

Durham Research Online

Deposited in DRO:

23 November 2017

Version of attached file:

Published Version

Peer-review status of attached file:

Peer-reviewed

Citation for published item:

Kahn, Elizabeth (2012) 'Global economic justice : a structural approach.', *Public reason.*, 4 (1-2). pp. 48-67.

Further information on publisher's website:

<http://www.publicreason.ro/articol/60>

Publisher's copyright statement:

This paper is licensed under a Creative Commons Attribution-NonCommercial-NoDerivatives 4.0 International License.

Additional information:

Use policy

The full-text may be used and/or reproduced, and given to third parties in any format or medium, without prior permission or charge, for personal research or study, educational, or not-for-profit purposes provided that:

- a full bibliographic reference is made to the original source
- a [link](#) is made to the metadata record in DRO
- the full-text is not changed in any way

The full-text must not be sold in any format or medium without the formal permission of the copyright holders.

Please consult the [full DRO policy](#) for further details.

Global Economic Justice: A Structural Approach¹

Elizabeth Kahn
University of York

Abstract. This paper aims to make a contribution to the debate concerning the moral obligations which follow from the facts of the pervasiveness of acute poverty and the extent of global wealth and income inequality. I suggest that in order to make progress in this debate we need to move beyond two dominant ways of thinking about when the demands of distributive justice apply. The first approach focuses solely on the global distribution of resources, regardless of background social relations and institutions. This approach, exemplified by Simon Caney, identifies positive ‘humanity based’ obligations to promote or support institutions that fulfil the socio-economic rights of other humans. The second approach concentrates on the justice of the coercively enforced institutional arrangements governing access to resources. This approach, shared by theorists like Thomas Pogge, focuses on negative obligations not to harm other humans by imposing upon them resource regimes which avoidably fail to secure socio-economic human rights. I use Iris Young’s concept of *structural injustice* to suggest that vulnerability to deprivation can be understood as a social structural position which results from the cumulative effect of a variety of global and national actions, norms and institutions. I draw on the concepts of social responsibility and civic duty to outline an account of social obligation. This obligation requires that individuals critically assess their social structures for any systematic injustice, and make efforts to work with others to establish and maintain legitimate means for avoiding or mitigating any structural injustice. I use this analysis to suggest that individuals who contribute to global social structures must make efforts to work with others who are similarly connected to global poverty towards preventing the continuation of extreme poverty and growing inequality.

Key words: global justice, social responsibility, civic duties, cosmopolitanism, structural injustice, Iris Young, Thomas Pogge, Simon Caney.

I. GLOBAL ECONOMIC JUSTICE: A STRUCTURAL APPROACH

Cosmopolitan political theorists Thomas Pogge and Simon Caney, argue that the current global situation concerning the production and consumption of resources is grossly unjust. Some people have great wealth and enjoy access to a host of resources for enhancing their comfort and advancing their plans, whilst others face difficulties in securing shelter, sufficient nutrition and the basic goods needed to maintain a healthy existence. Some people spend the vast majority of their time working for subsistence wages to produce goods which are predominantly consumed by those who enjoy a high standard of living and opportunities for advancement, respect, achievement and power. Some people have wealth and incomes that allow them to determine production, whilst

¹I would like to thank Matt Matravers whose invaluable efforts have helped me clarify my ideas and make them presentable. I am also grateful for the comments and encouragement I received at the “Global Justice Norms and Limits” conference in Bucharest (May 2012) and at a workshop organised by the Global Justice Network at the Central European University (July 2012) which were incredibly helpful. Advice from Miriam Ronzoni particularly assisted the development of my ideas. The doctoral research that made this paper possible was funded by the AHRC.

others have very little bargaining power and lack the ability to determine where they live, the work they do and the food they eat. 50% of the world's population share just 3% of global household income. In 2008 2.47 billion people living in countries classified as 'developing' by the World Bank lived on less than could be bought with \$2 in the USA in 2005. That equates to 37% of the global population at the time. This consumption figure includes all foods or services they provide for themselves through their own efforts as well as what they purchase from others.² Meanwhile, the richest 10% of the world share 71.1% of global household income (Pogge 2010, 5; Chen and Ravallion 2012).

Political philosophers working on global poverty are united in their condemnation of the continuance of a situation in which a significant sector of the world's population lack secure access to the basic resources required to maintain minimally decent lives. Cosmopolitan social justice theorists argue that at least some of the demands of social justice concerning control and consumption of resources should apply globally.³ This paper aims to make a contribution to the debate concerning whether justice makes demands in relation to the global distribution of access to resources and opportunities. I suggest that in order to make progress in this debate we need to move beyond two dominant ways of thinking about when demands of distributive justice apply and about the moral obligations we have to promote distributive justice. The first approach focuses solely on the global distribution of resources, regardless of background social relations and institutions. This approach, exemplified by Simon Caney, identifies positive 'humanity based' obligations to promote or support the fulfilment of the socio-economic rights of other human beings (Caney 2005). The second approach concentrates on the justice of coercively enforced institutional arrangements governing access to resources. This approach, shared by theorists like Thomas Pogge, focuses on negative obligations not to harm other humans by imposing resource regimes which promote avoidable socio-economic human rights deficits (Pogge 2010).

I endorse an alternative approach to identifying global economic injustice and obligations to oppose such injustice. I use Iris Young's concept of *structural injustice* to suggest that a sort of *injustice* can emerge from the combined effect of a variety of actions and institutions (Young 2011). I argue that when portions of the global population are predictably and avoidably placed in positions of disadvantage where they lack the means to secure access to sufficient resources to fulfil their capacities they suffer from a form of injustice. This is true even when the structures that place them in such positions are not the result of an identifiable regime of coercively imposed institutions but rather the result of multiple actions, laws, policies, trends and practices. I argue that in many cases some of these actions originate far away, many of the trends cross borders, and some of

2] 37% is the authors own calculation based on Population Reference Bureau data estimating the global population to be 6.7 billion in 2008.

3] I deliberately avoid using the term distributive justice because I agree with Iris Young that there are significant shortcomings with understanding social justice purely in the terms of a distribution of goods (Young 1990; Forst 2007).

the institutions involved are global. This means that the social structure that places agents in vulnerable positions is contributed to by agents throughout the world both directly and indirectly through participation in norms, institutions or practices. Hence these structures are in an important sense global.

