

Introduction

An Unavoidable Gaze

I was driven to write this book by a need to provide a contribution to the literature on transnational socio-economic justice that treats the global poor as agents who possess the capacity to act against injustice. Curiously, the audience this book is intended for will not read it. Those living in severe poverty and those engaged in resistance will probably never pick up this book. Books of academic philosophy tend to have limited print runs and, perhaps, are a little too arcane for their own good. It would be terribly gratifying if this were not the case, but one has to be realistic. So why write this book if it is never going to find its true audience? The answer is that the world's affluent persons need a reminder that complicity with intransigent and profound injustices has consequences; that it exposes one to risks. The slave-owning plantation class in the United States knew this. In the years leading up to the Civil War, the fear of being murdered in one's bed by the next Nat Turner was a palpable concern. The planter class did not recognise slave rebellions as being driven by injustice, inured as they were in the mire of white supremacy, but they could at least see this threat. The current transnational socio-economic system does a much better job at isolating people from the consequences of injustice. One does not have to look the sweatshop labourer in the eye when buying clothing; one does not have to look the slave who works on a Thai fishing boat in the eye when buying frozen prawns; one does not have to look the indigenous person, who has been driven off their land, in the eye to enjoy cheap beef. We are insulated. We do not need to meet their gaze, but at some point they might make us.

I am reminded of Cesar Dezfuli's portrait of Amadou Sumaila, which won the National Portrait Gallery's Taylor Wessing Prize. It is a picture of a young African migrant in dirty clothes set against the vast expanse of the Mediterranean Sea; his eyes mark the portrait as exceptional. They demand the viewer's attention, but it is difficult to hold them for very long. Amadou Sumaila was born in Mali, one of the world's poorest states.

In 2010 more than 50 per cent of people lived on less than \$1.25 per day and over 80 per cent lived on less than \$2.50 per day.¹ While there has been some success in poverty reduction in recent years, it is no surprise that young people such as Amadou choose to leave. The lives we take for granted in affluent states of the Global North are simply impossible to achieve in Mali. It took Amadou two years to reach Europe. He travelled through Algeria to Libya. There he found a country where people trying to reach Europe are ruthlessly exploited. Employers pay a pittance for a day's labour, and if you talk back you will not have a job tomorrow. Migrants are regularly kidnapped and murdered if the ransom is unpaid. The police have to be bribed to prevent imprisonment.² Amadou experienced this form of semi-official kidnapping in Sabratha but was fortunate that his mother managed to get him the money to be released. Soon after he was on a smuggler's ship to Europe. He was placed with more than a hundred other people on an inflatable boat and was picked up by the *Iuventa*, where Cesar Dezfuli was on board.³ The last news that I could find about Amadou is from 2017. He was in Italy awaiting to hear if his application for refugee status was accepted. After this he disappears, but this fugitive moment of recognition matters. Amadou is a person. He is able to dream of a better future and act to make that future real. He may have been born into poverty, but he did not stoically wait for change. He did not wait for us. Every step he took on his journey was driven by the desire for a different life. The strength of that desire can be gauged by all he endured to reach Europe. From his portrait, Amadou Sumaila stares out at us; he is a person, and his gaze is unavoidable.

Resistance is rarely talked about in the literature on global socio-economic justice.⁴ If those who believe that the current global order is

¹ Sofia Karina Trommlerová, Stephan Klasen, and Ortrud Leßmann, 'Determinants of Empowerment in a Capability-Based Poverty Approach: Evidence from The Gambia', *World Development* 66, no. 1 (2015): 5.

² Paolo Campana, 'Out of Africa: The Organization of Migrant Smuggling across the Mediterranean', *European Journal of Criminology* 15, no. 4 (2017).

³ Sam Jones, 'Taylor Wessing prize: who is the man in the photograph?', *The Guardian*, 18 November 2017, www.theguardian.com/world/2017/nov/18/taylor-wessing-prize-who-is-the-man-in-the-photograph.

