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Article

The Duty to Rescue and the Duty to Aid the Starving

Per Bauhn^{*}

In this article I intend to argue that while there are certainly important similarities between the duty to rescue and the duty to aid the famine-stricken and starving, there are also important differences between these two duties. Both the duty to rescue and the duty to provide aid need to be qualified by conditions regarding necessity, possibility, and comparable cost, as well as by a principle concerning special relationships of responsibility. However, while the duty to rescue can be fulfilled by individual agents, the duty to aid the famine-stricken and starving requires large-scale interventions to change political and social structures, involving the interactions of governments rather than the interactions of individuals.

In his famous 1972 article “Famine, Affluence, and Morality,” Peter Singer argued that we, to the extent that we are comparatively rich citizens of developed countries, have a duty to give aid to famine-stricken people in underdeveloped countries. Singer based this duty on an intuitively appealing moral principle, which I, following the example of other philosophers, like Richard Arneson (Arneson 2004: 33) and Kwame Anthony Appiah (Appiah 2006: 160), will refer to as the *Singer Principle*, stating that “if it is in our power

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to prevent something bad from happening, without thereby sacrificing anything of comparable moral importance, we ought, morally, to do it" (Singer 1972: 231). According to Singer himself, this principle applies both locally and globally. Locally it justifies an *interpersonal duty to rescue*. Globally it justifies a *duty for individuals as well as governments to aid victims of famines* to prevent them from starving to death.

In this article, I intend to argue that (1) the duty to rescue is more limited in scope than the Singer Principle suggests, and that (2) the duty to aid the starving cannot be derived from the duty to rescue in the way Singer thinks. Requirements of necessity and reasonable costs as well as priorities justified by special relationships limit the extension of positive duties in general, including the duty to rescue. All of us do not always have a duty to prevent bad things from happening, and when we do have such a duty, we do not owe it to all persons equally. Moreover, what is necessary to end a famine is very different from what is necessary to rescue people from drowning and other kinds of lethal dangers, and since necessity plays an important role in the justification of any moral duty, this difference should affect how we think of the duty to rescue and the duty to aid the starving, respectively.

This does not mean that there is no duty to aid the starving. Nor does it mean that individual citizens of rich countries are not doing a good thing when they donate money to, for instance, Doctors without Borders. But it does mean that they do not, typically, have a *moral duty* to do so.

To point out these limits to our duties to help other people should not be considered as an expression of indifference toward those in need of help. Rather, it has to do with fairness. All duties imply the imposition of burdens on agents and restrictions on their right to freedom. Hence, given that agents have good reasons to value their freedom, such duties should not be assigned to them beyond what is morally and causally necessary.

THE QUESTION OF THE RELEVANCE OF GEOGRAPHICAL PROXIMITY

Peter Singer provides the following example to illustrate the meaning of his principle: Imagine that you pass a shallow pond in which a child is about to drown. You can easily save the child by simply stepping into the pond and pull her out. You will muddy your trousers and probably ruin your shoes in the process, but otherwise there will be no costs for you. Do you have a duty to wade in and pull the child out? I believe most of us would

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agree with Singer that you do. As he observes, compared to the child's death, the damage to your clothes does not really matter, and hence you are morally obligated to save the child.

Now, Singer moves on to try to convince us that if we accept this conclusion, then we should also accept that we have a similar moral obligation to help famine victims across the globe. His principle takes no account of proximity or distance: "It makes no moral difference whether the person I can help is a neighbor's child ten yards from me or a Bengali whose name I shall never know, ten thousand miles away" (Singer 1972: 231–32). This we can label the *Condition Regarding the Irrelevance of Proximity*. Moreover, the Singer Principle "makes no distinction between cases in which I am the only person who could possibly do anything and cases in which I am just one among millions in the same position" (Singer 1972: 232). This we can call the *Condition Regarding the Irrelevance of Numbers*.

It is because of the Condition Regarding the Irrelevance of Proximity that the Singer Principle can be extended to cover not only standard rescue situations, in which rescuer and rescuee are locally and temporally intimately connected, but also aiding the distant needy. And it is because of the Condition Regarding the Irrelevance of Numbers that the category of potential providers of aid can be extended to include any individual with sufficient means in a developed country, regardless of whether or not her particular contribution is necessary to the saving of any lives.

However, both of these conditions are problematic, since neither proximity nor numbers are irrelevant to the justification of the duty to rescue. Let us begin by looking at problems related to the Condition Regarding the Irrelevance of Proximity.

First of all, we may well agree with Singer that *geographical proximity* should not matter to the question whether or not we have a duty to rescue. If I have access to an electronic device which both informs me that someone is about to drown in a far away country, and enables me to rescue that person by simply pressing a button, and if pressing the button is both necessary to the rescuing of the drowning person, and does not involve any morally relevant costs for me or anyone else, then I have a moral duty to press the button and save the drowning person. (The meaning of "morally relevant costs" will be discussed later in this article.) I have in this case a duty to rescue which is just as strong as it would have been had the drowning person been in my immediate vicinity, for instance, in a pond that I was passing on my way to work.

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F. M. Kamm has argued that geographical distance could indeed matter, in the sense that our duty to rescue people who are far from us is less demanding than our duty to rescue people who are near us, and that “as the costs involved in acting go up, a duty to aid a distant person may be defeated whereas a duty to aid a near person would not be” (Kamm 2004: 70). Now, we may intuitively be less disposed to spend a certain sum of money to save a rescuee whom we will never see or know anything about than to spend the same sum of money to rescue a person from dying in front of our eyes. But while this may tell us something about the human capacity for sympathy, I do not believe it tells us anything significant about our moral duties. To the extent that the rights of the distant needy and the near needy are equally deserving of our support, and to the extent that neither rescue operation requires that we sacrifice any part of our own basic well-being, it would seem reasonable to conclude that our duty to rescue the distant needy is as strong as our duty to rescue the near needy. Hence, I believe that Singer is right when he holds that geographical distance, taken by itself, does not matter morally.

However, as Violetta Igneski has pointed out, distance may serve as a proxy for other and morally relevant aspects of a situation that calls for our intervention. When the person or persons in need are near us it appears very clear what must be done and by whom. When the person or persons in need are far away from us it becomes less obvious that they and no one else should be the target of our help. If a child is drowning some yards away and you can pull her out of the water at no serious cost to yourself, then it seems obvious that you should do this. But if you receive information that people are starving in a far away country, helping them becomes just one of many ways in which you can fulfill your moral duty to help distant people in need. As you already know, people are in need of help in many places of the world.

For instance, you could just as well choose to provide aid to victims of an earthquake in another far away country, or to help funding efforts to eliminate malaria in some other part of the world. The duty to rescue, according to Igneski, applies to *morally determinate* situations, in which it is clear that a particular agent must perform a particular action in order to save a particular recipient’s life, while the more general duty to aid applies to morally indeterminate situations, in which the agent has many options as to whom to help and what to do to help them. Unfortunately, the distinction between morally determinate and morally indeterminate situations is often conflated with the one between near and far recipients of help:

Whenever we may think that distance makes a difference it is really the determinacy of the situation that explains this difference. Thus when the victim is near the agent, we think the agent has an obligation to aid this person not because they are close to each other but because their closeness makes it more likely that there is a specific act that the agent at the scene can do to end the peril (and thus it is a morally determinate situation). When the agent and victim are distant, it is much less likely that there is some specific act that is morally required of this specific agent—and so it is not the fact that they are distant from each other that explains why the agent is not bound to do something in this particular situation but that the situation is not morally determinate. (Igneski 2001: 612)

I believe Igneski is on the right track here, but that her argument preferably could be stated in terms of necessity. What makes a particular rescue situation morally *determinate* as regards a particular potential rescuer's duty to intervene is not that her intervention is more likely to be successful here than it would be somewhere else, but that her intervention here is *necessary*. It is the *necessity* of a particular agent's intervention that creates the duty to rescue as well as the duty to aid, and it is the necessity of political agency that makes the duty to aid the starving a duty of states and governments rather than a duty of individual agents. I will return to these questions below.

