf's choice is going to be in hard cases like the case mentioned above and how he justifies his decision. Instead of providing a detailed argument for the democratic egalitarianism he advocates, he quickly concludes that Rawls's difference principle is a superior alternative to the idea of fair equality of opportunity. The difference principle is superior in that it not only requires wealth transfers for a firm infrastructure for everybody but also restricts inequalities in wealth, according to him. Individuals would not demand more than the difference principle permits; their demand for unequal distribution is confined to their contribution to the welfare of the least advantaged:

A principle requiring equality of outcome ... is less preferable than one that allows inequalities that are to the maximum benefit of the least advantaged. Although this latter principle allows inequalities, it is fully consistent with equal respect for persons: Those who are least advantaged cannot rationally complain about its application, for they could not do any better; and those who are more advantaged have no moral grounds for demanding more privileges than the principle permits because they may not claim to merit more by virtue of their talent or good fortune.²⁷

Nevertheless, inequalities allowed by the difference principle might serve injustice rather than justice. If a person, who deliberately has developed his or her talents, contributes a lot to the welfare of the society but do little or none for the well-being of the worst off, then that person would receive little in comparison with a person, who is less talented and yet, the amount of his or her contribution to the well-being of the worst off is greater than that of the more talented person. To allow inequalities only if they ensure an improvement in the socio-economic conditions of the least advantaged may hinder the economic development of society by discouraging incentive, investment and innovation in the areas having little relevance to the well-being of the least advantaged. Consider the invention of the aircrafts. This invention has facilitated saving time and easiness in traveling long distances for many individuals. It has made accessible the places hard to reach. Obviously, however, the frequency of traveling by plane is much higher for higher and middle income groups in society than for low income groups. Now, according to the difference principle the reward of the inventor of the plane should be less in value than the reward of a mayor of a district where dominantly poor people live when the mayor built a park in the neighborhood for the poor to spend their leisure time with their families. But given the great efficiency and easiness in traveling brought about by the invention of aircrafts, to bestow an award of a lower value on those who did the invention than the value of the award to be conferred on the mayor seems unjustified. An unequal distribution of resources under the principle of fair equality of opportunity might yield a more efficient allocation of resources for the benefit of most, if not all, individuals in society. Moreover, while defending egalitarianism, Moellendorf himself approves of indefinitely great inequalities by endorsing the difference principle provided that a little contribution to the welfare of the least advantaged group has been made. If gross inequalities among individuals are unjust, then a wholehearted defender of equality of outcome should find a way to limit the scope of such inequalities arising directly from an application of a principle of justice. As long as the difference principle is left unqualified

²⁷ Moellendorf (2002: 80–1).

in some way to restrict vast inequalities, an account of justice involving also the idea of equality of outcome is doomed to be flawed.

Principles of Global Distributive Justice: A Proposal

I agree with Moellendorf that existing global economic associations engender duties of cosmopolitan justice. However, his argument for the equality of outcome in the distribution of wealth and resources and for the difference principle is, as we have seen, far from sustaining it. Besides, his criticism of the principle of fair equality of opportunity rests on a significant confusion of the notions of merit and equality of opportunity. His conception of distributive justice is also problematic in that it leaves us helpless as to how we distinguish humanitarian concerns to aid from the duty of aid as a requirement of justice. The misidentification of one with the other arises primarily because his theory accepts “need” as the primary criterion of justice without questioning enough its tenability.

Here, I propose a theory of global justice purporting to overcome such weaknesses of a cosmopolitan theory of justice. Instead of starting with equal distribution of wealth and resources, the present account underscores the significance of equality as a social target, as a finishing line to be reached through realistic social policies. As it is, *prima facie*, unacceptable to subject to redistribution whatever one had produced in order to achieve equality of outcome at the outset, I maintain that the duty to make transfer payments to the poor should cease to apply to the needs beyond the ones required by the minimum floor principle proposed here. Barry’s list of vital interests neatly delineates the threshold for transfer payments: “Vital interests include security from physical harm, nutrition adequate for the maintenance of health, clean drinking water and sanitary arrangements, clothing and shelter appropriate to the climate, medical care and education to a level sufficient to function effectively within one’s society.”²⁸ The constituents of a threshold for economic and physical security may vary from one society or region of the world to another with respect to the quantity and the sort of items. Grossly, however, I take security from physical harm, adequate food for the preservation of health, clean drinking water and sanitary arrangements, clothing and shelter squared with the climate, medical care and primary education as essential ingredients of a threshold for subsistence and physical security. This list may be enlarged but cannot be narrowed down further. Another aspect of the proposed

