LAW OF PEOPLES AND THE DUTY OF ASSISTANCE: RAWLS ON REDISTRIBUTIVE JUSTICE AMONG PEOPLES

by
Karen Rothkin

S.B. – Political Science (1992)
S.B. – Aeronautical and Astronautical Engineering (1992)

Massachusetts Institute of Technology

Submitted to the Department of Political Science in Partial Fulfillment of the Requirements for the Degree of Master of Science in Political Science

At the
Massachusetts Institute of Technology
June 2000

© 2000 Massachusetts Institute of Technology All Rights Reserved

Signature of Author

Department of Political Science 2 February 2000

Certified by

Joshua Cohen
Arthur and Ruth Sloan Professor of Political Science Thesis Supervisor

Accepted by

Barry Posen
Professor of Political Science Chairman, Graduate Program Committee
LAW OF PEOPLES AND THE DUTY OF ASSISTANCE: RAWLS ON REDISTRIBUTIVE JUSTICE AMONG PEOPLES

by
Karen Rothkin

S.B. – Political Science (1992)
S.B. – Aeronautical and Astronautical Engineering (1992)

Submitted to the Department of Political Science on 2 February 2000 in Partial Fulfillment of the Requirements for the Degree of Master of Science in Political Science

ABSTRACT

In The Law of Peoples (1999) Rawls offers a model of the world, divided into countries without pressures of nationalism, which he calls “peoples.” If some of those peoples were liberal democracies, others consult all citizens, though not equally, and others were badly governed, what obligations would the well-ordered countries have to the badly-ordered ones? There is one class of unjust society called “burdened” that is not malicious but lacks the political traditions and institutions needed to be well-ordered, and it may also be unable to care for its citizens.

Well-ordered societies owe these burdened ones a “Duty of Assistance” to help them become well-ordered. Rawls thinks that what they most need is political assistance to create just institutions, and perhaps some small, temporary economic aid for acute crises, for two reasons. Economics teaches that large-scale crises like famine or mass migration are caused by (bad) governments, and aren’t inevitable consequences of drought. If a just people wants to prevent large-scale disasters, donating large amounts of cash won’t help. The permanent cure is just government. Also, he denies that there are any real countries that have too few resources to support their population. If so, poverty or hunger is not inevitable anywhere, and what we call problems of poverty are really symptoms of bad government.

I agree that political aid is extremely important. However, I disagree with the unimportance of material assistance. First I show that his empirical ground doesn’t support an “institutions only” approach. Second, I argue that (a) primary goods are heterogeneous, and redistribution means different things for different kinds of goods, (b) needs for some of these may be adequately assured by good government, but not just burdened societies can have long-term need for others. The duty of Assistance requires redistribution of more goods, to more types of society than Rawls asserts.

Third, Rawls argues that economic redistribution is an important matter for domestic justice, and not a concern at the international level. I challenge one of his illustrations, showing that it is not completely assured by a just domestic society.

Thesis Supervisor: Joshua Cohen
Title: Arthur and Ruth Sloan Professor of Political Science
# Table of Contents

ABSTRACT 3

I. Introduction 6

II. Summary of The Law of Peoples 9
   A. Background of The Law of Peoples 9
   B. The Duty of Assistance and Mutual Aid 10
   C. Three Guidelines (§15) 12
   D. Inter-People Difference Principle Is Not Justified 13

III. Facts and Assumptions: Rawls Omits Key Evidence 17

IV. Duty of Assistance is Incomplete 22
   A. What Are the Possible Harms of Redistribution 23
   B. Different Kinds of Redistribution to Other Societies 27
      1 Longevity ................................................................. 27
      2 Science: What Does Wealth Buy? .................................. 35
      3 Correcting for Unanticipated Consequences ..................... 40
   C. Section Summary ...................................................... 46

V. Redistribution Among Just Peoples and Individual Self-Respect 48
   Does the Stigma of Poverty Unjustly Wound Self-Respect? 49
      1 Fails to Show Belief in Stigma-of-Poverty is Unreasonable .... 50
      2 Passing the Buck Back and Forth in Time ....................... 52
      3 Altering Feelings with Public Reasons? .......................... 59

VI. Conclusion 64

Appendices 68
   A. Full Text of Rawls’ Two Cases (§16.2 p.117-118) 68
   B. Life Expectancy Table 69
I. Introduction

In the book *The Law of Peoples*, Rawls considers the obligations that a just society has towards other societies, or in other words, the components of a just foreign policy. In this paper I consider only foreign policies relating to inequalities among societies, poverty, and the relationship between helping another society become just and material redistribution.

The most important point of *The Law of Peoples* is that theories of international justice dramatically underestimate how much just institutions can reduce social ills like hunger. Widespread disasters like famines and refugees are caused by unjust institutions, deliberately or through mismanagement, so it is reasonable to believe that in a countries that have just governments will not experience these disasters. Thus, although there may be large inequalities in resources among just countries, the poorest well-ordered society will be rather well-off, and will not need any material redistribution from the wealthier ones. To give a poor country political assistance to adopt just institutions is to give an enduring solution to problems of poverty. I agree that the material benefits of justice are under-appreciated. Rawls is right to emphasize the political aspects of justice and the benefits of peace and sustainability. My disagreements are over some of the details, how to determine what material redistribution would be required from one just people to another.

I accept that a primary obligation of one people to another must be to help establish just (or at least decent) political institutions. Justice is good in and of itself, regardless of the wealth or poverty of the country, Rawls’ argument is persuasive and needs no modification. The puzzle is why he thinks that doing this limits one just people’s obligation to another. At first glance a liberal theorist might think that political justice is one important good, and effective opportunities to pursue one’s life plans is another. There would then be two obligations, one to provide political
help and the other to provide sufficient material aid that the people’s members aren’t forced into one harsh way of life, but can make some choices.

Rawls believes that just institutions solve both problems. He argues that if one seriously cares to prevent large-scale disasters, like famines or disease, in another people, one must recognize that they become large under unjust or incompetent government regulation. Giving the people a just government will prevent small disasters, like drought, from turning into large ones, like famine or mass migration. Some small amount of material aid might be necessary on occasion, but it would be temporary because a just domestic government will have planned for emergencies, and can quickly take over. If we are really concerned about poverty, we should stop worrying about resource redistribution and concentrate on promoting political reforms.

While there is a lot of truth to this argument, I believe that he overstates the impact of just institutions. There will be long periods of transition, where the institutions have improved but problems like chronic hunger remain. During that time, the unfortunate people won’t need any more political assistance, but it will still have material needs, not forever, but probably for decades. Rawls is right to point out that not all countries will require material aid, but some will.

I offer two arguments to that effect. First, Rawls relies on other sources to support his claim about the material benefits of justice. Those sources actually paint a more complicated picture. Just institutions many not make large disasters, but new just institutions can’t end the disasters. Certain policies are very important, and they are compatible with justice, but even unjust regimes can implement them. So if we are concerned with another people’s material welfare, focusing on just institutions isn’t enough.

Second, I explore the nature of the material “primary goods” that peoples require. If we think of them as equivalent to money, then redistribution demands a lot from the donor, so that unnecessary redistribution is an unjustified harm. However, I argue that many things meeting the definition of primary goods are importantly unlike money, and redistributing them is not harmful. Some are not zero-sum goods, some are easily satiable. What people need sometimes depends on what others have, and is sometimes measured in absolute amounts. Money is assumed to have diminishing marginal returns to scale at all levels, but some goods have more complicated patterns. Thus, I argue that material redistribution of various goods doesn’t automatically follow just
institutions. Some goods may require redistribution even among well-off just peoples, while others will require temporary redistribution, during a long but finite transition period. Everything I advocate would supplement the obligations Rawls describes, not contradict his work.

At the domestic level, Rawls believes a concern for justice requires a concern for the distribution of primary goods so that all citizens are rewarded according to their talents and effort, not morally irrelevant initial inequalities in status or wealth. He offers reasons for thinking that these concerns are properly domestic, and shouldn’t concern relations between societies. One of these is the effect of unequal opportunities on a person’s self-respect and respect for others. I examine Rawls argument and find it mistaken on its own terms. That is, had he said that no concern for individuals (beyond keeping them alive) is ever relevant to relations between peoples, I would not have discussed the effect on individual self-respect. But if he thinks it is a relevant concern, he is mistaken to think that it is alleviated by just institutions alone.

First, I offer a brief summary of Rawls’ views on when redistribution is an obligation of justice, when it is forbidden as a matter of justice, and when it is permitted but not required. Next, in section III is a brief discussion of the ways his argument and my comments rely on specific facts about the real world. In subsequent sections I critique his views, and argue for a more expansive interpretation than he offers – modifying rather than denouncing his work. In section IV I argue that Rawls’ conditions imply more redistribution among peoples than he claims, that his discussion is incomplete. It applies only to some kinds of primary goods (for example food), but looks odd in reference to others (for example education), and a broader interpretation of the requirements makes more sense.

I argue in section V that one or Rawls’ reasons for limiting redistribution is actually a good reason for expanding it. Whether one wants to limit the duty of assistance as he does, or expand it (as I argue in section IV), both the restricted and the more comprehensive obligation requires well-ordered Peoples to provide more material aid, as a matter of justice, than Rawls claims.
II. Summary of The Law of Peoples

A. Background of The Law of Peoples

Rawls deliberately writes about “peoples” rather than “nations” or “states” because he wants to ignore the complications of nationalism and border disputes, especially as they are linked to so much real-world injustice. Though all actual borders are to some extent arbitrary, and have to some extent unjust histories, it is possible for all people inside borders to treat each other with respect and form a just society (Rawls 1999b, p§4.3 p.38-9). That is, there are no moral reasons, ever, for ethnic hatred, persecution or violations of human rights, so justice is always possible, if there are enough resources to sustain human life, and if they can be distributed fairly to all. He thus does not discuss how a people is delimited – how to distinguish people-wide from group-wide institutions – and considers borders fixed.

A well-ordered society should tailor its foreign policy according to the extent that other societies are unjust. Just peoples may sometimes interfere with unjust governments, but always with the goal that unjust societies should become better-ordered (§2 esp. §2.3, pp.23-30 esp. pp.27+). Specifying the limits and duties of interference is one purpose of the book.

When societies are tolerant of each other, engaged in peaceful trade, they are not threats to each other, and indeed, benefit each other; so well-ordered societies have good reasons to be concerned about the badly-ordered. They would form what Rawls calls the Society of (well-ordered) Peoples, and imagines as an idealized UN, World Bank or GATT. It would not be a world government (§3.3, p. 35; §4.1, p. 36 and p.36n40; §4.5, pp. 42-3). Having multiple peoples ensures against a global despotism (§4.4, p.41), and by containing fewer people, allows for more commonalities among citizens, and stronger ties of sympathy (§2.1, pp.24-5) or proper patriotism (§3.3, pp. 34-5).

Rawls divides societies into five categories. There are fully just, or “liberal” societies, which are not necessarily run according to A Theory of Justice (1971), but have recognizably liberal-democratic institutions. Next, there are “decent” societies which offer every member a lot of respect, though not equal respect. They must also allow every member to express opinions and concerns to the government, and the government must sincerely address them through established
political institutions, by rule of law. Members do not have equal voice, influence or respect, but they all have sufficient voice, influence and respect making the society well-enough ordered that liberal societies may not interfere with their institutions (except by example). Liberal and decent peoples are both well-ordered. I accept both categories as unproblematic (Introduction, p.4; §7.3, pp. 61-2; §8).

Next, there are “benevolent absolutisms”, which act in some respects as if they were well-ordered, but not by rule of law. Their governments respect human rights, provide for their members and address their concerns, but only by whim. It can stop at any time, and thus does not guarantee those rights and respect; presumably, to the extent that the practices become informally entrenched, the society becomes more decent (Introduction, p.4; §8.1, p.63; §13.2, p.92). There are also “outlaw states” which may be aggressive towards other peoples, violate their own members’ human rights, or have unsustainable practices, so that eventually they will need another people’s resources (Introduction, p.4-5, 8-9; §13.1, p.90).

Finally, there are “burdened societies”.

Burdened societies, while they are not expansive or aggressive, lack the political and cultural traditions, the human capital and know-how, and, often, the material and technological resources needed to be well-ordered.... Only burdened societies need help. Furthermore, not all such societies are poor, any more than all well-ordered societies are wealthy. A society with few natural resources and little wealth can be well-ordered if its political traditions, law, and property and class structure with their underlying religious and moral beliefs and culture are such as to sustain a liberal democracy. (Rawls 1999b, §15.1, p.106)

Rawls’ point here is that while some burdened societies may be poor, all (or almost all) burdened societies require sustained help to develop sociopolitical institutions compatible with well-ordering.

**B. The Duty of Assistance and Mutual Aid**

Well-ordered peoples have an obligation to encourage other societies to become at least decent, members of the Society of Peoples. It is also in their interest to do so, as the benefits of peaceful trade far outweigh those of either war or isolation – the well-ordered don’t make war on each other (in §5, pp.44-54 Rawls discusses the “democratic peace” issue). Burdened societies can
be thought of as wanting to be well-ordered, but lacking the means; helping them become well-ordered should be more straightforward than reforming an outlaw or benevolent despot.

Well-ordered societies have a Duty of Assistance to all societies burdened by unfavorable conditions to bring the latter into the Society of well-ordered Peoples (how best to reform outlaws and despots seems to require case-by-case analysis). The duty attaches to a people, not to its members, and is owed to another people. Meeting the basic needs of individuals in burdened societies is secondary, required insofar as it is a prerequisite for well-ordering (§11.3, p.85; §15.3).

The crucial point is that the role of the duty of assistance is to assist burdened societies to become full members of the Society of Peoples and to be able to determine the path of their own future for themselves. It is a principle of transition. (§16.2 p.118 italics in original)

Rawls conjectures that even the poorest societies could be well-ordered, and cites supporting evidence (Dasgupta 1993; Sen 1981; Sen and Drèze 1989). What they need most of all is guidance to become self-determining in the right way, they need the well-ordered to foster appropriate social and political institutions.

Rawls' wants to distinguish the purposes of the Society of Peoples from those of domestic societies, in response to arguments that, as they are parallel, some form of Difference Principle would emerge in the international case (Barry 1989, esp. §30; Beitz 1979). Rawls doesn’t say that there are no other duties to the poor or suffering, only that they are not part of the duty of assistance. He emphasizes that many of the material problems of the burdened – e.g. poverty or famine – have political causes, and that with decent institutions, most peoples will be capable of meeting their members’ most basic needs without material redistribution from the better off.

There is another material obligation, or class of obligations, called “mutual assistance”, or mutual aid, agreed to by members of the Society of Peoples. These are specified in the treaties describing when a fellow well-ordered people requires material help from others, for example, following a natural disaster or war with an outlaw. Mutual Aid also includes the background

---

1 It receives brief mention (p.115) as “certain provisions for mutual assistance.” I refer to obligations among the Society of Peoples as Mutual Aid so as not to confuse it with the Duty of Assistance.
institutions of the Society of Peoples so that they are fair, and any redistribution necessary to keep them fair (Rawls 1999b, §4.5, pp.42-3).

So a just foreign policy includes provisions for material assistance to other well-ordered societies, with the content specified by treaties (or derived under a veil of ignorance among representatives to the Society of Peoples). It also includes material assistance to burdened peoples insofar as it is directly necessary for them to become well-ordered. The first is vague, and he offers three guidelines for considering the second.

C. Three Guidelines (§15)

The first guideline for well-ordered Peoples to follow in unburdening the less advantaged societies is to recognize that the goal of justice is political decency, and not some idea of economic redress among peoples (§15.2).

[T]he aim is to realize and preserve just (or decent) institutions, and not simply to increase, much less to maximize indefinitely, the average level of wealth, or the wealth of any society or any particular class in society. (15.2 p.107)

Because he places so much emphasis on political reforms, economic measures are only peripheral to well-ordering. The duty of assistance covers only what is necessary for just or decent institutions, questions of what to do with the extra resources or wealth are deferred.

The second is to recognize that decency clearly requires eliminating human rights abuses, and that this can be argued with reasons internal to most political cultures. In general, he is suspicious of political structures and values imposed from another society in the name of improvement. In this case, the Society of Peoples does not have to impose its ideals on the burdened societies, simply discover similar ones within local traditions. Not only is local political culture of paramount importance for decency, it is also most difficult to alter, especially from outside the culture itself. Native arguments will be more persuasive.2 Promoting these ideals is not cultural imperialism when the arguments are grounded in the target culture’s traditions.

If most hunger and poverty are examples of political abuses, then economic aid could not alleviate the suffering, and claims to the contrary must be excuses. Thus, if material aid is needed, the well-ordered can impose political conditions on it, since political change directly affects

2 The reverse contention, that cross-cultural similarities are superficial, is argued in (Walzer 1994).
material well-being, not the reverse. However, offering a decent society incentive to become more liberal is not acceptable, because decent societies do not need material help. In putting conditions on aid one risks being paternalistic or exploitative, but bribing a decent society is definitely paternalistic (§11.3 p.85 and §15.3).

The third guideline is to recognize that the end of assistance is for

burdened societies to be able to manage their own affairs reasonably and rationally and eventually to become members of the Society of well-ordered Peoples....Thus the well-ordered societies giving assistance must not act paternalistically, but in measured ways that do not conflict with the final aim of assistance: freedom and equality for the formerly burdened societies. (§15.4, p.111)

Individuals should participate in their society’s political institutions, so that their concerns will be heard and responded to, even within a non-liberal but decent well-ordered society. A society that is not self-determining cannot have much individual member participation³; this implies that societies should be self-determining. Assistance ceases to be a duty once burdens are alleviated. There is also a new requirement to leave the minimally well-ordered, unburdened society free from external interference – self-government should accomplish the rest unaided (§4.1 p.37, fourth of eight principles of a Society of Peoples). Other well-ordered societies can now influence by example only:

Moreover, if a liberal constitutional democracy is, in fact superior to other forms of society, as I believe it to be, a liberal people should have confidence in their convictions and suppose that a decent society, when offered due respect by liberal peoples, may be more likely, over time, to recognize the advantages of liberal institutions and take steps toward becoming more liberal on its own (§7.3 p.62, repeated in §15.4).