THE QUESTION OF THE RELEVANCE OF MORAL PROXIMITY

Proximity can be understood not only in geographical, but also in moral terms. Moral proximity involves a particular relationship between persons that justifies special moral expectations and responsibilities. Parents have duties to their own children that they do not have to children in general. Likewise, friends, lovers, and soldiers of a platoon on a battlefield expect each other to have a concern for each other's well-being that goes beyond the concern they have for people's well-being in general.

Moreover, by means of various contracts and agreements agents may acquire special responsibilities for particular other persons that they do not have in relation to people in general. For instance, by voluntarily accepting employment as a bodyguard or as a lifeguard an agent contracts herself to protect a particular person's life or the people swimming in the waters of a particular beach area. The bodyguard has duties concerning

the safety of the person she is employed to protect that she does not have to anyone else, and she might even be expected to risk her life for that person. The lifeguard has a duty to rescue those persons who are about to drown in that particular beach area which she is employed to protect and nobody else, and she has duties regarding their safety that no one else has.

Likewise, the citizens of a democracy have duties to each other and to their political community that they do not have to members of other nations and their political communities. These civic duties are mainly about protecting the institutions that uphold civic rights, including among these institutions the state itself. Hence, citizens have a duty to contribute to the defence of their political community in times of war, and to contribute to the financing of public goods like law enforcement, schools, and medical care, in accordance with the decisions made by the citizens themselves or by their elected representatives. At the same time they have no similar duty to support public goods in other countries. The duties of democratic citizenship should not be viewed as antithetical to the universality of human rights, however. Instead, the particularities of democratic states can be seen as so many political applications of the universal right to freedom: “The democratic state is the institution that has the authority to define what equal freedom requires over a given portion of the earth” (Stilz 2009: 89).

It is, of course, a matter of dispute how far these particular duties extend. We are not morally permitted to leave a stranger’s child to drown (when only we can rescue that child, and we can do it at no risk to ourselves) just for the sake of not having our plan to buy an ice-cream for our own child interfered with. Obviously, not only relationships, but also the importance of the goods at stake should matter. Likewise, a bodyguard may well have to accept risks for herself in the line of her work, but she is not permitted to expose innocent bystanders to the same risks just for the sake of protecting her employer. Nor should we accept nationalist conceptions of civic duties that include xenophobic or chauvinist aggressions against other nations or national minorities within one’s own political community. Here is not the place to explore the ethics of special responsibilities. For our purposes it is sufficient that we note that there exists such responsibilities and that they are relevant to our understanding of positive duties in general and of the duties to rescue and to aid the starving in particular.

Now, when Singer says that it should not matter whether the rescuee is “a neighbor’s child...or a Bengali whose name I shall never know,” he seems to rule out the

relevance of not only geographical proximity but also of moral proximity. Given that your relation with your neighbour qualifies as indeed “neighbourly,” that is, friendly, although not necessarily intimate, you would have a reason to care for the well-being of her child in a way that you do not care for the well-being of children in general. Living in the same building, or at least in the same block of houses, knowing each other’s name, meeting and greeting each other perhaps every day, sometimes chatting and sharing small confidences with each other, maybe doing each other small favours—all these friendly exchanges create mutual expectations regarding support, should the need arise.

Hence, your neighbour would be justified in expecting you to care for her child in a way that goes beyond the care you extend to children in general. If she needs to leave home and has no other family member that can look after her child, she is more likely to ask you than she is to ask a perfect stranger to babysit. And while you reasonably could turn down a suggestion to babysit a complete stranger’s child, you cannot turn down your neighbour’s request with an equal ease. Of course, neighbourliness should work both ways. You are entitled to expect your neighbour to bring up her children to be functioning members of the local community, being polite and caring rather than being prone to vandalizing your property or yelling insults at you. Neighbourliness is in this sense a kind of a social contract, with a mutuality of rightful expectations. (How far this mutuality extends is, of course, another matter.)

In Singer’s account, the neighbour’s child is contrasted with “a Bengali whose name I shall never know,” that is, someone who is a complete stranger. Hence, Singer’s point is to underline the unimportance of whether or not we are acquainted with the rescuee. But this is not how human social relations work. If your neighbour was told that you chose to babysit a stranger’s child instead of hers, then she would indeed have a reason to question the neighbourliness of your relation.

SPECIAL RELATIONSHIPS AND THE DUTY OF RESCUE

We need not reject the idea that we may well have duties to strangers. But if we choose to rescue a stranger at the cost of failing to rescue our child, friend, lover or any other person with whom we have involved ourselves in a sufficiently close manner, then we can be justly accused of being morally tone-deaf. Likewise, if we neglect to protect the people we have voluntarily committed ourselves to protect in order to secure the well-being of some other people, then we can be justly criticized for having the wrong

priorities. Personal or contractual relations that we voluntarily create (as in the case of friends and co-workers) or at least voluntarily maintain (as in the case of democratic citizenship) bring with them rightful expectations and justified special positive duties. By committing ourselves to a personal relationship or by contracting ourselves to protect other persons' basic well-being, we give these other persons reasons to rely on our support. Accordingly, agents who fail persons to whom they stand in a special relationship, leaving them to die or to suffer serious injuries without even trying to help them, can be considered as some kind of *traitors*: "By voluntarily accepting those duties in the first place, they created the very trust they later violated" (Feinberg 1987: 154).

Hence, when we face a conflict between upholding the basic well-being of people to whom we stand in a special relationship and upholding the same level of well-being of other people, our duty is to protect the basic well-being of those to whom we stand in a special relationship. We will call this the *Principle of the Priority of Special Relationships*.

This principle does not imply that we never need to care about the well-being of strangers. For instance, my duty to rescue the drowning child in the pond does not depend on the child being mine or on me knowing the child's parents. Instead, I have a duty to save that child because only I can do it and because I can do it without risking anything of comparable moral significance.

But if I am confronted with two ponds, each one containing a child about to drown, and I can save only one of them, then it should matter to my choice of action if one of the children is mine. No one can blame me for not being able to do the impossible. Hence, the mere fact that I save only one child does not make me a bad person. But if I choose to let my own child drown for the sake of saving the other child, then it would be reasonable to argue that I am a bad parent. As a parent I am not supposed to be indifferent to whether it is my own child or somebody else's child that drowns. On the contrary, I am supposed to arrange my priorities so that I save my own child before I try to save any other child. This is what my child has a right to expect from me. Hence, as Richard Miller has pointed out,

not only can reasons for special concern deriving from special relationships make the expression of impartial concern non-obligatory, if they are sufficiently important they can make impartial conduct wrong. (Miller 2004: 103)

This does not mean that I am morally justified in running over and killing another child with my car just to get in time to the pond where my child is about to drown. If I run over and kill a child, I am violating her right to life, even if I am doing it for the sake of saving my own child's life. The other child has done nothing to deserve having her right to life infringed. It is not her fault that my child is about to drown. Hence, her right to life should be as inviolable as the similar right of my child.

However, in the case in which I have to choose between the two ponds, I am not violating the rights of the other child when I choose to save my own child first, although one consequence of my choice will be that the other child drowns. It is not as if I am drowning the other child for the sake of saving my own child. It is merely that I choose to save my own child first, knowing well that this means that the other child cannot be saved and will drown. Of course, the other child, too, has a right to be saved, and if possible I should save both children. My child, however, has a right not only to be saved, but to be *prioritized* by me, being her parent. Another rescuer, completely unrelated to any of the children about to drown, would have been free to toss a coin to decide whom to save, but for me to do so would indicate a severe lack of understanding of what is involved morally in the relationship between parent and child.

