GLOBAL JUSTICE AS MORAL ISSUE

Interviewing THOMAS POGGE

by Alessandro Pinzani

ethic@ - Would you please introduce yourself to the readers of ethic@ and tell us why you choose to study philosophy and which your main interests in it are?

Pogge - I am a German citizen who has been living in the United States since 1977. My strong interest in politics and justice was formed early through confrontation with the horrendous crimes of the Nazi period and then of the US war in Vietnam. Still in Germany, I completed a diploma in sociology (writing a thesis mainly about Habermas) and then went to Harvard as a visiting student in philosophy. Much impressed with what was then a peerless department (with Quine, Goodman, Rawls, Putnam, Nozick, Dreben, Cavell, Nussbaum, and Goldfarb among others) and still is an outstanding university, I managed to win a place there as a graduate student. After a first year mainly focused on Wittgenstein, I worked with and on Rawls for the remaining four, completing the PhD with a thesis on Kant, Rawls, and Global Justice.

The US philosophy job market was awful in 1982-3, but I decided to give it a shot anyway. My 14 applications yielded six interviews at the APA convention, but five of the prospective employers sent me a quick rejection. I was extremely lucky with the sixth. A female assistant professor had quit her job at Columbia University just that year in order to attend Harvard Law School. The department was keen to replace her with another woman philosopher, but nonetheless invited me as the only male in five for an on-campus lecture and look-over. Christine Korsgaard was ranked ahead of me, but she also had an offer from the University of Chicago and accepted that instead. I got the call the same day she declined, followed by a big hug from Nozick and champaign from my fellow students. I decided to stay in the US and drove my meager possessions down to New York in a small truck. I´ve been at Columbia ever since, though interrupted by various leaves in Oxford, Princeton, Washington, Cambridge (Massachusetts) and Canberra.

From the beginning, a key motivation for wanting to spend time in the US was better to understand, and perhaps then to influence, the self-conception of its citizens. I found it puzzling that a population that makes more of its moral and religious values than most others would support the often quite selfish and sometimes even brutal foreign policies of successive US governments. Rawls´s work seemed ideally suited for this project. It provided a highly articulate and widely celebrated conception of domestic justice that could perhaps be elaborated to yield a conception of global justice that would give Rawls´s compatriots an attractive basis for assessing and criticizing the foreign policies prosecuted in their name. So Rawls´s writings were a central focus of my philosophical work until about 1994.

The end of this period was brought on in part by my failure to convince Rawls that the global institutional order, and the global economic order in particular, should be treated on a par with the domestic one, that is, should be assessed in terms of its distributional effects. Rawls strongly resisted this analogy. He was committed to the view that the domestic institutional order is unjust if it avoidably produces more severe poverty than is reasonably avoidable, but wanted to deny that a global order that foreseeably and avoidably produces extreme poverty on a massive scale is unjust. Such extreme poverty abroad, he thought, should be taken care of through a merely positive duty of assistance owed to countries that, but for their poverty, would be well-ordered. I did not convince Rawls, but I did help motivate him, I think, to devote the least few years of his life to developing his own account of global justice (*The Law of Peoples*).

Even more important than my failure to convince Rawls was my realization that his theory is unworkable even in the domestic case by doing violence to considered judgments deeply entrenched among his compatriots and the populations of the developed West more generally.

From that time on, I have worked on developing an independent approach to the key questions of global

justice, focusing especially, lately, on the structure of the world economy and, more specifically, on harmful structural features whose reform may be politically realistic.

Besides this main area of global justice, I have regularly taught and published in moral philosophy and also in the history of philosophy as well, with Kant as the major figure.

ethic@ - Much of your work is focused on the issue of global justice: on the inequality of wealth and income, on the gap between "rich" and "poor" countries. In your argumentation you use classical philosophical concepts such as "negative vs. positive duties". How do you apply them in order to advocate the necessity of fighting global server poverty?

Pogge - Thinking about justice is often divided into two domains: international and intra-national. In the first domain, people think in interactional terms about the rules that states ought to obey in their conduct. In the second domain, the question is to what extent the rules according to which each state is organized are producing certain harms or benefits for the population. This institutional analysis, which is commonplace intra-nationally, is one that I want to carry to the global level.