D. Inter-People Difference Principle Is Not Justified

The Law of Peoples... holds that inequalities are not always unjust, and that when they are, it is because of their unjust effects on the basic structure of the Society of Peoples, and on relations among peoples and among their members. (Rawls 1999b, §16.1 p.113)

³ This seems to be, not a necessary truth, but a plausible description.
Rawls' criterion of reciprocity in domestic justice requires a full and fair chance at a good life; in inter-people justice it a working, decent government. As long as individual citizens of one country don't have good public reasons to feel inferior as citizens to those of another country, their self-respect is not harmed. Self-respect can only be harmed by unjust or indecent governments – Rawls seems to think of it as requiring a minimum amount of citizen-participation and self-determination, such that all peoples above this threshold have equally good bases of self-respect-as-citizens.

That all citizens participate in making (domestic) decisions to save or spend, collectively or privately, is more important for self-respect than their relative or absolute wealth. That only citizens participate in such decisions makes the Society of Peoples fair, because it leaves member peoples equally self-determining. (§16.1 p.113-115) If only citizens participate, all of them equally, that makes the individual society liberal.

Basic fairness among peoples is given by their being represented equally in the second original position with its veil of ignorance. Thus the representatives of peoples will want to preserve the independence of their own society and its equality in relation to others. In the working of organizations and loose confederations of peoples, inequalities are designed to serve the many ends that peoples share. In this case the larger and smaller peoples will be ready to make larger and smaller contributions and to accept proportionally larger and smaller returns. In addition, the parties will formulate guidelines for setting up cooperative organizations, and will agree to standards of fairness for trade as well as to certain provisions for mutual assistance. Should these cooperative organizations have unjustified distributive effects, these would have to be corrected in the basic structure of the Society of Peoples. (§16.1 p.115)

He then discusses Beitz’ two principles (Beitz 1979, part III), resource redistribution among countries, applied insofar as countries are materially self-sufficient, and a Global Difference Principle (GDP), among all individuals, applied insofar as countries are economically
interdependent. Rawls finds two flaws. First, they are inappropriate, in that Beitz incorrectly links resources with wealth and wealth equality with just institutions and a well-ordered society.\(^4\)

Since he [Beitz] believes that the wealthier countries are so because of the greater resources available to them, presumably the global principle (with its scheme of taxation, say) redistributes the benefits of greater resources to resource-poor peoples.

However, because, as I have said, the crucial element in how a country fares is its political culture – its members' political and civic virtues – and not the level of its resources, the arbitrariness of the distribution of natural resources causes no difficulty. (Rawls 1999b, §16.2 p.116-117)

Beitz' aim of equality through resource redistribution or compensation doesn't allow precise measurements of the disparities to be corrected (how should we compare different resources used for different purposes?). Furthermore, it requires constant redistribution of ever-smaller amounts among the richest societies, because equality is a relative measure, but any measure of sufficiency, no matter how high, will have an absolute threshold.

Surely there is a point at which a people's basic needs (estimated in primary goods) are fulfilled and a people can stand on its own. There may be disagreement about when this point comes, but that there is such a point is crucial to the Law of Peoples and its duty of assistance. (§16.2, p.119).

It is an inefficient way to address the wrong concerns. A theory without such a sufficiency point is not concerned with the justice of peoples, but with individual well-being (§16.3, p.119).

Second, Beitz' principles (especially the GDP) are patronizing. It is as if material wealth (or whatever is to be redistributed) were merely an indicator for a people's choosing the best option; those who get less wealth from their choice should be compensated for their failure. It reduces the relationship of citizens and their society to material gains – a western, middle-class, capital innovation (or fetish), not a cross-cultural value. Not only does it turn the processes of

---

\(^4\) A colleague suggested that Rawls thinks that Beitz' concern to equalize or maximize well-being is utilitarian, not a liberal/Kantian concern for justice – that Beitz is concerned with the wrong thing. If so, the phrase “how a country fares” in the next quote (§16.2) is best seen as misleading, for Rawls' main concern is always with matters of justice. I'm not convinced, however, since Rawls cites J.S. Mill (on §15.2, p.107n33) that beyond subsistence, well-being requires ever-more liberty. Quoting Mill indicates to me that Rawls thinks even utilitarians wouldn't endorse Beitz' proposals. (A.B., personal communication.)
acquisition into a contest among societies, which are expected to ape the biggest earner, it then demands that the winner share its wealth with the others.

A libertarian reply is this unfairly punishes the winner, a reply Rawls rejects in the domestic case, but can be thought to assert here (Beitz 1999, p.291-2). Rawls makes a slightly different criticism. Rather than thinking that outcomes of free, informed social choices are reasonable though unequal, (Beitz 1979) treats all choices but the “winner” as errors, assuming that if they could, all societies would choose the “winning” policy retroactively (because it maximizes the only value). Mistaken peoples should be treated compassionately, and wealth redistribution helps hide the fact that the least-well-off are losers, and gives them more equal footing to be the winners next time around. It is an arrogant compassion.

He invites us to consider two cases (see Appendix, on page 68 below for full text):

Case (i): There are two liberal or decent countries with the same size population and “the same level of wealth (estimated, say, in primary goods).” One industrializes and increases its real savings rate; the other remains pastoral and leisurely. Decades later the first has twice the wealth of the second. The disparity resulted from free choice in a well-ordered society; “should the industrializing country be taxed to give funds to the second? (§16.2 p.117).”

Case (ii): There are two liberal or decent countries, with the same wealth and population, both with “rather high” birth rates (despite full equal justice for women). One encourages women to join the public world and its birth rate drops to zero population growth, while the other’s women freely choose to continue a high birth rate. Thus, decades later the first society is twice as wealthy as the second is. (He does not specify per capita wealth or real productivity growth due to the women’s contribution.) Does this require redistribution? (§16.2, pp.117-118).

He concludes that in both cases the duty of assistance does not require a tax for redistribution, which seems intuitively right to Rawls. In contrast, he thinks both of Beitz’ principles would require such a tax in both cases, and that this is intuitively wrong, privileging economic growth over quality of life, and one particular idea of gender equality. Both of these cases illustrate the inappropriateness (for Rawls) of correcting for the consequences of free, informed collective choices. Most peoples would be worse off under this scheme. Those that value wealth (and acquire the most wealth) would be obliged to give some of it away to others that earned less. Those that prefer to trade some wealth for more leisure, or more children, would be
told that these preferences are wrong, and are encouraged to adjust their culture so as to increase their own wealth, about which they care less.

III. Facts and Assumptions: Rawls Omits Key Evidence

*The Law of Peoples* is driven by the idea that large-scale economic disasters (for example, famines) are caused by political injustice and incompetence, not by lack of resources (for example, drought). With more effective and more just political institutions, they won’t happen. Thus, justice isn’t about alleviating famines when they occur, but instead preventing such disasters – using foresight. More generally, for Rawls, sending material aid to those in the middle of an acute crisis is an uninteresting obligation. The interesting problem is how best to promote political structures that don’t create disasters, which Rawls identifies with well-ordered structures.

Rawls uses evidence from studies about well-being to argue that justice should not be concerned with well-being, since well-being automatically follows political well-ordering. However, those studies also show that instituting some better-ordered institutions does not appear to reduce the problems associated with poverty, and less just countries are at times more competent than more liberal countries. One could argue that anything that reduces poverty and suffering must be part of justice, and the unjust elements of poverty-reducing plans in the real world are not integral to the plans, but neither Rawls nor his sources make that argument. The elements of well-ordering that avert major disasters have to do with a government’s concern for well-being, not its overall structure being liberal or decent.

My argument is as follows: Rawls says that a concern for well-being as a matter of justice is adequately addressed by establishing just institutions, so if a just or decent people does only the latter, it will have met all its obligations, and have no further cause for concern about poverty. But it turns out that just institutions alone won’t have that effect, so any original material concern remains even when the poor people has just institutions. We should still be worried. Worse for Rawls’ argument, it turns out that the political strategies of alleviating the problems of poverty can include some unjust policies that are nonetheless successful. Some just policies may even slow the pace of poverty elimination – participatory government can be quite slow at times.
Whatever the virtues of just institutions, and there are many, the fact that they don't cause huge disasters does not mean that they alone can cure them. Rawls could say that the inter-people level should not be concerned with individual well-being, and so should not redistribute primary goods. He doesn't make this assertion, and his actual argument fails on the facts. I don't mean that just institutions should be secondary, simply that they don't do the extra work Rawls assigns them.

Two things have to be true for his argument to work. First, any people must have enough resources to be self-sustaining, with enough saved to deal with emergencies. Since justice doesn't require adjusting a country's borders, it would be hard to argue this as a general point. Rawls instead asserts that it is true for real-world countries. Second, the conditions he lays out for political well-ordering have to be the same as (or a strict subset of) the conditions that prevent disasters. If preventing disasters requires anything not part of well-ordering, then the duty of assistance is incomplete. If any indecent institutions are good at preventing disasters, Rawls has overstated the importance of well-ordering.

It is worth unpacking these two points. He assumes that basic resources are distributed such that any territory contains enough to support its people. They must also be distributed so that when a natural disaster occurs (drought, storm, or earthquake), neighboring peoples can make up for the loss in time to prevent further disaster (starvation, cholera, exposure). He is not clear whether political institutions have to be fully well-ordered, or merely well-ordered in some respects to deal with crises—assistance is about transition to decency, but he doesn't describe the sequence of steps towards well-ordering, or their practical impact. He also omits discussion of how severe the problems are that newly just societies inherit from their badly-ordered predecessors, and whether they are able to solve them without protracted foreign aid. These points are important later on in this paper.

Rawls refers the reader to (Dasgupta 1993; Sen 1981; Sen 1994; Sen and Drèze 1989). He gives an accurate summary of many of their points: They argue that basic resources are abundant and widely distributed, so that, e.g., starvation isn't physically necessary anywhere—it is a politically aggravated problem. Also, they agree that the rest of the world can do a lot to ease starvation and prevent famines—international inaction is unjustified. Rawls downplays the
economic obligations more than Sen et al. but that may be because he thinks it obvious that starving people need food, refugees need shelter and so forth.

However, Rawls oversimplifies the political analysis that his sources present, in a way that allows him to dismiss Beitz’ argument too quickly. Sen and Drèze argue that the key to eliminating famines and chronic hunger is public support: public provision of health care, employment and even food distribution (parts II and III). Members of the society have to participate for such measures to be effective, and an active citizenry can demand collective action as well (§13.4, pp. 266-7; §13.7, pp.275-9). Decent institutions like a free press and legal opposition parties can make public participation more effective, but they can also work against effective public policies in the name of profits or privatization (§13.1, pp. 257-9). It may be that with proper planning and enough time, any country would be able to support its citizens, either directly or through trade, but it may take a long time to come to that equilibrium (esp. §13.6, pp. 273-5).

Effectiveness is not the same as well-ordering according to Rawls, who means well-ordering with respect to justice. In such a society, making laws or policies is unlike making sausages, instead it is principled and orderly throughout. Effectiveness is ends-driven and we know from the real world that unjustifiable policies can be effective at achieving decent goals.

In the cases Sen and Drèze present, the countries with the most impressive records at reducing socially-aggravated problems are not the most well-ordered in the world. Rawls stresses that they are not the richest to support his claim that resource inequality doesn’t matter, but doesn’t mention that they are not even decent. For example, India, a stable democracy with much grassroots action and participation, has an infant mortality rate of 72 per thousand, while China, stable, centrally controlled and without free elections has an IMR of 41 per thousand. During China’s three years of great famine, the highest estimate is that seven people out of every thousand perished; the death rate in normal times in India is twelve per thousand (Sen and Drèze 1989, p.214-5). Men can expect to live five years longer and women ten years longer, in China than India (see Appendix B, on page 69).

The problem for Rawls is that badly-ordered societies sometimes care about the well-being of their members. He implicitly acknowledges this when he says that it is unjust for a people to support its members by making war on other peoples (Rawls 1999b, §3 p.8). Benevolent
absolutisms also care about their subjects’ basic needs – it is what makes them benevolent. The example of China shows that badly-ordered societies can be good at preventing starvation and premature death better than similarly large, poor-but-more-decent ones. Consider the HPI or Human Poverty Index, aggregating lower lifespan, information and education, and access to health, clean water, malnourishment – not just low incomes. In 1997, China with 17.5% of its people suffering extreme poverty (an HPI of 17.5) while India had 36.7% of its population in extreme poverty. Kerala, the best-off state in India, has an HPI of “only” 15%, which is only slightly higher than China’s national average; Beijing has an HPI below 10% ((UNDP) 1997, pp.18-23). In 1960 India and China had similar values on the Human Development Index (an aggregate measure of life expectancy, educational attainment and income) of 0.200 and 0.250 respectively, but by 1994, China had an HDI of about 0.630 while India’s was about 0.430.

But if less decent political institutions can more easily relieve problems that invoke the duty of assistance, then the duty of assistance won’t necessarily prescribe political justice, at least not with this much enthusiasm. It would require commitment to help, resources, and effective political structures; decency might require effectiveness, but not the reverse. If it deliberately set out to do these things efficiently, a well-ordered society might have better results than a badly-ordered one; however, that would seem to depend not on well-ordering per se, but on the society’s genuine concern and effectiveness. But liberal and decent societies aren’t the only ones able to care about their members’ well-being. Outlaw states might violate their members’ human rights, or they might promote their rights and opportunities at the expense of other peoples, unjustified but often successful. Benevolent despots also care about the quality of their members’ lives, and isolate it from issues of well-ordering.

Rawls argues that if we are concerned with gross inequalities in life chances among countries, then we should be less concerned with everyone’s material wealth, and more concerned that they are able to use what they have within the constraints of their societies. Giving a poor country money doesn’t give its citizens more opportunities, but once they have better political institutions, they will have a similarly satisfying set of life choices as rich liberal-democracies. Now we see that better institutions won’t necessarily help either. He says that this indicates the
complexity of social problems, but it also indicates that his duty of assistance doesn’t address our concerns about inequalities. The ground for the limited duty has washed away.

More troubling for his theory, if indecent institutions can be as effective as decent ones, then one might think there is an obligation to promote effective institutions, and hope that they are politically palatable. But these may not be part of a transition to just government, and may even work against such a goal. Can a just foreign policy offer China incentives to become more like India institutionally, promote more human rights, even though more actual lives would be worse? It is not so easy to trade political prisoners for chronic hunger. A guide for transition (§16.2 p.118) should advise peoples how to choose, but the duty of assistance is no help. Even if one still believes with Rawls that a fully well-ordered society would be a big improvement over any real country, China and India alike, the strategy of promoting liberal institutions is no longer clearly right, and must be reargued. I think he can successfully defend his theory, but not the argument against Beitz.

Note that I am not claiming that well-being is more important than just institutions. The structure of Rawls’ argument is that if one is concerned for well-being at all, then one should focus on political justice. The evidence, however, shows that if one is concerned with well-being, looking for a political solution, then unfortunately, policies that increase well-being do not require just institutions, and free expression of dissent may slow the adoption of effective policies, or lead to policy mistakes. One can argue that, nonetheless, political justice should be primary, and policies to alleviate poverty must be compatible with justice, on ethical grounds, a reasonable, even Kantian position, which Rawls doesn’t take.

Even if “the crucial element in how a country fares is its political culture… not the level of its resources,” it does not follow that “the arbitrariness of the distribution of natural resources causes no difficulty.” (Rawls 1999b, §16.2 p. 117). Political factors can be necessary but not sufficient, not unlike the thought that some societies can be well-enough ordered to be considered decent, but not liberal. Depending on the political factors, the society may require different amounts of various resources, so if the state religion mandated a strict vegetarian diet, the people would have no need for fishing equipment. Among well-ordered societies, a direct democracy
would require transparent communication or travel, while representative democracy could get by with some delays and costs.

The debate that Sen and Drèze join is about whether government policies directly promoting economic growth or public support are more effective at improving quality of life. The first aims to increase general wealth, which can then be used to offer more wide-ranging support, while the second directly increases the level of public support – job provision, education, health care, income redistribution, etc. They are two strategies concerned with material well-being, and they argue that public support is more successful and more reliable (Sen and Drèze 1989, chap. 10-13, defined on p. 183). They evaluate the success of the plans, not their justice, and in the abstract neither one is more just than the other.

Perhaps by "causes no difficulty" Rawls means that the institutional requirements of justice are robust to large changes in resource availability, so that it is a problem less often than we might think. If this is so then he should be explicit about when we have to take resources into account, and what to do about them. He should also explain which political institutions address which problems.

IV. Duty of Assistance is Incomplete

Rawls says that political aid is of paramount importance, and that the benefits of economic aid are exaggerated; I agree with both. There are, however, other forms of material aid besides the strictly economic (money or primary goods) that Rawls does not discuss, for example, cures for diseases and life expectancy. I argue that these are the sort of thing we think properly subjects of international action or foreign policy. They are things that are distributed among individuals (meaning everyone has some) and subject to redistribution or social allocation. They are somewhat like money, somewhat like food or shelter, somewhat like natural resources and critically unlike all three. Rawls’ insistence on clear, fixed targets of the Duty of Assistance makes sense for economic
aid, but does not make sense for these other material goods. For example, what is “a people’s basic need” for life expectancy, and can it be just that members of one decent society can expect to live only half as long as another?

The Duty of Assistance is incomplete, not wrong. One can add principles regarding other material goods without altering Rawls’ theory very much, and keep his emphasis on political assistance and tolerance. Similarly, one can consider reallocating material goods to other types of society without invalidating the discussion of burdened ones.

For several reasons, one being because some of the primary goods are different from money, even if obligations to redistribute money are minimal, burdened societies aren’t the only ones who need more primary goods. If other types of society can invoke an obligation to distribute them more equitably, then the duty of assistance doesn’t necessarily end once a society has decent institutions.

I begin with the argument, and then illustrate it through three examples: unequal life expectancy, sharing the benefits of medical research and unanticipated consequences of Rawls’ two cases.

A. What Are the Possible Harms of Redistribution

One of Rawls’ main points is that, although a Law of Peoples would prescribe more international intervention than often thought, morally unambiguous problems are often the hardest to alleviate. They require long-term commitment to policy, unlike quicker remedies such as bombing an outlaw state. In the real world, Rawls implies, there is so much international injustice that a just Society of Peoples would have enough to do assisting victims of, e.g., famines, floods and sweatshops, corruption and dictatorships.