²⁸ Barry (1998: 148). As the cost of having a certain standard of living varies from one region to another, the requirement for satisfying vital interests must be fulfilled in terms of “access to equal commodity bundles,” according to Barry. See Barry (1992: 133).

view is that it entails the equal satisfaction of basic needs perpetually. Each person has a right to the basic items mentioned above throughout his/her life whatever his/her choices are, i.e. whether or not a person is lucky with respect to his/her option luck is irrelevant in determining the level of provision.²⁹

Now it is clear that individuals' need for physical security may be higher in the ghettos of big cities than in many rural areas or that their need for sanitary arrangements may be greater in many regions of the underdeveloped countries than in the developed countries. Given this variety in basic needs, it would have untoward consequences as a whole for the society if each person is conferred the same amount of security, water, shelter, sanitary facilities, medical care etc. irrespective of the amount of their needs for those resources. So, instead of the direct provision of resources equally,³⁰ resources may be allocated in a way that each person's basic needs are satisfied equally. That is, here the aim is neither the equal distribution of resources, nor the equal distribution of welfare in the form of happiness or satisfaction of personal preferences.³¹ Rather, the aim is to meet each person's basic needs in a way that each one has the same standard of living in the end with respect to basic necessities of life. Accordingly, some individuals would have a greater share in resources for security than others while others may have a greater share in resources for sanitary facilities and still others may have a greater share in resources

²⁹ Ronald Dworkin distinguishes "option luck" from "brute luck." Option luck is a matter of how deliberate and calculated gambles turn out to be while brute luck is a matter of how risks that are not results of deliberate gambles fall out, according to him. In Dworkin (1981: 293).

³⁰ Resource egalitarians argue for an equal distribution of resources. According to Eric Rakowski, for instance, bundles of resources might be arranged in a way that none could protest that he was given less than anyone else. This might be accomplished by giving people baskets of goods that are exactly the same. Or people might be given baskets which are deemed as good as any other basket by their recipients, and they might be allowed to make exchanges with one another as they desire. See Rakowski (1997: 277).

³¹ Richard Arneson argues for equal opportunity for welfare defined as the sum of opportunities over the course of a life time for the satisfaction of self-interested preferences. He states that "individuals can arrive at different welfare levels due to choices they make for which they alone should be held responsible." On Arneson's view, someone who is content with little things and happy despite his disease or ill fortune may enjoy the same opportunity for welfare as another person who is healthy, strong and has preferences for luxury cars, clothes and expensive jewelry. In Arneson (1989: 83). This means, however, that two persons whose life circumstances are radically opposite – one of them may be a very rich person and the other very poor – might nevertheless have equal welfare, which is hard to accept. Also, as Rakowski rightly observes: "there is no necessary connection between people's desires and the size of their just allotments." In Rakowski (1997: 278).

for food, shelter and medical care in comparison to those who are more or less able to meet these needs on their own or socially provided resources beforehand. The quantity of each item to be allocated may be different but this difference is permitted to the extent that after the allocation each person is protected from physical harm and enjoys sanitary facilities, medical care, food and shelter at the same standard level determined in advance.³² How to determine indexes or standards of basic items is a technical issue and I shall not dwell upon it here. But just to give an idea, it may be said that each person should have access at least to some definite amount of drinking water, daily calories, etc. in a way that below the determined threshold, the economic and physical security of individuals are jeopardized. To single out indexes for physical security and sanitary arrangements may be more difficult but it is not impossible. For instance, for physical security the number of security officials or well-equipped police force or both might be an index.