The global economic order as we now have it consists of a very large set of rules. By analyzing severe poverty and premature deaths both institutionally and on the global level, we can trace back their overall incidence to the relevant institutional rules, such as the evolving system of amazingly detailed treaties and conventions structuring the world economy, regulating trade (WTO), investments, loans, patents, copyrights, trademarks, double taxation, labor standards, environmental protection, and much else. Responsibility for these rules lies primarily with the governments of the more powerful countries which, in international negotiations, enjoy a huge advantage in bargaining power and expertise. Their negotiators have succeeded, again and again, in shaping the rules in the interest of the governments, corporations and citizens of the rich countries. In many cases, rules so shaped foreseeably inflict great harms upon the global poor — harms that one can estimate at least in general statistical terms. Seeing that our wealthy countries are at least approximately democratic, we citizens certainly share responsibility for the rules our governments negotiate in our name and for the human cost these rules impose around the world.

But there are also less obvious rules that have a tremendous negative effect on living conditions in the poor countries. Take the international resource and borrowing privileges, which allow any person or group holding effective power in a developing country to sell the resources of the country or to borrow in its name, irrespective of whether that person or group has any kind of democratic legitimacy. (I skip here two further, complementary privileges related to arms and treaties: Any person or group holding effective power in a developing country is recognized as entitled to purchase weapons – most often used for domestic repression – and as entitled to sign treaties in the name of the whole country.) These privileges are very convenient for the rich countries who can buy resources from anybody who happens to exercise power in a country. However, they are devastating for the populations of the developing countries because they make it possible for oppressive and unrepresentative rulers to entrench themselves with arms and soldiers they buy with money they borrow abroad or get from resource sales. These privileges also provide incentives for potential strongmen in these countries to take power by force. Their existence explains to a large extent why there are so many civil wars and coups d'état in the developing countries, in particular in Africa. This is an example of how the international order, largely upheld by the rich countries, aggravates oppression and poverty in the poor countries. Therefore, we should not only think about how states ought to behave in their interactions with one another. We should also consider the framework of global rules and what effects this framework has on phenomena such as poverty.

Now, there is a very old and conventional distinction in moral philosophy between positive and negative duties. When the conduct of one person is causally related to the fate of another person, then philosophers distinguish between two different ways in which that relation might exist. In the first case, a person actively does something that causes harm to another person. In the second case, a person merely fails to do something he could have done to prevent something bad from happening to the other person. For example, you might throw a baby into the water and as a consequence the baby drowns, or you might fail to rescue a baby already in the water with the result that this baby dies. Philosophers believe that

this distinction between the negative duty not to harm and the positive duty to help is morally significant. In the context of understanding what human rights are it is a very important distinction. In my view, somebody is a human rights violator only when he or she actively harms others or contributes to harming them. Human rights, this very minimal notion of what human beings owe one another, do not require that people benefit or rescue or protect each other. They merely require that we not harm others. However, with regard to poverty, even this very minimal demand is arguably widely unfulfilled today, since the rich countries and their citizens collectively harm many in the poor countries through the global economic order they impose.

ethic@ - The issue of global justice is perceived by many people as being strictly connected to globalization. Other people observe that world poverty is not a new phenomenon, and they rather point out to the positive aspects of globalization in permitting a re-distribution of wealth through the re-location of jobs. Is a TNC which is closing a factory in Germany to re-open it in Indonesia, re-distributing wealth, even if indirectly and by exploiting workers in sweatshops? Or is it just creating poverty by creating unemployment in rich countries?

Pogge - Globalization is not one particular homogeneous phenomenon. There are many different ways in which globalization can proceed if we understand globalization as increased economic and political integration of the world. The way globalization has actually been steered for the last 15 years has been much worse than it could have been from a poverty perspective. Open markets could have been created with far fewer grandfathering and other rules favouring the rich countries. Out of the various paths of globalization that were available, the chosen one foreseeably produced much more severe poverty than necessary.