I argue that *one* obligation to bring about the just regulation of social life emerges from the fact that agents collectively have a pervasive impact on each other's life chances and relative bargaining positions. I seek to establish that agents who live in social contexts (and thereby contribute to social structures) have corresponding social responsibilities. These social responsibilities require that they critically evaluate social structures and actively establish and maintain just solutions for avoiding and mitigating structural injustice. I will argue that those who contribute to social structures have such a social responsibility which currently requires they work towards the just and legitimate alteration of global practices, institutions and trends so as to lessen structural injustice. More specifically, I propose that obligations to bring about a just global structure of production and consumption emerge from the fact that agents from around the world participate and contribute to a global structure and that this structure systematically places some agents in positions of serious disadvantage which cannot be justified. As a result of this disadvantage, even otherwise permissible interactions between agents can be unfair.

The structure of my paper is as follows. I first discuss in turn the two aforementioned approaches to social justice and detail the problems associated with each. I then suggest that there may be additional forms of global economic injustice and obligations of resource justice. Next, I introduce Iris Young's concept of *structural injustice*. I explain why the combined effects of human action and institutions may be considered unjust rather than simply unfortunate. I proceed to argue that there is a general obligation requiring agents to monitor their social structures for injustice and work towards the lessening of any structural injustice. This is followed by a brief explanation of what this proposed obligation requires when it comes to global economic justice. I conclude by explaining how this approach and obligation relate to other proposals in the global justice literature.

II. HUMANITY BASED COSMOPOLITANISM

The first of the aforementioned approaches focuses solely on the global distribution of resources, regardless of background social relations and institutions. This approach suggests that certain distributions of resources between persons are unjust regardless of whether or not people share a common institutional background, coercive regime or substantive social community. This approach is characterised by cosmopolitans like Simon Caney who claim that individuals have rights in virtue of having moral personality. These rights include rights to access a certain level of resources. Caney proposes that demands of distributive justice follow from the fact that persons have moral personality. Thus, any plausible domestic case for distributive justice also applies globally. Arbitrary factors, such as nationality or state of residence, do not affect this moral personality based

claim. Caney proposes four principles for global distributive justice. They include a right to a basic level of subsistence, a right to equal opportunities, a right to equal pay for equal work and a proviso that says that benefiting people is more important the worse off they are. For the sake of this paper I am not concerned with the nature of demands of social justice. I am simply concerned with when certain demands of social justice apply and what obligations agents have in relation to these demands. Caney suggests that individuals have an obligation to *support* the institutional arrangements which best promote global distributive justice.

This is a positive 'humanity centred' obligation to support distributive justice. It is important to note that Caney insists that establishing distributive justice requires establishing 'institutional arrangements' which effectively secure justice rather than through individual transactions that aim to bring about a more just distribution of resources (Caney 2005, 109, 121-23; Caney 2011). One key difference between Caney's approach and other humanity based accounts of obligations to the global poor is that Caney argues that everyone has a right to an institutional set up that guarantees one does not live in poverty. Caney's account recognises the need to establish a global order which secures peoples freedom from poverty and fulfils demands of distributive justice. He believes that our humanity based obligations demand that we support those institutions that effectively secure these rights. However, by identifying a *humanity based* positive duty to support just institutions Caney still treats distributive injustice as one species of misfortune.

III. CRITIQUES OF HUMANITY BASED COSMOPOLITANISM

Humanity based approaches to cosmopolitanism can be criticised for failing to draw a distinction between injustice and misfortune. Caney's theory states that demands of distributive justice apply between all people no matter what their relationship. This means that if two isolated groups of people enjoy different levels of opportunity or different levels of pay for the same work, this is an injustice. However, according to a rival understanding of injustice, this difference in conditions cannot be identified as a case of injustice. This rival understanding of justice claims that whilst it is unfortunate that some people live in poverty, it is *unjust* when a government passes and enforces laws that condemn some people to live in poverty. Injustice is distinguished from misfortune because it is a species of negative circumstance for which someone or some group is responsible. Where differences in wealth exist between independent societies it is difficult to see why this should be considered a case of injustice. As parents tell their children: 'Life isn't fair!' However, children can and do demand that their parents and other authorities act fairly. This political account of distributive justice suggests that we cannot demand that the world be just, but we can demand that we are treated justly by those with power over us.

The easiest cases of injustice to identify are ones in which laws discriminate between people in a way that cannot be justified. For example a law which prevented members of a

certain ethnic group from owning property would be a prime example of injustice rather than misfortune. However, sometimes a combination of laws leads to a situation of injustice. Thus, a more sophisticated approach explains that states enforce a set of rules determining use and control of resources and that it is the regime of law enforced by an authority (or coercive body) which should be judged as just or unjust. Hence, distributive justice applies when such a body enforces a property rights regime. This view suggests, contra-Caney, that there can *only* be distributive justice or injustice within a coercively enforced property regime.

Many political theorists share the view that critiques of distributive *justice* should only be applied to coercively-enforced institutional orders. They argue that egalitarian demands of distributive justice only apply in specific circumstances. Some reject the idea that there is global distributive injustice because there is no global authority claiming a monopoly of legitimate violence. Thomas Nagel argues that strong demands of distributive justice apply within a state because co-citizens share a coercively enforced property regime. He argues that demands of social justice only apply in a very specific set of circumstances. He quotes Dworkin to explain that when there is an effective leviathan making a plausible claim to legitimate authority, this leviathan must treat its subjects as equals. Nagel explains that demands of justice only apply in circumstances where agents share such a political authority. He follows Rawls in asserting that demands of justice are norms for the basic structure of a nation state and should be distinguished from the appropriate normative demands for international relations or individual conduct (Nagel 2005, 121-23).

Where there is no such leviathan, Nagel explains, demands of distributive justice simply do not apply. Further, Nagel suggests, in such a situation there is no obligation to enter in to the political relation of sharing an authority (Nagel 2005, 121). He supports what he calls the 'political' conception of distributive justice whereby authorities are not a means by which to discharge pre-existing duties of social justice. Rather, to live under a shared authority is to have a special relationship with others. Entering in to such a relationship, where no such relation currently exists, is by no means compulsory. However, when agents do share a government which makes a plausible claim to a monopoly of legitimate violence, that government may only enforce a regime of access to property which treats people as equals and this requires fulfilling norms of distributive justice.