I offer the principle of contribution as the second main principle of my ideal theory of distributive justice. It is appropriate at this point to recall Miller's formulation of the principle: "The basis of desert will be the value which each individual has contributed to the common stock of society, or more strictly portion of the value which is due to his own efforts, skills, and abilities."³³ If individuals' contributions to a common stock are different, their incomes must vary accordingly. People deserve differential rates of income not only in the form of a reward for working long-hours, for instance, but also in the form of compensation for the burdens of their work. A person who carries out a dangerous, tiring, stressful, tedious or dirty work may justifiably claim for compensation as John Baker rightly emphasizes:

If everyone worked the same hours at identical jobs, equal income might arguably continue to represent an equal outcome. But if people do different kinds and amounts of work, constituting different kinds and degrees of burden, equal income will no longer suffice. Equality is restored only if the burdens of work can somehow be balanced off against the benefits of income.³⁴

³² The proposed view has some affinities with Amartya Sen's interpretation of advantage in terms of "basic capabilities." But although Sen's "basic capability equality" is culture-dependent in its application, the "basic-needs" approach defended here is culture-independent though it embraces varieties in the bundle of basic goods with respect to their sorts and quantities depending on the circumstances in which people live. In this way, the basic-needs approach provides room for flexibilities and free choice for individuals to a certain degree while eschewing many difficulties associating with the culture-relativist approaches. See Sen (1992: 19–20, 43–4).

³³ Miller (1976: 118–19).

³⁴ Baker (1992: 108).

People deserve unequal incomes depending on their overall contribution to a common stock, which is to be subject to the distribution. Each person's share is, in other words, determined by the hours of work, by the productivity of the person, by the work's being burdensome or not, and so on.

It might be argued that a distribution based on contributions of individuals to a common stock is unjust because individuals have distinct social backgrounds, abilities and so on, which might hinder them obtaining the same benefit as a result of their industry. The principle of contribution invites unequal outcomes, which stem from the events over which individuals have no control. If two persons do not possess the same means to develop their skills, it is difficult for them to achieve the same result in a competition even if they both have relevant native talents.³⁵ In a similar fashion, their contributions to a common stock would be different, however hard the inferior with respect to the means and necessary skills has tried to achieve his/her best. To reward individuals differentially on the ground merely of their contributions to a total output or on the ground only of their scores in a competition for socially advantageous positions is thereby unfair.

The difficulty might be overcome to an important extent if the principle of contribution is backed up by the principle of fair equality of opportunity. I espouse a Rawlsian conception of fair equality of opportunity as the third basic principle of distributive justice. This requires that individuals should be equipped with necessary skills for more or less fair competitions for social goods through social provision of education and the relevant infrastructure. In this way, it becomes plausible to equalize the starting points of individuals who take place in a competition for socially advantageous positions. If necessary measures are taken to provide equal access to the means of achievement, two individuals with the same talent and ambition will have the same prospect of success in competitions for social posts, and/or their contributions to a common stock will be the same. Thus, without subjecting individuals with radically unequal starting points to the harsh conditions of a competition for social goods, it is plausible to give each individual his or her due.

A Rationale for the Proposed Account of Distributive Justice

In the previous section, I have offered the minimum floor principle as a way of securing basic rights of the needy. I defend the idea that vital interests of each individual should be met by a bundle of commodities in a

³⁵ See Beitz (1979: 163).

way that in the end, each has an equal standard of living with respect to basic needs of life continuously. In other words, society has a duty to provide resources requisite to satisfy each person's basic needs irrespective of his/her decisions, choices, etc. A cogent argument for a universal threshold of distribution of resources stems from Henry Shue's sharp analysis of basic human rights. According to Shue, the continued enjoyment of a right to minimal economic security or subsistence and to physical security must be guaranteed for everyone.³⁶ Shue emphasizes that securing basic rights for everyone is a precondition of enjoyment of any other right and someone's deprivation of subsistence is both degrading and unfair. He advocates the minimum floor principle of distributive justice on the ground that the fulfillment of basic needs is important for everybody.