The proponents of globalization are right that sweatshop wages are better than no wages at all, and the opponents of globalization, too, are right that a world so rich in aggregate must not be organized to provide sweatshop work (or worse: prostitution, mining, carpet manufacture — so often forced upon children and teenagers) as the best option available to many. In general, it is a mistake, I think, to make globalization the key issue. Massive and severe poverty can persist (and has persisted) without globalization, and the eradication of such poverty is perfectly compatible with globalization. Over the period since the end of the Cold War, our governments have again and again, for the sake of small gains, shaped and reshaped the rules of the world economy to the disadvantage of the global poor. They force poor countries to open their markets while sheltering their own markets from cheap agricultural and textile imports. They sell weapons to the most barbarous tyrants and rebel movements. They have used their increased power after the collapse of the Soviet empire to renegotiate the sharing of seabed resources out of the Law of the Seas Treaty. They have dramatically lowered their official development assistance from 0.33 percent of their aggregate GNP down to 0.22 percent in less than a decade — even while the end of the Cold War is presenting them with a 1.9-percent peace dividend. None of this is an integral part of globalization as such. It is part of one particular and especially brutal path of globalization which our governments, ruthlessly exploiting our superior bargaining power, are choosing to impose. These governments are acting in our name, and perhaps even in our best interest, in a narrow sense of this phrase. But their strategy has the foreseeable result that global economic growth is not improving the condition of the global poor. Headcounts for severe poverty (1,100 million) and malnutrition (831 million) are stagnant — despite a grandiose promise at the 1996 Rome World Food Summit to halve these figures within 19 years, a promise that has since been dramatically diluted in the formulation of the first Millennium Development Goal. And one third of all human deaths, some 18 million annually, are still due to poverty-related causes. This was and is avoidable, and cheaply so: One percent of aggregate income in the rich countries (containing under 1,000 million people) is equivalent to over 50 percent of aggregate income of the poorest half of humankind (about 3,250 million people).

ethic@ - What do you think of the Tobin Tax, of the idea of a Global Basic Income, and of the remission of the international debt for the poorest countries?

Pogge - Nearly all economists, including many former supporters, now claim that the Tobin Tax could be circumvented and would thus not serve

either of its two purposes well. This claim is endlessly repeated in the financial media with much polemics, little argument and no space given to ideas about how the compliance problem might be solved. This universal rejection among the experts seems to have more to do with career pressures than with a sober assessment of the pros and cons. It is in any case rather disingenuous to blame the unfeasibility of the Tobin Tax on the possibility of a few noncompliant tax havens when nearly all rich countries are refusing to go along. If they supported the Tobin Tax, they could do a great deal to discourage circumvention: Major players — corporations, banks and hedge funds — are unlikely to break the laws of countries on which they depend for customers and legal protection merely to avoid a small fee on foreign exchange transactions.

Yet, even if the Tobin Tax were really unworkable, there are plausible alternative specifications of the same basic idea. In 1994, I proposed (first in the Brazilian journal Lua Nova) a Global Resources Dividend through which those who extract natural resources or discharge pollutants compensate for their devaluation of our planet. Like the Tobin Tax, such a GRD would have two purposes, on the revenue and expenditure sides: to slow resource depletion and pollution, and to raise funds — about US$350 billion or one percent of the global product — for poverty eradication.

Something like a Global Basic Income may well be part of the best plan for using funds raised through a Tobin Tax or GRD toward poverty eradication. Given the enormity of international economic inequality, one might however want to depart, at least initially, from the conventional conception of basic income as unconditional (i.e., not needs-tested) so as to better protect the bottom half of humankind, who live on under $200 per person per year on average and would gain much more in economic security than affluent people from each extra dollar. A basic income in poor countries has two attractive features: The poor would decide for themselves how to prioritize their various needs. And the additional spending generated would be largely local, creating a multiplier effect as new demand for food, housing, etc., would raise local employment and wage levels. Still, I see basic income as just one component of a comprehensive poverty eradication program. There should also be infrastructure projects on which it is difficult and expensive for the poor to coordinate: wells, hospitals, schools, banks (microcredit), power and sewage systems, road, rail and communication links. Funds for such projects could be competitively allocated to governments, corporations and NGO's on the basis of the quality and efficiency of their past work. Most importantly, the rules governing international markets must be reformed to take account of the interests of the global poor.

ethic@ - The international organizations which should fight world poverty seem to be in a difficult situation. The United Nations seem to have lost their moral leading role after the events prior to the Iraqi War showed their basic impotence towards the politics of powerful nations. The World Bank and the IMF are controlled by those countries which would have everything to lose from the remission of the international debt. In the so-called "developing" countries a huge frustration is mounting against these organizations. On the other hand: who else could undertake concrete measures against poverty?