It is important to specify the conditions under which a needy society imposes an obligation on others, to distinguish it from cases where assistance is desired, but not required. If obligations were limited to what are unarguably needs, such as sufficient food, clean water, and honest

5 Longevity, disease burdens, education and information, access to health care and news are, among others, commonly considered to be problems of poverty, lacks of basic resources. Rawls’ discussion of redistribution looks odd in reference to these common primary goods, but should be part of his theory on his own terms. ((UNDP) 1997, pp.137-145). See also ibid., Box 1.1 on p.16, which contrasts a pure income measure of poverty with a capabilities approach, with a basic needs perspective. The last one corresponds best to Rawls’ earlier writing.
government, then it would be easy to judge when help is required, how much, and for which purposes. With more demanding obligations, for example, a varied diet or democratic government, reasonable peoples can be expected to differ on what counts as enough, because traditions vary so much. The straightforward “what is required for life” becomes the murkier “what is required for a good life,” which includes some assumptions about what a good life is.

While vague goals are problematic, they are less so than Rawls believes. There are ways to reduce the chances of being patronizing, and disrespectful ways to offer uncontroversial subsistence. To give the recipient people some control over exactly what they get, donors can ask which forms of aid they find insulting, and which differences they find unfair. That is not to say that the recipient should have full control over what it should get, merely that any just society providing aid is committed to listening with a proper respect, even to burdened peoples.

More importantly, the category of “burdened society” doesn’t describe all societies that need assistance as a matter of justice (though it seems to describe those that least resist just institutions). Because many needs don’t vanish upon transition to just government, some newly-just peoples would require continuing aid that isn’t covered by the duty of assistance. While aid may be required as part of treaties among just societies (to which the newly-just state has just become a party), this is a soft and circuitous justification for aid. It is more parsimonious, and intuitive, to say that the duty of assistance is proportional to the need for help, as understood by donors and recipients.⁶

Political assistance is so important for a burdened society in part because it enables these kinds of dialogue. Without political institutions that respond to members’ concerns, we cannot know for sure what to respect about the society and what to offer. It would be perverse if obligations of assistance ended as soon as they became easily understood. It is hard to disentangle important cultural traditions from particular responses to poverty. Each people will adapt to unfavorable conditions, and if they persist, those adaptations will become part of the people’s culture. If it is left to the donors to infer what constitutes mere adaptations, then their base of

⁶ “Proportional to the need for help” doesn’t mean need is the only factor. Duty is of course also influenced by other things, like the ability to help. How much a people can do is constrained by other pressing needs for the same scarce resources.
inferences is quite likely beliefs about their own culture, which means imposing their culture on the
burdened.

This should be true for adaptations to politically unfavorable conditions as well as material
deprivation. Rawls this sets limits to both material and political aid. A liberal people cannot try to
make a decent people more liberal, because it would be disrespectful and destabilizing (§7.3, p.62;
§8.1, p.63; §9.2, p.74; §11.2, p.83). Presumably then, as a burdened people’s political institutions
developed, they would require less interference, and at a point when it was a well-enough ordered
society, nonintervention would be mandated. The goal of political aid is to give the burdened
citizens voice and influence in their society. Viewed this way, just peoples meet the duty of
assistance iteratively. Initially they should foster political institutions that allow the burdened
members to explain their culture, then those institutions that encourage discussing which
government structures are most in line with their other values, and which values are incompatible
with well-ordered institutions.

Iteration means that even if political assistance is more important, or more time-consuming,
it still doesn’t have to trump all material aid beyond subsistence. As the society becomes more just,
it will begin to meet its own political responsibilities. Donors should continue to monitor the new
government’s actions, but political assistance would take continuously less time and effort. Closely
related to iteration (step by step improvements) is the thought that steps to alleviate poverty may be
independent of steps to improve the government, which means that either one may precede the
other. But then Rawls has no reason to limit redistribution to burdened societies, and ignore the
newly-unburdened ones.

Being a vegetarian in the Arctic circle (before airplanes) is very different from being a
vegetarian in southern India, because of different traditions and different constraints on what is
available. If a non-vegetarian people understands a varied diet to include meat, they will interpret
their obligation as in part, making meat available, and teaching people how to prepare it safely.
The recipient society may be vegetarian for cultural reasons, or because of systemic unavailability
of meat. Vegetarianism may have begun out of poverty but evolved into a complex cultural
phenomenon over generations. For another society to declare that the recipient is owed meat is in
effect to decide that there is no cultural meaning, or value, to not having it. Something as innocent
as providing a decent diet has become a judgment of what the recipient people would want if they were properly informed, or able to afford. It becomes cultural imperialism, motivated by genuinely caring, but in the end patronizing norms.

Limits to fine-tuning redistribution can be justified in several ways. We might think that they reflect uncertainty in measuring inequalities among people (or peoples). Different comprehensive doctrines can require different proportions or amounts of primary goods, and it is impossible to make interpersonal comparisons with perfect accuracy or precision. Limits also might be practical, where we are concerned to get everyone a large amount of primary goods so that small differences one way or the other don’t have much real impact on opportunities. It might be that above a high threshold, desires even for primary goods are largely satiated, such that envy is no longer a factor. There might also be moral limits, in that once everyone has a great many primary goods, it would be wrong not to turn to more important political problems.

Rawls’ limit of subsistence is not more practical than these others, but it is a lot more miserly. Different limits seem to make sense in relation to different primary goods. People’s personal needs for water can be satiated. The amount each person needs will vary according to body mass, climate, exertion and culture, but no one’s need is infinite, or even very large – satiation is a logical limit on aid providing clean water. Shelter, on the other hand, can generally be made more comfortable or desirable, well beyond what can be considered a need. In relation to shelter, a different limit, perhaps a decent minimum standard, may more sense. Alternatively, it may be that “adequate” shelter is largely cultural, for example, requirements for privacy vary a great deal, so that what assistance must provide can only be determined case by case.

“Subsistence” doesn’t even make sense in relation to some goods. There are things that meet the criteria for primary goods that are material (not political), yet are unlike money. I consider two such goods: life expectancy and basic medical research.

Then I consider the way a people’s need follows consequences of past choices or experiences, and whether it makes a difference if the consequences were intended or not. If the burdened society were poor as well as badly ordered, its citizens would remain in need in between the time when they finally received subsistence and the time when they joined the society of peoples – this Rawls allows. If a poor, badly-ordered society happened to adopt just institutions
before alleviating its extreme poverty, he wouldn’t allow continued assistance. I can think of no reason to expect the former to be systematically more common than the second, so alleviating poverty seems a matter of luck.

**B. Different Kinds of Redistribution to Other Societies**

1 **Longevity**

In this section I want to show that some things we think should be distributed evenly are things that aren’t needed in proportion to the injustice of a people. Even societies that have decent institutions and meet their members’ basic needs can demand a fair supply of them as a matter of justice. We tend to think redistribution should be consistent with justice, but depend on need, not merely wealth differences. To the extent that ‘need’ is determined by the societies in question, redistribution will depend on the social definitions. To the extent that need is preventable, prevention is preferable to cure. To the extent that need is actively courted, it highlights the need for institutional reform as well as material aid. That a needy people is otherwise well-off is no reason for a donor to unilaterally declare its responsibilities met.

The obligation to aid obviously burdened societies – those whose populations clearly lack basic of food, clean water, shelter and freedom from physical attacks – is not in dispute. Questions arise about deciding when enough needs are met that redistribution may cease (Rawls 1999b, §15.1, p.106). Accordingly, I will concentrate in this section on societies that are (at least) decent and thus have sufficient wealth and political institutions to support decency. For simplicity, consider a system of two decent societies, as Rawls does in §16.2.

Rawls argues that a principle of inter-people redistribution requires tax-funded transfers from one decent, autonomous, satisfied society to another to rectify inequalities that result from expression of cultural differences. He wants to allow these dissimilarities, which means he cannot endorse a duty to rectify them. Would such a principle be so inflexible? Won’t reducing the effects of different cultural values really reduce those values to hobbies? Wouldn’t it undermine the attachments of citizens to their own life plans and to each other? It seems easy to declare a prima
facie duty to rectify some harmful inequalities (like a life expectancy of 37 vs. 72 years) while leaving a lot of space for other consequences of different cultural values.

As an aside, one can understand inter-people redistribution as really being a principle of compensation. Morally arbitrary factors should be irrelevant to life chances, or social possibilities, and the initial distribution of basic resources among peoples is morally arbitrary. If peoples should not suffer because they are resource-poor, then the first thing to do is to remove the inequalities of the natural distribution of resources, or at least rectify it at first opportunity with a redistributive tax. Rawls opposes any such scheme, by claiming that even the most resource-poor places have enough to support a people.

Even so, it doesn’t explain why a decent minimum is more important than an equal decent amount greater than the minimum. Rather than argue against initial recompense, I attempt the different, but more general argument about redistribution for morally arbitrary factors including unanticipated consequences of past choices and lingering consequences of past unjust choices. Rawls describes a world made of largely self-contained peoples whose interactions are instrumental to each people’s domestic collective and personal life plans. To this end, he tries to specify their obligations to each other clearly, so that each people understands that its obligations to each other people can be met in full in the near future. In this subsection, I argue that the twin targets of minimal decency and bare subsistence leave too much out. There are some goals international society should aim at even though they are not easily quantified; limits will be both arbitrary and change over time.

One such goal is increased expected lifetime. Certain life plans available to people who can expect to live to seventy years are unavailable to people who can expect to die at forty. Though cultures adapt to changing numbers of live children or elderly, no culture of which I am aware prefers early death in and of itself. It is also not a zero-sum goal – raising another people’s life expectancy does not lower one’s own. Redistributing life expectancy is thus very different from

---

7 By which I want to acknowledge the principle that different outcomes of individual or social choices can all be just, though not equally beneficial. Without rigorously specifying what would be just, we can still determine some situations that clearly require redress. If some of those are not covered by the law of peoples, then it needs to be modified. (clarification from SW)

8 Cultures may be hostile to some means of extending lifespan, but that is very different
redistributing food or cash, yet at least as important to the recipients. People in well-off countries live can expect to live twice as long as in others — it is not a matter of small differences. If historical “memory” is measured in lifetimes, then traditions will be harder to preserve, even traditions of just political institutions. Dying very young is an obvious burden, to the individuals and to the culture. Vastly unequal longevity among peoples is of no benefit to any people, much less to the least-well-off. Helping another people live for a reasonably long time in good health is something that should fall under a duty of assistance according to Rawls’ criteria.

The average life expectancy for the whole world was 66 years in 1998, 64 years for the unindustrialized world. For the industrialized world the figure is 75, 70 for men and 78 for women (Halweil 1999c p.100). Japanese have the highest at 76 years for men and 82 for women (Weiss and Mushinski 1999. p.19). Lifespan in the developed world has increased for the last half century, though the rate of increase has fallen; some think this plateau indicates the natural human lifespan (if not cut short by disease or violence). In the poorest countries, life expectancy is far lower than average (for example, Sudan in 1997 had 55 for men and 57 for women, twenty years fewer than the global mean (1998))

In part because of widespread AIDS infection, African countries have far lower life expectancies than the rest of the unindustrialized world. In Kenya, life expectancy fell by 18 years, in Zimbabwe by 26 years, since the mid-1980’s; it is not an isolated problem. The impact is noticeable in 21 sub-Saharan countries; in a dozen, at least one in ten adults is infected, one in four adults in Zimbabwe and Botswana (1999; Halweil 1999a p.102; Halweil 1999b). In five countries, people can expect to die before the age of forty, and in four more, before 45 (1998; 1999; Tucker 1999).

It is true that if these countries had stable, well-ordered, peaceful societies, decent or liberal, this alone would reduce the incidence rate of new AIDS cases. If they had been well-ordered when the virus jumped to humans, the pandemic might even have been contained or averted. Well-ordering might have been sufficient, since there are many inexpensive public health

---

9 See http://www.un.org/Depts/unsd/social/health.htm (included as Appendix B on page 69) for complete tables.
10 There are many factors contributing to life expectancy at birth, and I don’t mean to suggest HIV is the most important, or that its effect is simple. It is important, widely studied and not unique to poor countries, so it is a good example.
measures to prevent disease (Sen and Drèze 1989, §13.4 p. 270, also chap. 12, e.g. p.227).

However, no amount of justice or education now will make the virus disappear from the bodies of those already infected, and their life expectancies will remain low. Furthermore, because HIV is easily transmitted through normal parenting\(^{11}\), AIDS will be a problem for the next generations as well – infection is spreading in South Africa despite political improvements since the end of apartheid. For example, if on 1 Jan 2000 Zambia became perfectly just, and maintained its liberal institutions indefinitely, most people born in 2000 would be dead in 2040, despite abundant education, food and peace for their whole lives. Absent a widely available cure (not just a vaccine), many people born between 2000 and 2040 would be affected despite improved public health measures.

AIDS burdens societies in many ways. Not only is the average life expectancy much shorter for people with the virus, which has diverse cultural and political effects, as infection turns to active disease, victims’ lives are severely impaired. They spend more time ill, unable to work to their prior abilities, and often require care from others, who are then unable to do their work. As AIDS patients die so young, they leave many orphaned children, which burdens family, political and cultural institutions. It is expected that in the effect of spreading HIV infection means that by 2010 in Zimbabwe about 115 children (per thousand live births) will die, though only 35 will die from unrelated causes. In Kenya, about fifty per thousand children will die, and an additional fifty-five will die because of AIDS ((UNDP) 1997, p. 66-68). The considerable burdens of AIDS apply to rich and poor, just, decent and badly-ordered peoples alike.

Life expectancy raises problems for Rawls’ statement of the duty of assistance. First, while it is easy to recognize a gross unfairness when life expectancy is about 75 in the industrialized world, 64 for much of the rest, and 35-50 in Africa, it is not clear at what point well-ordered societies would have met their duties. Would it be sufficient to raise every people’s average lifespan to the current global mean? To the industrialized mean? Would decency require equalizing expected lifetime for men and women? It is likely that even well-off peoples would want to

\(^{11}\) “Mother-to-child transmission is an increasing problem. UNAIDS believes that in sub-Saharan Africa as many as 1 million children may already have been infected prior to or during birth, or through breast-feeding.”

http://www.unaids.org/website/00_core_frame.html
increase their own life-spans indefinitely (other things equal), does this mean they have to do the same for all peoples, or could they get away with giving them the necessary information, but not the resources?

In short, “raising life expectancy” has no target that distinguishes “not enough” from “enough”. More precisely, it has a moving target. Basic needs are usually defined as those necessary for life, but the question “how much life-expectancy is necessary for life?” makes no sense. Subsistence I suppose means just enough to have children who can live long enough to have children, perhaps twenty to twenty-five years. If the point is to respect tradition and promote self-determination, then the duty of assistance mandates living long enough to educate the children, to reproduce the culture as well as the gene pool. According to the third guideline for assistance, its goal is for “burdened societies to be able to manage their own affairs reasonably and rationally,” (Rawls 1999b, §15.4 p.111) and “is a principle of transition,” (§16.2 p.118 italics in original). There is no reason why a group of twenty-years-old people should be less collectively reasonable or rational than one of fifty-years-old people, so by that criterion, even they could theoretically develop and sustain just institutions.

One might argue that increasing life expectancy is closer to political than economic aid, because living longer means that cultural traditions are more stable over time. With longer to learn the traditions, and explore their subtleties, the more time people have to reflect on them, and gradually get rid of the indecent elements; with faster turnover people are more likely to change their practices almost at random, lacking the time to measure the benefits of each change. Longer-lived people will be more concerned with their property and the condition in which they leave it for the future, and we know that sustainability is part of decency for Rawls.

If longevity is more a political than economic good, then The Law of Peoples already argues for helping to increase the average lifespan of all peoples, with much less concern for a clearly defined, achievable target of aid than I characterize it as having. Duty of Assistance obligations to help the people live longer would be met when its institutions are finally well-ordered. This would help to “equalize up” everyone’s life expectancy only if life expectancy were closely correlated with the decency of a society’s institutions.
This raises a second problem: even though indecent governments can shorten life expectancy and constrain the life-plans of their subjects, they may also want their subjects to have long, happy and productive lives. Benevolent absolutisms care about human rights, but operate by decree instead of constitutional law. Outlaw societies may be very decent to their own citizens, though aggress against other societies, and poor societies that are not completely decent may be decent as regards life expectancy. Such societies decouple longevity from thoughts of transition, by encouraging longevity within the existing cultural and legal structures.

There is real-world evidence of such societies regarding other measures of mortality, before the AIDS era. Between 1960 and 1985, the ten (developing) countries that most lowered the mortality rate in children less than five years of age (U5MR) were: Hong Kong, Chile, United Arab Emirates, Costa Rica, Kuwait, Cuba, Singapore, China, Jamaica and South Korea (Sen and Drèze 1989, p.184+). They have different government philosophies and structures, to say the least, and no one would claim that they were all politically well-ordered or even politically improving during these 25 years. They also had very different histories of foreign aid and wars, income, growth and savings; they even seem to have reduced U5MR for different reasons, intended and fortuitous. Some better ordered societies had lower life expectancies over this period, for example, contrast India (44-52) and China (54-65) (Sen and Drèze 1989, chap. 11 esp. p.205). Rawls cannot claim that the success of these ten followed or encouraged political improvements.

It appears that making political institutions more just does not necessarily improve measures of health or reduce rates of mortality and morbidity. If it deliberately set out to do these things, a well-ordered society might have better results than a badly-ordered one, however, that would seem to depend not on well-ordering per se, but on the society’s genuine concern and effectiveness. Just as foreign economic aid alone does little to alleviate famine or poverty, help to create liberal institutions could also do little.

The same source on which Rawls relies so heavily for his claim that economic burdens are largely caused by political or social inadequacies – Hunger and Public Action (Sen and Drèze, 1989) – supports both points. They argue that the key to eliminating famines and chronic hunger is public support: public provision of health care, employment and even food distribution. Members of the society have to participate for the measures to be effective, and an active citizenry can
demand collective action as well. Decent institutions like a free press and legal opposition parties can make public participation more effective, but they can just as easily work against effective public policies in the name of profits or privatization (esp. §13.1, pp. 257-9). Decent institutions alone do not guarantee a people sufficient resources to meet its needs. It may be that with proper planning and enough time, any country would be able to produce enough to support its citizens, either directly or through trade, but it may take a very long time to come to that equilibrium (esp. §13.6, pp. 273-5), and many countries support their citizens without being decent.