Unlike the global difference principle, the minimum floor principle relying on the idea of everyone's equal right to security, nutrition, and health care does not center on the equality of distribution of wealth at the start. The minimum floor principle is preferred to "too egalitarian" global difference principle in that while guaranteeing everyone's equal right to subsistence, it does not involve gross violations of people's just entitlements by subjecting them to redistribution whenever the worst off are to be better off by this distribution. It would be appropriate at this point to recall Shue's criticism of Rawls's difference principle:

... instead of providing a floor, or to change the metaphor, a life-preserver, Rawls provides only a rope, hitching the worst-off (in a rather loose way) to all the better off. Whenever the better-off improve themselves, the rope of justice requires that the worst-off should be pulled upward too, by at least a little. But Rawlsian theory contains no provision that everyone's head must, for a start, be held above the surface of the water.³⁷

The minimum floor principle does not simply concern with distribution of wealth; its primary concern is to secure basic needs of everyone.

Given the vitality of basic interests, a principle of justice guaranteeing subsistence and security for everyone is, as Shue correctly emphasizes, preferable to the difference principle, which has no such reservation for the fulfillment of duties of basic rights. It is likely that the minimum floor principle would be chosen not only by the rational, least advantaged individuals who are unable to meet their basic needs by their own efforts, but also by the reasonable better off individuals, who appreciate the vitality of basic necessities of life and calculate that they might be among the worst-off as a result of unfortunate accidents of life one day, and that sat-

³⁶ Shue (1996: 26).

³⁷ Shue (1996: 128).

isfying everyone's basic needs would not hinder them from realizing their plans and projects for life.

Everyone's basic rights ought to be socially guaranteed not only because of the vital importance of the right to subsistence and physical security but also because everyone has an equal right to the means of securing basic rights. If national boundaries did not exist, or they were not protected, those whose basic rights are jeopardized by natural disasters or institutional failures, could immigrate to the safer or resource-wise affluent regions of the world.³⁸ Provided that states generally strictly protect their boundaries, then they ought to compensate those who are excluded benefiting from natural resources to which outsiders have an equal right as insiders.

To back up everyone's equal claim to natural resources, it would, I surmise, be adequate to recall some of Henry George's arguments against private possession of land. The land is a natural resource, like air and sea, and it does not belong to anyone, according to George.³⁹ Alternatively, it has infinitely many owners – not only all people who lived and now live on the earth have a claim to it but also those who are not born, yet. The equal right of all men to the use of land is a natural and inalienable right like their equal right to breathe the air; it is a right one is entitled to at birth.⁴⁰ No power can assure one the exclusive ownership of land for him. Even if all men upon the world consented to recognize one's exclusive right to a piece of land, this would not be sufficient to entitle one to possession because men so united could not recognize it in the name of future generations. They can dispose their equal rights to use the land but cannot sell those of the unborn.⁴¹

If George's argument is valid, and no one has an exclusive right to land, then no one has an exclusive right to the natural resources that are part of the land happen to be under one's feet. Justice requires the recognition of each person's equal right to reach natural resources⁴² and physically more secure regions of the world, and in case such accessibility is

³⁸ In this context, it would be appropriate to recall nomadic societies who were, in the past, freely changing – to a lesser extent some still changing – their place of residence according to seasons.

³⁹ George (1904: 336).

⁴⁰ *Ibid.*, 337.

⁴¹ *Ibid.*, 338.

⁴² The idea of everyone's equal claim to natural resources has also been advanced by Hillel Steiner, lately. Unlike the present account, Steiner's proposal for everyone's equal share of natural resources does not permit coercing talented individuals, who do well with their share of natural resources, to pay taxes on the way of satisfying basic needs of the least advantaged via a redistribution of the wealth the talented obtained by their share of the resources. See Steiner (1977: 41–9) and (1987: 49–71).

not feasible or impractical, those who are excluded ought to be compensated by transfer payments based on a proportion of GNP of insiders. In brief, equal right of all persons to natural resources provides a compelling reason for the minimum floor principle.