Simon Caney argues that although these coercive accounts may successfully establish that claims of distributive justice do apply within a coercively enforced regime they do not establish that demands of distributive justice *only* apply within coercive regimes.⁴ It is possible that there is both a duty not to impose an unjust regime on others and an additional duty to support the establishment of a just and secure property regime. Whether in both cases the same demands of justice apply is a further question, which I will leave aside for the sake of this paper.

4] As voiced in a presentation July 2012.

Those committed to a “coercive imposition” account (as I will refer to it) deny that justice demands the establishment of just shared institutions where none exist. They insist that duties to support the establishment of just regimes or to create a more egalitarian distribution where there are no regimes are humanitarian duties. They believe that requirements of justice only emerge within a coercively enforced regime (Nagel 2005, 121).

IV. INSTITUTIONAL COSMOPOLITANISM AND NEGATIVE DUTIES

In response to the objection that cosmopolitans identify only obligations of humanity based aid rather than justice many cosmopolitan theorists have sought to identify features of the global situation that could justify making demands of global distributive justice. Various ‘institutional’ cosmopolitan approaches have been developed which cite features of global interaction and organisation and argue that these features make it appropriate to apply demands of social justice to the global order (Caney 2005, 106). Thomas Pogge suggests that the current global economic institutional order is coercively imposed by the affluent states (Pogge 2010, 21). Pogge claims that this global institutional order is unjust because it knowingly and avoidably perpetuates human rights deficits (Pogge 2005).⁵

Pogge explains that there is a global institutional order to which demands of social justice should be applied. He defines an institution as a social practice governed by publicly known rules which stipulate roles and responsibilities. The central social practices of a society, which have a pervasive impact on people’s life prospects, make up the *basic structure* or *institutional order* of that society (Pogge 1989). Pogge argues that the global institutional order is imposed by the governments of powerful and affluent states in the interests of their business and finance elites (2010, 16-25).

Pogge suggests that there is a moral obligation to refrain from coercively imposing (or making uncompensated contributions to the coercive imposition of) an institutional order which is deeply unjust. This, Pogge argues, is a negative institutional duty and part of the duty to refrain from harming others. Pogge does not claim that we have a negative duty to refrain from making uncompensated contributions to the imposition of an institutional order which falls short of maximal justice. What he does argue is that our negative duty only requires we refrain from imposing any order that knowingly and avoidably perpetuate human rights deficits (2010, 29).

Pogge’s account faces a number of criticisms. At present there is no global agency or centralised power that effectively enforces the current regime through a claim to the monopoly of legitimate violence. The current global economic order is based on negotiations and agreements. In these negotiations economic and militarily dominant states dictate terms because they have a better bargaining position. However, no individual

5] Thomas Pogge’s emphasis is on the fact that there is a global institutional order which should be subject to normative assessment rather than on the fact that it is imposed by the affluent states (2010, 24).

government or cohesive bargaining block unilaterally determines policy. This fact means that the global institutional order does not perfectly fit the leviathan model on which the political approach to distributive justice is based. Many global economic rules and norms have emerged through bargaining and tradition rather than being imposed by a unified power centre. However, Pogge's account avoids this critique by giving a broad definition of what constitutes "coercive imposition" and "institutional order" so that his account can apply to the global economic institutions which are shaped by the larger global economies and major TNCs and from which smaller states cannot effectively opt out.

Pogge's account of global injustice and obligation is based on persons having a negative duty not to make uncompensated contributions to the imposition of the unjust global institutional order. However, there are substantial difficulties with identifying citizens of affluent states as culpable for *contributing* to the coercive imposition of the current global institutional order and therefore liable to moral censure. It is not clear that the relationship between citizens and affluent states is such that they may be held responsible for the actions of their states. The fact that citizens help to maintain the power of their governments through obeying the law and paying taxes is not sufficient grounds for claiming they are culpable accomplices in the actions of their governments. The relationship between citizens of affluent liberal democracies and the actions of their governments is a complicated one. The citizenry of a state cannot be considered members of an organised collective with makes decisions and takes action. Individuals often lack an intention to be part of such a collective. More needs to be said in order to show why citizens of a state may be understood as morally responsible for a state's actions.⁶ Even if it can be established that the people as a collective are responsible, what this means in terms of individual culpability is a further question.

Furthermore, under an orthodox understanding of harm, negative duties are only violated by those who are morally responsible for contributing to harm. If the connection between citizens and the actions of their states is too weak to establish culpability, further explanation is required in order to explain why compensatory behaviour is owed (Kahn 2011).⁷

In standard understandings of the negative duty to refrain from harming others, harm cannot simply be offset by compensatory actions. Pogge insists that it is only *uncompensated* contributions to the imposition of injustice which violate our negative duties. His claim is that we do not violate the negative duty if we compensate for any contributions we make by campaigning for institutional change or making donations to poverty charities. Compare this to a circumstance in which an individual intentionally violates a negative duty not to harm others. We wouldn't say that only uncompensated contributions to an

6] Avia Pasternak proposes an account under which citizens can be held morally responsible for the actions of their states in certain circumstances (Pasternak, *The Collective Responsibility of Democratic Publics* 2011).

