

THOMAS POGGE'S NOTION OF GLOBAL JUSTICE REASSESSED

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Abstract

*Thomas Pogge in his work *World Poverty and Human Rights* created theories driven by human rights to center on negative rights and duties of the avoidance of harm. Pogge's theory of global justice is developed on a minimalist account of what it means to harm. He shares the view that violation of the negative duty not to harm constitutes an injustice. This injustice is done against the citizens of worse-off countries by the global institutional order. Citizens of well-off countries are carrying out injustice by harming the worse-off of the society through the imposition of a global order that avoidably creates human rights deficits without appropriate compensation or reform to policies. It is on this note, Pogge proposed the disbursement of global wealth, to the worse-off countries and their citizens. Consequently, the goal of this paper is to critically examine Pogge's proposal of global wealth distribution to the worse-off of the world and suggest alternative solution to the challenge of extreme poverty in a country like Nigeria. This paper establishes that Pogge's proposal is not plausible if applied to the Nigerian state. This is because it runs contrary to the theory of productive justice which holds that resources to be distributed to the global poor should first be produced by everyone in order to ensure equity and fairness amongst all instead of violating the rights of entitlement of those who have produced the available resources. Also, the paper argues that the major cause of extreme poverty in the world is domestically created rather than international. The paper concludes that, in order to deal with high level of poverty in Nigeria and make the Nigerian state more productive there is need for the fusion of political transparency and accountability and economic diversification solutions to tackle the domestic causes of severe poverty in Nigeria. The expository and critical analytic methods of philosophical inquiry are adopted.*

Keywords Global Justice, Global Resource Dividend, Negative Rights, Transparency.

Introduction

Twenty first century has witnessed tremendous growth in global interaction in all facets of human endeavours. This has been facilitated by growth in communication, transportation and technology. Ideally, the level of growth in global interdependence and network in the world is meant to bring about better and good standard of living for over 8 billion people estimated by Worldometer to be living in this planet earth Worldometer, 2022, para. 6 but the opposite is the case. More than 95 million people are estimated to be living in extreme poverty worldwide SDG Indicators, 2022, para.1 and in 2022 Nigeria ranks the highest as the poverty capital of the world with a staggering figure of 133 million people Tunji, 2022, para.1. Hence, Pogge in his work entitled “World Poverty and Human Rights” traced extreme global poverty and inequality to the actions of the developed countries in the world and the kleptocratic leaders in third world countries. According to Pogge, the new economic global order is considered too harsh on the global poor. He stressed that the new economic global order is made in such a way that negotiators from first world countries use their superior bargaining skills to exploit the third world countries' weaknesses, ignorance and corrupt nature. However, these first world countries make concessions to themselves in their agreements to their own benefit. At the end, 75% of the benefits of global economic growth are taken by those developed countries. Consequently, Pogge proposes that a cosmopolitan solution should be made to address global economic poverty. He calls this proposal Global Resources Dividend GRD. Pogge's 2002 GRD holds that states and their governments shall not have absolute “libertarian property rights with respect to the natural resources in their territory, but can be required to share a small part of the value of any resources they decide to use or sell. This payment they must make is called a dividend because it is based on the idea that the global poor own an inalienable stake in all limited natural resources”p. 196. As a result of this, this paper will take a critical look at the claims of Pogge and how it will help in reducing global extreme poverty. At this point, the paper turns its focus to Pogge's view on global justice and his proposal to global injustice.

Thomas Pogge on Global Justice

Thomas Pogge's notion of global justice is created around severe poverty status of the worse-off of the society. Pogge 2002 demonstrates a pathetic image of how the global poor lack access to the basic necessities of life like food, shelter, water, medical care and other things. This lack of access to the basic necessities of life amounts to what he calls severe poverty which is an injustice which is foreseeable and avoidable. By implication, justice for him is when the global poor have access to the basic necessities of life. This idea is one which he adopted from Rawls' first principle of justice which advocates for equal rights and responsibility pp. 60-378. Pogge 2002 proposed a global resource tax (GRT) notwithstanding the fact that every country is the sole owner of the natural resources in their environment. By the creation of the GRT every country will be obliged to pay tax on every extraction of resources they make and if the country uses the resources extracted the country has to pay tax for what they consume or sell p.196. If the country decides to sell some to other countries, the tax load has to be shared between them by way

of selling their resources with higher prices to such countries. On this note, the GRT is a consumption tax of the world natural resources Pogge, 2002, p. 196.