⁴ There are exceptions to this, but they are extremely rare when compared to the volume of books and scholarly articles on transnational socio-economic justice; cf. Roberto Gargarella, 'The Right of Resistance in Situations of Severe Deprivation', in *Freedom from Poverty as a Human Right: Who Owes What to the Very Poor*, edited by Thomas Pogge (Oxford: Oxford University Press, 2007); Gwilym David Blunt, 'Transnational Socio-Economic Justice and the Right to Resistance', *Politics* 31, no. 1 (2011); Cécile Fabre, *Cosmopolitan War* (Oxford: Oxford University Press, 2012); Simon Caney, 'Responding to Global Injustice: On the Right of Resistance', *Social Philosophy and Policy* 32, no. 1 (2015).

unjust and that their proposals for reform are, at best, distant possibilities, then what is their attitude towards acts of resistance? This book will argue that those people who make such arguments must endorse resistance as a human right and that global poverty is sufficiently unjust to merit resistance. We will begin by examining the state of global inequality and poverty in the world today. This shows two basic facts: despite a mild decline in global inequality, global poverty affects nearly a billion people by conservative estimates and more than half the human population by more comprehensive estimates; that a minority of the human population controls nearly all the wealth. This is used to examine the debate on transnational socio-economic justice between cosmopolitanism and its critics. The book will take a minimalist cosmopolitanism as its starting point by assuming, per Thomas Pogge, that there is a duty to not support unjust social institutions and that, when this duty is not met, there are positive duties to reform these institutions and compensate the victims. Yet these remedial duties are not being met. The proposals of cosmopolitans and, indeed, their critics would be a large departure from the status quo. This introduces the problem of intransigent non-compliance. What is to be done when people are able, but not willing, to comply with duties of justice?

Chapter 2 examines the right to resistance in the twenty-first century. It argues that the right of resistance must underpin the political conception of human rights that characterises much of contemporary discourse on transnational socio-economic justice, and grounds Pogge's account. It is necessary in order for human rights to be considered proper rights. It argues that if rights are not to be considered merely rhetorical, they must provide a remedy when they are violated, otherwise they exist merely as privileges in the gift of the powerful. It further argues that the right of resistance is acknowledged in contemporary human rights practice by examining precedents set in the struggle against colonialism and apartheid. The structure of this right is then laid out by looking at the practice of resistance to slavery. The practices of armed rebellion, absconding from slavery, and mundane resistance show that resistance is a molecular right with claim-right and liberty right elements. This shows that we need to approach resistance in a way that acknowledges justice-seeking and injustice-evading practices.

Chapter 3 asks whether global poverty is something that can trigger the right to resistance. The bar is set very high for enacting the right to resistance. It is argued that acts that are comparable to crimes against humanity are sufficient to trigger resistance. Global poverty is often

compared to the Holocaust and crimes against humanity, but this is done for rhetorical purposes rather than as a serious claim. This chapter argues that there is something to the comparison. The Holocaust analogy is not persuasive owing to the particular nature of genocide as a crime, but it holds with crimes against humanity. There is no reason based on the elements of a crime against humanity, as defined in the Rome Statute of the International Criminal Court, to disqualify global poverty as a crime. Indeed, it is directly comparable to the crimes of slavery and apartheid as they all are characterised by extreme domination that undermines secure access to the contents of human rights. This is sufficient to justify resistance by those living in severe poverty.

The second part of the book examines four test cases for the right to resistance. It assesses how they contribute to dismantling unjust social institutions; how they mitigate the effects of unjust social institutions; and how they signify non-compliance and condemnation of unjust social institutions. Chapter 4 looks at the first of these, illegal immigration. It is argued that illegal socio-economic immigrants are acting in a way that is directly comparable to fugitive slaves. If one does not think the latter does anything wrong by absconding, then one cannot condemn the former. This might not align with conventional ideas of resistance, but it works effectively with the idea of infrapolitics. Illegal migration may not directly dismantle the institutions responsible for global poverty, but it does provide respite from the worst effects of poverty. Moreover, depending on the framing, it provides a strong symbolic gesture, as ships of immigrants cannot be ignored. It forces the citizens of the North to look the global poor in the eyes. Finally, the chapter argues that prominent arguments against the free movement of people do not succeed against the immigration as resistance argument.

