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Pogge, poverty and war

Kasper Lippert-Rasmussen

Abstract: According to Thomas Pogge, rich people do not simply violate a positive duty of assistance to help the global poor; rather, they violate a negative duty not to harm them. They do so by imposing an unjust global economic structure on poor people. Assuming that these claims are correct, it follows that, *ceteris paribus*, wars waged by the poor against the rich to resist this imposition are morally equivalent to wars waged in self-defense against military aggression. Hence, if self-defense against military aggression is just, then, *ceteris paribus*, so are defensive wars against the imposition of economic injustice. While I do not think Pogge's analysis of the causes of global poverty is correct, I defend these inferences against various challenges.

Keywords: duties of assistance, economic injustice, global justice, jus ad bellum, just war, poverty, self defense, Thomas Pogge

1. Introduction

Millions of people in poor parts of the world live under conditions, which cause suffering and premature deaths on a massive scale (Pogge, 2008: 2). The rich have a duty to help the global poor (e.g., Singer, 1972). As most of them fail to do so, the question arises as to what can be done to make the rich live up to this duty. Despite the scale of the human tragedy involved—Pogge (2008: 25) notes that it involves as many deaths 'every seven month as perished in the Nazi death camps'—most believe that the relevant duty is one to *help* as opposed to merely *not to harm* poor people.

Hence, not many things can permissibly be done to the rich to make the poor as well off as they would have been had the rich complied with their duty of assistance. For instance, redistributive wars waged against rich countries to make rich people fulfill their duty to aid the global poor would be morally impermissible. I am inclined to share this view, although I believe that some redistributive wars are permissible in worlds somewhat different from ours. However, the reasons behind the actual impermissibility of redistributive wars could be quite different from what many assume. Specifically, given a certain influential (but, so I believe, largely false) claim, which I will introduce in a moment, surprisingly, it is not because most rich civilians are not liable to redistributive violence but because rich countries would cause massive harm in unjustly resisting redistributive wars. Moreover, whether the claim to be introduced is true or not, some might infer from the discussion of redistributive wars that avoiding wrongful harm to non-responsible bystanders, rich or poor, carries so much moral weight that most defensive wars against unjust military aggression are also, and unlike what most think, unjust. This conclusion would approximate, not be identical to, principled pacifism—a view without many present defenders.

The weak view regarding enforcement rights in relation to global poverty finds support in reflections on relevantly similar, but simpler, scenarios.¹ Consider James Rachels' (1975) pair of cases involving a drowning child. In the one case,

¹ Just war theory often makes the same argumentative move relying on the 'domestic analogy', i.e. inferring something—in the case of individualist reductionism about the ethics of war, in principle everything—about the moral status of war from the moral status of aggression and self-defense in simple interpersonal settings, such as attempted robbery or murder (see Frowe, 2011: 29–39; Hurka, 2005: 38–39; McMahan, 2009: 79–84; Walzer, 1977: 58). While the relation between the rights of states and rights of individuals to use defensive force and issues of individual versus collective responsibility are major issues, they are largely irrelevant to the core of the present argument, since they arise in connection with defensive wars against military aggression no less than in connection with defensive wars against economic injustice.

someone is holding the child's head under the water to drown him; in the other, a bystander refrains from rescuing the child, who, through no one's agency, has been knocked unconscious and whose head is under the water. Rachels believes that this pair of cases illustrates how *doing* and *allowing* harm are morally equivalent. Others have convincingly argued that the cases in fact show the opposite. Specifically, while a third party might kill the potential killer in Rachel's first case if doing so would save the child, a third party could permissibly only impose a much lesser harm than death on the bystander if doing so would save the child in Rachel's second case, thereby enforcing the bystander's duty to rescue the child (Kamm, 1983, 2007: 17).

This reflection on Rachels' pair of cases is relevant with respect to the limited enforcement rights in relation to the duty of the affluent to alleviate the plight of the global poor only if the rich merely *allow* the global poor to suffer. Suppose, however, that rich people *make* the global poor suffer. The situation then appears to shift dramatically, morally speaking. Much greater costs can permissibly be imposed on the rich to make them fulfill a duty not to harm the global poor.² Specifically, it seems as though the enforcement rights in relation to the failure of the wealthy to eliminate global poverty are then analogous to the enforcement rights against the potential killer in Rachel's first example, who can be killed permissibly in order to save the child.

² Some think that even if the rich only fail a duty of assistance, they are liable to subsistence wars. David Luban mentions a case in which one state with plenty of food refuses to make some of it available for another state struck by famine. He reasons that if the latter state went to war against the former, it would be unjust of the state with plenty of food to defend itself (Luban, 1980: 177). More recently, Cecilé Fabre has defended the more modest claim that 'violations of subsistence rights by the affluent towards the very poor sometimes provide the latter with a narrow just cause for going to war against the former—in the sense that those rights protect values which are worth defending by lethal force' (Fabre, 2012: 103). She stresses that while violations of subsistence rights are a just cause for war, it is a further question whether there is an all-things-considered justification for waging war. In this paper, I leave open whether views such as those canvassed by Luban and Fabre are true.

Some might think that, while interesting to discuss in a philosophy seminar room, this argument is irrelevant in the real world, since global poverty is not something rich people bring about but merely something that they could prevent if they wanted. While this may be the prevailing view, Thomas Pogge (2008, 2010) has argued in a series of influential publications that it is, in fact, false. According to Pogge, a sophisticated defense of our acquiescence in world poverty submits that while rich people ought to do more to eradicate global poverty, there is nothing seriously wrong with their failure to do so, since ‘failing to save lives is not morally on a par with killing’ (Pogge, 2008: 14). Some reject this defense by dismissing the claim that failing to save lives is less wrong than killing. This is not Pogge’s preferred response. Rather, he denies that ‘our imposition of the existing global order is not actively causing poverty, not harming the poor ... Inflicting seriously unjust rules upon others is harming them’ (Pogge, 2008: 15). Pogge’s analysis of global poverty is wrong, and I will briefly explain why in the following. However, my main concern is not with the correctness of Pogge’s analysis of the causes of global poverty, but rather with what follows and what it implies about the moral status of redistributive wars if it is true. His analysis has enough plausibility and acceptance to make this endeavor worthwhile.³

This article defends the claim that, *ceteris paribus*, killing through military means and killing through an unjust international regime are morally equivalent. Since, say, citizens who are responsible for their government’s participation in unjust aggressive wars are liable to defensive harm, then, *ceteris paribus*, citizens who are responsible for their government’s participation in imposing an unjust international

³ Sympathetic responses to Pogge’s analysis of the causes of global poverty include Ashford (2009: 190–191, 193), de Vita (2009: 110, 115–116), Mills (2010: 151) and Wenar (2010: 129).

world order on the global poor are similarly liable to defensive harm. However, the *ceteris paribus* clause is not typically satisfied, and I will explain below one way in which it is not.