Now, the Principle of the Priority of Special Relationships assigns priorities not only among rescuees but also among rescuers. In the above example of me and my child the principle says not only that I should give priority to my own child over other children in a rescue situation, but it says also that if I am there with many other persons who, like me, would be capable of rescuing my child, it is still *I* who have the duty to rescue my child. Only if I would be unable to do so would there be a moral duty for other agents to rescue my child. Being a parent, I have a moral responsibility for my child that no one else has, and as long as I am capable of protecting my child's basic well-being, it is my duty and no one else's to do so.

As we have already seen, special relationships are not only about family members, friends, lovers, and other kinds of people with whom we have chosen to involve ourselves personally. They also include contractual relations, in which we, as a part of our voluntarily chosen line of work, or as a part of promises, agreements, or as a consequence of our civic and legal responsibilities, have acquired morally justified duties to other people.

In a rescue situation, if there are many potential rescuers around and one of them has a contractual duty to rescue that the others do not have, and if this agent is capable of rescuing a particular person who is in danger, then she, and she alone, will be morally responsible for that person's life. Imagine, for instance, a case in which the following is true:

- (1) A man is about to drown.
- (2) On the beach there are ten persons, each and every one of whom is capable of rescuing the drowning man on her own.
- (3) One of these ten persons is a lifeguard, employed to maintain the safety of this particular beach area.

In a situation like this, the lifeguard, and she alone, is morally responsible for the drowning man's fate. If all ten persons choose to remain passive and the man drowns, it is the lifeguard who is to be blamed for this. Unlike the others, she has voluntarily committed herself to rescue anyone in need in this particular area and she is able to fulfill this duty. Hence, no one else should be expected to step in and assume responsibility for the rescue of the drowning man. Only if the lifeguard is *unable* to intervene will the moral responsibility for the drowning man's fate pass on to the other persons present at the scene. If, on the other hand, it is just a matter of the lifeguard being *unwilling* to intervene, nothing changes, morally speaking, and the duty to rescue still remains with her. (It would of course be very nice and highly laudable if one of the other potential rescuers stepped in and fulfilled the duty that the lifeguard chose to ignore, but this other person would have no moral *duty* to do so.)

Here Joel Feinberg's distinction between *non-doing* and *omitting* seems to apply. Feinberg gives the case of A who is B's tenant and who has promised to water B's flowers while B is away but instead leaves them to wilt and die, although he could have saved them easily, and C, who is B's neighbour and who is also able to water B's flowers, but has made no promise to B to do so, and chooses to do nothing. In this case, Feinberg argues, A had a duty to water B's flowers, but C had no such duty. Hence, while A's non-fulfillment of his promise to B should be described as an omission, the same does not apply to C, since "although it is true that C did not water the flowers, it does not follow that C omitted to water them" (Feinberg 1987: 161). Likewise, if a lifeguard ignores a drowning person whom she could and should rescue, then she is guilty of an

omission, but the other persons present should only be described as not-intervening, without any moral blame necessarily attached to their passivity.

Hence, according to the Principle of the Priority of Special Relationships, if there is an agent with a personal or contractual duty to rescue a certain person in need or persons in need in general, and that agent is capable of fulfilling her duty, then other agents are relieved of their duty to rescue these persons. This is in line with the assumption that duties should not be assigned to agents beyond what is necessary, since all duties imply the imposition of burdens and restrictions on the freedom that all agents should consider as a necessary good. The argument about omissions and non-doings in relation to the Principle of the Priority of Special Relationships will also have significant consequences for our analysis of the duty to aid the starving.

Now, the Principle of the Priority of Special Relationships can create tragic dilemmas of its own. Here is an example. Your child is about to drown in one pond and another child is about to drown in another pond, and you are a lifeguard, responsible for the safety of that other pond. You have time to save only one child. How should you choose? Here you seem to be caught in a trap. Either you will have to fail as a parent or you will have to fail as a lifeguard, and in either case a child for whom you have a special responsibility will die. Here, I believe, your moral duty is to give priority to the child in the pond that you have contracted yourself to keep safe. When you work as a lifeguard, it should be a part of your professional commitment that nothing should be allowed to distract you from your duties regarding the safety of the swimmers and bathers in the pond that you are responsible for. Moreover, you should arrange your private life so that someone else will take care of your own child and protect her safety while you are on work.

THE SIGNIFICANCE OF NECESSITY IN RELATION TO MORAL DUTIES

Now, let us turn to the Condition Regarding the Irrelevance of Numbers. As we know, this condition “makes no distinction between cases in which I am the only person who could possibly do anything and cases in which I am just one among millions in the same position” (Singer 1972: 232). Hence, whether my action is *necessary* or not is irrelevant as long as it is *sufficient* to achieve or at least to promote the achievement of a certain humanitarian end.

Contrary to Singer's assumptions, I will claim that necessity is quite crucial to the question of whether or not we have duties to rescue or to aid the starving. This is so since necessity is essential to the justification of duties in general, whether these duties are of the negative or the positive variety. To assign a duty to an agent is to impose a burden on her. It is to restrict her sphere of morally permissible actions by making the non-performance of some actions as well as the performance of some other actions morally mandatory for her. Hence, assuming that freedom is an indispensable moral value for all agents, since agents cannot be agents unless they are free to act in accordance with their own chosen ends, no such restriction could be morally justified unless it is indeed necessary.

Now necessity has different implications as regards the extension of negative and positive duties, respectively. In order for all agents to have effective rights to life and physical integrity it is necessary that each and every agent always refrains from killing and assaulting other agents. Hence, all agents have at least a *prima facie* duty not to physically harm each other. (I say *prima facie*, since this duty could be overridden in cases in which one agent has to harm another agent in order to prevent the latter agent from unjustifiably harming her. Here too, necessity plays an important role, as the expression "has to" suggests.)

Things are different with positive duties, however. We do not always depend on the help of others, and, hence, it is not true that all agents always have a duty to provide all other agents with help. It is *not* necessary that each and every agent always helps other agents. Hence, positive duties do not apply with the same degree of universality as do the negative duties. As John Stuart Mill observed, "a person may possibly not need the benefits of others, but he always needs that they should not do him hurt" (Mill 1987 [1863]: 78).

Hence, in the case of the duty to rescue, we have to establish that there is indeed a necessary relation between some agent A's performing a certain act of assistance and some other agent B's being able to stay alive, maintain her freedom, health and physical integrity, or any other similar aspect of her basic well-being. This involves establishing *both* that a particular action is necessary to maintain B's basic well-being *and* that it is necessary that A performs this action. For instance, if B is about to drown, it is necessary that someone pulls her out of the water. If only A and C are present, and C cannot swim, while A is a good swimmer who is capable of rescuing B on her own, then it is necessary

that A rescues B. Hence, A and not C has a duty to rescue B. Here the necessity is of an objective kind, having to do with the facts of the case, rather than with what people think or believe about the situation.

The reason for this *Requirement of Double Objective Necessity* is, once again, to make sure that duties are assigned with due respect for the human right to freedom. Unless it is indeed necessary for the saving of some person's life or other aspects of her basic well-being that a certain agent performs a certain rescue action, that agent should not be burdened with a duty to perform that rescue action.