A recent argument for equal access to natural resources has been provided by Michael Otsuka who advocates “natural rights of property in oneself and the world.” He provides a contractualist justification for our rights of ownership in unowned worldly resources and attempts to reconcile the libertarian right of self-ownership and equality on the basis of an egalitarian conception of Locke’s principle of justice in acquisition of unowned natural resources.⁴³ In his view, a talented individual does not have to work for the less talented as each is supposed to be given enough resources by means of which each could subsist by his/her own resources.⁴⁴ Otsuka’s libertarian approach has been criticized by some scholars on the ground that it barely achieves its goal of reconciling the right of individual autonomy with justice consistently because it presupposes unrestricted rights of individuals in their property. Given that the untalented are unable to make use of their share of worldly resources as well as the talented, and that the former can survive only if they trade their resources with the talented who might not be willing to trade their resources with the untalented as they are able to subsist on their own resources, the untalented could barely subsist without a redistribution of resources, which is banned by the premise of unrestricted rights of individuals in their property.⁴⁵

A striking feature of my account, as opposed to Otsuka’s approach, is that it presupposes restricted rights of individuals in their property. Though the present account puts emphasis on the autonomous choices of individuals, it by no means considers individuals’ right to private property as absolute. On the proposed view, individuals have private ownership rights in their property so long as they provide part of their income in order the least advantaged to lead a minimally decent life. This does not amount to an inevitable conflict between the right to individual autonomy and

⁴³ See Otsuka (2003: Chp. 1, 11–56).

⁴⁴ Otsuka (1998: 83–4).

⁴⁵ Cecile Fabre is among those who challenge Otsuka’s proposal by pointing to its failure at “the bar of justice.” She argues that: “The only way to ensure that those untalented get the resources they need from the talented, without forcing the latter to work, is to redistribute holdings either amongst all the untalented or amongst the talented and untalented so that all untalented have holdings which the talented would be willing to bargain for. However, *ex hypothesi*, the untalented as well as the talented have unrestricted rights in their property which, needles to say, would be violated were a policy of expropriation put in place.” See Fabre (2002: 258).

justice. I agree with G. A. Cohen on his claim that liberty, pace Nozick, does not necessarily conflict with equality. Individuals in a social setting might, as Cohen rightly puts forward, consent to a principle of justice that restricts property rights of individuals in case there are vast inequalities in society such that the affluent persons can easily take advantage of the least well-off or that the latter are compelled to compromise their liberty for the sake of satisfying their basic needs.⁴⁶ This does not mean the slavery of the well-off even if it were considered as forced labor for a definite time-slice of the well-off individuals who could work for themselves in this time-slice. To contribute to the welfare of the least advantaged in order for them to meet their basic needs is morally justified not only for the above mentioned reasons but also for the reason that individuals might be in a condition of extreme poverty because of deep historical injustices, which are hard to trace back or to define the individuals who are directly responsible for these injustices or who are the beneficiaries of them. To satisfy basic needs of the least advantaged might be considered as a compensatory duty of the well-off individuals as beneficiaries of past injustices, if not as direct executors of them.

In addition, I offered the principle of contribution as one of the major principles of distributive justice, which assumes individuals' right to self-ownership. The primary justificatory reason I suggest for the principle of contribution relies on the idea of desert. The principle of contribution, as mentioned before, involves that individuals ought to get what they deserve, and what they deserve is determined, to a great extent, by their labor. If people have a right to the products of their labor,⁴⁷ then they deserve the benefits of their work due to their deliberate efforts, expending of time, energy, etc. In addition, the idea of treating persons as responsible agents, answerable for their actions is rooted in the idea of desert.⁴⁸ Respect for

⁴⁶ See Cohen (1995: 19–37).

⁴⁷ Here I assume, as a general framework, John Locke's argument for a just entitlement to private property based on the idea of mixing labor to a natural resource. See Locke (1988: ii. 27). Locke's principle of acquisition is found to be naïve and controversial by his critics. A strong argument against the right to property based on unilateral actions of property holders in the state of nature is offered by Jeremy Waldron. He argues that the idea of mixing labor with an object as the principle of just acquisition is barely accepted by all parties to a hypothetical contract because by agreeing to such a principle of acquisition, those who come later "would be committing themselves to refrain from using resources to satisfy their pressing physical needs in circumstances where it would otherwise be open and perhaps sensible for them to do so." See Waldron (1988: 276). Even though Locke's account is problematic in many respects, the emphasis he puts on labor as the ground of an entitlement is in place, and it yields a quite persuasive reason for dealing with issues concerning distributive justice on the basis of the idea of desert.