7] See Uwe Steinhoff: "Why 'We' Are Not Harming the Global Poor: A Critique of Pogge's Leap from State to Individual Responsibility" in this volume.

assault violate negative duties. Imagine if one member of a gang who physically assaults a woman compensates by paying for some of the woman's medical treatment. In such a case we would not say that the gang member had not violated the negative duty to refrain from harming others. It is unusual to assert that only *uncompensated* contributions to harm violate the negative duty. Which is what Pogge claims is the case when it comes to contributions to the imposition of injustice.⁸ A more plausible account might insist that individuals become *liable* to provide compensation when they make contributions to harm and they cannot reasonably be expected to avoid making contributions. Such an account may be based on strict liability rather than culpable violation of a negative duty.⁹

A further objection to Pogge's approach is levelled by David Miller. Miller argues that the global institutional order cannot be identified as the cause of human rights deficits because national institutions also have an effect on whether human rights are secured. Miller explains that national institutions and cultural factors significantly affect the levels of poverty within any state. He demonstrates that these factors have an effect by comparing different development outcomes within the same global economic system (D. Miller 2007, 236-41). Miller is right that the global economic institutional order is not the *only* factor which affects the extent and acuteness of poverty. The difficulty with Pogge's position is that the global institutional order is significantly different to the idealised notion of basic structure within a closed society described by Rawls (Rawls 1971). In "Realizing Rawls" Pogge develops Rawls' conception of a "Basic Structure." He explains how the central social and economic institutions have a pervasive impact on people's opportunities and outcomes. He explains that it is this institutional order which is the subject of accounts of justice. When we consider central global economic institutions, it is only in conjunction with local norms, laws and institutions that they *determine* people's opportunities and outcomes.¹⁰ Since the central global economic legal institutions do not effectively determine the entitlements of individuals we may not be able to hold them responsible for these entitlements.

One way to avoid the debate as to whether national or global institutions are primarily responsible for poverty is to adopt an account of poverty and obligation that holds when poverty results from the combination of a range of human factors.

Multiple forms of injustice and multiple duties of justice

The two approaches to global distributive injustice so far discussed identify a form of injustice and describe a moral obligation. Caney states that any situation where some

8] I discuss this in a paper tabled at the 6th ECPR general conference (Kahn 2011).

9] For more on this see Rob Jubb and Avia Paternak's discussion of liability for costs (Pasternak and Jubb 2011).

10] It is unclear whether the central social and economic institutions alone determine the outcomes and opportunities at the national level. Informal institutions and patterns of action also contribute to the positions agents find themselves in.

persons lack secure fulfilment of their socio-economic human rights is unjust. He suggests that there is a positive moral obligation to support institutional arrangements which secure the human rights of others and fulfil other principles of distributive justice (Caney 2005, 121). Thomas Pogge suggests that the current global institutional order is unjust because it foreseeably and avoidably gives rise to human rights deficits. He argues that there is a negative duty that prohibits agents from making uncompensated contributions to the imposition of any institutional order which foreseeably and avoidably gives rise to human rights deficits (Pogge 2010, 29).

There are difficulties with both these approaches. However, I do not wish to argue that either approach is wrong. Pogge notes that in addition to the negative duties he outlines there may be positive duties to secure the human rights of others (Pogge 2010, 28; 2005, 102). Simon Caney acknowledges that in addition to the positive obligations he describes there may be the sorts of negative obligations identified by Pogge (Caney 2011, 513). I think that Caney and Pogge are right to suggest that there may be a range of obligations relevant to the question of obligations to the global poor. I wish to suggest that in addition to positive obligations to promote the situation of others and negative obligations to refrain from imposing unjust conditions upon them there is a third sort of obligation which is relevant to global poverty.

What I propose is that there are demands of social justice that apply whenever individuals indirectly affect the position of others in terms of the resources available to them and their relative bargaining position. I wish to suggest that there are moral obligations that require people who contribute to the social position of others to work towards the secure fulfilment of demands of social justice.

V. STRUCTURAL INJUSTICE

I will now set out an account of global economic injustice and a corresponding duty to alleviate that injustice. I begin by outlining Iris Young's account of structural injustice. I then explain why this may be a useful way to understand global economic injustice. I then set out a corresponding account of social structural obligations. This account will suggest that individuals have a general obligation to critically assess the social structures to which they contribute and to work towards the lessening of any structural injustice they identify.

In *Responsibility for Justice* Iris Young develops an account of structural injustice. Young describes how various human institutions and social rules, along with past actions that have permanently altered the physical environment, serve to create a social structure which places agents in various positions. This social structure is experienced as an objective fact that determines the options available to an agent and the outcomes attached to different choices. Part of the effect of such a structure is to determine individuals' access to opportunities to acquire resources. This structure is experienced as both a physical constraint on what an agent can achieve and an enabling channel allowing them to achieve certain things. When the differences in options provided by a social structure are unfair

there is social injustice (Young 2011, 52-64). Young specifies that structural injustice can be identified when social structural processes place a *group* of agents in a position where they are *vulnerable* to domination or deprivation in comparison to others.¹¹

To illustrate this idea Young introduces the example of Sandy, a woman seeking accommodation for herself and her young children. In the story, Sandy works as a sales assistant in an out of town shopping centre. Sandy has to move because the owner of the apartment building in which she rents wishes to convert the building into a condominium. There is no cheap accommodation near Sandy's work. Sandy judges the cheap accommodation in town not to be sufficiently safe or decent for her family. She cannot find any housing which allows her access to affordable transport to work, so she realises she must get a car. She looks into subsidised housing but the waiting list is two years long. She finds a tiny place forty-five minutes from work but lacks sufficient funds for the deposit because she has spent all her savings on a down payment for a car. Sandy faces the prospect of homelessness (Young 2011, 43-45).

Young alleges that Sandy is suffering from structural injustice. The options available to Sandy place her in a position where her access to housing is insecure (relative to other people). However, Sandy's situation is not the result of an unjust law or immoral act (Young 2011, 47). Sandy's situation is one she shares with a significant section of her society. The causes of her problem are multiple, large scale and relatively long term. She is in a situation where she is vulnerable to being deprived of housing. She is part of a group which face a 'systematic wrong' whereby they are put in a position of relative and significant deprivation in terms of opportunities to develop and exercise their capacities compared to their peers (Young 2011, 72).

VI. BACKGROUND JUSTICE

One way to capture the idea of structural injustice is to consider one aspect of the Rawlsian concept of *background justice*.¹² In "The Basic Structure as Subject" Rawls argues against Robert Nozick's conception of social justice. He suggests that a series of transactions between individuals which involve no rights violations can nevertheless undermine the background conditions required for transactions to be fair.

"[T]he accumulated results of many separate and ostensibly fair agreements, together with social trends and historical contingencies, are likely in the course of time to alter citizens' relationships and opportunities so that the conditions for free and fair agreements no longer hold." (Rawls 1977, 159-60)

11] For the sake of this paper I will bracket the issue as to how we determine the justice or injustice of social structures.