However, for an agent A to have a positive duty to act for the sake of maintaining another agent B's well-being, A's action should not only be necessary to the maintaining of B's well-being, but A should also be *aware* of this necessity. We may call this the *Requirement of Subjective Necessity*. If, for instance, a potential rescuer is asleep and hence unaware of there being a person about to drown in the lake close to her cottage, it would be unfair to ascribe to her a duty to rescue that person. We cannot accuse her of having *ignored* the drowning person's plight, since ignoring presupposes prior awareness. And we cannot accuse her of neglecting her duty by falling asleep, since she was never under any obligation to stay awake in the first place. (Of course, things would be different for agents who have voluntarily contracted themselves to protect other persons from harm. A lifeguard, for instance, who is employed to keep a certain beach area safe, has thereby also committed herself to be alert and informed about what is happening in that area.)

In addition to the requirements of double necessity and subjective necessity, positive duties must also fulfill a *Requirement of Reasonable Costs*. Positive duties, including the duty to rescue, are not without limits. Duties of assistance assume, in accordance with the Kantian motto that ought implies can, that the assisting agent is *capable* of performing them. No one should be required to do the impossible. But there are further limits to be considered. The assisting agent must not be reduced to a mere means to the securing of the well-being of the person in need. While trying to help someone else to avoid harm, the helping agent still maintains her own rights not to be harmed. Hence, although a potential rescuer might be aware that another person is about to drown, and that it is necessary that she intervenes to rescue him, she might still be justified in not acting, if she has reason to believe that she would be harmed should she try to do so. Of course, things are different for agents who, like bodyguards, lifeguards,

firemen, and others, have voluntarily contracted themselves to take risks to protect other people. Likewise, parents, friends, and lovers can be expected to take at least some risks for the sake of protecting children, and loved ones. But in the absence of such special relationships, agents are not required to risk any aspect of their basic well-being for the sake of maintaining the basic well-being of other agents. We will attend to this requirement in more detail below.

SINGER'S SUFFICIENCY CONDITION AND ITS PROBLEMS

Now, Singer plays down the importance of necessity by rejecting any distinction "between cases in which I am the only person who could possibly do anything and cases in which I am just one among millions in the same position." According to him, my duty to rescue does not require that a person in danger will die unless *I* intervene. What matters to Singer is that I am able to save that person, not that I am the *only* one who is able to save her. Hence, the duty to rescue, in Singer's version, is based on the *sufficiency* rather than on the *necessity* of the rescuer's intervention.

Of course, it is easy to sympathize with the sufficiency condition, especially if we consider certain possible interpretations of the necessity argument that I have developed above. Think of ten potential rescuers, each one of whom is capable of effortlessly rescuing a drowning child. Now, according to one interpretation of the necessity argument, since it is not necessary for any one of them to rescue the child (since anyone of the others could do it instead), no one of them will have a moral duty to rescue the child. And since the same conclusion holds for each and every one of them, these ten potential rescuers may passively watch the child drown without anyone of them having violated the duty to rescue. This outcome would probably appear appalling to most of us. Accordingly, we might feel tempted to accept Singer's sufficiency condition instead.

According to this condition, each and every one of the ten potential rescuers would have a duty to rescue the child, since it would be true for each and every one of them that her intervention would be sufficient to save the child's life. Instead of there being no one with a duty to rescue the child, all of the potential rescuers will now have a duty to rescue the child, and this outcome may appear more appealing, morally speaking. (We will discuss an alternative way of dealing with the problem of many potential rescuers and necessity below.)

However, Singer's choice of sufficiency rather than necessity as the relevant justification of the duty to rescue will bring problems of its own. This is so especially within the framework of a utilitarian theory, according to which "we ought to be preventing as much suffering as we can without sacrificing something else of comparable moral importance" (Singer 1972: 238). According to this utilitarian approach, it is morally bad to spend one's money on fashion clothes which are not really needed to keep oneself warm, when one could give this money to famine relief instead. But the utilitarian would also have to compare and evaluate different rescue operations according to how well they serve the purpose of maximizing the prevention of suffering. A possible outcome of this quantitative approach is that there may well be occasions in which we should not try to save the drowning child after all. Consider this example.

You are on your way to the post office to mail a sum of money that you know will save the lives of five starving persons in a far away country, when you observe that a child is about to drown in a nearby pond. You can easily, and without any risks to yourself, pull the child out of the water, but in the meantime the post office will close, and you will not be able to save the lives of the five starving persons. But if you do not pull the child out of the water now, she will die. You know this. So, what should you do? If you are a utilitarian who, like Singer, wants to maximize the prevention of suffering, then you should not stop to pull the child out of the water, but instead leave her to drown and hurry on to get to the post office in time. This outcome, however, would appear morally outrageous to many of us.

If we instead had relied on a necessity condition, we would have reached a different outcome. Then we would be able to argue that while your intervention may be *sufficient* to save either the child or the five starving persons, your intervention is *necessary* to save the child. Somebody else may contribute the money needed to save the five starving persons, but only you can save this child from drowning. The very fact that money is the instrument of rescue in the case of the starving persons suggests that the important thing is not that *you* intervene, but that *somebody* intervenes. It is *money* that is required, not *your* money in particular. And it is highly unlikely that you are the only one who could contribute the money needed to save the starving five. Hence, it would seem unreasonable to insist that just because your money would be sufficient to save the five starving persons, you and you alone are morally responsible for whether they survive or not.

Moreover, assuming that you have no special responsibility for these five starving persons and that your intention is to save five starving persons, rather than to save these five persons in particular, then it is not necessary that you send any money today. You can mail your money tomorrow instead, and still manage to save the lives of five starving persons, although, of course, the beneficiaries then will not be the same individuals as today.

In the case of the child in the pond, however, it is indeed your personal intervention that determines whether this particular child will live or die. You are the only one who can save the child. Hence, if you leave the child to drown for the sake of getting in time to the post office and mail your money to save the five starving persons, you ignore a determinate moral duty for the sake of performing an action that you have no duty at all to perform. That is, you ignore a duty that only you have, and which must be fulfilled here and now, for an act of beneficence that can be performed by any agent at any time. The starving persons have certainly a right to be saved, but it is not as clear that the corresponding duty to save them can be assigned to any individual agent in particular. The drowning child, however, has not only a right to be rescued, but a right to be rescued *by you*.

Now, the fact that in this case you should rescue one child instead of saving the lives of five starving persons does not mean that numbers never count, morally speaking. But they count only when factors such as moral proximity and necessity of intervention do not make a moral difference. If, for instance, I am facing a situation in which one child is about to drown in one pond and five children are about to drown in another pond, and in which I can save either the one child or the five children, but not all the children, then I should begin by trying to save the five children, hoping that I, contrary to the evidence at hand, will be able to save both them and the child in the other pond. Here it should of course be added that this is my duty only if it is true both that I have no special obligations regarding the one child, and that my intervention is indeed necessary to the survival of the five children.

DOING MORE THAN OUR FAIR SHARE?

Now, even if we grant that it is necessity rather than sufficiency that creates a moral duty to rescue, we would still have the problem briefly noted above of assigning that duty to a particular agent when there is more than one potential rescuer around. For instance, let us assume that both you and I are equally capable of rescuing a person in danger, and that it is necessary that *one* of us intervenes to do so. None of us is a lifeguard, so the question of special responsibilities does not occur. Now, it is not necessary that *you* intervene, since I am as capable as you are of performing the rescue operation. Nor is it necessary that *I* intervene, since you are as capable as I am of rescuing the person in danger. Here we will end up with a paradoxical situation in which although one of us should have a duty to rescue, none of us will in fact have such a duty. This was the kind of contingency that Singer wanted to avoid by insisting on sufficiency rather than necessity, and by arguing that we should make no distinction “between cases in which I am the only person who could possibly do anything and cases in which I am just one among millions in the same position” (Singer 1972: 232).