Pogge - Of course the UN, World Bank, and IMF should work to reduce poverty. But for now these organizations are counterproductive by creating the false public appearance of concern and commitment. The UN, for example, has managed to dilute the grand goal of "reducing the number of undernourished people to half their present level no later than 2015" (World Food Summit in Rome, 1996) to the rather less ambitious goal to reduce the number of extremely poor people by 19 percent in the same 19-year period (first Millennium Development Goal, calling for a 50-percent reduction, between *1990* and 2015, in the *proportion* of extremely poor people understood as their percentage of the total population of the developing countries). And the World Bank has practiced a poverty measurement methodology so severely lacking in internal robustness and reliability that we still have no clear idea about the level, geographical distribution, and trend of severe poverty worldwide. Because the practices of these intergovernmental organizations do not change in response to arguments, they need to be changed politically. Citizens of the wealthier countries are best positioned to do this by exerting pressure on their governments which, together, shape the policies of the UN and its subsidiary organizations. Alternatively, such citizens could also help empower alternative organizations. The task of poverty measurement

might well be performed by a non-governmental agency, rather than by the World Bank whose policies are judged by the trend figures it itself produces. And the task of eradicating poverty might be coordinated, better than by the UN, by a consortium of willing states (clustered around the EU and Canada, perhaps). Once such a consortium of states would show genuine commitment and take effective steps toward poverty eradication, public pressure to join might well mount in other rich states, even in the US. But really – and this is the amazing thing about global poverty – whereas the problem is so huge that it kills one third of all human beings or 18 million each year, the same problem is also so small that it can comfortably be solved without the US and without Japan. The rich countries currently spend about US$6 billion annually on official development assistance on meeting basic needs ("ODA for basic social services"). A serious effort against poverty and its associated diseases would cost 20 to 50 times as much (some of this in additional aid, but much also in foregone unjust gains the affluent countries now derive from unfair trading practices and unjust monopoly rents on their "intellectual property" in essential medicines, seeds, and so on). The collective gross national incomes (GNIs) of the affluent countries sum to something like $28,000 billion. This reduces to roughly half if the US and Japan are taken out. That is still more than enough to underwrite a serious $100 billion or $200 billion poverty eradication campaign. All that´s missing is the political will in these countries to raise official development assistance to the long-promised 0.7-percent of GNI level and, even more importantly, to spend this money on effective poverty eradication alone, unperturbed by the selfish political and commercial interests that currently dominate decisions about ODA allocations.

ethic@ - Do you think it is morally legitimate, that countries like Brazil break the international laws concerning intellectual property in order to aid their population by producing low cost drugs, particularly to fight AIDS? By reverse: Do you think it is morally legitimate to cover life-saving drugs with such laws? Some TNCs are even copyrighting plants and life forms in general: is that legitimate? Do foreign countries (particularly poor countries) have a moral right not to recognize these copyrights?

Pogge - Under the present regime - the TRIPs (Trade-Related Aspects of Intellectual Property Rights) Agreement, as complemented by bilateral treaties - we grant inventors temporary monopolies on their inventions, typically for 20 years from the time of filing a patent application. With competitors barred from copying and selling any newly invented drug during this period, the inventor firm can sell it at the profit-maximizing monopoly price far above its cost of production. This way, the inventor firm can recoup its research and overhead expenses, plus some of the cost of its other research efforts that failed to bear fruit.