⁴⁸ See Sadurski (1985: 251).

persons involves respect for their investment of time, labor, energy, etc. to their freely chosen projects for life. A blind expropriation of products of one's labor in the name of equality of outcome amounts to disrespecting autonomous choices of individuals. Also, it is unfair if those who choose not to work get the same benefit as others who worked hard.

An advantage of the principle of contribution over the principle of equal distribution of wealth and resources is its promotion of efficiency and prevention of free riders. Allowing individuals' incentives, which in turn increases efficiency in the production of goods and services, involves the recognition of each person's entitlement to his or her contribution to the common stock of society. An incentive to work hard for long hours requires a prospect of differential rates of reward. The experience of agricultural communes, which include large farms with tens of thousands of workers, each paid the same amount, in Communist China and the former Soviet Union provides a good deal of evidence on the subject. John Isbister quotes agricultural economist D. Gale Johnson: "The farm worker sees little or no relationship between his or her work and the pay received. Consequently there is little incentive to do any particular job well, to work hard, or to work long hours during busy seasons of the year."⁴⁹ A guaranteed equal payment to everyone not only discourages individuals to take incentives but also encourages free riding. To get "an equal benefit for a lesser burden, or a greater benefit for an equal burden would be a case of free-riding." With a guaranteed income from the start, a person, whose effect on the gross amount of a commonly produced product is indiscernible, might increasingly shorten working hours in the absence of a direct control by managers.

It is claimed that even if we admit the principle of contribution based on the idea of desert, there are insurmountable difficulties in measuring desert. Miller, for instance, argues that "... any useful piece of work will require a combination of effort, innate ability, and acquired ability, and one cannot usually say how much of the result should be put down to the voluntary acts of the person concerned."⁵⁰ Miller's criticism relies on the supposition that we cannot even come close to a consensus as to what contributions are deserving or to have a reliable idea of the character of humans' actions. But in ordinary life, we work with a fair measure of which actions deserve what.⁵¹

⁴⁹ Isbister (2001: 61).

⁵⁰ Miller (1976: 110).

⁵¹ Isbister's efficiency-related justification for unequal wages is not only persuasive but also illustrates how differential rates of return in the form of unequal wages can be calculated. An eighteen-year-old who just graduated from high school may choose to be a

A related objection to the principle of contribution rests on the idea of determinism. "...in a civilized society," says Miller, "the value of the goods which a man can produce depends upon technique and skills which he has not discovered for himself. It is implausible to see his productive output as wholly being due to his own qualities and efforts."⁵² Given the influence of social environment and heredity, it is by no means obvious that a contribution made by an individual was made on the basis of voluntary and intentional actions of the individual, independently of her social and biological history.

Such an approach, when carried to the end, amounts to endorsing determinism, which implies that every action of an individual is the outcome of previous states of affairs and there is no free or "contra-causal" action. As Tom Campbell points out, however, "... there is no agreement amongst philosophers of action that determinism is true or even that a distinctive sense of agent responsibility and determinism are mutually exclusive postulates."⁵³ A person, who has to take a decision about something, deliberates about alternatives, weighs their importance with respect to her goals and decides on the basis of her calculations. Her choices are not an outcome of a blind determination of her historical, social and biological features. Even if these factors play a role in determining her choices, it is she who carries out her projects to the end decisively, and acts in accordance with her decisions. Proponents of equal distribution of resources underestimate the role of individuals' choices and actions in their present condition. An individual actively and in most cases intentionally plays a role in bringing about a certain outcome. The determinism/indeterminism debate has deep roots, and it can hardly be exhausted in a few sentences. But I think one can confidently say that there is no reason that conclusively proves the truth of determinism. In a nutshell, arguments advanced against the principle of contribution are far from demonstrating its falsity.