One way of approaching this problem about moral indeterminacy would of course be to claim that you and I have a *shared* duty to rescue. According to this view, when we are members of a group of potential rescuers, we have only a duty to do our *fair share* of our collective duty to rescue. This means that if the other members of the group fail or ignore to do their part, we are still morally obligated to do only as much as our share of our common duty prescribes. We are supposed to contribute our fair share regardless of what the others do or do not do, but we are not supposed to compensate for what they fail to do by accepting a heavier burden for ourselves. In the words of Liam Murphy: “We should do our fair share, which can amount to a great sacrifice in certain circumstances; what we cannot be required to do is other people’s shares as well as our own” (Murphy 1993: 278).

However, this idea of being morally obligated to do only one’s fair share of the duty to rescue incurs certain intuitive moral objections. Suppose that you and I are near a pond where two children are about to drown. Once again, none of us is a lifeguard or has any other kind of special responsibility for the children. I can easily and at no cost to myself save both of them, but since you are as capable as I am of rescuing them, I believe that I should do only my fair share of rescuing. Hence, I choose to save only one child. You, however, who do not believe in any duty to rescue others at all, simply walk away.

The child left in the pond drowns. Can I really take comfort in the belief that since I have done my fair share of rescuing, the fate of the child that was left to drown is no moral concern of mine? I believe not.

In order to avoid such morally unappealing outcomes, we should interpret the necessity argument in a way that takes account of what agents actually do and do not do. It is not the number of potential rescuers that matters, but what they actually do. If there is a group of, let us say, ten potential rescuers, none of whom is a lifeguard or in any other way under a special duty to intervene, and each and every one of them being capable of rescuing a person about to drown at little cost to themselves, and nine of them simply refuse to act, then it is necessary that the tenth potential rescuer intervenes to rescue the drowning person. In such a situation it is as if there had been only one potential rescuer present in the first place. (But remember the Principle of the Priority of Special Relationships: If any one of the ten had been personally or contractually committed to rescue the drowning person, then she, and she alone, would have had the duty to rescue that person. And even if none of the ten had intervened to save the drowning person, she, and she alone, would have been guilty of neglecting the duty to rescue.)

Now, it is important to note that even if an agent is left to take care of a rescue operation on her own, this does not mean that she is morally obligated to take greater risks than would have been the case had she shared the rescue operation with other agents. Our duty to rescue should not be turned into a supererogatory imperative that we sacrifice our health, physical integrity, or other aspects of our basic well-being, just because other agents refuse to do their fair share. To be sure, we cannot escape our duty to rescue, just because other potential rescuers remain passive. But nor are we morally obligated to risk our lives or other aspects of our basic well-being in order to compensate for the passivity of others.

If, for instance, we are twenty potential rescuers around and there are twenty children about to drown in a lake, and each rescuer can save only one child without herself risking her life or suffering injuries or severe health risks (and none of us is bound by any prior commitment to take such risks), then I am only morally responsible for the rescue of one of these children. And this limitation of my duty to rescue should not be affected by the other potential rescuers' refusal to intervene. If the other nineteen potential rescuers remain passive, and, as a consequence of this, nineteen children drown,

it is they who have failed to fulfill their duty to rescue, not I, and it is they who are to be blamed for the deaths of these children, not I. This is what the Requirement of Reasonable Costs is all about. According to this requirement, a rescuer can never be morally obligated to expose herself to any serious harm for the sake of saving the life of another person—that is, unless she already has a special responsibility for the well-being of that person that makes it mandatory for her to intervene, even at the risk of serious injury to herself. We will now take a more detailed look at the Requirement of Reasonable Costs.

THE REQUIREMENT OF REASONABLE COSTS

In a rescue situation the rescuee's life or other aspects of her basic well-being are at risk. It is the moral importance of the rescuee's basic well-being together with the necessity of a particular rescuer's intervention that create the latter's duty to rescue. Now, an agent's basic well-being includes those physical and mental conditions without which she either has no capacity at all for purpose-fulfilling agency or only a generally diminished capacity for such agency. Thus, if an agent is about to lose her life, or to have her arms or legs broken, or if she is about to be made the victim of terrorizing fears and anxieties, or to suffer any other kind of injury or loss of health, then her basic well-being is being threatened.

According to a famous argument made by the philosopher Alan Gewirth, all rational agents must hold that they have a *right* to basic well-being, since basic well-being is necessary to the very possibility of agency. To claim a right to something, Gewirth tells us, is to hold that one cannot accept being deprived of that thing. And agents cannot accept being deprived of basic well-being, since they necessarily must intend to be successful in achieving the ends of their actions. Hence, all agents must claim a right to basic well-being (Gewirth 1978: 78–82). It is the rescuee's right to basic well-being that provides the moral background for the duty to rescue. And it is the rescuer's right to basic well-being that provides morally justified limits to that duty. In my account of the Requirement of Reasonable Costs below, I will take my point of departure in Gewirth's argument about an agency-related right to basic well-being.

I have two reasons for doing so. First, his theory of agency-based moral rights contains a carefully developed argument that makes it fundamentally different from many “intuitionist” rights theories, that merely assert the existence of certain rights without

providing an argument for them. Second, his theory will enable us to view the rescuer as well as the rescuee as bearers of possibly conflicting rights, rather than reducing the rescuer to an instrument to the maximizing of good outcomes. This is relevant here, since the moral evaluation of a rescue situation should involve an assessment not only of the needs of the rescuee, but also of the sacrifices expected from the rescuer. To view the rescuer as a rights-holder rather than just as a potential source of help to the rescuee is an important step on the way to a realistic and balanced discussion of the duty to rescue.

According to Gewirth, there should exist an equality of rights among agents. Hence, there must be limits to the sacrifices that can be required of an agent for the sake of protecting another agent's rights. These limits are expressed by Gewirth in terms of comparable costs:

By 'comparable cost' is meant that he is not required to risk his own life or other basic goods in order to save another person's life or other basic goods, and similarly with the other components of the necessary goods of action. To engage in such risk or to incur such cost would involve the possibility or actuality of losing his own life in order to save theirs, and this, rather than maintaining an equality of generic rights, would generate an inequality in his recipient's favor (...).
(Gewirth 1978: 218)

The argument about comparable costs expresses the idea that the potential rescuer's basic well-being is as important to the potential rescuer as is the rescuee's basic well-being to the rescuee. Hence, our duty to assist does not override our right to protect our own basic well-being.

Still, it is not quite clear how Gewirth wants us to apply his argument. The quotation above, referring to the principle that an agent "is not required to risk his own life or other basic goods in order to save another person's life or other basic goods," gives room for two different interpretations, one, which I will call the *hierarchical* interpretation, and another, which I will call the *inclusive* interpretation.

According to the hierarchical interpretation, there is a hierarchy within the category of basic well-being, according to which a rescuer is morally obligated to risk less important aspects of her basic well-being for the sake of protecting more important aspects of the rescuee's basic well-being. Hence, although the rescuer is not expected to risk neither her life to save the rescuee's life, nor her arm or leg to save the rescuee's arm

or leg, she *is* expected to risk her arm or her leg if this is necessary to save the rescuee's life.

According to the inclusive interpretation, basic well-being should be considered as a whole. Hence, agents are never morally obligated to sacrifice any part of their basic well-being for the sake of preserving any part of another person's basic well-being. That is, granted that basic well-being includes physical integrity in general, an agent is not expected to risk neither her life, nor her leg, nor her arm, for the sake of saving another person's life.

Now, Gewirth's only detailed example of a rescue situation does not give us much guidance as regards the sacrifices prescribed by his argument about comparable costs. In this example, a man named Carr is strolling on the beach when he observes another man Davis struggling in the water, shouting for help. Carr is an excellent swimmer and has also his motorboat near him, and to this motorboat there is attached a long and stout rope. The story continues:

Carr sees that he could easily save Davis by swimming out to him, or at least by throwing him the rope from his boat. But Carr simply doesn't want to bother even though he is aware that Davis will probably drown unless he rescues him. Davis drowns. (Gewirth 1978: 217–18)

The reason why this example cannot give us any clue as to how to interpret Gewirth on comparable costs is simply that it would not cost Carr *anything* to save Davis. He would not risk his physical integrity or health, nor would he risk his property. So if we want to find out what risks a potential rescuer should be ready to accept for herself, the story of Carr and Davis is totally uninformative.