With badly-ordered societies able to provide quite well for their members, and well-ordered institutions able to work against some of what Rawls considers human rights, the evidence is that systematic improvement in physical well-being is less strongly connected to improvement in political institutions than The Law of Peoples requires. To reduce hunger, a people needs (1) genuine concern to reduce hunger, (2) sufficient food resources to feed everyone adequately, (3) effective structures aimed at reducing hunger, the third alone does not ensure the other two. Similarly, to combat AIDS effectively, a society needs motivation, resources and effective structures; decency may require effectiveness, but not the reverse.

As for wide differences in life expectancy among peoples, if well-being is only weakly coupled to political assistance, then helping the shorter-lived to live longer doesn’t seem like a form of political assistance. We cannot excuse the vaguer target of closer-but-higher expected lifetimes – where there isn’t a clear definition of either close enough or long enough – as not being economic. We can say that it is not a matter of subsistence aid, but it is more material than institutional.

The third problem for Rawls is that, although life expectancy has no strict “target,” equalizing it upwards is not particularly wasteful. It is hard to divert aid for personal profit – public health manuals don’t have much cash value, and cost little to produce. Aid can be impeded by a hostile government, but not necessarily at great cost to the donors. The worse off the burdened society is, the cheaper it is to train and employ people to teach various public health measures, give vaccines and so forth. Thus it can be economically rational to have a prima facie duty to assist, though when the hostile government blocks the aid, that would be a good reason not to offer further help until it would get through. Meeting the duty in this way doesn’t redirect much of a
people's resources from other social ills, or personal life plans, so it is not especially burdensome to the donors. As a decent life is as universal a value as there is, reducing morbidity and mortality rates is less likely to be patronizing, or seen that way by the burdened people.

It is not wasteful in another sense. It's probably true that redistributing cash or food to compensate for small differences amongst very rich societies has serious opportunity costs. This isn't true for public health measures, in fact, the opposite is to some extent true. As researchers investigate the causes of small differences in longevity in two places, they learn about the relative impact of various remedies – diet, pollution, medicines – that informs the best strategies for aiding the badly-off. The impetus comes from small differences among the wealthy and at least sometimes benefits the poor – a concrete example of inequalities benefiting the least-well-off. It may not be the most efficient way to help as many as possible, but it isn't a hindrance.

There are disanalogies between health and wealth in that wealth is exchangeable for primary goods, both to satisfy basic needs and beyond. Health is generally necessary for meeting basic needs and life plans, but it isn't exchangeable for them. Better health, or living longer, probably makes it easier to meet one's goals, which is often true for money, but it isn't the same kind of relationship. Rawls' first guideline – that the Duty of Assistance is not about increasing wealth – doesn't translate clearly into the language of health or life expectancy. One might think instead that health measures are the kind of aid he had in mind when formulating this guideline, but I don't see textual evidence for it.

In reality, treatments and vaccines are often developed in wealthy countries, and are available to people in those countries sooner and more easily than to people in poor countries. Consequently, the life expectancy is not only much higher in general in the former, life expectancy for people with the same illness is much higher as well. This would be true without including the AIDS pandemic. It is one good where the difference principle seems to hold – the extra effort used to give extra benefit to the well-off directly improves the lives of the least-well-off. Describing a just distribution of health care, within or between countries (or peoples) is the sort of question that Rawls' philosophy should be well-suited to answer, though he openly leaves the hard cases, like costly illness, aside (Barry 1989, p.244; Rawls 1993, VII§6 p.272n10).
Rawls might say that the duty of assistance only covers burdened societies, because among well-ordered peoples, within the Society of Peoples, a just distribution would be guaranteed by the treaties well-ordered peoples create. Since the Society of Peoples is decent, then the distribution of life expectancy within it must be decent. We aren't told what it is, however. One obvious answer would be that longevity and public health measures in general would be distributed according to an inter-people Difference Principle (IPDP). To the extent that helping one's own people first would encourage further advances that benefit the least well-off people in the Society, those differences would be allowed. Given Rawls' general denial of any IPDP, however, this is probably not his view. A more plausible extension of his Law of Peoples would be that the information and products necessary to ensure longevity are fully available, but it is up to each people to provide it for themselves according to how they value it. It could be available in a free market, or a regulated market, with or without patents and so forth, subject to the just treaties of just peoples. Presumably the same would apply to indecent societies as well, as with any other commodity, perhaps with some conditions attached.

If that would be his argument, then an argument for more positive-sum-good equality among peoples would take the same form as one for more wealth equality. For example, that if even one possible liberal society would be concerned to maximize its health (suitably constrained by other social concerns), then more redistribution would be chosen in the second original position over the Law of Peoples (Pogge 1994, §111 p.209); for another, that the real world is too interpenetrated for the model of largely uniform, self-contained societies to be relevant (Beitz 1979, esp. p.154; Beitz 1999). Rawls does reply to Beitz and Pogge about more traditional objects of redistribution, but for positive-sum goods like life-expectancy, his reply is even less persuasive.

2 Science: What Does Wealth Buy?

Given that both fictional societies meet the basic needs of their citizens, what exactly does the additional “wealth” enable or buy? In both Cases (i) and (ii) (summarized on p.13, full text on p.68) all individuals are assumed to be well above subsistence level, and indeed, have enough primary goods to be able to live according to their reasonable, comprehensive life plans.

This means that individuals’ desires for many goods will be partially satiated; at some point there are limits to detectable improvements in the quality of food, for example, or the quantity that
an individual wants. While for any particular large amount of a good, there can be at least one person who wants more, there will also be a great number of people who do not. Here I shall attempt to show that even for some things people still desire intensely though they already have a lot, it would be wrong not to share them with other well-ordered peoples (I also say a bit more about what “sharing” means). It would be peculiar as well to think one’s potential obligation to share a good depended mostly on whether the other people had decent political institutions, and not at all on its current supply.

This section considers redistribution of things that people in both societies still want more of. Some less satiable desires are for:

- Luxury consumables
- Capital investment / production
- Fine arts
- Science, knowledge and research

It is these (and perhaps other) things that comprise the wealth, money is the instrument used to create and distribute them. While wealth might be most efficiently redistributed as money raised through taxes, Rawls takes pains to remind us that this is not necessarily so, (Rawls 1999b, §15.2). Consider a modified Case (i) for a good that is mostly unsatiated even with much monetary wealth:

**Case (1)** There are two societies that have equal population, size and wealth. Society A values scientific knowledge, considers it an important form of wealth, and thinks of research as savings or investment. A begins to encourage science research. Perhaps it emphasizes science education, offers public subsidies for research, or rewards new discoveries with social praise. Society B values fine arts and science equally, and as a result, does less science than Society A. Decades later (say, 100 years later) researchers in A discover a cure for many forms of cancer. Should they share this cure with Society B?

My intuition is that they should share it, and I suspect that Rawls would agree. Further, it seems obviously wrong to think that the fact that B has just, liberal political institutions gives reason not to share the cure, or that such considerations could be relevant.
Perhaps Rawls would reply that this is not what is commonly meant by redistribution of wealth. Redistribution can instead take two forms: sharing the treatment, or sharing funding for research. Consider redistribution of the specific medicine itself, where sharing means making it available to other societies, for a market price. This has a Rawlsian rebuttal: while medicines are certainly physical goods that can (and should) be distributed, market availability alone is not enough. We would think it wrong if A were to keep its research secret, to ensure that B would always depend on A for supplies of this and future medicines.

Creating dependency of this kind is not consistent with two of the eight principles of justice among peoples:

Peoples are free and independent, and their freedom and independence are to be respected by other peoples.

Peoples are equal and are parties to the agreements that bind them. (Rawls 1999b, §4.1 p.37)

A cure for cancer benefits people from all walks of life, and enables them to pursue many different life plans – it is both important and general. If B is dependent on A’s continued supply, then B is not free and independent. A is able to attach conditions that further subordinate B politically, and in virtue of A’s unilateral policy, B is in a weaker position to refuse. With a policy of proprietary knowledge, A imposes an agreement on B; B is not an equal party, or even consulted. If the end product (life-saving medicine) is fundamentally valuable, then B is materially better off accepting coercive conditions.

If the law of peoples regulates the redistribution of knowledge, then the knowledge is itself the sort of thing we consider as wealth. It doesn’t rest on the fact that both A and B think of it as wealth, though for simplicity in this example they do. Like life-expectancy in section IV.B.1, knowledge can be shared without the donor losing its supply, unlike money, time or pills. Unlike life-expectancy, hoarding knowledge can have material benefit to the hoarder. Knowledge is thus also similar to money, which if hoarded can be lent with interest to those without. Money, lifetime and medicine/knowledge are three distinct kinds of wealth, and the Duty of Assistance seems plausible for only one, albeit very important, kind.
Next, the other form of wealth-redistribution one might think Rawls intends is A’s funding scientific research equally among A and B. This won’t do either. It is too broad. The goal of aid is not economic equality itself, but enabling individuals to participate in their society’s institutions as part of pursuing their life plans – critical to decency (Rawls 1999b, §5.1, p.49). Even in A not all individual life plans include scientific research, but whatever people’s life plans, not dying is critically important, more so than money or research grants. Also, perhaps it would indeed be insufficient for A to share the cure and knowledge, but not the ability to practice science. It might be if A truly valued science for its own sake, as a form of wealth, it should assist anyone who wants to participate, regardless of citizenship. I don’t think this necessarily follows, especially not according to the Duty of Assistance. It seems like the subject of domestic political discussion. Whether or not sufficient, however, it is at least necessary to share the cure – instructions and pills – among all peoples.

Furthermore, a policy of curing some people and leaving others to die demonstrates different valuation of the two groups of people. Someone could make a case for different treatment of patients who knowingly risked cancer – for example, smokers or nuclear engineers – and those who did not. But in this case, the difference is whether one was born in A or B (or has migrated). It says in effect that the lives of some people are worth more than others, not even because of any moral desert, merely a political membership. The relevant subjects of redistribution must include real access to the medicine and to the knowledge behind it. Rawls doesn’t mean his Law of Peoples to regulate public spending priorities within or between peoples, as these priorities are the subject of the domestic overlapping consensus. It is precisely the thing he argues against.

Someone might propose a scheme of sharing wealth with B that allows citizens of A to get the cure for free, since it was “their” collective social investment in science that enabled it, while citizens of B have to pay for it. This is largely mistaken as well, since there is no direct identical
connection between each person in A and the development of the cure. Rawls chose "decades earlier." (and I chose a century) to indicate that the policy is well-entrenched. It also indicates that most people will have been born after the policy was begun, and many who chose the policy will have since died. Many current members of A did not decide to emphasize science as a collective aim; the most that can be said is that they did not abandon it, quite a different thing.

Individuals in A do not all value science equally, although they accept the political decision to value it highly. They have not all contributed equally to the cure — some will have worked on unrelated projects, others may have competed for the prizes or funds that enabled the research that produced the cure. Some people in A will be new immigrants, or children of immigrants, and will have contributed to both A and B; likewise for emigrants to B.

It is likely that, since considerable science is still done in Society B, some of it contributed to the discovery of a cure for cancer. In fact, it is perfectly possible to imagine Case (1') where A and B are as specified above, but the cure is at last developed in a laboratory in B. A’s extra investment doesn’t guarantee that they discover everything, or even anything — they might value science highly, but be incredibly bad at it.

So the connection between member contribution and the cure is too variable to say that all people in A ought to get it free because A as a political society encouraged favorable conditions. This is not part of a proper patriotism. One could try to offer subsidies to individuals proportional to their contributions, or A could decide as a political matter that the cure will be paid for out of tax revenue and provided free to its citizen, but B could do that as well.

12 What if people know the risk factors for illness, and it turns out that one culture’s traditional practices are much riskier than others? For example, one people has a relatively healthy diet of fish and vegetables, and another has an unhealthy one with a lot of animal fat and starch, and little else. Individuals in the two societies are free to choose any diet, but in the aggregate, the first people is healthier than the second. However, in the real world, countries with different traditional diets but similar wealth and social welfare programs are similarly healthy — consider Japan’s health statistics are far closer to Germany than to Laos. The close link between health and wealth/development/education makes the idea of favoring the society that discovered the cure less plausibly just.

13 A People’s moral nature "includes a certain proper pride and sense of honor; they may be proud of their history and achievements, as a proper patriotism allows. Yet the due respect they ask for is a due respect consistent with the equality of all peoples." (Rawls 1999b, §5.1, p.44) I read equality of all peoples to preclude using the fact of membership as a poor proxy for investment, commitment or need of a non-scarce resource.
In any event, this is another illustration of how redistribution of wealth, when we look at specific forms of wealth, need be neither counterintuitive, nor difficult to measure, nor linked to well-ordered institutions. The target of redistribution is curing as many cancer patients as possible (a goal that has to be balanced against the society’s other goals). Although it will require continual redistribution as different people get ill, need for cures is satiable. The limits to redistribution are clear, it is not the bottomless pit that Rawls describes for wealth transfers. There is no reason to think that sharing the cure with B will reduce B’s cultural values to hobbies, in fact, being alive and healthy allows more people to focus on culture and not illness. Sharing the knowledge allows people in B the opportunity to work at the frontiers of research, instead of needing to rediscover what A has done. It should expand options for life plans for people in B and A, not constrain them. It is possible to imagine sharing schemes that would have these faults, but they are not necessary or probable.

3 Correcting for Unanticipated Consequences

Arguments for redistribution can be based on the beliefs that unanticipated\textsuperscript{14} consequences, good or bad, of a policy begun decades earlier, are morally arbitrary. In Case (i), where industrialization leads to wealth disparities, industrialization may have required new or altered legal institutions, such as a revised notion of property, family, unemployment and compensation. They are in themselves neither good nor bad, but as society A changes it inevitably affects society B. Even if the two are mostly economically independent, the Society of Peoples still administers various treaties and contracts, all of which require both A’s and B’s understanding and cooperation. As A’s understandings change, they are communicated to the Society of Peoples, and thus to B.

\textsuperscript{14} Some consequences that are unintended can still be predicted, see the useful discussion in (Sen 1999, chap. 11, pp.254-61). When bad consequences are predictable, but the society chooses them anyway, it incurs some responsibility. How much is just, especially when it was a social choice landing on citizens who didn’t themselves choose it, is a murky issue. By using the word “unanticipated” I mean to exclude things they should have expected and realistically could have avoided. Rawls worries that it is disrespectful and patronizing to correct for unanticipated consequences; though he doesn’t distinguish unintended from unpredictable, the force of the argument rests on unintended-though-predictable ones. I argue that we can correct for unpredicted effects, and even for predictable-but-still-very-harmful effects, especially when the effects would otherwise linger or propagate, while managing not to be disrespectful.
If the two peoples are economically interdependent, then as A’s economy shifts to a more industrialized one, its trading requirements and capabilities will shift as well, which affects B. Imagine that A develops machinery and builds textile mills while B does not. A soon needs much more fuel, and perhaps different sources of fuel than before, and it can offer more fabric for sale, for less money, than before. The demand for B’s cloth will change even though B has done nothing, just because the two share a trading regime. A would be willing to pay a higher price for fuel, which may mean that people in B can not afford it any longer, or perhaps that they switch to a different source. More people in B may choose coal mining or logging as a career than before, or they may choose to migrate to A for jobs.

If they were not constrained to be decent societies, their relationship might turn to one of exploitation, A charging more for processed goods than it pays for raw materials, or B enjoying a more leisurely, pollution-free lifestyle while purchasing products of industrialization. Neither A nor B need have intended either relationship at the time it chose whether to industrialize, unlike the case of deliberately creating dependence in the last section. A might have wanted to exploit B, but found itself exploited instead. In any case, the consequences attach to the inheritors of the people who made the decisions. In the Society of Peoples, exploitation is ruled out, but unanticipated consequences remain.

It is useful to distinguish between unintended and unpredictable consequences (Sen 1999, chap. 11, pp. 254-61). Part of the intuition Rawls describes, that redistribution from A to B is wrong, comes from the thought that A and B each assume all the risks of unintended-but-predictable consequences of their choices, so they should also acquire unintended benefits, predictable or no. After all, at the time of their decisions, both A and B must have reasoned publicly that their particular paths would be more satisfying, of more benefit to their respective publics, than the alternative. Especially when both A and B are better off than they were before the choice, it is peculiar to claim that B was harmed by not industrializing simply because it thus acquired less wealth than A. It is also disrespectful to B to consider only relative profit, ignoring the important reasons B actually had for choosing as it did. Clearly B did not intend to gain less than A, but it did have intentions, many of which may have been met. It may be as Rawls says, that decades later, the people in B are still less mercenary than those in A, and consciously agree to
trade the foregone wealth for the more pastoral lifestyle, and if so they would not think themselves worse off than A.

It may be that neither people was thinking primarily about the tradeoff between greater and less wealth (let alone relative wealth). The hard choice is not between different amounts of the same good, but between two different goods that happen to result in different amounts of things like wealth. Perhaps they chose between capital and leisure, two economic goods; perhaps between progress and tradition, two cultural values; or perhaps between potential improvement and what-has-always-worked, two attitudes towards risk. The alternatives in each pair are associated with different amounts of money, knowledge, life-spans etc.. These are the costs and benefits we weigh in making the choice, they are not the choice itself. (The choice between more X and less X is one that Rawls says is uncontroversial, made by the “counting principles of rationality” (Rawls 1971, p.411-15 as cited in; Rawls 1999b, §12.2, p.88 note 41).)

However, the amounts of the associated goods are not necessarily knowable in advance. A people can know some of the benefits that are possible, and some that are impossible. It can make estimates of the probabilities of various amounts, and use that to make conditional predictions of how much e.g. wealth might follow breaking with tradition. Even if they do this analysis well, and predict many consequences accurately, there can be additional ones they did not predict. Things that arise from the interaction of both peoples’ choices are probably less predictable simply because they require more information; relative gain is an interaction term.