This solution solves one market failure (undersupply of medical innovation in a free market). But its monopoly feature creates another: during the patent's duration, the profit-maximizing sale price of the new medical intervention is typically many times greater than the drug's cost of production. This large differential is socially harmful by causing a "deadweight loss": It precludes mutually beneficial sales to patients who are willing and able to pay more than the cost of production but not the much higher monopoly price.

There is a further problem inherent in the current regime. Inventor firms have incentives to try to develop a new medical intervention only if the expected value of the temporary monopoly pricing power they might gain, discounted by the probability of failure, is greater than the full development and patenting costs. They have no incentives, then, to try to develop any intervention needed by those unable to afford it at a price far above its cost of production.

Consequently, many diseases mainly affecting the poor (for which medical interventions priced far above production cost could be sold only in small quantities) remain unaddressed. Of the 1,393 new drugs approved between 1975 and 1999, only 13 were specifically indicated for tropical diseases. And of these 13, 2 were commissioned by the military and another 5 were byproducts of veterinary research.

The solution I propose would add a second scheme of rewards. Pharmaceutical innovators would have the option to forego the conventional patent and to claim instead an alternative patent that would reward them, out of public funds, in proportion to the health impact of their invention. By offering such alternative multi-year patents, we would be

stimulating additional pharmaceutical research especially into serious diseases that are common among the global poor.

This reform would encourage inventor firms to develop the most cost-effective medical interventions and to ensure that their innovations have maximum health impact. Specifically, such firms would have incentives to address the diseases that contribute most to the global disease burden. They would have incentives to prioritise prevention over treatment. (The conventional patent system has the opposite effect, with new treatments offering much greater profit opportunities than new vaccines.) They would have incentives to ensure that patients have the knowledge and motivation to use their medicines to optimal effect. Any inventor firm would have incentives to sell its new medicines cheaply, often even below production cost, so as to achieve health improvements even among the very poor.

ethic@ - Do you see any chance of solving the problem of global justice and of severe poverty? Which role should or could philosophers play?

Pogge - It does not seem likely that we will ever overcome domination based on violence and the threat thereof. There is a better chance that massive and severe poverty will once be a thing of the past. But how many human beings will our unjust economic arrangements kill in the meantime? Currently they produce some 50,000 premature deaths from poverty-related causes every day.

As for the role of the political philosopher: 'Philosophy' means 'love of wisdom,' and wisdom, one might say, is understanding what matters. For many contemporaries, including philosophers, the question what matters boils down to what we care about. This is a paradoxical reduction, because people — initially, certainly, when they begin their adult lives — care deeply that what they care about should be *worth* caring about. Philosophers have not been much help, lately, in giving us ways of evaluating and critically modifying what we care about. Many have rejected the very search for such standards as inseparably tied to an outdated metaphysics or as incompatible with the pluralism of multicultural societies. And some have then seen it as their task to cure us of the ambition that their reductionism presents as incapable of fulfillment.

What we should expect from philosophers is that they will once more have interesting things to say about what matters and, specifically, about what matters morally. When they will, they may well contribute substantially to the movement toward global justice — by being society's gadfly or conscience if you prefer. This will require work not merely in moral or even political philosophy proper, but also work in economics, health policy, political science, history and the law, because any truly adequate treatment of global justice requires a great deal of knowledge of facts, causalities and historical-political possibilities. In doing this sort of transdisciplinary thinking, political philosophers have, for now, one great advantage over professionals in those other fields, economics and political science especially, where pressures toward conformity are so much greater. Political philosophers know that, no matter what they say, they will neither be offered consultancies, overpaid stints at the World Bank or IMF, pages in the *Economist*, nor be completely shunned by their peers for challenging the reigning orthodoxy. (I have been amazed to find how strong such pressures are in academic economics and how much of the production in that field therefore works backward: from the desired conclusions to the supporting arguments.) So long as political philosophy remains marginal, the pressures toward conformity are not too great and, in any case, partly compensated by there also being, in academic philosophy, a good bit of cheer for the outliers, oddballs, eccentrics and underdogs. Thus, I expect more good, unbiased, multidisciplinary work on global justice issues from the present generation of young political philosophers than from the academics in the other relevant disciplines. I know a fair number of them and am quite impressed by their willingness to learn what they need to know and to think on their own.