However, I believe we should define the contents of the Requirement of Reasonable Costs along the lines of the inclusive interpretation above. After all, given that Gewirth is right about the necessity of basic well-being to agency in general, it cannot be reasonably expected of an agent that she should give up any part of that well-being, unless she has voluntarily committed herself to such sacrifices in the first place. It would be to cross the line between the mandatory and the supererogatory to demand of an agent that she should, for instance, accept for herself a life in a wheelchair for the sake of saving another person's life. And just as it is out of the question that any agent should have to accept to have her limbs broken by a rescuee trying to save her life, it is out of the question that any agent should be required to break her own limbs for the sake of saving a

rescuer's life. Basic well-being in its entirety, including not only life but also physical integrity and health, should be kept inviolate.

However, even on this interpretation of the Requirement of Reasonable Costs, rescuing agents may, under certain circumstances, still be under a duty to risk their basic well-being. This brings us back to special relationships and the responsibilities that come with them, according to the Principle of the Priority of Special Relationships. If you have volunteered to become a police officer, bodyguard, or lifeguard, you have also volunteered to risk severe costs to yourself for the sake of protecting other people. And a parent, who has a special responsibility for her children, may also be assumed to risk physical harm for the sake of protecting their lives. But in the absence of such special conditions, we are not supposed to expose ourselves to the risk of being killed or injured for the sake of saving another person's life.

We should also note that the Requirement of Reasonable Costs will rule out rescue operations that are dangerous to the rescuing agent, not only because the operation itself is risky, but also because the person to be rescued is dangerous and can be expected to cause the rescuing agent or third parties to suffer unjustified harm, should she be rescued. For the same reason that a potential rescuer is not under an obligation to risk losing her life or breaking her arms or legs in a dangerous rescue operation, she is not under an obligation to rescue a person who can be expected to kill, injure, or terrorize her or anyone else in the future. The term 'unjustified harm' is meant to make clear that we are here thinking of a morally innocent potential rescuer, who ought not to be subjected to any harm at the hands of the person in need of being rescued. If, for instance, the potential rescuer is a thief, and the person in need of rescue intends to report her to the police should she be rescued, then this would not constitute "unjustified harm" and the potential rescuer cannot refer to the possibility that she will suffer morally justified legal punishment as a justification for not rescuing the other person.

What about rescue operations that are not dangerous to the rescuing agent but that are extremely difficult or inconvenient to perform? Judith Jarvis Thomson gives the imaginary example of herself being "sick unto death, and the only thing that will save my life is the touch of Henry Fonda's cool hand on my fevered brow," concluding that although it would be "frightfully nice" of Fonda to fly in from the West Coast and provide her with the cure of his cool hand, she still has no *right* to his help (Thomson 1971: 55). But although it might be highly inconvenient for Henry Fonda to travel to

Thomson's sickbed, it can hardly constitute a threat to his basic well-being to do so. Hence, assuming that Thomson is right about the unique powers of Fonda's cool hand, should we not conclude that he indeed has a duty to fly in from the West Coast and save her life?

However, I do believe that Thomson is right in denying that she has a right to Fonda's intervention, although this intervention in no way would interfere with Fonda's right to basic well-being. The relevant aspect of the argument is not that Fonda's right to basic well-being would be threatened, but rather that his right to *freedom* would be infringed, should we accept that Thomson has a moral right to his presence at her sickbed. This is not like a case in which Fonda on his way to work comes across Thomson drowning in a lake and, given that it is both necessary and without risks for him to intervene, acquires a duty to rescue her. In Thomson's story he would have a duty not only to rescue her, but also a duty to arrange his life so that he can be present at her side when she needs him. And in the absence of any prior commitment to make himself available to Thomson at her request, Fonda has no duty to arrange his life in accordance with her needs.

On the other hand, if he had already been in the same room as Thomson, I would say that he has a moral duty to walk across the floor and place his magic hand on her fevered brow. Then the whole case would be similar to any ordinary rescue situation, in which a potential rescuer is already present when the need of her intervention becomes obvious. (Thomson, however, denies that Fonda would have a *duty* to do even this much, although she believes he *ought* to make the minimal effort of crossing the room to place his hand on her brow [Thomson 1971: 61].) This has to do with her belief that rights and duties have to do with requirements of *justice* rather than with morally right action in general.

THE DUTY TO AID THE STARVING

Now, where does this leave us when it comes to the justification of a duty to aid victims of famines across the globe? We have so far argued that the duty to rescue must fulfill certain conditions, expressed in the Requirement of Double Objective Necessity, the Requirement of Subjective Necessity, and the Requirement of Reasonable Costs. We have also noted that the Principle of the Priority of Special Relationships in some cases, in which the rights of rescuees conflict with each other, will require that we rescue some

persons rather than others. The same principle also requires that we sometimes take greater risks than is normally demanded by the Requirement of Reasonable Costs in order to save persons to whom we are morally committed in one way or another.

Applying the Requirement of Double Objective Necessity to a famine case involves establishing that a certain kind of intervention made by a particular agent is necessary to end the famine in question. Now, in a rescue situation, like the one with a child about to drown in a shallow pond, it is fairly straightforward what must be done: Someone should wade in and pull the child out of the water. It is not equally straightforward what must be done in order to put an end to a famine. Since people are starving it might be thought that what is needed is that someone distributes food to them. And if it had only been a matter of some individual suddenly finding herself without anything to eat because she has been robbed of her food as well as of the contents of her purse, then one of her neighbours may well solve her problem by giving her food for a day or two until she can gain access to her bank account and buy food for herself. But this is not what famines look like. It is not a matter of a few individuals suddenly and temporarily being deprived of food. It is rather a matter of large groups of people being deprived of their long-term ability to provide for themselves.

In famines individual agents are no longer capable of feeding themselves and sometimes they are also prevented from doing so. But the reason for this threat to their lives and to their agency is not some accident that just happened to them as individuals (as when a child falls into a pond), but more likely an effect of how the political and social institutions of their country work or fail to work. Famine-stricken people are not persons who have suddenly lost their food supplies. More likely, they are the victims of structural evils, like an oppressive political system that does not allow for functioning markets (like in Stalin's Russia, Mao's China, or Pol Pot's Cambodia), or civil wars and terrorism, that deprive people of their property and homes, forcing them into a precarious existence as refugees (like in Darfur and Somalia).

Even in the absence of violence and lawlessness, famines seem to be the product of political conditions and structures, rather than just a shortage of food. Famines may actually coexist with an abundance of food in one and the same country. This was the case in Ireland in the 1840s, as well as in Ethiopia in the 1970s. Here indifferent colonial administrators and autocratic rulers left impoverished people to die, while food was being exported abroad or sold to wealthy city consumers in a neighbouring region (Sen 1999:

170–75). In these cases, the poor starved simply because they could not afford to pay for the food that was actually available.

It might be objected that governments of developing countries may lack resources to protect its citizens from famines. But the fact that famines often occur in developing countries does not necessarily imply that the governments of these countries have no money to spend on the protection of their citizens' well-being. Rather, it can be an indication that these governments have other priorities.