‘Being liable to’ is a four-place predicate: it indicates *who* is liable to attack *by whom* with *what degree of force* administered for *what purpose*. While this complexity is often ignored in this article, the fact that someone is liable does not imply that they are liable to any degree of harm, imposed by anyone, and for whatever purpose. More specifically, claiming that the citizens in rich countries imposing an—according to Pogge—massively lethal, unjust global order are liable to defensive harm is not saying that any citizen of a rich country is liable to any amount of defensive harm, inflicted on them as a means or as an end, by any poor person or state for whatever purpose.⁴ However, I do assume that, under certain circumstances, civilians supporting their countries’ unjust military aggression can be liable to lethal harm inflicted on them as a side-effect of an attempt to thwart their country’s unjust aggression. By this I mean that, under certain circumstances, they are not wronged if they are killed in this manner. For instance, German citizens who were members of the Nazi party and worked in the armaments industry were not wronged if killed unintentionally as a result of a bombing raid on the factory in which they worked. This means, among other things, that neither they nor their families were due compensation. Even if this view does not imply that civilians can be liable to be killed opportunistically or liable to be killed intentionally, it is—perhaps in spite of the fact that most accept the view just mentioned about compensation to certain German

⁴ In relation to self-defense against military aggression, many distinguish between combatants and non-combatants. A similar distinction can be drawn in relation to self-defense against economic aggression between ordinary citizens and those who execute a state’s unjust foreign policy, e.g. politicians, foreign policy makers and diplomats promoting their country’s unjust policies in international negotiations.

civilians killed during WWII—controversial (see note 9). Readers who think that civilians supporting an unjust war are never liable to unintentional lethal harm might simply substitute whatever lesser harm, if any, they think that such civilians are liable to for unintended lethal harm whenever it appears in my arguments below.

Section 2 presents three analogy arguments concluding, respectively, under certain hypothetical circumstances i) rich citizens are liable to defensive harm in redistributive wars; ii) redistributive wars are just; and iii) redistributive wars are morally permissible. Section 3 supports these claims on the basis of further analogies involving humanitarian intervention and with the right to rebel against an unjust government. Crucial to the arguments in section 2 is the claim that ordinary wars and redistributive wars are morally equivalent *per se*. Sections 4–6 assess three objections to the moral equivalence claim. Section 7 examines alternative ways of resisting the three analogy arguments. Section 8 sums up the article.

One word of caution: I will state some claims in the following about the moral status of redistributive wars in hypothetical situations and a number of claims about how the lessons learned from considering hypothetical situations bear on the moral status of redistributive wars in the actual world. Readers who find some of my claims -- or claims that I seem to be making -- deeply implausible should be alert to the possibility that I am making a claim of the first kind and not the second.

2. Three analogy arguments

Consider the following purified scenario lacking many of the morally complicating features of the real world: a number of rich, powerful countries impose an unjust

global economic structure on some poor countries.⁵ Among its many unjust rules is an intellectual property rights system ultimately upheld through rich countries exercising their power over poor countries by way of diplomatic pressure, economic sanctions and, ultimately, although it never comes to this point, the use of military force. This system deprives poor citizens of the life-saving medicine they need by making it impossible for local producers to produce cheap, live-saving medicines against a certain widespread and virulent strain of Ebola. Assume also that the property rights system involves no benefits at all for the global poor, which need to be counterbalanced, morally speaking, against the patent-related harms. Consequently, every year, 18 million people in poor countries die prematurely from Ebola. Suppose, finally, that rich countries are democratic and that, despite electable alternatives, all voters in rich countries vote for parties that, without exception, support and work in favor of the relevant unjust economic international structure.⁶ Furthermore, rich citizens uphold their government and its policies in many ways, e.g. by paying taxes and obeying laws—call this the *economic injustice scenario*.

Next, consider a scenario that is comparable to the previous one in all of the relevant respects except for the fact that countries bring about 18 million premature deaths in poor countries through a special kind of unjust military aggression. As an unwelcome side effect of producing goods efficiently in rich countries, an Ebola virus is produced. This virus can be destroyed safely locally, but doing so is more

⁵ This raises the problem of what to say about the citizens of a single rich country of which it is true that whatever this particular country did, the outcome would have been no different. However, a similar problem applies to cases involving military aggression exerted by a coalition of several countries.

⁶ To be an electable alternative, a party cannot promote similarly morally impermissible policies on other areas. As a matter of fact, many rich countries might not have electable alternatives advocating for a just international global structure. This need not imply that rich citizens bear *no* responsibility for global poverty, since such absence might reflect that very few would vote for such a party.

expensive than simply loading the virus onto bombs and then dropping them on poor countries using hi-tech stealth bombers, which (for once, realistically) poor countries are unable to shoot down. Due to extremely efficient border controls, this procedure has no harmful effects on the citizens of the rich countries. The costs saved by this means of disposal are exactly the same as the costs for the rich countries if the producers in poor countries could legally produce cheap Ebola medicine. As in the first scenario, rich countries are democracies, and the electorate votes for parties, all of whom support how rich countries dispose of the Ebola virus. As in the economic injustice case, rich citizens uphold their respective governments and their policies in many other ways; call this the *unjust war scenario*.

Reflecting on the economic injustice and unjust war situations, it appears that the two situations are morally equivalent in various ways; both cases involve 18 million premature deaths each year, and it makes little difference to people whether they die as a result of being prevented from buying affordable medicine against the naturally occurring Ebola virus or as a result of an engineered Ebola virus. Furthermore, in neither of the two cases do rich people intend the deaths of the poor people, although they foresee them. In both cases, the people in poor countries die as a result of something rich countries *do*—imposing and upholding a certain restrictive regime of intellectual property rights and dropping Ebola bombs, respectively—and not merely as a result of rich countries not coming to their assistance. And in both cases, let us assume (unrealistically) that poor countries can, and can only, prevent 18 million of their citizens from dying prematurely on an annual basis by starting a war against rich countries. In both cases, such a war will lead to casualties, but not in the millions, and all of the casualties will be people who bear some responsibility for the injustice in question or who, even if not responsible for the injustice that triggers the

war, are nevertheless liable to harm, because they are responsible for trying to prevent poor countries from achieving their aim of removing the relevant unjust institutions or stopping the Ebola bombardment, such as GIs in the armed forces of rich countries. Hence, we appear to have equalized all of the potentially morally relevant factors across the two cases other than whether the relevant deaths are caused by unjust military aggression or the imposition of an unjust economic structure. While this difference could be morally significant, intuitively, it is not.⁷ Call the claim that the two scenarios are morally equivalent *the moral equivalence claim*.⁸

Reflecting on how we normally think about the rights of aggressors and people defending themselves against aggressors in the light of the moral equivalence claim, the following three arguments appear forceful:

The liability argument:

1. The economic injustice and unjust war scenarios are morally equivalent.

⁷ The goal of the equalization of factors across cases is to be able to focus on the moral significance of one particular factor, such as the difference between unjust military aggression and the unjust imposition of an economic structure, in isolation from others with which it is often correlated, such as whether the resulting deaths are intended, and which, thus, might explain any moral significance we might be inclined to ascribe to the former difference. The argumentative strategy is very common—witness contributions to the discussion about the moral significance of the doing—allowing distinction—albeit not without limitations (cf. Kagan, 1988).

⁸ Some might respond that my two cases are too sparsely described for them to form any moral assessment of them and, thus, inadequate for them to endorse or reject the moral equivalence claim. This response raises a methodological question about the use of idealized cases in moral theory, which space prevents me from addressing properly. Suffice it to say that the present concern has not prevented many people from having strong moral views concerning Rachels' pair of cases or a wide range of other pairs of sparsely described cases in philosophy and the present pair of cases does not appear problematically different from any of these.