Rawls seems to dislike wealth transfer in large part because it is a transfer of capital wealth from a society with more capital to one with more leisure. It is an unbalanced transfer if both societies have equal amounts of the good capital-plus-leisure. But of course, decades after the decision. A and B may not have equal amounts of capital-plus-leisure. Rawls ascribes to Beitz the belief that, relative to their initial equality decades earlier, industrialized A has more additional capital than B has additional leisure, hence the redistribution. Rawls denies there is significant inequality and opposes the redistribution, but is committed to rectifying such inequality through the Society of Peoples, should it exist (Rawls 1999b, §4.5, p.43 and §16.1, p.115).

Pogge suggests a slightly different reason for Rawls’ antipathy, that “he may have been misled by an unrecognized presumption that a laissez-faire global economic order is the natural or
neutral benchmark" against which other proposals would be compared. He considers the global
difference principle only in regard to burdened societies, though Beitz and others argue for it as a
background condition of justice for all societies. For them, a global difference principle is not a
principle of redistribution, but rather is the guideline for distribution in the first place, so that it is
the neutral benchmark (an inter-nation difference principle or a guarantee of equal basic resources
could also be benchmarks for Beitz and Pogge). One could compare distribution schemes on levels
of equality, burdens, restrictions or other criteria. For example, the GDP isn’t more burdensome to
the well-off (who get taxed) than not instituting such a scheme is to the least-well-off. In fact, if
there are diminishing marginal returns for additional wealth, then the laissez-faire system is more
burdensome to the poor than a global difference principle would be to the rich (Pogge 1994, §IV).

Since this is precisely the case Rawls makes for the domestic difference principle (Rawls
1993, VII§9 p.282-3), I doubt he was misled for the global case, and propose the following
explanation. The equality of capital-plus-leisure point cannot be resolved without evidence that
describes the relation of capital and leisure in the real world (see above p.Error! Reference source
not found.Error! Bookmark not defined.). They are only partially fungible, not completely, and
are measured in different units. The specific exchange rate function will vary from person to
person (though we can say some general things about it, for example, no one can live with zero
capital or zero leisure) and individuals cannot give unproblematic accounts of their own
preferences. We would have to agree on some way to measure capital-plus-leisure inequalities
before deciding whether Rawls or Beitz is correct. Rawls thinks the measurement difficulty is
insoluble, which dooms any redistribution plans. Even if we could determine whether there was
rough equality or not, the procedure would be costly, uncertain and wasteful, and he condemns
wasteful measures (Rawls 1993).

Case (ii) is explicitly about an unintended consequence, the rate of population growth as a
result of one or another policy about women’s participation in work and public life. It deserves
closer examination.

Rawls postulates that society A cuts its birthrate but doesn’t waste the surplus that women
produce. Society B however, increases its population without proportionately increasing its
productive capacity. If they are similarly productive throughout, A must have more producers per
consumer than B (as long as A doesn’t have an enormous death or emigration rate), both because A employs a greater proportion of its adults and because B at any time will have more children than will A. Decades later, B has half the wealth of A; it will have less wealth per capita because of the ratio of workers to non-workers, so when Rawls asserts that B has less wealth, he may also mean overall, even though B has many more persons than A. Essentially, A has saved for future wealth while B has been comparatively dissolute, as a society.

Whether or not there should be transfers of cash from A to B, one may think that these differences will not persist, since A, B and the mutual Society of Peoples are all well-ordered. Possibly as A’s standard of living increases, B will be motivated to alter some of its policies: either lower its birth rate, become more productive, or increase its savings rate in anticipation of a larger population. Corrections may be a direct consequence of communication between two well-ordered societies. It would be another beneficial consequence of having just institutions. Rawls may even be wrong to think that B would be less wealthy, if the extra population is also productive, or innovative.

Alternatively, the differences may persist because they are harmless. B may genuinely not care that there has been an increasing inequality between the two societies, perhaps because it prefers tradition, or children, more than income. If that preference is shared at all levels of society, they could of course refuse to accept any help (beyond subsistence in crises) from other societies that don’t share the traditions (Pogge 1994 p.202). The concern here is that B would think the differences unfair, but A denies that they have any grounds for that belief (not the claim that redress would be unfair to A, rather the claim that B is mistaken about its own situation).

If somehow B hasn’t adequately planned for the future, then it failed one of the basic criteria for decency, one that Rawls uses to justify both property and commitment to a particular people. “People must recognize that they cannot make up for failing to regulate their numbers or to care for their land by conquest in war, or by migrating into another people’s territory without their consent” (Rawls 1999b, §3 p.8 also see §15.3, esp. p.108). If it turns out that B decades earlier was not a decent, responsible people, then A has a Duty of Assistance to bring B into the family of decent, responsible peoples able to sustain their own populations. This may include some
economic assistance for the legacy problems, even though B is currently well-ordered, as argued in section Error! Reference source not found..

However, A never has a duty to B to subsidize its irresponsible breeding habits, the worry that seems to underlie the intuition that transfers of cash are unfair. Beitz justifies duties to a country left poorer by inadequate population control policies on the grounds that past unjust policies are beyond the country’s current control (Beitz 1979, p.160-161, including footnote 68). If Beitz’ idea of duty to another country were purely monetary, this might have the predictable effect of subsidizing irresponsibility, by compensating for its consequences, though that would not be the policy’s intent. Nonetheless, to the extent that economic security lowers the rate of population increase, his policy would reduce the level of social irresponsibility. He suspects, however, that the real countries A and B are not self-sufficient, and that A somehow benefited from B’s past dissolution.

Beitz’ and Rawls’ imagined situations are so different that I am honestly not sure how they can be reconciled. Both insist that A’s duty to B is not limited to economic aid, but also includes fostering of just institutions (Beitz 1979, p.135 for example), in this case, effective population control and likely the development of institutions that encourage larger public roles for women. Pogge envisions a Global Resource Tax (GRT) encouraging the use of renewable resources, discouraging pollution and environmental damage. It is not clear how he would approach birth-rate problems, but he explicitly agrees with Rawls about the importance of just institutions to reducing such problems in the real world (Pogge 1994, pp. 196-7).

Rawls’ second case may contradict itself. In the real world, women’s health and safety, correlate closely with women’s education, and economic and political participation: the more valuable they are, the better they are treated. It is not clear that overhauling a society’s traditions to proclaim women equal to men, would be sufficient to ensure their effective equal treatment. There is some evidence that it is not women’s opportunities, but rather their actual use of the opportunities that makes the difference (Sen and Drèze 1989, §4.3-4.5, pp. 50-9). If so then society B would not be well-ordered unless it had significant numbers of women actually participating in society, which is the feature about society A that determines its lower birth rate.
Also, the example links B’s women remaining out of the public sphere with their having more children, but of course it has to be possible that women remain at home while having fewer children – otherwise, if having fewer children meant women automatically participated more in public life, then we’d know that their traditional roles were not freely chosen. In both cases, redistribution sounds odd because the hypothetical situation isn’t possible, not because there is something noble about these freely-accepted adverse consequences.

Subsidizing irresponsibility is a general problem in socioeconomic theories. When a person gets a benefit, the whole person gets it, not just the good parts or parts society wants to reward. Overpopulation is ultimately an individual level problem; society may provide better education and access to birth control, but it is individuals that have to change their behavior.

Rawls wants to distinguish between the case in which the people in question doesn’t have institutions that encourage (or correlate with) reasonable birth rates, and the case in which the institutions are fine, but many individuals have overly high birth rates. He accepts the consequences of the second, not the first, but not for instrumental reasons (e.g. because we expect that the first will have more individual irresponsibility than the second). His preference is consistent with aid to peoples, not individuals, and Rawls argues that there is no reason to think that it needs any prior justification. It is also consistent with the goal of fostering just institutions that are also successful and efficient ones.

C. Section Summary

To sum up, then, I have tried in this section to show that many things we think should be redistributed are needed regardless of the society’s decency. Although a badly ordered society may create and exacerbate material needs, some kinds of needs persist long after the society has reformed. My intuition is that redistribution should follow need (though it is constrained by other social goals), yet be done in a way consistent with justice, and that this does not privilege well-being over justice. When a society seems irresponsible about a need, recklessness often implies that it needs political help, but in the meantime it still has not met that need. The more general and critical that need, the more other peoples have a prima facie obligation to help, even if it could have been prevented.
Rawls has not shown that needs arising from unfortunate resource endowments, legacies of previous poor ordering, or unforeseen consequences, need not be remedied, whether or not the people is currently well-ordered. Neither has he shown that presuming that basic material inequalities should be rectified is particularly insulting, self-righteous or patronizing to the worse-off people. Well-off societies may be prone to such “imperial high-mindedness” just as they may be too quick to declare all their responsibilities met, and The Law of Peoples doesn’t offer reason to worry more about the former.

There are actually two things that can ground an obligation to give economic aid to a people: the Duty of Assistance and Mutual Aid. They are different, and apply to different kinds of society. Mutual Aid is determined in the Society of Peoples, given content through treaties among just peoples, voluntarily accepted by member peoples. We model the treaty-making process in the second original position, where representatives of peoples, knowing nothing about their own people except that it is well-ordered, work out the responsibilities of one people to another. The aim of the second original position is that each people should have a stable and just government that enables citizens to follow their own life plans. The Duty of Assistance is a general obligation, given content by the basic needs of human beings and their specific needs at any time. It falls on all peoples, but only well-ordered peoples can be expected to fulfill it.

Rawls divides peoples into five categories: liberal societies, decent (decent-but-not-liberal) societies, burdened societies, outlaw societies and benevolent absolutisms (Rawls 1999b, Introduction, p.4 and §8.1, p.63). The question for the Society of Peoples (or one of its liberal members) is to ascertain its duties to aid each of these five kinds of societies, both the type of obligation and some specifics about what would satisfy those duties. I begin here, and then consider two possible interpretations of Rawls’ account of obligation. First, the duty of assistance could be enlarged to take account of ongoing needs and unequal life chances, as elaborated in the previous section. Second, the Duty of Assistance could be minimal because obligations within the Society of Peoples are more rigorous: once a people is well-ordered, the duty of assistance ceases,

15 Succinctly put by J. Cohen.
16 Though benevolent absolutisms may fulfill it as well, since they would not do so by rule of law, we cannot expect it of them.
but treaties of Mutual Aid require much more material aid than assistance. The drawback is that the two obligations are very different, though needs inherited from unjust prior governments won’t have changed, so well-ordered peoples should do the same thing, but suddenly for different reasons. I also worry that, as described, Mutual Aid is too tenuous, determined by treaties among well-ordered peoples.

V. Redistribution Among Just Peoples and Individual Self-Respect

Rawls expects objections to limiting the duty of assistance to politics and subsistence. He addresses three of them in his three guidelines, discussed in section II.C above. The idea is that there are two philosophical concerns that can motivate redistribution: concern for justice and concern for well-being. He is concerned with justice, and well-being only insofar as it is required for justice. Justice requires more concern at the domestic level than at the inter-people level, because a just domestic society will completely resolve distributional issues, so that nothing is left. First he says that the minimal duty will relieve the suffering of the poor, so further redistribution is unnecessary. Second, he says that we should not worry that features about poverty will harm the self-respect of the badly-off peoples. Third, he thinks that the limited duty will assure members of all societies fair equality of opportunity.

In section IV I argued that the redistribution required by the duty of assistance should apply to more than monetary goods. Burdened societies do not have a unique need for these goods, like longevity or medicines, as need is related to physical facts about humans, they are not in proportion to a people’s injustice. Thus the duty of assistance extends to well-ordered societies that lack certain resources. It may not prescribe monetary redistribution, but it will prescribe material aid beyond minimal food, water and shelter, even when the society is so well-ordered that political interference is forbidden.

Here I argue that Rawls’ second consideration – that a decent society’s poverty does not unjustly damage its members’ self-respect – is wrong. He offers a rationale that a poor person in a poor decent society can use to justify feeling free and equal to members of a richer decent one.

17 There are good reasons to reject his reasoning on the other two guidelines as well, which would require another paper to explain properly.
While it is reasonable for a poor person to feel that way for that reason, it is not unreasonable for that person to feel inferior in virtue of membership in a poor society. In many cases it seems more plausible to resent than accept inequalities that give more opportunities to members of rich societies than members of poor ones. I offer three different arguments why, contra Rawls, we should be very concerned that inequalities among peoples will harm self-respect, just as in the domestic case. So we ought to strengthen the duty of assistance (or interpret it more strongly), so that it requires the Society of Peoples to assist the poor peoples until they are able to offer their citizens political and material resources to make meaningful choices for themselves and their society. Other peoples should provide something less than full economic equality, but above the bare minimum. This interpretation is suggested in the text (§4.2, p.38n47).

Rawls might concede that we should still be concerned, but claim that that concern is not part of the duty of assistance, but rather part of the fair background institutions of the Society of Peoples. This strategy emphasizes the material requirements within the Society of Peoples, to interpret the fair background conditions and regulations as requiring significantly more for the less-well-off peoples and members. It could be thought of as a more demanding interpretation of Mutual Aid. Conditions of fairness then derive from the requirements of justice or equal respect, both within each society (liberal or decent) and among well-ordered societies (as suggested in §4.5, p.43n52 and perhaps §15.2, p.109). If that is what he intends, it would satisfy my objections, though we would still have to describe in some detail what this implies about the Society of Peoples.

Does the Stigma of Poverty Unjustly Wound Self-Respect?

A second reason for narrowing the gap between gap between rich and poor within a domestic society is that such a gap often leads to some citizens being stigmatized and treated as inferiors, and that is unjust. Thus, in a liberal or decent society, conventions that establish ranks to be recognized socially by expressions of deference must be guarded against. They may unjustly wound the self-respect of those not so recognized. The same would be true of the basic structure of the Society of Peoples should citizens in one country feel inferior to the citizens of another because of its greater riches, provided that those feelings are justified. Yet when the duty of assistance is fulfilled, and each people has its own liberal or decent government, these feelings are unjustified. For then each people adjusts the significance and importance of the wealth of its own society for itself. If it is not
satisfied, it can continue to increase savings, or if that is not feasible, borrow from other members of the Society of Peoples. (Rawls 1999b, §16.1, p.114).

I offer three challenges to this passage, each sufficient to rebut it: (1) Rawls argues that it is reasonable to believe that no stigma attaches to poverty if one's people is politically just. However, he doesn't show that it is unreasonable to believe the opposite, that poverty demonstrates sociopolitical inferiority. He asserts, but doesn't argue for it. There is some obvious and uninteresting evidence to show that, on the contrary, it is not unreasonable for at least one liberal, just people to hold that belief. (2) Rawls takes inequalities at the inter-people level and passes them to the next, intergenerational level instead of addressing them here. Since he says that his theories cannot yet say anything about justice at the intergenerational level, his response would be that we cannot yet say that passing the concern on is unjustified. (This is the same response as he gave on peoples: just as we cannot say that speaking of peoples (instead of individuals all at once) is unjustified until we evaluate a Law of Peoples.) There are flaws in this delegation that we can evaluate, however. (3) That a people can adjust its social valuation of wealth, or level of wealth, is not to say that each individual citizen will be satisfied with what adjustment offers. For example, the worst-off individuals in a decent society with great internal wealth inequality may feel they have inferior opportunities or less social worth than the worst-off in a society with greater domestic equality, or a higher floor. If they have fewer opportunities, I don't see how their feelings can be illegitimate. In order, here are the arguments.

1. Fails to Show Belief in Stigma-of-Poverty is Unreasonable

Of course wealth and forms of wealth will have different meanings in different societies. This can be because of complex traditional understandings of what is worthwhile, and because the way to meet a life goal will require different combinations of primary goods, depending on local factors. In no way do I want to claim that wealth is the same everywhere, or that cash is more important to life plans than any cultural factors. However, I don't think that wealth differences in different societies can all be subsumed under "cultural differences" and cause no trouble.

Rawls says that decent societies adjust the internal significance and importance of wealth (§16.1, p.114). The thought is that individuals, bound to their own peoples much more tightly than to humanity at large, will value themselves according to local norms and comparisons. This is also what they should do, as responsible, reasonable participants in a self-determining society. If
outsiders pity them for having less wealth, they are really only imposing their own values. To be a legitimate concern, complaints about poverty must be raised by the poor people first. (Note that this is different from political concerns. Well-ordered peoples should offer help reforming political institutions even if the burdened people doesn’t want it. Teaching them about well-ordered institutions – including their advantages – is part of the duty of assistance. Rawls either doesn’t consider this patronizing, or else thinks well-ordering is worth the price of condescension.)

If people in general are unsatisfied with their lot when compared to another society, they can adjust their domestic policies to redress the balance, by increasing the savings rate. Saving now determines wealth in the future, at least for self-contained economies. The more independent each people is, the more influence each citizen can have on policies, and the more responsive those policies will be to citizen concerns. So, inter-people inequalities should not be a problem in general, and where they were troubling, they could most easily be rectified through domestic action. This also sustains political norms and ties within the society. Solving such problems are what domestic political institutions are designed to do, after all.

A problem with this is time. Increasing the savings rate won’t instantaneously increase the material wealth of a society, and the less the society has in the first place, the less they will be able to save, and the longer it will take. Saving today is an alternative to consuming today, so increasing saving rates makes the society and its citizens seem less wealthy in the short term. Money invested in industry is money not spent on education, public health, or medical research as well as money not spent on immediate luxuries, so foregoing the short term benefits can have a lasting effect on health and education as well as on pure consumption.

The costs of current saving fall on societies that are less-well-off because of bad luck in resources or ancestors, neither under their control (Barry 1989, p.256). If the Society of Peoples thinks particular inequalities are just, peoples made worse off through morally arbitrary factors can reasonably conclude that they are, in effect, paying a tax to allow the better-off peoples a higher level of domestic welfare. Since redistribution schemes are easier to implement as the floor is raised, their people’s foregone life chances make it easier to assure better lives for everyone in a better-off society (Beitz 1979, p. 149-50).
If the Society of Peoples thought the economic inequality among peoples was unjust, it would work to improve the situation of the worse-off. In this light, it is reasonable for members of a worse-off society to believe that their economic inferiority, is considered just (or not unjust), which proves that they deserve to be less than free and equal. Rawls gives a good argument that it would also be reasonable for them to feel free and equal because of their political institutions, but he has not shown that other feelings are unreasonable, merely asserted it. If there are at least two well-respected, liberal theorists, who offer good arguments for inferring inferiority, then Rawls should admit that such beliefs are not unreasonable for liberal peoples to hold. Basing one’s self-image in part on one’s life chances in a just society, as well as on one’s political capabilities, is not the same as giving higher priority to well-being than justice.