In 1994 the United Nations Development Programme (UNDP) revealed in its annual Human Development Report how governments of developing countries (mis)used resources under their control. In that year, developing countries spent \$125 billion on military expenses. For only 12% of that cost, they would have been able not only to provide primary health care for all their citizens, including immunization of all children, but also to eliminate severe malnutrition and reduce moderate malnutrition by half, and to provide safe drinking water for all. For only 4% of their military spending, the developing countries would have been able to reduce adult illiteracy by half, to provide universal primary education, and to educate women to the same level as men (UNDP 1994: 50).

Governments that prefer to spend money on the military rather than on health care and education are often themselves controlled by the military. Here one should note the significant relationship between the presence of democracy and the absence of famine. As philosopher and Nobel laureate Amartya Sen has pointed out, "no substantial famine has ever occurred in any independent country with a democratic form of government and a relatively free press" (Sen 1999: 152). A government depending for its power on the will of its citizens must take their rights seriously. Such a government is likely to act to prevent unemployment and poverty from turning into a famine. For instance, by creating temporary jobs and maintaining the purchasing power of the poor, a government can prevent local food markets from collapsing and enable the poor to survive.

Hence, famines are not just about people lacking food, but also, and more important, about their lacking the structural conditions for successful agency, including a democratic political community with a government that respects its citizens' civic rights. In the words of philosopher James Griffin:

[W]e have good empirical evidence to believe that in a famine there is usually enough food in the stricken country to keep all the population alive; it is just that the starving have no effective way of getting at it. We also have reason to believe that liberal democracies are less likely than countries with other forms of government to suffer serious famine. And we have reason to believe that rushing food to an area of famine is often only a short-term palliative. What is needed in these countries for long-term improvement is often deep political change. (Griffin 2008: 183)

To end a famine and to restore its victims to their rights may certainly require some kind of external intervention. But this intervention will not be of the same kind as we came across in the case of the drowning child.

When the rescuer has pulled the child out of the water, the child is safe and the rescue mission has been successfully completed, end of story. In cases like these, one individual can intervene and successfully rescue another individual. However, you cannot end a famine in a similar fashion, by having some individuals providing some other individuals with food. Certainly, the starving persons who receive food will survive today. But tomorrow they will starve again. And there will be others, who never received any food, and who will not even survive until tomorrow. “Unlike holding out your hand to save the drowning child, helping someone in need generally requires a major investment of time and resources” (Lichtenberg 2004: 85).

To go on indefinitely in this way, feeding a few people here, a few people there, is not to end a famine. There is no successful completion of a well-defined rescue mission here, no end of story. It is more like taking painkillers against cancer. The symptoms may be alleviated, but the illness is still there, and it is still a killer. We need surgery, not painkillers. And when it comes to successfully fighting a famine, what is required is a change of those human-made political, social, cultural, and economic structures that made the famine possible in the first place. Unlike the rescuing of a drowning baby, relieving famine victims involves engaging oneself with a whole societal structure.

In the words of philosopher Kwame Anthony Appiah:

[R]esponding to the crisis of a child dying because her frail body cannot absorb fluids faster than they pour out of her is not really saving her, if tomorrow she will eat the same poor food, drink the same

infected water, and live in a country with the same incompetent government; if the government's economic policies continue to block real development for her family and her community; if her country is still trapped in poverty in part because our government has imposed tariffs on some of their exports to protect American manufacturers with a well-organized lobbying group in Washington, while the European Union saves jobs for its people by placing quotas on the importation of others. (Appiah 2006: 167–68)

Accordingly, when it comes to understanding famines and how to fight them, we should not let ourselves be trapped by simplistic arguments, telling us that the problem with starving people is just that they do not have enough to eat, and that we can deal with it by sending them food or give them money to buy food for. Instead, what is needed is a change of the political, social, cultural, and economic background conditions that prevent them from being able to provide for themselves in the first place: "The focus has to be on the economic power and substantive freedom of individuals and families to buy enough food, and not just on the quantum of food in the country in question" (Sen 1999: 161).

THE DUTIES OF GOVERNMENTS

The focus on the structural causes of famines also indicates that it is not individuals but rather governments that will have the duty to aid the starving. The means and instruments necessary to end a famine are normally not available to any individual or group of individuals outside the circles of political power. And regardless of the abilities of individuals, it is governments that have the moral duty to provide their citizens with an institutional framework that protects them from societal failures such as famines. This duty has both negative and positive aspects. Negatively, governments have a duty to their citizens not to expose them to oppression and violence of the kind that make them likely victims of famines. Positively, governments have a duty to promote functioning markets as well as prospects for growth and employment that enable citizens to support themselves.

Governments should also act to protect their citizens' basic well-being when they are unable to provide for themselves, by means of training and education, temporary employment, or welfare support. Moreover, governments have a duty to maintain democratic structures and freedom of opinion and expression, and to make themselves

receptive to the legitimate demands of their citizens. In short, governments have a responsibility to establish and maintain a political culture protective of their citizens' rights to freedom and well-being. The existence of famines indicates a failure to take this responsibility seriously: "A government's allowing people to starve when it is preventable reflects a lack of concern for human rights" (Rawls 2001: 109).

Here the Requirement of Double Objective Necessity as well as the Principle of the Priority of Special Relationships both point in the same direction. Without the intervention of governments famines cannot be put to an end, and governments have a duty to protect the basic well-being of their citizens that no other government has. With political sovereignty comes moral responsibilities and among these responsibilities the duty to protect its citizens from starvation should be at the very top of any government's agenda. The duty of a government to maintain its citizens' right to basic well-being corresponds directly to its own claim to be a morally legitimate authority in a particular territory with a right to the loyalty of its citizens. There can be no morally legitimate exercise of political power in the absence of a willingness to accept such a duty.

Hence, just as in the case in which the lifeguard becomes the one agent among many potential and capable rescuers who has the moral duty to rescue a drowning person, so it is the government of a famine-stricken country and no other agent that has the moral duty to maintain, protect, and restore the basic well-being of its citizens. If the government in question has the means to do this and yet refuses to aid its own citizens, then the government and no other agent should be blamed for the deaths and sufferings of these citizens. From the point of view of moral responsibility, the correct description of a situation in which people die in a famine that the local government could have prevented but ignored is that they died because their own government ignored its duties and allowed this to happen, not because other governments did not send any aid (even if the latter would be true, too).

But what if a government is genuinely unable and not just unwilling to help its starving citizens? In such a case it might be necessary for some other government to intervene and to help creating those institutional structures that are necessary to prevent famines, including a democratic constitution and a functioning market. However, such an intervention implies a far-reaching interference with the political and economical life of the recipient country and it should only be undertaken if the greater part of the citizenry of that country can be expected to welcome it or at least accept it. Otherwise foreign aid

might be perceived as just another instance of imperialism. As already the French revolutionaries found out, when they sent their armies to spread republican virtue all over Europe, forcing freedom upon others is very often counterproductive.

Moreover, according to the Requirement of Reasonable Costs, no other country is under any moral duty to risk the basic well-being of its own citizens for the sake of promoting or protecting the basic well-being of citizens of another country. This precludes a duty to go to war only for the sake of creating democratic structures in another country. Hence, even if it would be necessary to intervene militarily in a famine-stricken country to change the structures that caused the famine in the first place, and even if it would be possible for a particular government of another country to undertake such a military intervention successfully, this government will still have no moral duty to do it, if it is likely that its citizens and soldiers will be killed or wounded in the process. No government is under any moral obligation to sacrifice the lives of its own citizens only for the sake of saving the lives of citizens of other countries (that is, unless the government in question, with the support of its citizens, has voluntarily committed itself to make such sacrifices). On the contrary, governments have a moral duty to protect the basic well-being of their own citizens. (This is the duty that the governments of famine-stricken countries typically fail.)