The principle of fair equality of opportunity, which I offered as one of the main principles of distributive justice, aims to level down the massive inequalities in the background conditions of individuals competing for socially favored positions. Inequalities in the present circumstances of

clerk and immediately to start to work, or else she may choose to be a doctor by undertaking twelve more years of education, during which she will have no income. In order for a society to have doctors, it must pay her an income to persuade her to undertake such training. On the basis of calculating twelve years of possible income she might gain as a clerk, along with its interest rate, Isbister concludes a ratio of 2:1 between salaries of a doctor and a clerk, which would allow twenty separate gradations of 5 per cent between top and bottom salaries. In Isbister (2001: 59–63).

⁵² Miller (1976: 105).

⁵³ Campbell (2001: 162).

the world's poor result not only from the unequal distribution of wealth and resources among individuals but also from unequal conditions of competitions for the positions of social or economic privilege. To distribute resources merely on the basis of actions of individuals in a competition would not be a full-fledged fair distribution. Such distribution becomes egalitarian only on the surface. A truly egalitarian distribution involves the application of the principle of fair equality of opportunity.

Furthermore, the principle of fair equality of opportunity is essential for preserving the autonomy of individuals. The application of the principle prepares the ground for individuals to help themselves through their own actions. As Michael Blake points out, human beings have a moral right to lead a life as autonomous agents, and thus they are entitled to the circumstances, which make the use of this right possible.⁵⁴ To be in a situation perpetually requiring assistance from others in order to survive is degrading and it does not match with the ideal of autonomous agency. Besides, an autonomous person needs much less help from others and supply the basic necessities of life for him/herself on his/her own resources in many cases if a little aid is given to equalize background conditions of a competition for social posts.

One might argue that the principle of fair equality of opportunity is too demanding in that it involves greater amount of resources than those required by the minimum floor principle to guarantee equal opportunity for socially valuable positions for everybody across the globe. In order a poor talented peasant in an underdeveloped country to have an equal opportunity to compete with a person from a developed country for socially valuable positions, there is need for investments in the area of education all over the world, and this involves significant amounts of wealth transfers from the rich to the poor. Indeed, one might pretend, the principle of fair equality of opportunity is so strong a principle that it covers the requirements of the minimum floor principle, and as such it makes the latter unnecessary as a principle of distributive justice.

This objection overlooks some important aspects of both the principle of fair equality of opportunity and the minimum floor principle, however. Recall that the principle of fair equality of opportunity purports to secure an equal starting point for individuals who have more or less the same talents to compete for socially valuable positions. It does not have any provision regarding those who possess no significant talent for positions of advantage, and yet who have an equal right to the basic necessities of life. To meet vital interests of each person the minimum floor principle is also

⁵⁴ Blake (2002: 267).

required. In addition, a person might be both talented and well-educated and still unemployed due to economic circumstances of his/her country. That is, a person might desperately need food, shelter, medical care, etc. in order to survive though s/he has an equal starting point for competition for valuable social positions with other well-educated talented persons who possess an opportunity to have a job in accordance with their skills. The above objection relies on the false assumption that any well-educated talented person will have a satisfactory job and thus be able to meet his/her vital interests on his/her own income and resources. But this is hardly the case especially in many underdeveloped countries. In brief, the principle of fair equality of opportunity should be considered independently of the minimum floor principle, and a theory of justice should have both principles to be a satisfactory account of distributive justice.

Some Concluding Remarks

In the foregoing pages, I mentioned two different approaches to the distribution of wealth and resources at the international level. On Moellendorf's account, differences in physical and mental abilities, in social status, etc. are arbitrary from a moral point of view; thus we ought to adopt principles of justice such as a principle requiring the equality of outcome and the difference principle as opposed to the principle of contribution based on the idea of desert. Even though Moellendorf accepts the principle of fair equality of opportunity, he thinks of it as only minimally egalitarian, and as such an inadequate principle of egalitarian justice. He also underscores the superiority of the difference principle to the benchmark of equality of outcome in that the former brings about an improvement over an initial equal distribution.