12] I am indebted to Miriam Ronzoni (Ronzoni 2009) for the suggestion that there may be a similarity between structural injustice and the erosion of background justice.

The idea expressed here is that over time the background justice required for deals to be free and fair is likely to be undermined. The reason why Rawls is concerned with the cumulative effects of actions and transactions is *because* they can undermine the conditions in which deals between individuals are fair. They lead to circumstances in which some agents can dominate and exploit others because their relative bargaining positions means that their agreements are not really free and fair. Rawls expands his account further by explaining that the distribution of wealth that follows from individual market transactions is only fair when the starting distribution is fair and the structure of the market system is fair. He explains that this fairness in the starting distribution includes that all individuals have fair opportunity to earn income and gain wanted skills. Rawls' discussion suggests that the prevalence or absence of such opportunities is properly considered part of the background in which individuals act and social practices take place. Rawls finds that background justice is absent when certain opportunities are denied to some (1977, 160). This account suggests that injustice can emerge whenever agents interact and not just in circumstances where agents share governing institutions or a cooperative scheme.

Rawls' account of the erosion of background justice conflates two separate issues. Namely whether background conditions are fair and whether the combined effect of many permissible individual actions can produce injustice. Rawls suggests that background conditions are just to begin with and become eroded by transactions over time.

It is not clear that in the real world background conditions begin just or that only transactions and human actions affect background conditions. However it is difficult to separate the socially caused from background conditions. This is another way of saying it is difficult to determine the baseline from which a social structure is to be judged.

Young is concerned with the cumulative effects of actions, institutions and norms *because* these can place certain groups in positions of significant disadvantage (2011, 41). The problematic disadvantages which Young highlights include positions where those disadvantaged are especially vulnerable to being deprived in terms of abilities to fulfil their capacities and live full lives. Young also highlights positions where groups of individuals are especially vulnerable to being dominated by others. Agents are vulnerable to domination when their bargaining position is comparatively weak, they lack options, they lack resources sufficient to defend themselves from violence or they lack sufficient resources to secure independence (34, 64).

Young's account of structural injustice identifies structural problems which should be of concern to those who are socially connected to a structure. Rawls' account identifies that over time transactions which are just when considered in isolation can lead to circumstances in which deals cannot be just even if both parties agree to them and in which individuals are disadvantaged in terms of opportunities. They are both accounts of how the cumulative effects of human action and policy can lead to unjust states of affairs. Rawls' suggests that a well regulated basic structure is needed in order to maintain background justice to ensure circumstances which make deals and distributions of goods just. Young demands that we work to prevent the establishment of structures which make

certain groups vulnerable to deprivation and domination relative to others. Both set of demands can be interpreted more or less stringently.

What is important for the sake of this paper is that both accounts open up the idea that the background or social structure which is the cumulative result of human actions and practices should be normatively assessed and can be a site of injustice. They suggest that in addition to states of affairs and coercively imposed institutional orders the social structure which is the cumulative effect of human actions can be unjust.

Mirriam Ronzoni has developed Rawls' idea of background justice to suggest that a global problem of background justice may emerge (Ronzoni 2009). She argues that if certain empirical conditions obtain then there may be problems of background justice at the global level. She suggests that if this is the case we may have a duty to establish supranational agencies with effective regulatory powers to end this injustice.¹³

Structural injustice or misfortune

At this stage it is worth discussing whether what Young describes as structural injustice is nothing more than a species of misfortune. Structural injustice is a concept that identifies groups of people who find themselves vulnerable to domination and deprivation which cannot be causally linked to a specific perpetrator and is not imposed by any identifiable actor or agency. If experiencing structural injustice cannot be distinguished from merely being in a difficult state of affairs, the only duty that applies is a humanitarian one. The only duties that apply are humanity based obligations to support institutions which can bring about just states of affairs. If this is the case, then the concept of structural injustice adds nothing to Simon Caney's understanding of injustice.

Crucially, Young suggests that injustice implies that there is something wrong with current *social* and *political* arrangements. The cases Young describes constitute injustice rather than misfortune because they are the result of a combination of actions, policies and social practices performed by people. This makes them social and political problems. The fact that the problem is in some sense a *social* or *political* one means that it appropriately attracts feelings of anger, disappointment, regret and responsibility which are not present in identifying misfortune or natural disaster. We see injustices as arising from a social set up. Injustices are things for which we hold society responsible. Hence, we believe them to press more urgently on the attentions of members of the society than outsiders. We feel that society could and should have been set up in such a way that the problem was avoided. The power of Young's account is to make us consider social structures as a human responsibility rather than as natural and inevitable. The power of understanding an injustice as the result of the combination of human action, institutions and social processes is that it makes us implicitly recognize an obligation to try to change social processes (Young 2011, 33-34). The point is that recognising a disadvantage as the result

13] Ronzoni's account (2009) predominantly concentrates on justice between states rather than between individuals living in different states.

of human factors gives us an additional reason to do something about it. Any account of a structural injustice must give plausible grounds for considering a systematic disadvantage to be the result of human action, institutions and practices.

Structural injustice and social obligation

Structural injustice is defined as injustice which is produced by the combination of various factors: trends, social institutions and past actions. This usually means that no one individual, agency or collective agent can be found causally responsible for a structural injustice. In the case of Sandy and her housing difficulties one might claim that her government is to blame for coercively enforcing a regime in which working class single mothers are vulnerable to being deprived of housing relative to other citizens. One might additionally suggest that people have a humanitarian duty to promote and support arrangements in which working class single mothers no longer face these difficulties. I wish to suggest that social obligations exist in addition to the two obligations identified so far. Such obligations require individuals to critically assess the social structures they contribute to and to work with others to lessen any structural injustice.¹⁴

Individuals often cannot be held morally responsible for social structural injustice on the basis of their contribution to the social structures which contain these injustices. The connection in question is insufficient grounds for attributing blame or responsibility (Kahn 2011).¹⁵ However, such individuals should not be considered as innocent bystanders, with no relationship to the injustice in question. This means that those who contribute to a social structure which contains structural injustice cannot reasonably reject an additional demand to work towards the alleviation of the injustice, or so I will suggest.