The fact that we, as citizens of a democratic political community, make laws and political decisions that affect each others' lives gives us a moral responsibility for each others' well-being that we do not have for the well-being of members of other nations. Hence, according to the Principle of the Priority of Special Relationships, we have a moral duty to see to it that our fellow citizens have their basic well-being protected by the laws we make and the institutions we create, but we have no similar duty to protect the basic well-being of members of other nations. Likewise, our duty to rectify an injustice in our own political community is greater than our duty to rectify a similar injustice in another political community, and should not be set aside just because it would be easier or cheaper to rectify that latter injustice:

A participant in the process of collective self-rule ought to treat the relief of an important burden suffered by a compatriot due to the system of laws that she helps to impose as a stronger reason to change the laws than an unmet need of a foreigner, even one that can be satisfied more efficiently than her compatriot's need. To fail to accept

this special responsibility for reducing burdens that one would otherwise help to impose coercively is to fail properly to disvalue political subordination. It is as disrespectful as an overlord's telling his exploited serfs that his exactions are justified by his using them to improve the well-being of the more miserable serfs of a fellow-baron.

(Miller 2004: 105–6)

However, none of this precludes a duty to aid the government of another political community in its efforts to protect its citizens from becoming the victims of a famine if and when such aid can be given without forgoing any aspect of the basic well-being of one's fellow citizens. For it to be a moral duty, such aid should, however, according to the Requirement of Double Objective Necessity, consist in providing means that are indeed necessary to the prevention or ending of a famine.

Such necessary aid could, for instance, consist in creating more favourable conditions of trade for a country threatened with a famine, so that its economic growth is not being hampered. It could also consist in helping the government of a famine-stricken country to provide its citizens with education and other forms of training that would enable them to support themselves. Providing loans for investment in local agricultural or industrial projects could also be a relevant way of fulfilling the duty to aid a famine-stricken nation. However, all forms of aid should aim at enabling the receiving people to support themselves and to regain their capacity for agency, rather than having them depend on future aid, which would be contrary to the right to freedom of the giver as well as the receiver of aid. And for this aid to be meaningful, there must already exist democratic structures in the receiving state, so that the government of that state can be held accountable to its citizens and in this way be motivated to assume a responsibility for their basic well-being. To aid a government that does not respect its citizens as agents with political rights is not a way to protect these citizens from famine but rather to make permanent those structural conditions which cause famines in the first place.

According to the Requirements of Double Objective Necessity and Subjective Necessity, any government the aid of which is necessary to prevent or end a particular famine, and in which there is an awareness of the need for its aid, has a duty to provide aid in the way described above, as long as this is consistent with the basic well-being of its own citizens. However, it has been argued that some governments and nations may have a greater responsibility than others when it comes to providing aid for certain poor

countries. In the eyes of philosopher Thomas Pogge, for instance, citizens of rich and developed countries have benefited from global inequality and from the exploitation of poor Third World countries:

[B]y shaping and enforcing the social conditions that foreseeably and avoidably cause the monumental suffering of global poverty, we are *harming* the global poor—or, to put it more descriptively, we are active participants in the largest, though not the gravest, crime against humanity ever committed. Adolf Hitler and Joseph Stalin were vastly more evil than our political leaders, but in terms of killing and harming people they never came anywhere near causing 18 million deaths per year. (Pogge 2005: 33)

Hence, according to Pogge, the citizens of rich countries have a *negative* duty to help these poor countries, that is, to stop harming them and to rectify the effects of past exploitation. Given the prevailing intuition that it is worse to harm other persons than not to help them, and given the common sense view that while we do not always have a duty to help others, we do always have a duty not to harm them, Pogge wants us to think of the duty to aid the starving not as an optional commitment, but rather as a mandatory moral obligation. When we ponder our duties to the global poor we should, according to Pogge, think of ourselves not as innocent witnesses to a scene in which a baby is about to drown in a pond, but rather as culpable agents who shoved the baby into the pond in the first place and who therefore now have a moral duty of rectification to see to it that she is rescued.

Now, Pogge's argument is different from the one analysed here, about the duty to aid the starving as an extension of the duty to rescue, and so it is beyond the scope of this article to address the complexities of his argument about moral guilt and responsibility. Let me just point to one major difficulty in relating the duty to aid the global poor to past exploitation. In order to bring home his conclusion that all citizens of rich and developed countries have a duty of compensation to aid the global poor, Pogge has to show that each and every citizen of rich and developed countries has in fact benefited from exploiting the global poor. It would, of course, seem morally unreasonable to demand compensation from persons who themselves have neither exploited anyone, nor profited from their ancestors' past exploitation. However, this also seriously weakens the impact of Pogge's argument. In the words of philosopher Janna

Thompson:

The idea that people share responsibility for a past injustice by benefiting from it has an obvious shortcoming. If an injustice produces no benefits for existing people, then on this account they have no responsibility. (Thompson 2006: 158)

Moreover, to whom is compensation owed? Is each and every Third World citizen owed compensation, regardless of whether her present condition would have been better or worse without the past and present impact of global economic inequalities? Given these and other questions concerning the implications of Pogge's argument for the duty to aid the global poor, his argument seems even more problematic than Singer's attempt to derive that duty from the duty to rescue.

CONCLUDING REMARKS

While both the duty to rescue and the duty to aid the starving relate to the moral necessity of averting grave threats to the basic well-being of human agents, the latter duty cannot be reduced to just an extension of the former one, as Peter Singer has argued. In this article I have tried to show why this is so.

(1) In order not to impose undue restrictions on the right to freedom, both duties must fulfill the Requirement of Double Objective Necessity. Unless it is necessary to rescue or to aid, no agent has a duty to rescue or to aid. And unless it is necessary that *this* particular agent intervenes to rescue or to aid, *she* has no duty to do so. Now, although it may happen that it is indeed necessary that a particular agent intervenes to rescue another individual, it is rarely ever the case that it is necessary that a particular individual intervenes to aid famine-stricken people in another country. The kind of intervention necessary to end or prevent a famine typically require governments rather than individuals as agents. Hence, when the duty to aid is subjected to the same necessity requirement as the duty to rescue should be subjected to, it turns out that the duty to aid is unlikely to be a duty of individual agents.

(2) The duty to rescue is also limited by the Requirement of Reasonable Costs, which says that no agent is required to risk her own basic well-being for the sake of protecting another agent's basic well-being (that is, unless the rescuing agent has already committed herself to such risks). Applied to the duty to aid the starving, this means that no government has any duty to risk any aspect of its own citizens' basic well-being for

the sake of helping famine-stricken people in another country. This means that although it might be possible for a particular government to end a famine in another country, it may still have no moral duty to do so. For instance, if the only way to end the famine is to intervene militarily, and if such an intervention is likely to cost the intervening forces many dead and wounded soldiers, then this would go beyond the limits set by the Requirement of Reasonable Costs.

(3) Contrary to the unrestricted universalism of the Singer Principle, agents can have duties to certain specific individuals or groups of individuals in accordance with the Principle of the Priority of Special Relationships which they do not have in relation to other people. In the case of a conflict, these special duties override other persons' claims on their help. Likewise, governments have duties to their own citizens that they do not have to other people, and in the case of a conflict they have to attend to their own citizens' basic well-being before considering what to do to help people in other countries.

(4) Because of the Principle of the Priority of Special Relationships, we are also entitled to hold governments responsible for what happens to their famine-stricken citizens. If a government fails to do what it can do to protect its citizens from becoming the victims of a famine (or, even worse, if a government actually causes the famine out of carelessness or malicious intent), then this government and no other agent should be held responsible for the ensuing suffering and deaths. The correct description here is that these famine-stricken people suffered and died because of what their government did to them or failed to do for them, not because of the failure of other governments to provide aid (although it may be true that no aid was given by other governments). Only when governments are unable and not just unwilling to protect their citizens' rights to basic well-being will there be a question about the moral responsibility of other governments.

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