Thus, the second (wounds self-respect) consideration for redistribution would be a primary issue for justice in the second Original Position, and so should be addressed in a Law of Peoples. Or rather, Rawls has not shown that self-respect is never (justifiably) wounded by material inequalities above bare subsistence. If self-respect can be so wounded, then it is a reason to be concerned about such inequalities, again, not decisive, but still a legitimate reason. He has not shown that there is no reason for concern, and indeed, some concern seems required.

2 Passing the Buck Back and Forth in Time

Money saved today brings rewards some time in the future, which has two implications. One, different individuals will benefit than sacrifice. Beneficiaries not part of the decision to save may not think the plan worth the cost or even count it a benefit – they may prefer to be less wealthy, but have ancestors who didn’t sacrifice as much.

Two, in the interim, while the society is saving but before the effects are felt, people will still have to reckon with the fact that they are, at that time, by their standards, still inferior to members of another society. The satisfaction that comes from collectively deciding their fate through reasonable participation may not be enough to outweigh this feeling of inferiority. The two feelings may be different enough not to be comparable: one can feel economically inferior at the same time as feeling politically equally well-off, without one compensating for the other. A people can be equally self-determining, while unequally situated to develop its capacities because of unequal resources. If they are unequally limited, then they are not equally free in fact, and it is
reasonable for it and other peoples to match their feelings to the circumstances. This is similar to the previous objection in the last subsection, where I argued that these feelings of inferiority were reasonable (at least, that Rawls did not show otherwise). Here I argue that knowing one is actively working to improve, or that the inferiority is temporary, are not good enough reasons to trump those reasonable feelings.

In this section I take issue with the idea that only good feelings, but no bad ones, should be based on the history and potential of one’s own people. Rawls thinks that if a people is well-ordered, can ascribe its own meaning to wealth and adjust its level of wealth over time, then everyone from other well-ordered societies must show them and their society equal respect. If members of another society did offer them less respect, then that other society would not be well-ordered. Consider members of a society that is badly-off because of policies of its earlier, badly-ordered government: no member from a wealthier, well-ordered society can think them inferior, so they have no grounds to believe they are treated as inferiors nor that they really are inferior. Members of both societies are to feel free and equal because their society is well-ordered, but neither can base their feelings on their relative opportunities to live meaningful lives. It is an unexplained double standard. It is too rigid in any case, as though there were only one standard on which peoples compared themselves.

Rawls discusses at length the thought that savings is not to be a perpetual feature of a society, but a temporary measure to get to a satisfactory level (Rawls 1971, §44; Rawls 1999b, §15.2, p.107, p.106 footnotes); he also writes that principles for just savings should be ones that any generation could choose for itself and hope that past and future ones would also follow (Rawls 1993, VII:§6, esp. p.273-4). I understand this to mean that justice will require a savings rate that varies in time, depending on technology and current levels of wealth. The principle governing the savings rate can be “universalized” in the sense of being chosen by all generations for all generations to follow, even if the previous ones didn’t.\(^\text{18}\)

---

\(^{18}\) Presumably, since he doesn’t say, if the people decided to save more in order to make up for earlier noncompliance, it would be just if the decision procedure were well-ordered, and it would be equally just if they decided not to do so. The burden of extra savings might also give members reason for resentment or pride when comparing themselves to people in other societies.
He doesn't describe how to determine the satisfactory level of wealth, or to distinguish it from superficial comparisons to another people, or what to do about self-respect if earlier generations did not save enough, deliberately or because of crises. If in recent past the political consensus was that industrialization was unnecessary given the people’s reputation as provider of buggy-whips or tulip (commodities no longer in demand), is the suddenly-impoverished people simply out of luck? Similarly, if their earlier self-respect were based on being skilled producers of something that turns out not to have lasting value, like exotic tulips, is the people justified in reconceiving itself as unskilled and valueless?

In the case of domestic savings, parties to the first Original Position do not know their generation or the state of technology during their lifetimes to ensure that “the results of historical accident and social contingency found within the basic structure” don’t bias domestic institutions (Rawls 1993, VII:§6, p.273). We need a corresponding mechanism to determine principles of equal respect (and self-respect) among peoples, despite their different histories of choice and accident. Rawls proposes that if each people has just institutions, and determines its own policies for coping with their circumstances, this means not only that each people is free and equal (despite other inequalities), but that it is unreasonable for any people, themselves and others, to regard them as less than equal.

One might interpret this to mean that two peoples would be equal if at the time of comparison, both had appropriate institutions, and acted as if their respective ancestors had been just, while correcting for their respective ancestors’ actual injustice. That makes some sense in the abstract, for purposes of policy planning or evaluating governments and distributions, but useless for an individual to use to evaluate his or her standing at a given moment. The effect of savings on self-respect needs elaboration.

We know that intergenerational justice is unlike the inter-people case because self-determining peoples would not in general allow their hardships to be outweighed by benefits to another (though it might be acceptable as a consequence of meeting another principle, such as mutual aid or a duty of assistance) (Rawls 1999b, §4.4, p. 40). If societies save to make their futures richer, then a relatively poor generation doesn’t use some of its wealth so that a later generation will be even wealthier. If they only tried to ensure that the future generation would be
equally wealthy, it might not be as thorny a problem, but the aim is that poorer people make their inheritors richer (Barry 1989, p.198). Poorer peoples choose to become even poorer, so that they can feel equal in comparison to their richer contemporaries in other societies – an odd idea.

I see no reason why feeling inferior would be unjustified. Consider a domestic case of three people, one has talents and develops them, one has talents but is more lazy, and one is untalented. The untalented person may reflect that while his effort has not been put to the test, if given the talent, he would be industrious, and thus more socially virtuous (in theory) than the lazy talented person. He may even feel fortunate or proud not to have a lazy disposition. But if he lives in a society where the first person does much better socioeconomically for using his talents, an untalented person’s feeling of inferiority matches the circumstances, even if in absolute terms he is fairly well-off. He might of course not care, but it would not be strange if he did. It would not be strange if he felt superior to the lazy person but inferior to the other, or if those feelings were endorsed by the norms of the society.

Similarly, people in a newly decent but poor society might well feel morally superior to an outlaw state with more wealth, yet inferior to an equally decent society similar to itself but that had been saving for longer, and consequently was wealthier now. The first society would be inferior on measures of economic achievement even though it had no intention of punishing its future generations by not saving. If it is inferior on some important measures, if its members’ life chances are inferior, then it is reasonable to feel inferior in important respects, though others are not justified in thinking that they are morally less equal.

The feelings might be unreasonable if every society had enough wealth at the same time to allow their members to pursue many life plans, so many that one opportunity more or less would hardly be noticed. Again, there is some assistance level beyond which no one would claim a pressing need for further redistribution, and all would agree that feelings of inferiority could not be justified. Given the wide range of comprehensive doctrines on which people base their life plans, this would have to be a very high threshold, however, nearly to the point where individual (and hence social) desires for more primary goods are mostly satiated. Rawls’ duty of assistance doesn’t get peoples anywhere near this level, and he thinks this a virtue of the duty. In any case, he is generally unsympathetic to arguments solely about well-being as a proxy for justice.
Members of a poorly-off society might reason as follows: other societies can provide much more to their members, and their members can participate more fully in public life, and do things publicly than we cannot, even though we both agree they should be done. Their members have more opportunities to lead worthwhile lives. This inequality stems from the fact that their ancestors had more concern for their current well-being and saved more (something we do now for our descendants). In domestic justice, we and other liberal peoples consider such inheritances morally arbitrary, and not able to justify unequal treatment or opportunities. In the international world, however, liberal peoples think that these inheritances do justify our unequal life chances. They conclude: thus, either ancestral-savings is morally relevant and we really are inferior, or else other peoples believe that it is relevant and so believe that we are inferior.

Either way, members of a poor society have good reason to believe that others do treat them as inferior in virtue of their ancestors’ actions. Their feelings are justified even if we think their belief mistaken, because their belief is reasonable, right or wrong. Rawls thinks that if the poorer people generally did not feel inferior, or think that others thought they were inferior, then redistribution would be wrong (unless mutually desired). Since they might feel this way, then redistribution cannot be required as a general matter of justice. That doesn’t follow, however. He could say that there is a potential obligation, since the people has good reasons for either belief. There is an obligation to find out if they are or feel stigmatized, and if so, to relieve it. There is no reason to think this would require complete equality, or a universal standard of well-being. Perhaps it would only require a token gesture. The point is that a stigma of poverty grounds an obligation on the well-off to aid other societies remedy their members’ self respect as members.

Rawls offers an alternative to increased saving that would allow a higher standard of living: less well-off societies could borrow from other well-ordered societies. This seems at variance with the rest of his theory. When he speaks of population or resource development, he reminds us that to be well-ordered, a society must practice sustainable behavior. If it uses up its resources, pollutes, or increases population beyond its capacity to sustain citizens, it will pose a threat to other peoples, as well as impose a moral duty on others to help out the people with dissolute ancestors (Rawls 1999b, §3, p.8, also see §15.3, esp. p.108). I am not sure how he reconciles borrowing with sustainability, and suspect that it would take a fully-spelled-out theory of intergenerational justice
to explain it (Beitz 1999, p.293-4). Depending on how it is implemented, saving may look like borrowing, for example, floating bonds to pay for investment; in those cases, the argument regarding saving holds. There are other forms of borrowing unlike investment.

Borrowing money can be the reverse of saving, as it passes costs on to be paid in the future, years or generations. Borrowing money from another people, to raise the standard of living (instead of to invest) is more egregious, because not only is there less current net saving, there is the additional cost that some future wealth (paid as interest) will not be available then for consumption or saving. Borrowing money from another people so that members today might not have reasons to feel inferior to its contemporaries, simply passes the reasons for those feelings along to the future generations that will have to repay the loans and increase the difference then in standard of living. It won’t increase the net standard of living over time, and unless the other peoples would have lower standards of living in their futures for other reasons, just postpones the inequity among peoples.

Knowing that it just postpones the problems, it should then be irrational to take comfort in a borrowed equality that is not sustainable; what might Rawls mean? Borrowing may be a brief part of a just intergenerational savings principle, if there is a net benefit. For example, selling bonds to develop more quickly some techniques to yield more food per acre could soon recoup more wealth than needed to repay the loans. How would one universalize a policy of borrowing money over a longer interval, or borrowing for consumption instead of investment? It seems to require a special exemption based on particular historical accident, which is specifically ruled out (Rawls 1993, VII:§6, p.273). Rawls doesn’t mention elsewhere the possibility of the just savings rate being negative, and I cannot imagine such a case.

So if Rawls’ claim that a people’s feeling inferior is unjustified because it can avoid it by passing the costs of current equality on to its future incarnation, then it seems simply to buy a good feeling at the price of being well-ordered (decent to its inheritors). If instead Rawls intends this to apply to societies that were sufficiently well-off to ensure the ability of their citizens to enjoy many opportunities, then he is talking about peoples that are not inferior in any meaningful way. If they were still concerned with relative gains, I doubt that the promise of being even more well-off in the future would satisfy them – relative gains seems incompatible with this generosity. It is also hard
to imagine why Rawls would allow them to squander their future wealth on an unsustainable plan that has no discernable effect on life chances. He doesn’t approve of liberal expenditures to encourage decent peoples to become liberal so why would he allow them to spend it on interest on loans to adjust for meaningless differences?

I can imagine that Rawls intends to allow borrowing under some truly exceptional conditions, that this could be part of a universalizable principle, such as immediately after a natural disaster, for purposes of reconstruction, or to support the people as its economy recovers. Short-term borrowing might be justified to cover the costs associated with reforming a society into a just one, though not simply for chronic consumption. The next question is, is it compatible with freedom and equality for a people to offer loans to others in crisis?

Perhaps peoples can remain just, and avoid feeling or acting superior in some way while lending money to cover short-term crises. Lending money then would be one way that other societies can meet their mutual aid obligations to the unfortunate member of the Society of Peoples. This may be consistent with the rest of his theory, but seems a minimal way to ensure mutual aid.

Under what circumstances could loans be justified as meeting the material-aid obligation of assistance? It seems odd to think that having experienced a natural disaster would somehow engender a feeling of inferiority to citizens of another society. It could justify feeling less fortunate, or that life was unfair, but inferiority is something else. It might feel disrespected if other peoples didn’t offer enough help, and it would be nice to know if loans at interest are enough to demonstrate respect (probably an empirical question).

If the crisis were not a natural disaster, but a war with an outlaw state, for example, then the other members of the Society of Peoples would have treaty obligations to act as allies. Alliances should require more than willingness to loan money at reasonable rates of interest, since pure self-interest would ensure such loans. If allies are, almost by definition, prepared to join in militarily, then one might think that any nonmilitary option should be proportionately demanding.

Imagine that a people is forced into a war. Its allies have three options: send troops, doctors and negotiators to risk their lives; send weapons, food and medical supplies; or buy war bonds. It doesn’t seem that the peoples choosing the third make the same effort as those that choose the
others. The first two options would cost both the current and future generations of the donor people, but the third would benefit them. The first two would not impose further costs on future members of the recipient people, but the third one would. Lending money is importantly unlike traditional sacrifices given to allies.

Could an ally with little to spare adequately discharge mutual aid duties this way? Rawls doesn't say that allies’ obligations are proportional to their ability, and it would be odd if every people’s obligations were limited to what would be reasonable for the least able people to provide. In his third guideline Rawls says that larger and smaller peoples will find it reasonable to contribute more or less, and receive more or less in proportion. I take this to mean that he doesn’t think that obligations are limited by the ability of the least well-off people. Perhaps he allows voluntarily assumed obligations to take this form, but if the alliances are general features of the Society of Peoples, he needs to show that alliances are sufficiently voluntary.

One cannot say that a people today can, let alone must, legitimately feel not at all inferior to its contemporary peoples in virtue of what it does to its own future incarnation. Also, one cannot say that it is illegitimate to feel inferior in virtue of others’ indifference to its ancestors’ actions. Without a fuller theory of intergenerational justice, we cannot know if saving or borrowing would be properly respectful of later generations, and we have ample reason to think that an unfortunate people might justifiably feel inferior in any case (Barry 1989, §24, esp. p.197-8, 202). We cannot decide if feelings are legitimate solely on anticipation of a theory.

3 Altering Feelings with Public Reasons?

Rawls believes that no person in a society can justifiably feel inferior to people elsewhere if the society as a whole ascribes a different social meaning to wealth than it has elsewhere. In the last section I took issue with his argument that good feelings, but not bad ones, should be based on the history and future wealth of one’s own people. Here, I consider the argument that if the social and practical value of wealth varies across peoples, no individual can make coherent comparisons of welfare, or opportunities, to members of other peoples.

If the society as a whole tries today to increase its future wealth through savings, then that society values its members similarly to better-off well-ordered societies, sufficiently similar that each person ought to feel equal today. I question his claims about the legitimate bases of feelings.
Rawls takes as given that members of a well-ordered society can compare the respect their fellow citizens show them through political institutions with the respect another society shows to its members, and determine that they are equal. One might think that primary goods would be easier to compare than social bonds, since there is something to count. I am willing to stipulate that people can tell when they are given equal respect, but not that political arrangements are all they consider.

Why should the legitimacy of an individual's feelings and perceptions depend solely on the actions of his government or society? It might be legitimate to claim that the individual assents to the social choice by participating in the decision, and in the scheme of social cooperation that makes the society well-ordered and liberal. Even if the person actively opposes the decision, one can infer some commitment to the rest of the society. But this commitment doesn't override one's perceptions or beliefs.

Individuals in a liberal society will have many views about justice or political action (Rawls 1999b, §1.1 p.11 and §3.1 p.31). These views don't arise and vanish as needed, but instead are one complex result of each person's unique history, beliefs, personality and perceptions. An individual's feeling of inferiority will be based on his perceptions and personality as well. These are not things determined by vote (Rawls 1993, I:§5, point 4, p.34). It is possible that in the course of political discussion the advocates of saving (or borrowing) will make a good case, e.g. that taking this action is not something an inferior could do. Individuals might reasonably take comfort in this, and no longer feel inferior. There is, however, no reason why they must.

As self-authenticating sources of claims on their society, citizens are responsible for keeping their feelings, religious beliefs and personal conceptions of the good separate from their political views. That is, no matter the origin of a plan, or its grip on a citizen, to justify it in public, one must offer reasons that are independent of these particular feelings (Rawls 1993, I: esp. §5 point 3, p.32-5, §6 point 2, p.36-8). Just as individuals have any number of conceptions of the good, which are irrelevant to reasons one can offer in public, it is reasonable to think that public arguments are not necessarily going to affect their conceptions of the good. If an individual's conception of the good includes living as well as possible in the moment, that person can be
persuaded through public reason not to act on that, but there is no reason why he must alter his conception of the good, or feelings about it.

Rawls makes a very extravagant claim here. Someone from a well-ordered but poor society may have far fewer options than people in richer societies. She may have no chance to travel, or to get more than basic education. She may face greater likelihood of getting ill and spend more time caring for sick family members than on her own plans. Yet, not only is she not inferior to people in other societies, not one member of another society will think her inferior or treat her as inferior, and she has no legitimate basis for believing that anyone does think her inferior. He isn’t just saying that material inequalities don’t matter to his theory, they don’t influence anyone else’s private judgments; if she feels it affects someone’s view of her, her feeling is unreasonable. She herself has no reasonable basis on which to judge herself inferior, either – no one has.

When Rawls speaks of illegitimate feelings, then, he might mean that one’s feelings, say, on fairness, ought to change when one is presented with an explanation one cannot reject of why a despised plan really is fair. Much of Rawls’ writing is devoted to explaining the relation of independent conceptions of the good or of a meaningful life, and public reason. Given that, I don’t think he can claim that a political decision should affect individuals’ perceptions or feelings. There are philosophers who argue that individuals’ perceptions, valuations and feelings are so deeply shaped by collective understandings, that, if everyone participates, the process of political decision is also a process of personal transformation. Rawls explicitly denies this, repeatedly. He probably means something else.