2. Citizens who bear responsibility for the unjust military aggression of their government in the unjust war scenario are liable to defensive force.⁹
3. Hence, citizens who bear responsibility for their government's imposition of an unjust global structure are liable to defensive force in the economic injustice scenario.

The just war argument:

1. The economic injustice and unjust war scenarios are morally equivalent.
4. Poor countries that wage a defensive war against rich countries in the unjust war scenario wage a just war, i.e. it satisfies all of the *jus ad bellum* conditions (cf. Fabre, 2012: 51–96; Walzer, 1977: 59).
5. Hence, poor countries that wage a redistributive war against rich countries in the economic injustice scenario wage a just war.

The permissible war argument:

1. The economic injustice and unjust war scenarios are morally equivalent.
6. Poor countries that wage a defensive war against rich countries in the unjust war scenario wage a morally permissible war.
7. Hence, poor countries that wage a redistributive war against rich countries in the economic injustice scenario wage a morally permissible war.

⁹ McMahan argues at great length that while non-combatants are potentially liable to defensive harm when they are responsible for the instigation of unjust wars, for various reasons 'civilians are almost never liable to intentional military attack' (McMahan, 2009: 221–231) (see also Fabre, 2009: 43–44; Frowe, 2014: 162–197; Lazar, 2010: 210–211; Lazar, 2015; Lippert-Rasmussen, 2013b).

The conclusions of these three arguments are somewhat surprising, since, with the possible exceptions of the authors mentioned in note 2, few people think of wars in response to economic injustice as having the moral status postulated by these three arguments. This is so even if, admittedly, my economic injustice scenario is a purified hypothetical example, which differs from how it is likely that real-world redistributive wars would be. Still, we might wonder whether the respects in which I have purified the case are what really explain the impermissibility of actual world redistributive wars—more on this later.

Before assessing the argument, let me expand slightly on what the conclusions of the three arguments say and how they relate to one another. The first conclusion (i.e. #3) states that the citizens who bear responsibility for lethal economic injustice are liable to defensive force. This means that they would not be wronged if they were subjected to defensive force that brings an end to their unjust imposition of a lethal global structure.¹⁰ Such citizens have no rights against the poor people whom they harm or third parties coming to their assistance, that they are not subjected to some degree of defensive harm ending the unjust imposition of a global economic regime, and poor people have no duty to these rich people not to harm them in their attempt to free themselves of the unjust economic global order. This does not mean that the rich

¹⁰ Some might say that this is true if they are harmed eliminatively but not if they are harmed opportunistically, i.e. if the opportunity of harming rich citizens represents an opportunity for poor people in the absence of which the latter would be in a worse position (cf. Lazar, 2015: 56–73; McMahan, 2009: 170–173; Quinn, 1989; Tadros, 2011: 242–246). To accommodate this view, I could stipulate that both of my scenarios involve only the former kind of harm, e.g., in the economic injustice scenario, rich people are killed as a side effect of eliminating the capacity of rich countries to enforce the intellectual property rights system, and this does not make poor people better off than had rich people never been present (cf. Lazar, 2015: 68–70). However, I am not sure I need this stipulation. My scenarios are special in that, even if rich civilians are killed opportunistically, they bear some responsibility for the threat that poor people are trying to avert in the course of using violence. Thus, they are being killed *merely* opportunistically (not exploitatively) (Frowe, 2014: 179).

people responsible for the imposition of an unjust global structure have no right not to be harmed in excess of what is necessary to bring about a certain reduction in the injustice of the global economic regime. Moreover, the conclusion leaves open that rich people have a right not to be subjected to futile harming, e.g. harm that is smaller than those they are liable to be subjected to but bring about no change in the unjust economic regime. #3 also leaves open exactly which kind of defensive harm rich people are liable to; e.g. it is consistent with the view that while they are liable to some degree of intentional harm and the imposition of some risk of death as an unintended side-effect, they are not liable to intentional killings (see Section 1). Finally, #3 itself is consistent with the view that, in light of the tiny contribution made by individual ordinary citizens in rich countries to global poverty, ordinary citizens who are responsible for the imposition of an unjust global structure are liable to less defensive harm than the members of the elite, such as politicians and diplomats, who implement the foreign policy of their countries on matters relevant to global poverty.¹¹

The first and second conclusions, i.e. #3 and #5, are independent of one another. Still, if the first conclusion is true, it is more likely that the second is also true, i.e. the fact that rich people are liable to defensive harm renders it more likely that a redistributive war against their countries would be just. One reason why this is so is the following: suppose a war is just if it satisfies the *jus ad bellum* criteria. One such criterion is proportionality: the relevant evils of war must not be disproportionate to the relevant goods achieved by war (Hurka, 2005: 35; cf. Frowe, 2011: 54). Obviously, the proportionality condition so described needs to be specified in response to a number of issues. However, it seems certain that if the citizens in rich

¹¹ See also my discussion of premise 2 in section 7.

countries are liable to defensive war, the relevant evils of a redistributive war are less than otherwise would have been the case, since in that case the harm to citizens in rich countries counts for less, morally speaking. Accordingly, it is more likely that the proportionality assumption is fulfilled. Moreover, if rich people are liable to defensive harm, they are more likely to be responsible for an injustice such that the just cause condition of *jus ad bellum* is satisfied, even though the liability of rich people is in itself irrelevant to the satisfaction of the just cause condition.

Admittedly, there are other conditions of *jus ad bellum* that are not satisfied—perhaps not even more likely to be satisfied—simply because rich people are liable to defensive harm. For instance, the standard requirement that war is the last resort might be unsatisfied even if rich people are liable to defensive harm. The conclusion of the just war argument implies that a redistributive war in the situation described in the particular scenario presented above is just. Of course, this leaves open that many other economically motivated wars would not be just and it is worth emphasizing that the above scenario is extreme.

People who accept the moral equivalence thesis but find the conclusion of the just war argument implausible might respond by rejecting that the waging of a defensive war in my unjust war scenario is unjust. Such a move implies the adoption of an implausibly strong pacifist stance. Accordingly, some might see the just war argument as challenging, not because they accept the premises and the entailment but because their reasons for rejecting it commit them to strongly pacifist views on responses to ordinary military aggression.

The second conclusion (#5) does not entail the third conclusion (#7)—a war can be morally impermissible even if just, and it can be morally permissible even if unjust. Not all of the morally relevant harms and benefits fall under the scope of the

proportionality condition of the standard *jus ad bellum* criteria. Hence, a just war might involve disastrous outside-scope harms—e.g. dramatically increasing food prices resulting in famine in poor countries—that might render a just war impermissible. Similarly, an unjust war might involve outside-scope benefits of such a magnitude—e.g. technological innovations bringing an end to death by infections—that, at least in principle, it might be morally permissible nevertheless.

These three analogy arguments are deductively valid. To resist the conclusions, one must therefore resist either the moral equivalence claim and/or the three moral claims that they make about the economic injustice situation. Sections 4–7 will address some criticisms of the premises of the three analogy arguments. However, I would first like to point out two further analogies between redistributive wars and special kinds of war—civil wars against unjust rulers and humanitarian interventions—which offer further support for the conclusion. While these analogies support versions of the liability, just war, and permissibility arguments, in the interest of simplicity, I will focus on the last argument.