Pogge insists that companies who do the business of mining and exploration of natural resources should be made to pay their taxes to their government which will later transfer the proceeds of the tax to the countries which need assistance in order to help the poor people globally. The tax payment is not what is to be done as charity to the global poor; rather it is an obligation that has to be fulfilled to the globally disadvantaged individuals. For Pogge, honest countries can take responsibility in the distribution or disbursement of the funds or nongovernmental organizations should take up the duty or agencies of United Nations should disburse the fund to the benefit of the poor and worse-off of the society. Pogge added, if wealthy countries would not benevolently pay their tax, or because of shame of being exposed or sense of justice international sanctions would be placed on them.

Critique of Thomas Pogge's Notion of Global Justice

Having gone thus far in presenting Thomas Pogge's view on global justice, it is appropriate at this juncture to make a critical analysis of his views and it would be done part by part. This will enable us to discern whether or not his polemical venture is worthwhile. The first part of his views to be critically analyzed would be his view on the international causes of extreme poverty.

Pogge's focus on International Causes of Severe Poverty

The questions that readily come to mind when examining Pogge's claim that the global institutional order contributes to the harm done to the global poor are: Does the international global order really cause harm to the global poor? If it does cause harm to the global poor, to what extent can the global institutional order be held responsible for causing harm to the global poor? Do the affluent countries cause the global poor any harm? What is the role of the global poor in the predicament they find themselves? These are some of the questions our analysis would be based on.

There is no doubt that the global institutional order has some share in the predicament or condition which the global poor find themselves which is due to the consequence of the unjust policies put in place by these institutions in favour of wealthy countries. Based on this, Pogge can be said to be correct but not to the extent of putting the major part of the blame of the poverty condition of the global poor on the global institutional order or wealthy countries. Seeing the global institutional order as the major cause of global poverty seems ridiculous in a way. If it is really the major cause of global poverty what can be said of other poor countries that made it out of the same level of poverty with other countries under the same global institutional order? Countries in the Asian world which are referred to as Asian Tigers are perfect examples which show that Pogge's argument does not have a strong footing.

Another perspective one could look at Pogge's claim of the global institutional order as harming the global poor is to compare the status of the global poor under this current global institutional order and before the global institutional order came into existence. If

we take the baseline of the status of the poor in the past hundred or hundred and fifty years when the international global order was not yet in existence and compare it with the status of the global poor in this period, one will see that there is a great improvement in the poverty level of the global poor in the present than it used to be. It could be said that things are not perfect but better than what it used to be. Mathias Risse thoughts are in inline with this opinion expressed above. Risse tries to show that the global order does not harm the poor if one adopts those baselines of comparison that Pogge has suggested. Contrary to what Pogge believes, when these baselines are invoked, it turns out that the global order has caused staggering improvements over the state of general misery that human life historically has been immersed in. According to Risse (2005), the global order is not unjust. At most, what can be said about it in this respect is that it is incompletely just pp. 9–18.

Risse (2005) further supports his argument by pointing to a number of statistical facts. First, in 1820, 75% of the world population lived on less than one US dollar a day. Today, only slightly more than 20% of the global population find themselves at this economic level. The average income per capita (worldwide) was in 1999 significantly more than doubled as compared with 1950, and similar spectacular improvements in terms of life expectancy has been achieved in that period pp. 9–18. Risse concedes that the World Trade Organization WTO regime has not benefited the global poor as much as it could have, but by and large, the WTO regime constitutes a huge improvement over the previous General Agreement on Tariffs and Trade (GATT) system and any other previous multilateral or bilateral trade agreement. This point was also made by Reitberger pp. 379–402.