Social structural injustices are systematic and widespread. This fact suggests that they require co-ordination between actors. It is unlikely that all such injustices can be avoided by following a publicly agreed set of norms for interactions. As Rawls' explains, background justice is eroded despite no one acting unfairly. Rawls insists that it is unlikely that there is a set of rules that can be applied to individual behaviour which can prevent the erosion of background justice and that if there is they would be excessively burdensome (1977, 160). Rawls suggests that in order to secure background justice we need regulating bodies charged with securing background justice. These bodies need to do more than

14] Young suggests that there is a forward looking shared responsibility which requires individuals who are socially connected to structural injustice to work together to lessen structural injustice (2011). There are problems with this way of conceiving of the obligation (Kahn 2011). My account of social obligation is similar to Young's. I do not detail the differences here. Rather I seek to provide additional arguments for social obligation which is distinct from obligations of non-harm and duties of aid.

15] However, a case could be made for attributing liability to those who causally contribute to a social structural injustice. Pasternak and Jubb set out how such an account could function and discuss liability for cumulative harm in their paper from the ECPR conference in Reykjavik (2011).

enforce norms governing interactions. They need to monitor structures for any systematic disadvantages and intervene to prevent them.

The fact that background justice cannot be secured through respecting the rights of others means that in addition to norms appraising how we directly treat each other we need norms appraising the social structures that result from the aggregate of these interactions. Young's theory suggests that justice and morality serve different functions. Norms of justice apply to social structures, whereas moral norms apply to the behaviour of agents (Young 2011, 65). Young's understanding of the relationship between moral obligations and demands of justice is thus opposed to that proposed by Nagel. Instead of justice naming a set of norms for the basic structure of a state, justice names a set of norms that bear on the social structures that emerge from human action and interaction. In agreeing with Young that there can be structural injustice I am not denying that there may be additional norms that restrict what governments, for example, may do. However, I am insisting that there are norms of justice that can be used to appraise social structures even in the absence of a government with effective control of those structures. In the account I support there can be unjust laws, institutional orders and social structures. It is possible that the norms for these three different sites could be different.

Returning to the question of structural injustice, we must consider how to connect structural injustice to obligations. If norms assessing social structures are to have any use to people we need to link them to obligations or responsibilities that fall on agents. If we do not do this then talk of structural injustice has no connection to actions or obligations and no hope of provoking agents into eradicating that injustice.

My discussion above suggests that if individuals are to ensure the results of their interactions are fair they need to do more than obey a simple set of moral norms governing their interactions with others. They need to do more than avoid lying, cheating and violating agreements. They additionally need to work to establish and maintain agencies that secure structural justice. If we are to live amongst each other in a fair and just manner we need to be living in conditions of background justice. If we wish to ensure that we treat others fairly we must live within conditions of structural justice. This is because if there are no institutions monitoring and regulating social structures then over time structural injustices can develop and background justice can be undermined. Young's and Rawls' ideas are significantly different in some respects. However, they share a common feature which is the idea that just refraining from harming others, respecting rights, and giving aid is insufficient, we also need to be concerned with the cumulative effect of actions and interactions.

However, it is not reasonable to require any individual to (try to) *ensure* social structural justice. This is beyond what an individual can guarantee. Instead we can posit that each individual has an obligation to make *reasonable efforts* to work with others in order to establish and maintain a just and legitimate system of regulation which prevents social structural injustice in those structures to which she contributes. My suggestion is that, just as one must ensure one's behaviour does not directly harm or disrespect others,

one has an obligation to do what can be reasonably expected to prevent one's actions from indirectly contributing to an unjust social structure.

The distinctive feature of my account is the claim that an agent A contributing to social structure X which features social structural injustice Y in its treatment of B, is grounds on which B can reasonably demand more of A in terms of preventing the continuance of Y. There may be a positive obligation for A to work towards the alleviation of injustice Y as an act of humanity fulfilling the general duty to promote the wellbeing of others when they suffer from deprivation and one can help without significantly worsening one's life (R. W. Miller 2010, 9-31). However, the fact that B's problem is an injustice in social structure Y to which A contributes provides grounds for B to legitimately demand more from A.¹⁶ Notice that if B also contributes to the social structure that places her in a position of structural injustice she too has an obligation to work towards the reform of that structure.

This proposed duty captures the popular ideal of 'social responsibility,' which suggests that individuals should take an interest in the justice of the social relations they help to reproduce. Social responsibility suggests that members of a society must take responsibility for the justice of their society and work towards lessening any injustice. The reason usually given for this demand is that one's society is in some sense one's business. My account gives a more fully worked out account of why we have social obligations. A commitment to social justice could help prevent the risk of great social injustice emerging from behaviour and action which is morally permissible when considered in isolation.¹⁷ This fact gives some reason in favour of establishing such a norm, because it is in the interests of mankind, as a means to ensuring conditions in which people can flourish.

The demand to work towards the establishment of morally-permissible ways to avoid structural injustice will probably require the establishment of administrating agencies of some kind where such agencies do not exist or lack the power or inclination to fulfil this role. Such agencies can coordinate human action by regulating behaviour and directly intervene to prevent injustice emerging. If such agencies are to be morally-permissible they must be legitimate and the institutional order they impose must be just. Establishing such agencies will require collective action and mobilising such collective action will require cooperating with others and campaigning to get more individuals to support and work towards establishing institutions or regulatory agencies.

The obligation I have outlined is unusual because it is an obligation to work towards the achievement of a collective project. It demands individuals pursue outcomes which they cannot individually guarantee. Moral analysis usually considers what an individual should

[16] This account is similarly to one that is sometimes suggested in Thomas Pogge's work. It may be that participating in the global economy constitutes contributing to the imposition of an unjust institutional order. If this is the case, then such participation violates a negative duty to refrain from harm unless individuals compensate by working towards reform of the global economic institutional order. I would not support such an account of the obligation for the reasons stated above in the discussion of Pogge's view.

[17] There would still be a humanitarian obligation to lessen structural injustice. However, I think this additional obligation also applies.

do out of the options available given background assumptions about what others are doing. Instead this moral demand obliges individuals to take actions to interact with others in an attempt to alter what they do: it asks individuals to take action with others in an attempt to alter the society that is the aggregate result of their actions and those of others.