3. Civil war and humanitarian intervention

Consider, first, a situation in which an unjust ruling elite imposes an unjust economic structure on a country, causing many to die prematurely. These people do not die as a result of the use of military force but as a consequence of an unjust economic regime—e.g. a national patent right system similar to the one in the economic injustice scenario—which, however, is upheld by force. It is just and, provided certain other conditions are met, permissible for citizens to rebel against their unjust rulers, using lethal force to overthrow the unjust regime. This is so, even when an uprising will, predictably, result in acts of violence and a number of casualties comparable to

that of a war between states and that some of these casualties will be innocents. If it is just and permissible to wage civil war in such a case, one must explain why, consistent with this view regarding intrastate economic injustice, the global poor are not allowed to engage in a redistributive war.

Various accounts are possible at this point, but my conjecture is that none is persuasive, especially not if you accept a Pogge-line analysis of international society. In this account, civil wars and international redistributive wars are not different in that people who live under a certain coercive structure rebel against it in the former, whereas the same is not true in the latter (Pogge, 2008: 175–183; cf. Beitz 1975: 373–383). According to Pogge, relations between states, like the relations between citizens living in the same state, take place within a coercive institutional framework (cf. Wenar, 2006: 97).

Alternatively, some might object that, unlike my example of a civil war, the poor countries in the real world have some influence on the institutional structure to which they are subjected. This reply is weak, since we might simply revise the civil war scenario such that poor people have a similar, limited influence on the unjust economic structure of their country, e.g. they are invited to negotiations in which they have little bargaining power. Rebellion could also be permissible in such a case.

Some might resist the analogy on the grounds of a concern for the state sovereignty relating to the international case but not to the civil war case (e.g. Miller, 2007). According to many, however, respecting sovereignty is valuable instrumentally only as a means of protecting the interests of individuals and, setting aside precedence effects, in the case at hand a concern for respecting sovereignty clashes with a concern for the interests of individuals, at least those individuals who are worse off (cf. Fabre 2012: 16–50). Even when we bracket this view, many believe

that the concern for sovereignty is not sufficiently weighty to rule out humanitarian interventions and, for these people, identifying the morally relevant differences between the civil war and redistributive war scenarios is a difficult challenge. The concern with sovereignty brings me to my second supporting analogy.

Many think that orthodox, state-focused *jus ad bellum* should be revised to allow for humanitarian interventions being just and permissible. Those who argue in favor of this revision are typically thinking about cases in which the rulers of a country or one group within a country engage in genocide against another group of people within the same country. Humanitarian intervention can also be justified, however, if the rulers of a country impose an unjust economic structure on its citizens resulting in deaths on a genocidal scale despite the fact that they are unintended. Intentions make a moral difference. However, the mere absence of genocidal intentions does not suffice for humanitarian interventions not to be justified.

Assuming that these claims are accepted, it is difficult to resist the further claim that redistributive wars waged not by third parties in defense of poor people but waged by the poor people themselves are also permissible. Normally, self-defense—here in the form of collective self-defense—is considered at least as easy to justify as other-defense—here in the form of collective other-defense (Frowe 2011: 24–25). For instance, if you think that individuals are morally permitted to favor themselves over others (Quong, 2009), this might justify self-defense against innocent threats but not justify other-defense against innocent threats.

One might restrict the scope of cases where humanitarian intervention is justified to cases involving genocide through non-economic means, in which case one could resist the present analogy. However, I suspect that many readers will be more inclined to accept the permissibility of humanitarian intervention in cases involving

rich democracies intervening for humanitarian reasons in poor developing countries than to accept poor people engaging in redistributive wars against states such as the one most readers of this article belong to. To the extent this speculation is correct, the analogies in this section serve their dialogical purposes.

More generally, the two analogies developed serve to point out similarities between two cases in which most would accept violent responses to acts that are not in themselves violent even though the harm these acts cause are similar to the harms caused by acts of violence.¹² I shall not develop the two analogies further; instead, I will turn to ways of resisting the three analogy arguments described in Section 2. Since all three arguments appeal to the moral equivalence thesis, objections to this premise have a broader interest than objections to the other premises and, accordingly, I want to start with the objections to this thesis.

4. Against moral equivalence (1): Upper limit to cost imposition

One might argue against the moral equivalence claim on the following grounds: citizens in the economic injustice scenario have a duty to bear certain costs in order to avoid imposing an unjust global structure on the poor. While these costs are significant, there is an upper threshold, e.g., they do not include suffering the harm of death.¹³ This renders the case different from the unjust war situation. Here, the citizens of rich countries have a duty to suffer even the risk of death to prevent their military aggression from killing millions of poor people (cf. Tadros, 2011, 2014: 367–368). Since the costs one imposes on someone to enforce their duty cannot exceed the

¹² I leave open that there are some kinds of non-violent acts, which, even if resulting in the same kind of death and suffering as violent acts, cannot permissibly be prevented by violent means, e.g. mere expressions of opinion.

¹³ Even if we deny that rich people are liable to be killed unintentionally, the moral equivalence thesis implies that there is no moral difference of the sort asserted here.

costs they are morally required to accept to avoid not doing their duty, lethal defense against economic aggression is impermissible, while lethal defense against military aggression is not.¹⁴

In response, note first that this reply comes quite close to assuming what needs to be shown. Clearly, the friends of the moral equivalence thesis do think that similar costs can be imposed on the imposers of an unjust global structure.

Second, it might be true that, if by unjustly withholding economic resources from someone I would threaten this person's life, it might still not be permissible to enforce my duty to help him by killing me. I have no wish to deny that. Nor need I do so, because my concern here is with a situation in which the rich leave the poor badly off. The relevant asymmetry does not appear to exist in other cases. For instance, if somebody threatens to steal my money and leave me to starve to death, it is not the case, *ceteris paribus*, that I can impose smaller costs on the villain than I could if they were to kill me in a more direct manner (cf. Tadros, 2014: 368).

Admittedly, it may seem disproportionate to respond to theft with lethal force, but this may simply reflect two sources of confusion. First, theft is not generally lethal, and one can defend oneself against a threat of theft by less than lethal means. Once it becomes clear that the case is unusual in the manner I have described, however, my inclination to think that the two cases differ in terms of proportionality disappears.

Second, we tend to think of economic aggression as something that does not involve face-to-face interpersonal interaction, whereas this is typically what we have in mind when considering military aggression. This, I conjecture, triggers aversions

¹⁴ This claim might be false if there are agent-centered prerogatives, in which case the present objection to the moral equivalence thesis is flawed for reasons in addition to those I give below.

that do not respond to any morally relevant difference (cf. Singer, 2005: 348). To eliminate this source of error, assume that patent right conventions are signed in a poor village in which people are dying from Ebola meters away from international negotiators who are looking their victims in the eye through their protective gear while, in effect, preventing the villagers from receiving life-saving medicine.