Chapter 5 examines transnational social movements as vehicles of resistance. It is argued that these movements can be relatively peaceful means to enact the right of resistance and to develop transnational solidarity necessary for cosmopolitan reform. The conception of solidarity defended here engages with the 'motivational critique'. It argues that there is something to the idea that these theories cannot motivate action, but only when it is applied to those benefiting from unjust institutions. It directs the idea of solidarity towards solidarity amongst the oppressed. It then examines two types of transnational social movements: the first is the international labour movement as an example of justice-seeking resistance; it provides the vehicle for reshaping the institutional causes of severe poverty. The second is the indigenous rights movement, which can be characterised as

injustice evading, insofar as it aims to create autonomous zones that are not affected by the worst elements of the international system. This shows how these movements might help to produce autonomous zones that can resist the causes of global poverty. Both of these movements are symbolically important as they generate solidarity between those living in poverty and capture the attention of those living in the North. However, there are limits to the potential of transnational social movements. They may be generally peaceful, but they might not be able to effectively reform the international system because of asymmetries of power. Moreover, unlike the international labour movement or indigenous rights movement, there is not a sufficiently deep bond between the hundreds of millions of people living in poverty that could be a basis for solidarity; being poor is not a badge people wear with pride. Despite these challenges, it will be argued that the potential for these social movements to disrupt the global economy and create autonomous zones provides some optimism for resistance to global poverty.

The final two test cases examine the justifiability of violent resistance. Chapter 6 specifically looks at the idea of redistributive war. This issue seems to verge on the absurd, but there is a developed literature on it. The case will be made that a redistributive war between affluent and impoverished states cannot be discounted by traditional just war theory. It can meet conditions of just cause, legitimate authority, right intention, last resort, reasonable conditions of success, and proportionality. Yet, despite this, war does not seem to be a viable option. This is because, while we might be able to justify an abstract case in which a redistributive war can be justified, when it collides with reality, problems surrounding the achievement of the aim of a just international system and the absence of legitimate authority undermine the argument. In other words, a redistributive war's ability to create a just transnational system does not seem plausible and, indeed, it indicates that an even greater burden would be placed on those least able to carry it. Furthermore, we might question whether just war theory provides an appropriate framework for resistance to transnational injustices as it is statecentric and perhaps biased towards affluent states. Despite this, one must concede that the symbolism of the lost cause is powerful. The cry of defiance against an implacably unjust foe carries with it a great romantic attraction. Yet when there are other alternatives that are promising, romantic defiance seems self-indulgent.

Chapter 7 looks at alternative modes of political violence. Following Nelson Mandela, it examines armed struggle as a form of resistance. Two varieties, sabotage and terrorism, are studied. Sabotage appears to be the

only permissible use of violent resistance as it is not directed at causing physical harm or killing innocent people. This leaves open the prospect of reconciliation; and it contributes to the destruction of unjust institutions. It may produce negative externalities for property owners, but it does not undermine the ability to produce social institutions that provide secure access to human rights. The same cannot be said about terrorism. Those living in affluent states may bear some responsibility for global poverty, but this is not sufficient to justify acts of terroristic violence. That being said, we must be aware that this argument may conceal bias. My analysis of resistance is rooted in resistance to slavery. Nat Turner's Rebellion is often condemned for killing innocent persons, but this criticism sits awkwardly with the violence that the slave system inflicted on innocent persons. However, a second response helps to answer this concern. Terrorism is impermissible because it undermines secure access to the content of human rights for all involved; it may help demolish unjust institutions, but it is unlikely to produce just ones in its place.

Chapter 8 looks at the duties that are generated for affluent agents by the right of resistance. It examines the responsibilities that are generated by the human right of resistance. It argues that the right to resistance produces negative duties of non-interference, non-collaboration, and non-obstruction. This means that people cannot personally frustrate acts of legitimate resistance and cannot provide support to social institutions that are designed to quash resistance. These duties may not destroy unjust social institutions, but they enable other agents to do so – or at least evade injustice. The right to resistance also produces positive duties to assist agents. This might take the form of assisting illegal acts, such as helping illegal immigrants cross borders, but it might also be satisfied by supporting social institutions that protect resisting agents, such as supporting 'sanctuary cities' that do not cooperate with immigration authorities. Once more, this might not end injustice, but it assists people trying to end injustice and escape it. It also represents a powerful symbolic gesture of solidarity. The positive duty is contingent on one's position and capabilities to help. This chapter does not return affluent persons to the forefront but examines the affluent as subordinate agents to those enacting their duties of resistance.