Considering the possibility of taking action together allows us to imagine possibilities which are not available whilst we only consider what can be achieved through unilateral action. There has recently been a wealth of work concerning backward looking collective moral responsibility. This literature predominantly considers moral blame for collective acts (Isaacs 2011; Kutz 2000; May 1992). What I am proposing is a moral obligation to try to join with others and perform collective acts. Contemplating collective action allows us to consider new solutions to problems that result from the aggregation of multiple actions and institutions.

VII. GLOBAL POVERTY AND OBLIGATIONS TO ALLEVIATE STRUCTURAL INJUSTICE

Having sketched an understanding of injustice and obligations I will now conclude by briefly outlining how this approach can help us make progress in the global debate concerning obligations to alleviate global injustice in general and global poverty in particular.

Thomas Pogge in *World Poverty and Human Rights* outlines in detail the plight of people living in difficult conditions: these people lack secure access to adequate nutrition, housing, health care and education (2005). Pogge aims to explain this situation as unjust rather than simply unfortunate. The power of this change in perspective is to convince people to stop considering famine as a misfortune requiring aid and to start think of it as an injustice requiring social and political change. Young's theory offers an alternative way to understand the plight of these people. These individuals are systematically placed in a position where they are vulnerable to deprivation and domination relative to others. These positions are part of a social structure which is the cumulative result of various human actions and institutions.

In the modern world many people are placed in positions of vulnerability to deprivation as a result of a range of sources which include global factors. There are global formal legal, political and economic institutions like the United Nations, International Criminal Court, World Bank and International Monetary Fund. Voluntary associations like the World Trade Organisation have been established (Pogge 2010, 14). These associations provide norms for trade and attach significant advantages to members and disadvantages to non-members. National economies and financial markets have become increasingly interdependent. Trends, laws and acts of government in one state can have a pervasive impact on conditions abroad. The latest evidence of this can be seen by the effects of the latest global financial crisis which have reverberated across the world. In the modern world there are transnational corporations that operate in multiple territories and link the fates of people in distant communities. These companies' policies have a huge impact on

the lives of their employees and the economies in which they choose to operate. Consumer habits, worker's rights and tax regimes in one state can have an impact on the life prospects of agents in other states. More informally, global communications technology has allowed global trends and fashions to develop. One result of these changes is that trends, patterns and laws in one state can contribute to instances of structural injustice in another state. The integration and interdependence created by these factors means that individuals living in one state can contribute to social structural positions in other states. From this it follows that there can be obligations to lessen vulnerability to deprivation and domination in country A which fall on agents in country B. This means that we cannot treat states as if they contain discrete social structures and we cannot assume that individuals only need be concerned with local social structures.

In order to show how a social structural account can help us understand distant poverty and obligations it may be helpful to consider one example of structural vulnerability to poverty and consider who has social obligation to alleviate that injustice by regulating or otherwise altering the social structure in question. In *Responsibility for Justice* Young describes the circumstances faced by workers in the global apparel industry (Young 2011, 125-35). Considering the position these workers find themselves in can help show how an understanding of structural injustice can assist the global justice debate. The social position inhabited by those working in factories to produce garments for the global apparel industry is one of extreme vulnerability to deprivation and domination (both relatively speaking and in absolute terms). These people (predominantly young women) lack other reputable employment options. This means they are wise to continue in their factory work no matter what conditions are imposed. They are unlikely to be protected by their government because bringing in regulations to improve pay and conditions is likely to result in the work being relocated to other states. Global competition for manufacturing contracts drives down wages and conditions. In this industry violence and intimidation is regularly used against those who seek to collectively bargain or form unions. These conditions are consistent across much of the global south, where many countries rely on external investment to provide jobs. The position such countries find themselves in means that they often cannot take unilateral action to improve conditions for their apparel workers without radically increasing unemployment and poverty (Young 2011, 126-34).

Young's analysis suggests that we understand the plight of these garment workers as a form of structural injustice. The structure in question is made up of national, global and transnational factors (or social structural processes as she calls them). This means that we cannot isolate particular global formal institutions or national governments as causally responsible for the position workers find themselves in. However, we can still identify the poverty of these workers as an injustice which should be alleviated. Many of the relevant factors are contributed to by individuals around the world. According to the theory I have proposed here, these individuals have an obligation to work with others to alter the social structure so as to remove the injustice by trying to establish effective and legitimate

ways to regulate global social structures.¹⁸ Individuals could discharge this obligation in a number of ways.

One way to do this may be to campaign for global regulation or international collective agreements that can enable state governments to effectively regulate internal social structures. Individuals could also work with others to build collective action networks and attempt to directly alter social structures through changing norms. Arguably this is what organisations that promote fair-trade or boycotts of particularly exploitative companies are attempting to do. Trade unions could also play a significant role in forcing better pay and conditions for those who work in the apparel industry.

Possible routes an individual trying to discharge their obligation could take include: campaigning for global minimum labour standards, lobbying politicians for legal changes and joining or showing solidarity with trade unions fighting for global reform. Individuals could also support alternative clothing networks which provide decently paid labour in good conditions as a means to demonstrating the effectiveness of different ways of organising the global economy. They could also draw attention to the problem and try to directly improve conditions by campaigning outside shops that use sweat shop labour.

The conception of injustice and corresponding moral obligation I have outlined oblige people to monitor their social structures and work towards the alleviation of any structural injustice within them. I am not suggesting that structural injustice is the only form of global injustice. Nor am I proposing that the obligations to assess one's social structures and work with others to lessen structural injustice is the only obligation people have in relation to global economic justice. I have argued that structural injustice is *one* sort of injustice that individuals can experience. I have stated that the obligation I propose can fit alongside positive humanity based obligations to promote justice and negative obligations to refrain from imposing sufficiently unjust institutional orders on others. I have not had room to address the various possible objections to the account I have proposed or to clarify the details of that account. If such an account is to be plausible more must be said to justify the reasonableness of the proposed obligation. In addition, more needs to be done to show that it is intuitively plausible that contribution to a problem can ground an additional obligation to work towards overcoming it. My aim in this paper has been to show how a structural approach to global economic injustice and obligation can help us to understand the obligations the affluent have in relation to global poverty.

ek579@york.ac.uk

REFERENCES

Barry, Brian. 1991. *Humanity and Justice in the Global Perspective*. In *Liberty and Justice: Essays in Political Theory Volume 2*. Oxford: Oxford University Press.