5. Against moral equivalence (2): Culpability

Juha Räikkä (2014) has pointed out what appears to be a crucial asymmetry between economic and military aggression. Appealing to arguments made by Kimberly Ferzan, Räikkä supposes that ‘culpability is a necessary condition of liability’ (Ferzan, 2012: 747). If so, redistributive wars are morally very different from defensive wars against military aggression, since, as a matter of fact, the rich are not culpable for causing death on a massive scale through the imposition of an unjust world order:

It is not the case that people or representatives of rich countries ‘ought to have known’ that they are and will be causally responsible for the poverty-related deaths of millions of people who live in poor countries ... The citizens and representatives of rich countries ... do not have a moral obligation to spend their days by studying what might bring about global poverty today. (Räikkä, 2014: 19; cf. Jaggard, 2010: 5)

Moreover, even if they did study the causes of global poverty, many of them would nonculpably conclude that rich citizens do not cause global poverty, since Pogge’s ‘theory is controversial and leaves room for reasonable disagreement—whether or not

it is correct' (Räikkä, 2014: 19).¹⁵ Räikkä's argument concerns the conditions for liability and, accordingly, it only directly threatens the liability argument. However, since, as noted above, liability affects proportionality considerations and, ultimately, moral permissibility, his argument also weakens these arguments indirectly.

There are three ways to respond to Räikkä's objection. First, one might concede that liability presupposes culpability and that, as a matter of fact, rich citizens are not culpable. That would not defeat the moral equivalence thesis, since I stipulated that the hypothetical economic injustice and the unjust war scenarios are 'comparable' in 'all of the relevant respects' other than the means through which the 18 million premature deaths are brought about (Section 2). Hence, if we have in mind a version of the former scenario in which citizens are not culpable for imposing an unjust global structure, we should compare it to an unjust war scenario in which citizens are nonculpably ignorant of the fact that their country engages in unjust military aggression against poor countries. The fact that many just war theorists think that many unjust combatants nonculpably do not think that the war they fight is unjust suggests that this move would resonate to some degree among theorists.¹⁶ Alternatively, we could stipulate that all rich people have read Pogge and been convinced by his arguments. When culpability is equalized across economic and military aggression cases, they are not morally different.

Räikkä might not think of his point as forming the basis of an objection to the moral equivalence thesis. Rather, he might simply mean to argue that, in the real

¹⁵ Räikkä notes that his reason for resisting my conditional claim is different from Pogge's reasons, since, among other things, Pogge 'thinks that global redistributive wars would meet the just cause principle' of *jus ad bellum* (Räikkä, 2014: 23n32).

¹⁶ For reasons why combatants are often culpable for falsely believing that their country is fighting a just war, which, however, applies more broadly, see McMahan (2009: 185).

world, redistributive wars would be morally very different from real world self-defense against military aggression, even assuming the truth of Pogge's theory of global poverty. I do not want to deny this claim. However, the present point might not be one that Poggeans can appeal to in an argument about why redistributive wars in the actual world are morally problematic. There would be something odd about theorists who try to persuade their audience about the truth of a certain analysis of the causes of global poverty and then, in the interest of defending it, appeals to the fact that people in general cannot reasonably be expected to accept it and that, on account of their non-acceptance, rich people imposing an unjust global structure are not liable to defensive harm.¹⁷ At least, this is odd if the theorists regard it as a weakness of their theory if it implies that rich civilians are liable to defensive harm full stop. Presumably, if this implication constitutes an objection, then so does the fact that if rich civilians generally accepted the theory, they would be liable to defensive harm. By analogy: it is a poor defense of utilitarianism to contend that, as a matter of fact, it does not imply that slavery is morally required since, as a matter of fact, slavery does not bring about the best outcome. It is a poor defense, because it does not address the closely related and equally forceful objection that utilitarianism implies that slavery is morally required in hypothetical situations where, by stipulation, it maximizes the sum of welfare.

The second response to Räikkä's challenge concedes that liability presupposes culpability but denies that, again as a matter of fact, rich citizens are not culpable. In defense of this move, it might be argued that while rich citizens non-culpably think that they are merely allowing harm to the global poor in a manner that is somewhat

¹⁷ I am not arguing against any theorists who are actually making this argumentative move. Rather, I am arguing that Poggeans cannot benefit from appealing to Räikkä's claim about the non-culpability of the global rich.

wrong—they are well aware that a different institutional structure would leave these people better off, they do not think of this in terms of doing harm. Again, this point is not one about my hypothetical scenario and, thus, not a challenge to the moral equivalence thesis. Moreover, it has little bearing on the moral status of redistributive wars in the actual world, since, arguably, the actual beliefs of rich citizens suffice for culpability given that, in fact, they are harming the global poor. Think again of Rachels' killer and suppose that, while he holds the child's head under the water, he believes that he is merely wrongfully allowing the child to be harmed. This person seems roughly as liable as someone who does the very same act believing that he is actively killing the child.

Finally, the third response to Räikkä's criticism denies that liability implies culpability (cf. Øverland, 2011: 289). This response has considerable force for reasons offered by Jeff McMahan. Suppose that by driving my car, I impose a risk on others for which, however, I am not culpable, since the risk is minute and the purpose for which I use my car is significant. Suppose that the brakes of my car malfunction unpredictably and now either a pedestrian or I myself will suffer a certain amount of harm. According to McMahan, I am liable to defensive harm from the pedestrian, since I am responsible for the fact that now either the pedestrian or myself will suffer harm and, given that I am morally responsible for the threat, fairness implies that I should be the one to suffer it, other things being equal (McMahan, 2009: 165–166). According to this view, if the citizens of rich countries are minimally morally responsible for the unjust economic structure such that now either poor people will die prematurely as a result of being unable to buy affordable Ebola medicine or some rich people will die prematurely in a defensive war, the latter are liable to defensive harm in the same manner as the unfortunate driver.

In summary, then, Räikkä argues that, typically, actual cases of unjust aggression are morally different from actual cases of economic aggression even if Pogge's analysis of global poverty holds true. This is no threat to the moral equivalence thesis, however, which concerns purified, hypothetical cases, and we can assume my two scenarios to be equalized in terms of the factors to which Räikkä points. Moreover, even if, as a matter of fact, rich people are not culpable for the unjust world order, this does not show that they are not liable to defensive harm. Even if it did, this is not a point that should give much relief to Poggeans who are worried about this implication of their account of global poverty when applied to the real world.

6. Against moral equivalence (3): Doing/allowing harm

In my initial presentation of the economic injustice and unjust war scenarios, I assumed that agents might relate to harmful upshots in only one of two ways: by way of *doing* or by way of *allowing*. However, some theorists argue that there is a third way: *enabling* harm. Enabling harm differs from allowing harm in that to enable harm in the relevant sense, an agent must do something for the harm to occur. According to Barry and Øverland (2012: 103), it differs from doing harm in that the causal process linking the agent with the harm in the case of enabling—unlike doing—harm is not a complete, causal process. To see what they have in mind here, compare the following two cases borrowed from Vihvelin and Tomkow (2005: 192–193):

Push. A cart stands at the top of a hill. Agent pushes it. The cart rolls down the hill and injures Victim, who is sitting at the bottom of the hill.

Interpose. A cart filled with water is rolling downhill. Victim, who is sitting at

the bottom of the hill, will survive if the cart reaches her. Agent interposes a rock; the cart stops and Victim dies of thirst (Barry and Øverland, 2012: 102, 104).

In the Barry and Øverland analysis in Push—a case of doing harm—there is a complete, causal process linking the agent’s behavior to the victim’s injury, while there is not in Interpose—a case of enabling harm—since other causal processes, such as dehydration, are required for the victim’s injury. In their analysis, the global rich cause global poverty in a manner that is more similar to Interpose than to Push.