On a different note, Reitberger accuses Pogge of failing in his analysis of who owes what to the global poor to make a proper distinction between global order and global institutional order. By this argument he completely disagrees with Pogge on the claim that the global institutional order is harming the poor, rather it is the global order that is harming the poor. In other words, Reitberger (2008) has no modicum of challenge with accepting the opinion that the former causes much poverty in today's world. However, he rejects Pogge's view that the latter plays such a role p. 402. The global order is made up by more than merely international government organizations (the UN, the IMF, the WTO, and the World Bank). Importantly, this order is composed of more or less powerful individual nation states that interact with each other in a myriad of ways. These individual nation states can, moreover, through their own domestic and foreign policies make a huge impact on other countries' economic situation and development. Accordingly, it is Reitberger's (2008) view that it is a flaw in Pogge's analysis that when it counts out the possible causes for global poverty, it only offers two options: domestic features and the effects of the global institutional system. This is a fallacy of false alternatives in the sense that it overlooks the causal impact that the policies of one nation state can have, and often have, on the economic situation of other countries p. 402.

Staying on the topic of the global institutional system, Pogge has been criticized for failing to make a distinction between the harms that the global institutional system does to

the poor and the harms caused by domestic/foreign policies of individual nation states.

Many of the attributes of the global order that Pogge argues contribute to persistent poverty, such as selective trade restrictions by rich countries against imports from poor countries, agricultural subsidies, and tax deductible bribery of foreign officials, fall squarely within the domestic jurisdiction of sovereign states and are not really part of the institutional order as such, strictly defined. If these features constitute harm and are violations of negative duties, they are not directly due to what the global institutions do Reitberger, 2008, p. 402.

At this point, it will not be out of place to state clearly that the major cause of global poverty is domestic or national rather than international. First, the leaders in poor countries are corrupt, lacking in capacity and competence. Second, the global poor is guilty of the crime of harming themselves by not making enough and effective demand for good governance and equitable distribution of resources among all citizens in their country from their elected leaders.

The global poor in most of the third world countries are responsible for electing into power the corrupt leaders who steal major parts of their funds and keep them in foreign banks. These citizens go to the extent of rigging election for these morally depraved and incompetent leaders in making sure they get into power just for short term gains at the expense of long term gains that will change their poverty status. The point is that, the global poor in this democratic era which the world is in have so much power and right to change their poverty status if they choose to because the power to elect their leaders resides in their hands and they have the constitutional right to stage peaceful protests or revolution in a bid to register their dissatisfaction but have decided to look the other way. There have been countries which were not operating democratic system of government but when their citizens got fed up with their system of government which was not yielding any positive result demanded for a change of government by calling for peaceful revolution. They knew clearly that their poverty status was as a result of political and leadership incompetence.

For instance, Daron Acemoglu and James A. Robinson 2012) in the preface of *Why Nations Fail* explain how North Africa and Middle East were shaken by “Arab Spring” which began with Jasmine Revolution that was inspired by the “self-immolation of street vendor Mohamed Bouazizi on December 17, 2010. By January 14, 2011, President Zine ElAbidine Ben Ali, who had ruled Tunisia since 1987, had stepped down” p. 14. After this incident, the revolution against the few elites ruling in Tunisia did not stop but grew stronger and spread down to the Middle East. The revolution also spread down to Egypt and Hosni Mubarak who ruled Egypt for 30 years was ousted in February 11, 2011 Acemoglu Robinson, 2012, p. 14.

The displeasure of Egyptian citizens was due to poverty. At a time, “the average Egyptian has an income level of around 12 percent of the average citizen of the United States and can expect to live ten fewer years; 20 percent of the population is in dire poverty. One

thing was clear about the poverty status of the citizens of these countries and that is the cause of their poverty” Acemoglu Robinson, 2012, p. 14. For the Egyptians, they were held back by “an ineffective and corrupt state and a Society where they cannot use their talent, ambition, inequality, and what education they can get” Acemoglu Robinson, 2012, p. 14.