By contrast, I argued that individuals do deserve the benefits of their work due to their efforts, investment of their labor and time on the work as well as on the development of their natural talents. An equal distribution approach ignores the responsibility of individuals in their fortune or plight. As responsibility is an important component of justice, it cannot simply be pushed aside. The difference principle ensures an improvement in the life-circumstances of the global poor at the expense of being too egalitarian, which, I think, arises from being too recipient oriented. To be too recipient oriented results in ignoring considerations of efficiency, freedom and respect for individuals. If the reward of each person is to be equalized as a result of a social production process, those who would work harder than others and produce more might tend to work slowly and produce less. Even if efficiency were not counted as a socially desirable goal in itself, an equal distribution of wealth and resources without regarding

the production side might result in uneasiness and struggle between those who produce more and those who produce less but take the same as the former. Taking the equality of outcome as the benchmark of distribution is unjust in that it neglects the differences among individuals' efforts and their differential contributions to a common stock. No matter what an individual does, s/he is guaranteed the same level of income that others do have. But this is intuitively unfair.

In contrast to Moellendorf's claim that the principle of fair equality of opportunity is only minimally egalitarian, I have pointed to the redistributive aspect of the principle, which might indeed be very demanding. What is minimally egalitarian is the principle of equality of opportunity, which simply stipulates procedural equality. As such it is the principle of equality of opportunity rather than the fair equality of opportunity that permits individuals to live under the circumstances of the massive disparities. Also, the principle of fair equality of opportunity secures individuals to lead an autonomous life by preparing the conditions for them to help themselves through their own actions. Finally, I tried to show that the importance of satisfying basic needs compels the rational poor to prefer the minimum floor principle to the difference principle. It seems unlikely that they would jeopardize their chance for survival ensured by the minimum floor principle for a possible more gain under certain circumstances guaranteed by the difference principle without such an insurance. As rational agents, human beings would highly likely opt for the minimum floor principle under the conditions of deprivation and extreme poverty.

A significant challenge to the minimum floor principle stems from libertarian philosophers who argue that individuals can be obliged to compensate only those harms for which they are causally responsible. Recently, Thomas Pogge extends this libertarian idea to the economic relations among nations. In *World Poverty and Human Rights*, Pogge contends that the current global institutional order causes poverty and imposes harm on the global poor. As people in the affluent world support this institutional order, they are responsible for the impoverished circumstances of the poor. Like libertarians, Pogge advocates a negative-duty based principle rather than a positive need-based principle of distributive justice. "My argument," he states, "conceives, then, both human rights and justice as involving solely negative duties: specific minimal constraints – more minimal in the case of human rights – on what harms persons may inflict upon others."⁵⁵ He also refuses the enforceability of

⁵⁵ Pogge (2002: 13). Pogge's stress on the stringency of negative duties in comparison to that of their positive counterparts has been criticized by various philosophers mainly on the ground that we might have positive duties of assistance stronger than some negative

positive duties to aid and protect in the absence of a shared institutional scheme.⁵⁶

In contrast to Pogge's emphasis on the negative duty of not harming the global poor, the proposed view underlines the moral significance of the positive duty of assistance to the least advantaged individuals. To aid the least advantaged for the fulfillment of their basic needs might indeed be seen as a compensatory duty on the ground of everyone's equal claim to natural resources, which are unevenly shared by people at present. Thus, the minimum floor principle might be enforceable even if the affluent persons do not directly inflict any harm on the global poor. The mere fact that more than a billion people live in conditions of severe poverty upon the world necessitates a principle of distributive justice much stronger than a minimal standard of not harming the poor directly. It is a merit of the proposed account to have a principle of distributive justice for the fulfillment of this demand.⁵⁷

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duties. Debra Satz is among those who object Pogge's argument for the stringency of negative duties of the people in the affluent world. She notes that saving a drowning child at little cost to us is of greater moral importance than the negative duty of not eating another's candy, for example. See Satz (2005: 52).

⁵⁶ Pogge (2005: 67).

⁵⁷ I would like to thank the anonymous referees of *Prolegomena* for their helpful criticisms and suggestions on the previous version of the paper.

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