Enforcing patent rights to prevent the production of cheap Ebola medicine in my scenario would, in their view, qualify as interposing an obstacle to curing poor people struck with Ebola and, thus, constitutes a case of enabling—not doing—harm.

This claim is significant, because enabling harm is, morally speaking, an intermediate category between doing and allowing harm: ‘[m]oral reasons associated with enabling harm may arguably also seem to be less constraining with regard to cost to the agent than those associated with doing harm’ (Barry and Øverland, 2012: 111; cf. Lippert-Rasmussen, 2015). Hence, in their view, the rich people in my unjust war scenario might have a duty to bear the costs that are required for them not to harm poor people, while the rich people in the economic injustice scenario are not required to bear the costs required not to enable harm to poor people.

In response, I will neither contest the Barry and Øverland analysis of the distinction between allowing–enabling–doing harm nor contest their claims regarding the moral differences between these two categories. Indeed, I am inclined to accept their analysis in a manner that defeats my initial moral equivalence thesis. However, this does not affect my main argument. First, appealing to Barry and Øverland to

resist the conclusions of my three analogy arguments comes at a very high price to those who are attracted to Pogge's analysis of global poverty; for its core claim to being interesting is its contention that rich people violate the negative rights of poor people in ways that, morally speaking, are tantamount to doing harm (cf. Øverland, 2011: 280).¹⁸ Endorsing the Barry and Øverland analysis implies giving up on this claim and, thus, rejecting Pogge's basis for moral condemnation of how rich people's treatment of the global poor is seriously, morally wrong.

Second, we could revise the unjust war scenario such that rich countries enable harm to poor people rather than actually harming them. Consider the following variation in my initial unjust war scenario: As a side effect of producing goods efficiently, rich countries produce a certain poisonous chemical substance. It is expensive to dispose of locally, so they load it onto bombs, which they drop on poor countries. Once released, the chemical substance prevents another naturally occurring chemical agent from preventing Ebola viruses from entering the human body. This results in 18 million premature deaths among poor people annually. Arguably, this is a case where rich countries enable harm to poor people. The poisonous substance dropped on poor countries removes an 'obstacle', i.e. the naturally occurring chemical agent, 'which is, as it were, holding back a train of events', i.e. people becoming infected with and dying from Ebola (Foot, 1977: 27).¹⁹ Yet in such a case they too are—so I believe—liable to defensive harm. Accordingly, we could defend a different moral equivalence claim than the one I asserted initially, i.e. one pertaining to the

¹⁸ By entailment, Pogge makes a more modest claim which is unaffected by the present line of argument, to wit, that our relation to global poverty is *more objectionable*, morally speaking, than it would be if were simply one of allowing harm. Clearly, however, he wants to make a stronger claim than this one, which is consistent with the view that the relevant gap in moral objectionableness is small.

¹⁹ I assume that some cases of enabling harm in Foot's terminology, e.g. Interpose, are cases of preventing someone from being saved from harm.

revised unjust war and the economic injustice scenarios, and then base the three arguments in section 2 on the revised moral equivalence claim. This is so even if an enabler of harm or a preventer of being saved from harm is liable to less defensive harm than a doer of harm. The Barry–Øverland line of argument, even if sound, cannot usefully be pressed into service against my three analogy arguments.

7. Other ways to resist the analogy arguments

The previous three sections reviewed three ways of resisting premise 1 in my three analogy arguments and found that none of them succeeds. I now examine the other premises in the three arguments, starting with premise 2 in the liability argument: Citizens who bear responsibility for their country's unjust military aggression are liable to defensive force in the unjust war situation. In a recent article, I defended the following claim: 'if Pogge's analysis of global poverty is correct, poor countries could start just and, even possibly, morally permissible redistributive wars against us provided various conditions are met' (Lippert-Rasmussen, 2013b: 67). Pogge thinks—erroneously, cf. (Lippert-Rasmussen, 2013b: 83–84)—that in developing this line of argument, I want to identify 'potentially embarrassing implications' of his analysis of the causes of global poverty (Pogge, 2013: 96) and, in response, he rejects my main conditional claim. While he endorses a 'far-reaching though not unconditional commitment to pursue justice, by nonviolent means', he denies that his analysis of the causes of global poverty commits him 'to an endorsement of redistributive violence' (Pogge, 2013: 88). In particular, he denies that the citizens of rich countries forfeit their right not to be killed by bearing responsibility for the imposition of an unjust global structure on the global poor. More generally, he endorses the 'widely professed idea that basic human rights are inalienable: can never

be waived, forfeited or rescinded’ (Pogge, 2013: 98). Indeed, Pogge thinks that citizens who support a genocidal government that engages in an unjust war of aggression do not forfeit their right not to be killed, either. If basic human rights are inalienable, then the same goes for the soldiers who carry out genocide. Pogge states that ‘the most dangerous attacker ha[s] a right not to be killed, so that ... [she] may be killed in self-defence only if there is no other reasonable way of stopping her attack’ (Pogge, 2013: 99). These passages suggest that Pogge rejects the second premise of the liability argument.

The phrase ‘forfeit their right not to be killed’ is Pogge’s. What I wrote in the article to which Pogge responds and what I have written here is that, in killing citizens who bear responsibility for the unjust, lethal global order in my economic injustice scenario, one does not kill someone who is not liable to be killed, where ‘not to be liable to be killed’ is to be such that one is not wronged by being killed. This is so if the moral equivalence thesis is true and if the citizens who bear responsibility for the unjust aggression are liable to be killed in the unjust war scenario. I stand by this conjunction of claims and their entailment. Moreover, in my view, necessity is external to liability. If someone is about to kill you knowingly and unjustly and you kill him preemptively, thereby saving your own life, though you could have saved your own life by simply shooting him in his leg, I do not think that you violate his right to life (cf. Frowe, 2014: 88–120).²⁰ You act morally impermissibly by killing the pertinent aggressor when you could have defended yourself in a manner that imposed less harm on him. You have not wronged him, however, and given that he was about

²⁰ This view of liability is non-standard—see (McMahan, 2009: 9)—though, given what I say about the conditions of the moral permissibility of self-defense, I need not disagree with the defenders of the standard view of liability about the moral permissibility of self-defense. Also, I do not want to extend the scope of this claim to people who are about to kill others unknowingly through unjust actions.

to kill you knowingly, he is not in a position to complain that you wronged him by killing him.

However, whether the view espoused in the previous paragraph is true is not the core of the matter here. The core of the matter is that, despite Pogge's denial of the forfeiture account, he thinks that

it may well be permissible to kill such citizens [i.e. citizens who support a genocidal government: KLR] in self-defence. I [i.e. Pogge: KLR] merely add that, when this is permissible, it is so not because they have forfeited a component of their right to life, but because the moral importance of defensive action outweighs their right to life and thus renders its infringement permissible. (Pogge, 2013: 100)

I find this reply quite unconvincing for two reasons.

First, does the greater 'moral importance of defensive action' derive wholly, or in large part, from the right to life of those being targeted by genocide? If not, this would involve an implausible asymmetry, where the victims of genocide's right to life is not a stake, but the citizens who encourage and support the right to life of their genocidal government is. If the answer is affirmative, one wonders what makes the concern for the victim's right to life morally more important than the similar right of citizens. The number of individuals is not what makes the moral difference here, since there may be many more citizens than victims targeted by genocidal policies, in which case, on a purely numerical view, the importance of defensive action to save the latter would not outweigh the right to life of the former.