Two things are clear from the explanation above: (1) the cause of their poverty was political. (2) They rose against the corrupt elites who were holding them back from progressing or living a standard life. This implies that for there to be real change in the third world countries, the change has to come from within. It has to be domestic. The citizens have to stand up against the power that has wrested them down and put in power those who have capacity, competence and character.

Another angle to Pogge's focus on international causes of severe poverty is that, the work ethic of the citizens and government of well-off countries is superior to that of the citizens and government of worse-off countries and this in a way determines which country's citizens are poor or rich. It is not possible that one who works less productive will be at the same level with one who works very hard and productively so. For instance, in Nigeria there are certain citizens who have a high sense of entitlement because the natural resources which the country survives on are explored from their area; hence, they find it difficult to be hardworking either in the area of academics or in the works they do. They want everything to come to them for free. They expect the companies that are situated in their environment to employ them even when they lack the qualification to work with them. This is not as a result of lack of opportunities to acquire the basic skills that will make them employable but due to laziness to engage in the right things that will help them to be properly equipped. Consequently, they have a lot of poor people around that area. In this case, one cannot accuse well-off countries, their citizens and global institutions for being responsible for the poverty of such citizens.

Pogge also argues that citizens of the better-off countries are guilty of harming the global poor. The serious question begging for answer is that, to what extent can they be held responsible? It is understandable to know that the rich countries contribute in some ways in shaping the international institutional order in alliance with corrupt leaders of poor countries but what is difficult to understand in Pogge's argument is his claim that the citizens of these rich countries are collaborating with their country in harming the global poor. For instance, what is the role of the citizens of the well-off countries in taking decisions that promote unfair tariffs and resource borrowing privileges which are ways in which the international institutions in collaboration with both the rich and poor countries use in harming the global poor Unfortunately, there are no clear proofs to show that the citizens of the rich countries have a hand in upholding these things. The citizens cannot be held responsible for the actions of their representatives. For instance, there are times when the citizens of these rich countries disagree with their leaders on certain issues and policies but their leaders still go ahead to uphold such policies. Therefore, it is a hasty conclusion drawn by Pogge accusing the citizens of rich countries of harming the poor.

Steinhoff 2012 made a reasonable illustration to support this view when he states that, “what happens if my government decides to unjustly kill me? It is obviously wrong to say that my compatriots and I bear primary responsibility for our murders?” pp. 119-38. He also gave another example by asserting that if his government violated a negative duty not to veto a certain Security Council resolution on behalf of an oppressed people it would not have been possible for him to have violated that duty, because it is utterly not possible for him to have violated the duty. In fact, he said vehemently that he cannot veto Security Council resolutions Steinhoff, 2012, pp. 119-38. Based on these examples, it is clear that the general principles Pogge relied on to make his argument of accusing the citizen of rich countries of harming the global poor since their government violated rights of the global poor are not valid.

Pogge's focus on Negative Rights

For better understanding of Pogge's position on global justice and world poverty a short distinction between negative duties and positive duties is important. Negative duties are duties not to harm other people, whereas positive duties are duties to offer assistance to worse-off people. It is an essential feature of negative duties that in cases where a negative duty has been violated, the person who has been harmed has a right to compensation from the person (or institution) who has done the harm. Positive duties to offer assistance are different from negative duties in the sense that it is not a necessary condition for the former duties to kick in that the duty holder has harmed someone Sonderholm, 2012, pp. 366–391.

Pogge argues that the global rich have a duty to eradicate severe poverty in the world because of their having violated a principle of justice not to unduly harm others by imposing on them a coercive and burdensome global order that makes their access to the objects of their human right or that greatly diminishes the global poor's earning potential and imposes unnecessary costs on them. Consequently, the global poor's access to objects of basic human rights such as shelter, water/food, and basic medical care is made insecure by the global order.