He might instead mean that no matter how sharply people feel inferior to a more well-off people, it provides no justification for redistribution unless there are public (inter-people) political reasons showing that they are considered inferior. This makes some sense: since the Society of Peoples has even more reasonable pluralism than an individual society, it should demand public reasons that all well-ordered societies can understand. However, Rawls seems to think that if its government is at least decent, then a people can offer no public reasons why they feel stigmatized, there can be no such public reasons.

This seems un-Rawlsian. He takes a general phenomenon (material inequality), and says that there can be no public reasons, ever, why one might feel inferior around it. He maintains this
despite ample evidence from history that (a) people do stigmatize the poor whatever their
government structures, (b) people do feel inferior when they have fewer opportunities than others,
both in the sense that they are less worthy, and in the sense that they feel others perceive them as
less worthy (see V.1 above). In addition, it is not odd to think that, all else (like governments)
being equal, people with fewer opportunities than others have are in an inferior position to live a
worthwhile life on their own terms. If primary goods are enabling, then poor peoples are less able.
On the plain meaning of the words, if one is in an inferior position, or in a world where others
often attach a stigma to poverty, one’s feelings of inferiority are legitimate and even rational.

Another interpretation is that legitimate feelings give ground for action. Well-ordered
institutions provide sufficient bases for self-respect that should compensate for the opportunities to
live according to one’s own plans. Imagine someone in a well-ordered-but-poor society who wants
to be an astronaut, meets all the physical criteria for the job but cannot train for it and care for a
family, and so must farm instead. Well-off societies pay better during astronaut training, but the
poor society cannot, as it has other anti-poverty obligations. Rawls wants the would-be astronaut to
reflect that, by following a just prioritization in public spending, her society demonstrates as much
respect for her life choices as the well-off society respects their subsidized astronauts. Therefore,
she is equal to the actual astronauts, and has no reason to feel that her society is inferior.

This assumes that the social bases of self-respect refer to the domestic society, not the
society of peoples. Individuals should consider what their society does with the resources it has,
and if it distributes that fixed amount justly, with just institutions, then it offers them as much as
anyone can reasonably ask; they are equally and properly respected within their society. That her
society gives other antipoverty problems greater priority is a cultural difference. Even if the two
societies have exactly the same priority ordering, but one has resources enough to meet more of
them, or the problems are more costly in one, one cannot compare the two societies, which are
“adjusting the significance and importance of wealth.”

One might instead think that if problems are more costly in one society it may be because
they are more widespread as a matter of fact – perhaps the land is less arable – not because the
cultures produce different problems – rural vs. urban lifestyles. If we are to accept borders as they
are, no matter if they result from unjust conquest, we might think that insofar as they generate
fewer opportunities for some, there should be a redistribution of opportunities among peoples. The text says:

[I] argue that an important role of government, however arbitrary a society’s boundaries may appear from a historical point of view, is to be the effective agent of a people as they take responsibility for their territory... (Rawls 1999b, Introduction, p.8)

It does not follow from the fact that boundaries are historically arbitrary that their role in the Law of Peoples cannot be justified.... In a reasonably just (or at least decent) Society of Peoples, the inequalities of power and wealth are to be decided by all peoples for themselves.” (§4.3, p.39).

The phrase “all peoples for themselves” could mean that peoples should decide among themselves in the Society of Peoples to rectify the inequality of effective opportunities between peoples to protect the bases of self-respect for the less-well-off. It could also mean that each individual people decides independently what to do about domestic distributions.

The former follows from the idea that borders have no moral significance, they exist to define units of self-determination, and to facilitate distribution of services. If they have no moral relevance – if we are to ignore the unjust ways they came to be in the first place – then they should have no morally relevant consequences, like opportunities to pursue one’s own plans. The latter is more in keeping with Rawls’ discussions in §15-16 about limiting redistribution, but works against the argument for not caring about the justice of borders. If peoples are only entitled to the resources they happen to have as a result of history, then this gives a powerful reason to try to gain greater resources, usually through conquest.

If peoples are to ignore simultaneously the unjust determinants of their boundaries, and the unequal distribution of resources those boundaries imply, then about the only thing left to do is to regulate the feelings people can have about them. More precisely, declare illegitimate the feelings that the inequalities are harmful, in this case, unjustly wounding to self-respect. Even if a people is stigmatized by others for its poverty, as they have no good reasons to do so, the people has no legitimate reason to feel slighted, and its members should not look outside the society to guide their self-respect.
VI. Conclusion

In summary, then, Rawls thinks: the most important element of a just foreign policy is knowing when not to intervene. Peoples want independence above most else, so once decent political institutions are present, no further political interference by liberal peoples is justified. The main cause of chronic, large-scale problems like poverty is the lack of well-ordered institutions, not resource distribution among or within peoples. These problems can be alleviated by political reforms, while most economic aid is useless. Effort spent on unjustified redistribution among well-off countries is at best a waste and at worst disrespectful and patronizing. The province of the Society of Peoples is correspondingly limited.

I think: a just guide for nonintervention is the single biggest improvement one could make to a foreign policy, especially if it encourages more tangible attention to political reforms in general. While he is right about their relative importance, Rawls gives too much weight to domestic political institutions, and not enough either to the Society of Peoples nor to inter-people comparisons. The aggregate “people’s” desire for independence is tempered by its component, individual desires, to have effective use of individual liberties in pursuing a worthwhile life according to personal conceptions of the good. This requires a certain amount of concern for the well-being of individual members of all peoples. Feelings are separate from public reason, so it is reasonable to have a wide range of feelings, especially when they are compatible with facts about the world. If one has far fewer opportunities to live a worthwhile life than another, due solely to factors we consider morally irrelevant to one’s prospects, then one has good reason to feel worse-off. If the factors are not morally relevant in the Society of People’s understanding of justice, then it has to argue that non-intervention is the only way to respect others as equals. Rawls has not done this properly.

The first thing Rawls would say in reply is that, of course he doesn’t want to justify extreme inequalities in lifespan, or opportunities people have to live a worthwhile life according to their own standards. The problem is rather that I underestimate the effect that the existence of a just, stable government would have on alleviating these problems. For one thing, the transition to a decent government might give its people enough hope and proper pride, that they really don’t feel as bad about the remaining inequality as I imagine they would. The evidence from the real world,
including that cited by Rawls, strongly suggests that no matter how great the effect of just institutions, there will be some residual problems of material inequality that cannot be subsumed under cultural differences. They may be temporary problems, but the transition from burdened to “no need for concern” would last for years, at least, and if the people were materially burdened, they will need material assistance for quite some time after they have appropriate institutions. Since Rawls claims that the duty of assistance is about transition, not a permanent feature of a just world, then he should discuss the requirements during that transition in greater detail than he does.

Rawls surely would not argue that good government would solve all the problems caused by AIDS in sub-Saharan Africa. Rather, he would say that it is to be alleviated through mutual aid among well-ordered peoples:

In addition, the parties will formulate guidelines for setting up cooperative organizations, and will agree to standards of fairness for trade as well as to certain provisions for mutual assistance. Should these cooperative organizations have unjustified distributive effects, these would have to be corrected for in the basic structure of the Society of Peoples. (Rawls 1999b, §16.1, p.114-5)

If it turned out that the Society of Peoples as currently specified did not address questions of profoundly different disease burdens among peoples, they should go back to the second Original Position and consider how to distribute the burdens (not the disease) more fairly. In any case, absent just governments among HIV-ridden peoples, it will be nearly impossible to limit new cases, let alone permit decent lives.

That well-ordered governments are necessary to reducing inequality is the main point of The Law of Peoples. Most agree that they make it easier to help the poor, from within or outside the country (or people), and that unjust governments cause a lot of aid to be wasted or misused. The intuition behind Beitz’ reasoning is that where there is enough wealth to alleviate a lot of suffering while allowing for the corruption and inefficiencies, there must be an obligation to try to help, and hope that good government follows. Rawls is most concerned to emphasize that this sort of material aid mainly eases liberal consciences if unaccompanied by, at least, movement towards well-ordering. Beitz also believes that the rich, liberal societies profited from the poorer countries, and continue to benefit at their expense, so they have an obligation of redress as well as redistribution. Rawls deliberately abstracts from the historical question, since well-ordered
societies by definition do not exploit others. He assumes that the liberal rich peoples do not unintentionally benefit from the legacies of exploitation, but offers no argument. I think he exaggerates the uselessness of material aid to unjust countries, but he is not committed to this exaggeration, which has mostly rhetorical force.

Much the same applies to the category of positive-sum goods. If health-care were the same as money, he would have to approve of withholding a cure for cancer from an aggressive outlaw, or a burdened people, until they improved their political institutions. That is, since it is fine to do that with monetary aid, he needs to make a special argument for it being wrong about medicine. I intend that the argument I offer be one that extends, not demolishes his theory. Ultimately, I do not have good reasons to reject the Law of Peoples, though there are good reasons to modify it. I try to show that there are no good reasons to reject these modifications.

Rawls believes that peoples are primarily concerned to preserve their own, self-sufficient domestic society, and join the international arena primarily to insure their own independence. Once representatives of different societies meet, with mutual respect in the Society of Peoples, they discover benefits of closer cooperation, which means their peoples are no longer strictly self-sufficient (though they retain political autonomy). As they interact around questions of trade and diplomacy, the representatives come to learn more about other societies, similarities and differences with their own. Members too will come to learn more about the other societies – what they want to buy and sell, what they value and why. Of course, the results of these respectful interactions will be increasing inter-people dialogues about values, comprehensive life plans and political alternatives. Increasing interaction among members of different societies leads to a more cosmopolitan model, not normatively, but simply to take account of greater connections across peoples.

By strict extension of the domestic case, self-interest in competition is only justified when all are on a level playing field. This means that prior to self-interested action, peoples must satisfy themselves that they are in a fair background. People-wide self-interest includes favoring one’s fellow citizens over poor people elsewhere, just as private self-interest means favoring one’s family, race or sex over other fellow citizens. Rawls asserts that the background is fair enough that initial distributions of natural resources and unequal infrastructures need not be unfair, but well-
ordered societies would need to argue that in each case it is fair\(^{19}\). In the process of arguing that the conditions justifying self-interest obtain, people should gradually come to recognize their interdependence (Pogge 1994 p.222).

None of the proposed extensions to Rawls' theories of redistribution and political assistance would justify a global difference principle, or a strict inter-people difference principle. There will be more assistance required, and levels of sufficiency will in some cases be relative to the conditions of other societies at each time, but the key for Rawls is that domestic societies are bound by stronger and different kinds of ties among their members than any just international society could be.

Rawls should be happy with this, as his theory doesn't mutate into Beitz' global difference principle. The more communication among peoples the more effectively pluralist each one will be. This reduces the temptation for liberal peoples to stop tolerating decent societies, or even other liberal peoples. Ultimately he shows that a 2-stage original position can underlie a theory of a just world that we have no reason to reject. I don't know how important it is for Rawls personally that economic redistribution requirements be minimal. For the theory as written, the important thing is that it is limited, that economic inequalities imply neither economic causes nor cures, that respect for human rights is a prerequisite for a society's legitimacy and sovereignty. These require no alteration.

\(^{19}\) This is a very helpful clarification from Stuart White.
Appendices

**A. Full Text of Rawls’ Two Cases (§16.2 p.117-118)**

He invites us to consider two cases:

Case (I): two liberal or decent countries are at the same level of wealth (estimated, say, in primary goods) and have the same size population. The first decides to industrialize and to increase its rate of (real) saving, while the second does not. Being content with things as they are, and preferring a more pastoral and leisurely society, the second reaffirms its social values. Some decades later the first country is twice as wealthy as the second is. Assuming, as we do, that both societies are liberal or decent, and their peoples free and responsible, and able to make their own decisions, should the industrializing country be taxed to give funds to the second? According to the duty of assistance there would be no tax, and that seems right; whereas with a global egalitarian principle without target, there would always be a flow of taxes as long as the wealth of one people was less than that of the other. This seems unacceptable.

Case (ii) is parallel to (i) except that at the start the rate of population growth in both liberal-or-decent societies is rather high. Both countries provide the elements of equal justice for women, as required by a well-ordered society; but the first happens to stress these elements, and its women flourish in the political and economic world. As a consequence, they gradually reach zero population growth that allows for an increasing level of wealth over time. The second society, although it also has these elements of equal justice, because of its prevailing religious and social values, freely held by its women, does not reduce its rate of population growth and it remains rather high. As before, some decades later, the first society is twice as wealthy as the second is. Given that both societies are liberal or decent, and their peoples free and responsible, and able to make their own decisions, the duty of assistance does not require taxes from the first, now wealthier society, while the global egalitarian principle without target would. Again, this latter principle seems unreasonable. (Rawls 1999b, §16.2, pp.117-118)
### B. Life Expectancy Table