¹⁸ They also have an obligation to inform themselves on the justice of their social structures and consider any claims of structural injustice made by others.

- Caney, Simon. 2011. Humanity, Associations, and Global Justice: in Defence of Humanity-Centred Cosmopolitan Egalitarianism. *The Monist* 94 (4):506-34.
- . 2005. *Justice Beyond Borders: A Global Political Theory*. Oxford: Oxford University Press.
- Chandhoke, Neera. 2010. How Much Is Enough, Mr Thomas? How Much Will Ever Be Enough?. In *Thomas Pogge and his critics*, by Alison M. Jagger, 66-83. Cambridge: Polity Press.
- Chen, Shaohua, and Ravallion, Martin. 2012. An Update to the World Bank's Estimates of Consumption Poverty in the Developing World. Development Research Group, World Bank. http://siteresources.worldbank.org/INTPOVCALNET/Resources/Global_Poverty_Update_2012_02-29-12.pdf (accessed December 5th, 2012).
- Davies, James, Susanna Sandstrom, Anthony Shorrocks, and Edward Wolff. 2007. *The World Distribution of Household Wealth*. Commissioned Papers, Center for Global, International and Regional Studies, University of California Santa Cruz, Santa Cruz: Mapping Global Inequalities, Center for Global, International and Regional Studies, UC Santa Cruz.
- Dworkin. 2000. *Sovereign Virtue*. Cambridge, Mass: Harvard University Press.
- Forst, Rainer. 2007. Radical Justice: On Iris Marion Young's Critique of the 'Distributive Paradigm'. *Constellations* 14 (2): 260-65.
- Hourdequin, Marion. 2010. Climate, Collective Action and Individual Ethical Obligations. *Environmental Values* (The White Horse Press) 19: 443-64.
- Isaacs, Tracy. 2011. *Moral Responsibility in Collective Contexts*. Oxford: Oxford University Press.
- Johnson, Baylor L. 2003. Ethical Obligations in a Tragedy of the Commons. *Environmental Values* (White Horse Press) 12 (3) : 271-87.
- Kahn, Elizabeth. 2011. Complicity and Obligations to Reform the Global Economic Order. *ECPRnet*. ECPR General Conference Reykjavik. <http://www.ecprnet.eu/MyECPR/proposals/reykjavik/uploads/papers/2582.pdf> (accessed July 27, 2012).
- Kuper, Andrew. 2002. More than Charity: Cosmopolitan Alternatives to the 'Singer Solution'. *Ethics and International Affairs* 16 (2): 107-28.
- Kutz, Christopher. 2000. *Complicity: Ethics in a Global Age*. Cambridge: Cambridge University Press.
- May, Larry. 1992. *Sharing Responsibility*. Chicago: University of Chicago Press.
- Lee, Marlene, ed. 2008. *Population Bulletin* 63 (3). <http://www.prb.org/pdf08/63.3highlights.pdf> (accessed December 5th, 2012).
- Miller, David. 2007. *National Responsibility and Global Justice*. Oxford: Oxford University Press.
- Miller, Richard W. 2010. *The Ethics of Poverty and Power*. Oxford: Oxford University Press..
- Nagel, Thomas. 2005. The Problem Of Global Justice." *Philosophy & Public Affairs* 33 (2): 113-47.
- Nozick, Robert. 1974. *Anarchy, State and Utopia*. Malden MA: Blackwell.
- O'Neil, Onora. 1986. *Faces of Hunger: An Essay on Poverty, Justice and Development*. London: Allen and Unwin.
- Pasternak, Avia. 2011. Sharing the Costs of Political Injustice. *Politics, Philosophy and Economics* 10 (2): 188-210.
- . 2011 The Collective Responsibility of Democratic Publics." *Canadian Journal of Philosophy* 41 (1): 99-124.
- Pasternak, Avia, and Rob Jubb. 2011. Complicity in Collective Wrongs: Contribution versus Participation. *ECPRnet*. ECPR General Conference Reykjavik. <http://www.ecprnet.eu/MyECPR/proposals/reykjavik/uploads/papers/3442.pdf> (accessed July 27th, 2012).
- Pogge, Thomas. 2010. *Politics as Usual*. Cambridge: Polity Press.
- . 2005. Review of Justice Beyond Borders: a Global Political Theory by Simon Caney. *Ethics and International Affairs* 19 (3): 101-3.
- . 1989. *Realizing Rawls*. Ithica: Cornell University Press.

- . 2005. World Poverty and Human Rights. *Ethics and International Affairs* 19 (1): 1-7.
- Rawls, John. 1971. *A Theory of Justice*. Oxford: Oxford University Press.
- . 1977. The Basic Structure as Subject. *American Philosophical Quarterly* 14 (2): 159-65.
- Ronzoni, Miriam. 2009. The Global Order: A Case of Background Injustice? A Practice Dependent Account. *Philosophy & Public Affairs* 37 (3): 229-56.
- Sen, Amartya. 1981. *Poverty and Famines: an Essay on Entitlement*. Oxford: Clarendon Press.
- Shklar, Judith. 1990. *The Faces of Injustice*. New Haven: Yale University Press.
- Singer, Peter. 1972. Famine, Affluence, and Morality. *Philosophy and Public Affairs* 1 (1): 229-43.
- Textile, Garment, and Leather Workers' Federation International. 2011. An Overview of Working Conditions in Sports Wear Factories in Indonesia, Sri Lanka and the Philipines. <http://www.itglwf.org/lang/en/documents/ITGLWFsportsweareport2011.pdf> (accessed August 1st, 2012).
2003. World Development Report. <http://siteresources.worldbank.org/DEC/Resources/eiaSEA.pdf> (accessed August 1st, 2012).
- Young, Iris. 1990. *Justice and the Politics of Difference*. Princeton: Princeton University Press.
- . 2011. *Responsibility for Justice*. Oxford: Oxford University Press.