There is no doubt that the actions of the better-off countries and the international institutions have affected the global poor in some way but there is a greater burden on the worse-off countries. It is important to point out that there are few controversies regarding the fact that negative duty is genuine and appropriate. But where there is a serious challenge to the argument of Pogge is with regard to his claim that the global rich have a duty of eradicating poverty because they harm the global poor by imposing unjust global order on them. This is based on his argument that the major cause of extreme global poverty is not domestic. Even though he admits that technical incompetence, corruption, and tyranny in the political/social institutions of some developing countries play a causal role in the genesis and perseverance of global poverty Pogge, 2002, p. 117. Pogge must be mistaken to claim that the major cause of global poverty is international rather than domestic. The reason is that, in spite of the fact that we live in a global world, different countries still have their sovereignty which means no matter the influence of the

borrowing privileges provided by the better-off countries for the developing countries, they cannot be forced to take those borrowing privileges if the governments of those developing countries do not seize those opportunities for their private gains. The point being made here is that, the major cause of global poverty is local rather than international. Therefore, the citizens and leaders of such developing countries should bear the primary responsibility of harming themselves. The citizens have to take responsibility for not standing up against bad, incompetent and corrupt government. On this note, Pogge's claim that the global rich have a duty of eradicating poverty is not correct.

Some scholars argue that negative duty is nothing but a relabeling of positive duty. Scholars like Reitberger and Gilbert echoed these view firmly. According to Reitberger, it is a consequence of Pogge's analysis that the affluent count as harming the poor insofar as they comply with, and support, an international order that fails to prevent human rights deficits (if these deficits are foreseeable and if there is an alternative global order that avoids them). Reitberger then goes on to say "If we think justice requires that we create an institutional order whereby people's basic human rights are not violated regardless of direct cause and everyone is provided with basic goods in life, we are in fact (as I aim to show later) relying on a kind of positive duty to aid the poor—something that Pogge rejected for failing to distinguish properly between harming and failing to protect" Reitberger, 2008, pp. 379–402. Gilbert also objects to Pogge's concept of a negative duty. He sees this concept as being unduly inflationary because it, in effect, turns what is essentially a positive duty into a negative one. On Pogge's concept of a negative duty, one counts as violating a negative duty not to harm x if one fails to improve the situation of x as much as possible Gilbert, 2005, pp. 537–50.

Pogge's focus on Global Resource Dividend

According to Pogge 2002, GRD proposal foresees that states and their governments shall not have complete "libertarian property rights with respect to the natural resources in their territory, but can be required to share a small part of the value of any resources they decide to use or sell. This payment they must make is called a dividend because it is based on the idea that the global poor own an inalienable stake in all limited natural resources"p. 196. The revenues generated from the GRD are meant to help the global poor live a dignified life worthy of the human person. The proceeds will be used to provide and improve their basic necessities like medical care, nutrition, personal hygiene and their personal interests. It will guarantee their freedom to compete effectively in the society and participate in the labour market and politics.

Also, "The GRD proposal is meant to show that there are feasible alternative ways of organizing our global economic order, that the choice among these alternatives makes a substantial difference to how much severe poverty there is worldwide, and that there are weighty moral reasons to make this choice so as to minimize such poverty" Pogge, 2002, 196.

Against this view, there are two arguments:

(1) Pogge's proposal can best be called a moral appeal which lacks enforceable measures therefore it cannot be really effective. Pogge would have rather called his proposal to the problem of global injustice done to the poor as a measure for creating strong awareness for the global poor so that they can be motivated and rightfully informed about their condition to help them rise up against the various causes of global poverty.

(2) The second point looks at how sustainable global resource dividend (GRD) is. Upon reflecting on GRD, series of questions came to mind: How long will this continue to be practiced? Will it not encourage more laziness on the part of the global poor and the government of developing countries? The reality is that it is not sustainable. Firstly, the reason is being that, there is no specific time the tax payment will come to an end. Secondly, while the dividend is being collected there is no clear cut plan on what will happen to the corrupt leaders of those countries and their citizens whose orientation is formed to be receiving instead of working. This act in itself is an injustice to those who have made effort to produce wealth. In other words, it goes against the theory of productive justice which subscribes that everyone should participate in the production process share in the burdens in order to be able to participate in sharing of benefits. This is to ensure equity and fairness amongst all instead of violating the rights of entitlement of those who have produced the available resources. The act of receiving dividend without working is a contradiction to the theory of distributive justice which encourages appropriate distribution of burdens and benefits. Thirdly, the rich countries may not be disposed to keep giving what they worked for to the poor nations. They may rather use their superior might to undermine the system for their own good.