Second, take the difference between killing Hitler and killing an anti-Nazi, German teenager, who happens to live in a town with a crucial armaments factory during WWII. In both cases it may be true that the moral importance of the relevant

defensive actions, i.e. a bombing raid on Hitler's bunker or on the armaments factory, outweighs any countervailing moral considerations. However, in killing Hitler we do not wrong him—he has conducted himself in such a way that he is not wronged if harmed in self-defense—whereas we do wrong the teenager. I am unsure if Pogge thinks that no such moral difference exists. If, on the one hand, his refusal to use the term 'forfeiture' reflects the substantive moral view that there is no such difference, his view strikes me as implausible (cf. Wellman, 2012: 374). On the other hand, if his refusal to use the term 'forfeiture' does not reflect that he thinks that no such substantive moral difference exists, then in effect he accepts premise 2 and the issue between us is one of terminological difference.

The crucial issue at stake, which Pogge fails to address adequately, is whether rich people who bear responsibility for the imposition of an unjust global structure are wronged if they are subjected to defensive harm—intentionally or as a side-effect—in the course of eliminating this injustice.²¹ Given his analysis of global poverty and his parallels between it and the Holocaust, Pogge must take a clear stand on this matter.

Premise 2 can be resisted on other grounds as well. For instance, one might think that the contribution of most citizens supporting their government's military or economic aggression is too insignificant, causally speaking, to render them liable to attack (McMahan, 2009: 225, 231; but see Lippert-Rasmussen 2013b, 38–40; Øverland, 2011: 285–288). In this view, some civilians, whose contribution to the relevant aggression is significant, e.g. leading decision makers or key personnel working in the armaments industry, may be liable to attack, while some non-civilians are not so liable, because their contribution to the relevant aggression is no more

²¹ Recall that liability to defensive harm need not amount to liability to intentional killing (see third last paragraph of Section 1).

significant than that of most civilians, e.g. military personnel based on a remote island that cannot be moved to the conflict zone during the time in which the armed confrontation takes place. Alternatively, one might reject premise 2 on the grounds that one subscribes to the principle of discrimination between combatants and non-combatants in just war theory (Walzer, 1977: 146). According to this view, non-combatants are not liable to be killed by the use of defensive force.

I do not find the second line of argument particularly promising. Recently, the principle of discrimination—at least, when understood as a basic principle of the morality of war—has been subjected to forceful challenges (Fabre, 2009; Frowe, 2014; McMahan, 2009). Like my arguments here, critics of the principle of discrimination point to the responsibility for unjust threats as the main basis for distinguishing between those who are liable to defensive harm and those who are not.²²

I am more sympathetic to the first line of argument, although I do not think it defeats premise 2 (or a revised, but still interestingly strong, version of premise 2). Suppose liability is affected by the causal significance of one's contribution (but see Lippert-Rasmussen, 2013b: 38–40). Even so, it is possible to imagine scenarios in which civilians instigate, support and uphold unjust military aggression in such a manner that if harm has to befall them or the innocent victims of the unjust aggression, then fairness favors the former locus of harm such that the former have no complaint if they are harmed, even killed. In short: the fairness concern applies even

²² There are also many who, in one way or other, seek to vindicate the principle of discrimination (e.g. Dill and Shue, 2012; Haque, 2014; Lazar, 2015; McMahan, 2009: 221–231). I cannot adequately address this extensive debate in this paper.

in cases where the causal contribution of an individual is very small provided that the harm will alternatively fall on an individual whose causal contribution is nil.²³

I now turn to premise 4 in the just war argument: Poor countries that wage a defensive war against rich countries in the unjust war situation wage a just war. This premise might be denied on the grounds that one or more of the *jus ad bellum* criteria are not satisfied. Among such criteria are the requirements that war is the last resort and that the war has a reasonable chance of success (Frowe 2011: 56–59, 62).

Arguably, neither of these conditions is satisfied, because poor countries might avoid war by offering to pay the costs of the safe destruction of the Ebola virus and because, given the fact that rich countries are generally militarily superior to poor countries, any war waged by poor countries against rich countries—whether to oppose military or economic injustice—is very unlikely to achieve its cause.

My response to this criticism is two-pronged. First, *jus ad bellum* theory, at least in its standard version, is in need of revision. Take the requirement of last resort. According to a literal interpretation, the requirement is implausibly difficult to satisfy, since one can always try additional diplomatic pressure, economic sanctions etc. Hence, ‘most writers understand the condition of last resort as requiring only that these measures have been tried, not that they are tried endlessly’ (Frowe 2011: 62). Even so construed, however, the condition can at best make a claim to be a rule of regulation in view of the fact that, typically, wars are known to be much more destructive and their objectives much harder to achieve than those who initiate them

²³ Saba Bazargan argues that, at least in the case of minimally responsible threats, considerations about comparative fairness operate on the level of lesser evil rather than liability-based justification, as the present defense of premise 2 assumes. However, due to the fact that the unjust harm in question is ‘jointly committed,’ it is unclear that citizens are not more-than-minimally responsible threats (cf. Bazargan, 2014: 124).

foresee, not a fundamental principle of just war. When the alternative to war is known to be much worse in terms of human suffering, morality hardly requires the postponement of war.

One might simply interpret the requirement of last resort as a necessity condition, that is, that there are no less harmful means than initiating a war of achieving the aim, which, in the present case, means bringing an end to global poverty.²⁴ So construed, the requirement of last resort is plausibly seen as part of the fundamental principles of just (or morally permissible) war. However, there are problems in construing the relevant necessary condition of the initiation of a war being just when the assessment of whether the same ends can be achieved by less harmful means is affected by rich countries unjustly making redistributive wars very harmful, thereby bringing about that the necessity condition is not satisfied. I develop this response, *mutatis mutandis*, in the next paragraph.

I now move on to the requirement that a just war has a reasonable chance of achieving its cause. This condition is best thought of as a condition of wars being not just, but morally permissible. Most redistributive wars are unlikely to achieve their aims in the world as we know it. However, the reason this is so is that rich countries would resist attempts by means of military force to revise an unjust world order—and in so doing they would act unjustly. Hence, the citizens of rich countries can hardly complain of an unjust war being imposed upon them. If this view is rejected, consider the analogous view pertaining to the ‘domestic’ context: Scrooge has unjustly deprived Tim of his life-saving medicine, who is now dying. If Tim tries to regain the medicine by force, Scrooge will resist and defeat such an attempt. In the course of

²⁴ Hurka (2005: 37–38) suggests that, proportionality *ad bellum* understood in such a way that it takes into account all available courses of action incorporates the last resort condition.

doing so, Scrooge will suffer a slight harm and inflicting significant additional harm on Tim. On the relevant *jus ad bellum* analogue, Tim would act unjustly in trying to regain his life-saving medicine. However, it is difficult to see that Scrooge could complain about Tim's using force against him and thereby harming him slightly on the grounds that he will unjustly defeat Tim's attempt to regain his medicine as a result of which Tim's action is futile.²⁵