<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Male</td>
<td>Female</td>
<td></td>
</tr>
<tr>
<td>Afghanistan</td>
<td>45.0</td>
<td>46.0</td>
<td></td>
</tr>
<tr>
<td>Albania</td>
<td>69.9</td>
<td>75.9</td>
<td></td>
</tr>
<tr>
<td>Algeria</td>
<td>67.5</td>
<td>70.3</td>
<td></td>
</tr>
<tr>
<td>American Samoa</td>
<td>68.0</td>
<td>73.0</td>
<td></td>
</tr>
<tr>
<td>Andorra</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Angola</td>
<td>44.9</td>
<td>48.1</td>
<td></td>
</tr>
<tr>
<td>Antigua and Barbuda</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Argentina</td>
<td>69.6</td>
<td>76.8</td>
<td></td>
</tr>
<tr>
<td>Armenia</td>
<td>67.2</td>
<td>73.6</td>
<td></td>
</tr>
<tr>
<td>Australia</td>
<td>75.5</td>
<td>81.1</td>
<td></td>
</tr>
<tr>
<td>Austria</td>
<td>73.7</td>
<td>80.2</td>
<td></td>
</tr>
<tr>
<td>Azerbaijan</td>
<td>65.5</td>
<td>74.1</td>
<td></td>
</tr>
<tr>
<td>Bahamas</td>
<td>70.5</td>
<td>77.1</td>
<td></td>
</tr>
<tr>
<td>Bahrain</td>
<td>71.1</td>
<td>75.3</td>
<td></td>
</tr>
<tr>
<td>Bangladesh</td>
<td>58.1</td>
<td>58.2</td>
<td></td>
</tr>
<tr>
<td>Barbados</td>
<td>73.7</td>
<td>78.7</td>
<td></td>
</tr>
<tr>
<td>Belarus</td>
<td>62.2</td>
<td>73.9</td>
<td></td>
</tr>
<tr>
<td>Belgium</td>
<td>73.8</td>
<td>80.6</td>
<td></td>
</tr>
<tr>
<td>Belize</td>
<td>73.4</td>
<td>76.1</td>
<td></td>
</tr>
<tr>
<td>Benin</td>
<td>51.7</td>
<td>55.2</td>
<td></td>
</tr>
<tr>
<td>Bermuda</td>
<td>71.1</td>
<td>77.8</td>
<td></td>
</tr>
<tr>
<td>Bhutan</td>
<td>59.5</td>
<td>62.0</td>
<td></td>
</tr>
<tr>
<td>Bolivia</td>
<td>59.8</td>
<td>63.2</td>
<td></td>
</tr>
<tr>
<td>Bosnia and Herzegovina</td>
<td>70.5</td>
<td>75.9</td>
<td></td>
</tr>
<tr>
<td>Botswana</td>
<td>46.2</td>
<td>48.4</td>
<td></td>
</tr>
<tr>
<td>Brazil</td>
<td>63.1</td>
<td>71.0</td>
<td></td>
</tr>
<tr>
<td>Brunei Darussalam</td>
<td>73.4</td>
<td>78.1</td>
<td></td>
</tr>
<tr>
<td>Bulgaria</td>
<td>67.6</td>
<td>74.7</td>
<td></td>
</tr>
<tr>
<td>Burkina Faso</td>
<td>43.6</td>
<td>45.2</td>
<td></td>
</tr>
<tr>
<td>Burundi</td>
<td>41.0</td>
<td>43.8</td>
<td></td>
</tr>
<tr>
<td>Cambodia</td>
<td>51.5</td>
<td>55.0</td>
<td></td>
</tr>
<tr>
<td>Cameroon</td>
<td>53.4</td>
<td>56.0</td>
<td></td>
</tr>
<tr>
<td>Canada</td>
<td>76.1</td>
<td>81.8</td>
<td></td>
</tr>
<tr>
<td>Cape Verde</td>
<td>65.5</td>
<td>71.3</td>
<td></td>
</tr>
<tr>
<td>Central African Rep.</td>
<td>42.9</td>
<td>46.9</td>
<td></td>
</tr>
<tr>
<td>Chad</td>
<td>45.7</td>
<td>48.7</td>
<td></td>
</tr>
<tr>
<td>Chile</td>
<td>72.3</td>
<td>78.3</td>
<td></td>
</tr>
<tr>
<td>China i</td>
<td>67.9</td>
<td>72.0</td>
<td></td>
</tr>
<tr>
<td>Hong Kong SAR</td>
<td>75.8</td>
<td>81.4</td>
<td></td>
</tr>
<tr>
<td>Colombia</td>
<td>67.3</td>
<td>74.3</td>
<td></td>
</tr>
<tr>
<td>Comoros</td>
<td>57.4</td>
<td>60.2</td>
<td></td>
</tr>
<tr>
<td>Congo</td>
<td>48.3</td>
<td>50.8</td>
<td></td>
</tr>
<tr>
<td>Cook Islands</td>
<td>67.0</td>
<td>73.0</td>
<td></td>
</tr>
<tr>
<td>Costa Rica</td>
<td>74.3</td>
<td>78.9</td>
<td></td>
</tr>
<tr>
<td>Côte d'Ivoire</td>
<td>46.1</td>
<td>47.3</td>
<td></td>
</tr>
<tr>
<td>Croatia</td>
<td>68.8</td>
<td>76.5</td>
<td></td>
</tr>
<tr>
<td>Cuba</td>
<td>74.2</td>
<td>78.0</td>
<td></td>
</tr>
<tr>
<td>Cyprus</td>
<td>75.5</td>
<td>80.0</td>
<td></td>
</tr>
<tr>
<td>Czech Rep.</td>
<td>70.3</td>
<td>77.4</td>
<td></td>
</tr>
<tr>
<td>---------------------------------</td>
<td>------</td>
<td>------</td>
<td>------</td>
</tr>
<tr>
<td>Dem. Rep. of the Congo</td>
<td>49.2</td>
<td>52.3</td>
<td>90</td>
</tr>
<tr>
<td>Denmark</td>
<td>73.0</td>
<td>78.3</td>
<td>7</td>
</tr>
<tr>
<td>Djibouti</td>
<td>48.7</td>
<td>52.0</td>
<td>106</td>
</tr>
<tr>
<td>Dominica</td>
<td></td>
<td></td>
<td>16 o</td>
</tr>
<tr>
<td>Dominican Republic</td>
<td>68.9</td>
<td>73.1</td>
<td>34</td>
</tr>
<tr>
<td>East Timor</td>
<td>46.6</td>
<td>48.4</td>
<td>135</td>
</tr>
<tr>
<td>Ecuador</td>
<td>67.3</td>
<td>72.5</td>
<td>46</td>
</tr>
<tr>
<td>Egypt</td>
<td>64.7</td>
<td>67.9</td>
<td>51</td>
</tr>
<tr>
<td>El Salvador</td>
<td>66.5</td>
<td>72.5</td>
<td>32</td>
</tr>
<tr>
<td>Equatorial Guinea</td>
<td>48.4</td>
<td>51.6</td>
<td>108</td>
</tr>
<tr>
<td>Eritrea</td>
<td>49.3</td>
<td>52.4</td>
<td>91</td>
</tr>
<tr>
<td>Estonia</td>
<td>63.0</td>
<td>74.5</td>
<td>19</td>
</tr>
<tr>
<td>Ethiopia</td>
<td>42.4</td>
<td>44.3</td>
<td>115</td>
</tr>
<tr>
<td>Fiji</td>
<td>70.6</td>
<td>74.9</td>
<td>20</td>
</tr>
<tr>
<td>Finland</td>
<td>72.9</td>
<td>80.6</td>
<td>6</td>
</tr>
<tr>
<td>France</td>
<td>74.2</td>
<td>82.0</td>
<td>6</td>
</tr>
<tr>
<td>French Guiana</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>French Polynesia</td>
<td>69.3</td>
<td>74.6</td>
<td>11</td>
</tr>
<tr>
<td>Gabon</td>
<td>51.1</td>
<td>53.8</td>
<td>87</td>
</tr>
<tr>
<td>Gambia</td>
<td>45.4</td>
<td>48.6</td>
<td>122</td>
</tr>
<tr>
<td>Gaza Strip</td>
<td>69.3</td>
<td>73.3</td>
<td>24</td>
</tr>
<tr>
<td>Georgia</td>
<td>68.5</td>
<td>76.8</td>
<td>19</td>
</tr>
<tr>
<td>Germany</td>
<td>73.9</td>
<td>80.2</td>
<td>5</td>
</tr>
<tr>
<td>Ghana</td>
<td>58.3</td>
<td>61.8</td>
<td>66</td>
</tr>
<tr>
<td>Greece</td>
<td>75.6</td>
<td>80.6</td>
<td>8</td>
</tr>
<tr>
<td>Grenada</td>
<td></td>
<td></td>
<td>14 o</td>
</tr>
<tr>
<td>Guadeloupe</td>
<td>73.6</td>
<td>80.9</td>
<td>9</td>
</tr>
<tr>
<td>Guam</td>
<td>72.9</td>
<td>77.4</td>
<td>10</td>
</tr>
<tr>
<td>Guatemala</td>
<td>61.4</td>
<td>67.2</td>
<td>46</td>
</tr>
<tr>
<td>Guinea</td>
<td>46.0</td>
<td>47.0</td>
<td>124</td>
</tr>
<tr>
<td>Guinea-Bissau</td>
<td>43.5</td>
<td>46.4</td>
<td>130</td>
</tr>
<tr>
<td>Guyana</td>
<td>61.1</td>
<td>67.9</td>
<td>58</td>
</tr>
<tr>
<td>Haiti</td>
<td>51.4</td>
<td>56.2</td>
<td>68</td>
</tr>
<tr>
<td>Honduras</td>
<td>67.5</td>
<td>72.3</td>
<td>35</td>
</tr>
<tr>
<td>Hungary</td>
<td>66.8</td>
<td>74.9</td>
<td>10</td>
</tr>
<tr>
<td>Iceland</td>
<td>76.8</td>
<td>81.3</td>
<td>5</td>
</tr>
<tr>
<td>India</td>
<td>62.3</td>
<td>62.9</td>
<td>72</td>
</tr>
<tr>
<td>Indonesia</td>
<td>63.3</td>
<td>67.0</td>
<td>48</td>
</tr>
<tr>
<td>Iran (Islamic Rep. of)</td>
<td>68.5</td>
<td>70.0</td>
<td>35</td>
</tr>
<tr>
<td>Iraq</td>
<td>60.9</td>
<td>63.9</td>
<td>95</td>
</tr>
<tr>
<td>Ireland</td>
<td>73.6</td>
<td>79.2</td>
<td>7</td>
</tr>
<tr>
<td>Israel</td>
<td>75.7</td>
<td>79.7</td>
<td>8</td>
</tr>
<tr>
<td>Italy</td>
<td>75.0</td>
<td>81.2</td>
<td>7</td>
</tr>
<tr>
<td>Jamaica</td>
<td>72.9</td>
<td>76.8</td>
<td>22</td>
</tr>
<tr>
<td>Japan</td>
<td>76.8</td>
<td>82.9</td>
<td>4</td>
</tr>
<tr>
<td>Jordan</td>
<td>68.9</td>
<td>71.5</td>
<td>26</td>
</tr>
<tr>
<td>Kazakhstan</td>
<td>62.8</td>
<td>72.4</td>
<td>35</td>
</tr>
<tr>
<td>Kenya</td>
<td>51.1</td>
<td>53.0</td>
<td>66</td>
</tr>
<tr>
<td>Kiribati</td>
<td>58.0 l</td>
<td>63.0 l</td>
<td>65 l</td>
</tr>
<tr>
<td>Korea, Dem. People's Rep</td>
<td>68.9</td>
<td>75.1</td>
<td>22</td>
</tr>
<tr>
<td>Korea, Republic of</td>
<td>68.8</td>
<td>76.0</td>
<td>10</td>
</tr>
<tr>
<td>Kuwait</td>
<td>74.1</td>
<td>78.2</td>
<td>12</td>
</tr>
<tr>
<td>Kyrgyzstan</td>
<td>63.3</td>
<td>71.9</td>
<td>40</td>
</tr>
<tr>
<td>Lao People's Dem. Rep.</td>
<td>52.0</td>
<td>54.5</td>
<td>93</td>
</tr>
<tr>
<td>Latvia</td>
<td>62.4</td>
<td>74.4</td>
<td>18</td>
</tr>
<tr>
<td>Lebanon</td>
<td>68.1</td>
<td>71.7</td>
<td>29</td>
</tr>
<tr>
<td>Lesotho</td>
<td>54.7</td>
<td>57.3</td>
<td>93</td>
</tr>
<tr>
<td>Liberia</td>
<td>46.1</td>
<td>48.5</td>
<td>116</td>
</tr>
<tr>
<td>Libyan Arab Jamahiriya</td>
<td>68.3</td>
<td>72.2</td>
<td>28</td>
</tr>
<tr>
<td>--------------------------------</td>
<td>-----------</td>
<td>-------------</td>
<td>-----------</td>
</tr>
<tr>
<td>Liechtenstein</td>
<td>66.1</td>
<td>72.9</td>
<td>...</td>
</tr>
<tr>
<td>Lithuania</td>
<td>64.3</td>
<td>75.6</td>
<td>21</td>
</tr>
<tr>
<td>Luxembourg</td>
<td>73.3</td>
<td>79.9</td>
<td>7</td>
</tr>
<tr>
<td>Macau</td>
<td>75.1</td>
<td>80.1</td>
<td>10</td>
</tr>
<tr>
<td>Madagascar</td>
<td>56.0</td>
<td>59.0</td>
<td>82</td>
</tr>
<tr>
<td>Malawi</td>
<td>38.9</td>
<td>39.6</td>
<td>138</td>
</tr>
<tr>
<td>Malaysia</td>
<td>69.9</td>
<td>74.3</td>
<td>11</td>
</tr>
<tr>
<td>Maldives</td>
<td>65.7</td>
<td>63.3</td>
<td>50</td>
</tr>
<tr>
<td>Mali</td>
<td>52.0</td>
<td>54.6</td>
<td>118</td>
</tr>
<tr>
<td>Malta</td>
<td>74.9</td>
<td>79.3</td>
<td>8</td>
</tr>
<tr>
<td>Marshall Islands</td>
<td>59.1 bb</td>
<td>63.0 bb</td>
<td>26 ee</td>
</tr>
<tr>
<td>Martinique</td>
<td>75.5</td>
<td>82.0</td>
<td>7</td>
</tr>
<tr>
<td>Mauritania</td>
<td>51.9</td>
<td>55.1</td>
<td>92</td>
</tr>
<tr>
<td>Mauritis</td>
<td>67.9</td>
<td>75.1</td>
<td>15</td>
</tr>
<tr>
<td>Mexico</td>
<td>69.5</td>
<td>75.5</td>
<td>31</td>
</tr>
<tr>
<td>Micronesia, Fed. States of</td>
<td>64.4 cc</td>
<td>68.8 cc</td>
<td>20 dd</td>
</tr>
<tr>
<td>Mongolia</td>
<td>64.4</td>
<td>67.3</td>
<td>51</td>
</tr>
<tr>
<td>Morocco</td>
<td>64.8</td>
<td>68.5</td>
<td>51</td>
</tr>
<tr>
<td>Mozambique</td>
<td>43.9</td>
<td>46.6</td>
<td>114</td>
</tr>
<tr>
<td>Myanmar</td>
<td>58.5</td>
<td>61.8</td>
<td>79</td>
</tr>
<tr>
<td>Namibia</td>
<td>51.8</td>
<td>53.0</td>
<td>65</td>
</tr>
<tr>
<td>Nepal</td>
<td>57.6</td>
<td>57.1</td>
<td>83</td>
</tr>
<tr>
<td>Netherlands</td>
<td>75.0</td>
<td>80.7</td>
<td>6</td>
</tr>
<tr>
<td>Netherlands Antilles</td>
<td>72.5</td>
<td>78.4</td>
<td>14</td>
</tr>
<tr>
<td>New Caledonia</td>
<td>69.2</td>
<td>76.3</td>
<td>11</td>
</tr>
<tr>
<td>New Zealand</td>
<td>74.1</td>
<td>79.7</td>
<td>7</td>
</tr>
<tr>
<td>Nicaragua</td>
<td>65.8</td>
<td>70.6</td>
<td>43</td>
</tr>
<tr>
<td>Niger</td>
<td>46.9</td>
<td>50.1</td>
<td>115</td>
</tr>
<tr>
<td>Nigeria</td>
<td>48.7</td>
<td>51.5</td>
<td>81</td>
</tr>
<tr>
<td>Norway</td>
<td>75.2</td>
<td>81.1</td>
<td>5</td>
</tr>
<tr>
<td>Oman</td>
<td>68.9</td>
<td>73.3</td>
<td>25</td>
</tr>
<tr>
<td>Pakistan</td>
<td>62.9</td>
<td>65.1</td>
<td>74</td>
</tr>
<tr>
<td>Palau</td>
<td>65.0</td>
<td>69.0 l</td>
<td>28 dd</td>
</tr>
<tr>
<td>Panama</td>
<td>71.8</td>
<td>76.4</td>
<td>21</td>
</tr>
<tr>
<td>Papua New Guinea</td>
<td>57.2</td>
<td>58.7</td>
<td>61</td>
</tr>
<tr>
<td>Paraguay</td>
<td>67.5</td>
<td>72.0</td>
<td>39</td>
</tr>
<tr>
<td>Peru</td>
<td>65.9</td>
<td>70.9</td>
<td>45</td>
</tr>
<tr>
<td>Philippines</td>
<td>66.5</td>
<td>70.2</td>
<td>35</td>
</tr>
<tr>
<td>Poland</td>
<td>68.2</td>
<td>76.9</td>
<td>15</td>
</tr>
<tr>
<td>Portugal</td>
<td>71.8</td>
<td>78.8</td>
<td>9</td>
</tr>
<tr>
<td>Puerto Rico</td>
<td>69.4</td>
<td>78.5</td>
<td>12</td>
</tr>
<tr>
<td>Qatar</td>
<td>70.0</td>
<td>75.4</td>
<td>17</td>
</tr>
<tr>
<td>Republic of Moldova</td>
<td>63.5</td>
<td>71.5</td>
<td>29</td>
</tr>
<tr>
<td>Reunion</td>
<td>70.9</td>
<td>79.8</td>
<td>9</td>
</tr>
<tr>
<td>Romania</td>
<td>66.2</td>
<td>73.9</td>
<td>23</td>
</tr>
<tr>
<td>Russian Federation</td>
<td>60.6</td>
<td>72.8</td>
<td>18</td>
</tr>
<tr>
<td>Rwanda</td>
<td>39.4</td>
<td>41.7</td>
<td>124</td>
</tr>
<tr>
<td>Saint Kitts and Nevis</td>
<td>67.4 dd</td>
<td>70.4 dd</td>
<td>24 o</td>
</tr>
<tr>
<td>Saint Lucia</td>
<td>68.0 r</td>
<td>74.8 r</td>
<td>18 d</td>
</tr>
<tr>
<td>Saint Vincent/Grenadines</td>
<td>...</td>
<td>22 jj</td>
<td>...</td>
</tr>
<tr>
<td>Samoa</td>
<td>69.3</td>
<td>73.6</td>
<td>23</td>
</tr>
<tr>
<td>San Marino</td>
<td>73.2 ff</td>
<td>79.1 ff</td>
<td>11 o</td>
</tr>
<tr>
<td>Sao Tome and Principe</td>
<td>...</td>
<td>51 b</td>
<td>...</td>
</tr>
<tr>
<td>Saudi Arabia</td>
<td>69.9</td>
<td>73.4</td>
<td>23</td>
</tr>
<tr>
<td>Senegal</td>
<td>50.5</td>
<td>54.2</td>
<td>63</td>
</tr>
<tr>
<td>Seychelles</td>
<td>65.3 gg</td>
<td>74.1 gg</td>
<td>7 o</td>
</tr>
<tr>
<td>Sierra Leone</td>
<td>35.8</td>
<td>38.7</td>
<td>170</td>
</tr>
<tr>
<td>Singapore</td>
<td>74.9</td>
<td>79.3</td>
<td>5</td>
</tr>
<tr>
<td>Slovakia</td>
<td>69.1</td>
<td>76.7</td>
<td>11</td>
</tr>
</tbody>
</table>
Slovenia 70.6 78.2 7 1996 0.3 g 0.3 g
Solomon Islands 69.6 73.9 23 ... ... ...
Somalia 45.4 48.6 122 ... ... ...
South Africa 51.5 58.1 59 ... ... ...
Spain 74.5 81.5 7 1995 0.4 0.3
Sri Lanka 70.9 75.4 18 1995 3.2 c f 2.8 c f
Sudan 53.6 56.4 71 ... ... ...
Suriname 67.5 72.7 29 1993 0.8 g 1.6 g
Swaziland 57.9 62.5 65 ... ... ...
Sweden 76.3 80.8 5 1996 0.2 0.2
Switzerland 75.4 81.8 6 1996 0.3 0.3
Syrian Arab Republic 66.7 71.2 33 ... ... ...
Tajikistan 64.2 70.2 57 1993 9.0 e 8.5 e
Thailand 65.8 72.0 29 1994 2.2 c f 1.7 c f
The FYR of Macedonia 70.9 75.3 23 1992 0.9 0.9
Togo 47.6 50.1 84 ... ... ...
Tonga 67.0 r 71.0 r 3 dd ... ... ...
Trinidad and Tobago 71.5 76.2 15 1995 0.7 g 0.6 g
Tunisia 68.4 70.7 30 1995 5.9 c 4.8 c
Turkey 66.5 71.7 45 ... ... ...
Turkmenistan 61.9 68.9 55 ... ... ...
Uganda 38.9 40.4 107 ... ... ...
Ukraine 63.8 73.7 19 1995 1.1 e 0.9 e
United Arab Emirates 73.9 76.5 16 ... ... ...
United Kingdom 74.5 79.8 7 1996 0.3 0.2
United Rep. of Tanzania 46.8 49.1 81 ... ... ...
United States of America 73.4 80.1 7 1995 0.4 0.4
US Virgin Islands ... ... 12 b 1990 1.1 g 0.0
Uruguay 70.4 78.0 18 1990 5.6 c 4.5 c
Uzbekistan 64.3 70.7 44 ... ... ...
Vanuatu 65.5 69.5 39 ... ... ...
Venezuela 70.0 75.7 21 1990 7.0 c h 5.7 c h
Viet Nam 64.9 69.6 38 ... ... ...
Western Sahara 59.8 63.1 64 ... ... ...
Yemen 57.4 58.4 80 ... ... ...
Yugoslavia 70.2 75.5 18 1995 0.7 0.6
Zambia 39.5 40.6 82 ... ... ...
Zimbabwe 43.6 44.7 69 ... ... ...

Sources:

Footnotes:
... Not available.
a Data refer to 1981-1984.
b Data refer to 1993.
c For 0-4 years of age.
d Data refer to 1995.
e Excluding infants born alive after less than 28 weeks' gestation, of less than 1000 grammes in weight and 35 centimeters in length, who die within seven days of birth.
f Data tabulated by date of registration rather than occurrence.
Technical notes:

Life expectancy at birth is an estimate of the expected number of years to be lived by a female or male newborn, based on current age-specific mortality rates. Estimates and projections of life expectancy are prepared every two years by the Population Division of the United Nations Secretariat from data compiled by the Population Division and Statistics Division from national statistical sources. As many developing countries lack complete and reliable statistics of births and deaths based on civil registration, various estimation techniques are used to calculate life expectancy using sources of data other than civil registration, mainly population censuses and demographic surveys. Life expectancy at birth by sex gives a statistical summary of current differences in male and female mortality across all ages. However, trends and differentials in infant and child mortality rates are the predominant influence on trends and differentials in life expectancy at birth in most developing countries. Thus, life expectancy at birth is of limited usefulness in these countries in assessing levels and differentials in male and female mortality at other ages.
References