There are no clear evidences to sustain the claim that if the current global system is altered the condition of the global poor will be permanently taken care of.

At some point, Pogge was of the view that after the GRD must have been collected and the leaders of the country which is meant to receive it are examined not to be competent to put into good use the GRD, the body responsible for managing the GRD should identify the most important projects that will have great impacts on the lives of the poor citizens of the country and execute them. The question begging for answer is this, is it not the same corrupt and incompetent leaders that are in power that will continue to mismanage those projects after they must have been completed? Or will the international body go ahead to manage the projects they spent money to put in place in another man's country? Whatever the case may be, the reality is this, Pogge's proposal is just an idea which is not practicable and if at all attempts are made to practicalize the proposal it will land the international body in circle of catastrophic failure.

Having analyzed and pointed out the flaws inherent in the postulation of Pogge on global justice and why Pogge's solution to the challenge of extreme poverty in the world cannot solve the problem, this paper at this stage, turns its attention to suggest best ways to deal with the challenge of extreme poverty in countries like Nigeria. These solutions are both political and economic in nature.

Fusion of Political and Economic Solutions to the Issues of Extreme Poverty and Underdevelopment in Nigeria

The combination of both political and economic solutions to the challenges of poverty and underdevelopment in Nigeria would go a long way to ameliorate the high level of poverty in Nigerian and at the same time economic development. The rationale behind this is obvious. Nigeria is a country that is battling with devastating state of corruption and poor economic development and as such demands on the one hand, transparency and accountability as basic political solutions, on the other hand, diversification of Nigeria's mono-economy as the economic solution. Transparency and accountability form the two main traditional policy approaches to corruption. It is interesting to note that, transparency and accountability are not sufficient conditions to solving the political problem but they are necessary conditions, as remedies to the political problem. Even at that, with the application of only the political solution to the corruption status of Nigeria without a concurrent application of the economic solution to deal with the challenge of Nigeria over-dependence on mono-commodity economy will not bring about the needed development that will aid in alleviating the high level of poverty in Nigeria. Consequently, it is necessary for the economic diversification solution and the political solution of transparency and accountability to be combined to effectively handle both the challenge of extreme poverty and economic underdevelopment in Nigeria.

As regards how instrumental economic diversification is to the economic development of Nigeria, Anyaehie and Areji 2015 assert that, “diversified economy will stabilize Nigeria against the vagaries of oil market, and provide opportunities for the satisfaction of needs and aspirations of her population. Different sections of the national and tiers of government should develop other aspects of economy where they have comparative advantage”pp. 87-94. Chinecherem Uzonwanne also supports the issue of economic diversification as a way-forward for economic development in Nigeria when she states that, there exists a positive relationship between economic growth in Nigeria and diversification of other sectors because, when there were proper management of human resources, huge investment and concentration on agriculture, Nigerian economy was recorded to be healthy and vibrantp. 2. The rationale behind Uzonwanne's view is that, an efficient, and sustainable economic development is not possible without a mono-economy giving way to diversified economy. Consequently, Nigeria has to quickly follow the path of economy diversification from a mono-commodity dependent economy to a multi-commodity economy.

Conclusion

Pogge's theory of global justice is founded on a minimalist explanation of what it means to harm. He argues that the global institutional order and citizens of the developed world are perpetuating injustice by harming individuals through the imposition of a global order that avoidably causes human rights deficits without appropriate compensation or reform to policies. Consequent upon this, Pogge proposed the distribution of global wealth, to the less developed countries and their citizens. This paper also argues that the major cause of extreme poverty in the world is domestically created rather than international,

therefore, the paper concludes that, in order to alleviate the high level of poverty in Nigeria and make the Nigerian state more productive there is a need for the fusion of political transparency and accountability and economic diversification solutions to solve the domestic causes of severe poverty in Nigeria.

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