Second, suppose that the standard *jus ad bellum* criteria stand despite my criticisms above. In that case, it would be unjust of poor countries to resist militarily with an unreasonably small chance of success being bombarded with Ebola bombs, in which case the moral equivalence premise will not deliver us the conclusion that redistributive wars are just. In response, however, I could simply specify that the *jus ad bellum* criteria are satisfied in the unjust war and in the economic injustice scenario alike.²⁶ Admittedly, this would remove the cases I consider even further

²⁵ Suppose Scrooge does not deserve to be harmed, e.g., he took the life-saving medicine, reasonably believing that it belonged to no one. If so, then he might have a (misconceived, but, from his point of view, reasonable) ground for complaint against Tim's futile, harmful attempt to regain the medicine. Still, if there are cases where aggressors deserve to be harmed, this does not show that the reasonable chance of success requirement as such is a requirement of wars being just as opposed to morally permitted. The same is true of the fact that Tim might harm third parties in the course of imposing punitive harm on the aggressor—something that will almost always be the case in comparable punitive war situations, see (Frowe, 2014: 147–161). (In the latter, one will also need to take into account how punitive wars might deter future potential aggressors and, thus, save innocent civilians from future harm. In any case, even if it were conceptually impossible to imagine cases of punitive wars that did not harm innocent third-parties, this would not imply that the reasonable-chance-of-success condition would be vindicated as a self-standing, non-derived principle of just war. All it would show, setting aside considerations about asserting the victim's dignity etc., is that if this condition is not satisfied, then there will be other requirements of just war, e.g. the proportionality condition, that are not satisfied, and these are the ones that do the explanatory work.) I thank two anonymous reviewers for their skeptical responses to my use of the case of Scrooge and Tim.

²⁶ This is how I will respond to the use of the proper authority requirement of *jus ad bellum*. Arguably, many leaders of poor countries (as well as the citizens in poor countries that support them) do not have the standing to wage a redistributive war against rich countries, because they take part in—indeed, are often driving forces

from the real world and, thus, detract from their direct relevance to the justness of real world redistributive wars. Still, we would have learned something surprising about which conditions explain the injustice of such wars in the world as we know it.

Consider, finally, premise 6 in the permissible war argument: Poor countries that wage a defensive war against rich countries in the unjust war situation wage a morally permissible war. This premise might be resisted for reasons that came out in relation to my discussion of the reasonable success condition. It might be resisted for reasons pertaining to the negative consequences of a war, whether they fall under the scope of the proportionality condition of *jus ad bellum* or outside of it;²⁷ or it might be resisted on grounds of principled pacifism.

As already indicated, I find principled pacifism very counterintuitive, one reason being that it implies implausibly strict limits on the means that the victims of unjust aggression can employ to bring about a less unfair distribution of harm. However, this is not the place to discuss the merits of pacifism, so I simply note that few people are principled pacifists and, thus, few will reject premise 6 on this ground.

In the world as we know it, however, I do concede that wars by poor countries against rich countries are very unlikely to be permissible in the light of their negative consequences. (Recall that my three analogy arguments pertain to hypothetical scenarios much less messier than the real world and, accordingly, the present point about the real world, even if granted, does not challenge the soundness, as opposed to a certain kind of relevance, of these arguments.) I also suspect that many believe that

behind—the impoverishment of their people. Such leaders might nevertheless have some proper standing to defend their country against military aggression, viz. Stalin and the defense of Soviet Union against Nazi German invasion.

²⁷ For reasons similar to those pertaining to the success condition, the proportionality condition should largely be thought of as a condition that bears on the permissibility of wars, not their justness. Recall my discussion of the difference between (un)just and (im)permissible wars in Section 2.

even if the consequences of a military response by poor countries in my scenario of military aggression would be exceedingly bad, this would still be permissible in the light of the fact that their actions amount to harming an unjust aggressor. To employ an interpersonal analogy: Suppose an unjust aggressor is about to kill you; you can cause him some harm, but this will not save your life but only make things worse for you in that he will then kill you in a more painful way. No one other than the aggressor or you will be harmed as a consequence of your imposing punitive harm on the aggressor. Arguably, it is morally permissible for you to inflict such punitive harm on your aggressor. If you do, *ceteris paribus*, it seems you cannot reject the permissibility argument on grounds of the negative consequences of the military responses made by poor countries. Admittedly, in real-life war-cases, the *ceteris paribus* clause will never be satisfied, since punitive acts of war will invariably harm innocent bystanders.²⁸ However, this does not contradict my present principled point. Moreover, it does not render it irrelevant assuming that, at least in some cases, victims of aggression might permissibly impose harm—perhaps even death if the stakes are sufficiently high—on aggressors, thereby unjustly causing some harm to innocent bystanders (cf. Hurka 2005: 61–62).²⁹

At this point, readers might reasonably press me on whether, in making these remarks on punitive redistributive wars, I make some concessions to the view that, in our world, some significant redistributive wars are permissible. This is not my view,

²⁸ Arguably, the same is true of the *ceteris paribus* clause in real-life cases of interpersonal aggression, e.g. the aggressor has children etc.

²⁹ I cannot adequately defend this controversial claim here. Note, however, that having a criminal justice system predictably results in the death of innocent bystanders, e.g., as when criminals take hostages to avoid arrest, and yet most people think that having such a system is morally permissible. Like legal punishment, punitive acts of war are likely to have a deterring effect; so, arguably, considerations about deterrence do not ground any moral difference.

so explaining why might be worthwhile. First, I do not accept Pogge's claim that global poverty is first and foremost due to the fact that people in rich countries harm poor people rather than allow them to be harmed or enable their being harmed, and I accept the Barry–Overland claim about enforcement rights in relation to enabling harm, i.e. that they are weaker than enforcement rights in relation to harming.³⁰ Second, much of the poverty around the world is due to the policies of rich and local elites.³¹ Finally, some of the most populous and (formerly) poor countries, such as China and India, seem largely unaffected by some of the mechanisms through which Pogge thinks rich countries harm poor countries, e.g. the resource curse and the creation of incentives for military coups.

8. Conclusion

I do not accept Pogge's analysis of global poverty. If it were true, however, rich people would harm, not merely allow harm to, the global poor. In that case, their enforcement rights against rich people violating this duty would be quite strong, and I have argued that the rich might be liable to defensive harm in response to economic aggression and that redistributive wars might be just and even morally permissible. I do not believe that redistributive wars are morally permissible in the world as we know it—partly because I do not accept Pogge's analysis, partly because, even if it were true, such wars would be very unlikely to bring an end to global poverty.

³⁰ See (Lippert-Rasmussen, 2013b: 77n19, 84). Forceful criticisms of Pogge's analysis of the causes of global poverty are presented in Croft (2005), Patten (2005) and Risse (2005a, 2005b).

³¹ Some would reply that this is due mostly to their colonial past imposed on them by presently rich countries. Even if true, however, this would not save Pogge's analysis and, more to the point, would not render citizens of presently rich countries liable to defensive harm.

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About the author:

Kasper Lippert-Rasmussen (Politics, University of Aarhus, and Philosophy, University of Tromsø) has published widely on egalitarianism, deontology and discrimination. He is the author of *Born Free and Equal?* (OUP, 2013) and *Luck Egalitarianism* (2015). Presently, he is working on a book on relational egalitarianism (under contract with CUP).