CHAPTER I

*Global Poverty, Justice, and Intransigent
Non-compliance*

This chapter provides an overview of the current state of global poverty and inequality, from the familiar big-picture perspective as well as from the on-the-ground perspective of individuals living in extreme poverty. It then turns to how poverty and inequality have featured in contemporary political philosophy. It first examines the methodological division of ideal and non-ideal theory, and then looks at the division between cosmopolitans and their critics in ideal theory, and how this has informed non-ideal guidance. It argues that non-ideal theory is incomplete. The focal point of the debate on global poverty to date has been affluent agents who have duties to alleviate global poverty. This book shifts the focus to the agency of those living in poverty and what they might do in the face of intransigent, extreme, and ongoing injustice.

1.1 Global Poverty

By the most optimistic perspectives, there are hundreds of millions of human beings living in extreme poverty. This section looks at the pervasiveness of extreme poverty in the world and the current trends for assessing it. It begins by looking at the optimistic story about global poverty that has emerged in recent years, which argues that, while it remains widespread, extreme poverty is in decline and will continue to be in decline. There is an undeniable element of truth to this claim. However, there are also compelling reasons to be wary of falling into a Panglossian view, especially when one assesses the international poverty line (IPL) of \$1.90 per day against the lived experience of those who are rather ostentatiously called the ‘global middle class’.

Poverty, whether extreme or not, is a highly contested concept. What poverty is and how it is measured form a key problem when assessing how widespread poverty is in the world today. However, the starting point for conceptualising poverty in this book is parsimonious. Poverty will be

understood in absolute terms; it is not measured in a relative sense against other people. A person is in poverty if they fall below a certain baseline, and once they pass that baseline they are no longer considered to be in poverty. This is a useful approach, at least initially, because it is simple and measurable. In 1990, some 1.9 billion people lived beneath the World Bank's IPL of \$1.25 per day.¹ A quarter of a century later, this number has dropped to somewhere between 836 and 897 million.² To put it in a more comprehensible way, slightly fewer than one in every seven people alive in 2020 live in extreme poverty, but twenty-five years earlier it was four out of every ten. That a billion fewer people live beneath the IPL is remarkable and forms the core of an optimistic narrative about global poverty.

The explanation for this historic decline in absolute poverty is largely attributed to the Chinese economic miracle and, more generally, to strong economic growth in Asia.³ Indeed, it was Chinese economic growth that made the difference between global poverty increasing or decreasing until roughly the turn of the century.⁴ This has resulted in the number of people living in absolute poverty in Eastern Asia falling from 61 per cent in 1990 to 4 per cent by 2015.⁵ The integration of China and other parts of Asia into the global economic order has without question been a dynamo for the eradication of extreme poverty in that part of the world, but it is not the only explanatory factor for the decline in extreme poverty.

The decline in people living in absolute poverty can also be attributed to concerted transnational action. Absolute poverty remains a major problem, but through multilateral programmes, such as the Millennium Development Goals (MDGs) and their successor the Sustainable Development Goals (SDGs), it seems that poverty is in general decline throughout the world. The MDGs were the product of the United Nations (UN) Millennium Conference held in New York in 2000 and were a series of goals to be met by 2015. The first and perhaps most prominent was the eradication of extreme poverty and hunger. The Millennium Declaration, which informs the MDGs, enshrined poverty alleviation as the goal of

¹ United Nations, *The Millennium Development Goals Report 2015* (New York: United Nations, 2015), 14.

² Fransisco H. G. Ferreira et al., 'A Global Count of the Extreme Poor in 2012: Data Issues, Methodology and Initial Results', *World Bank Policy Research Working Paper 7432* (2015): 4; United Nations, *The Millennium Development Goals Report 2015*, 15.

³ François Bourguignon, *The Globalization of Inequality*, trans. Thomas Scott-Railton (Oxford: Princeton University Press, 2015), 36.

⁴ Branco Milanović, *Global Inequality: A New Approach for the Age of Globalization* (London: Belknap Press of Harvard University Press, 2016), 213.

⁵ United Nations, *The Millennium Development Goals Report 2015*, 15.

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international development in a way that was not seen in the decades after the Second World War. This was the apotheosis of what Sakiko Fukuda-Parr and David Hulme call the ‘supernorm’ of poverty eradication that had been nascent in the final decades of the twentieth century.⁶ The UN invested highly in developing technical strategies for realising the MDGs, campaigned to publicise goals and mobilise support, and supported national governments in achieving their targets.⁷ To its supporters, the MDGs had a ‘catalytic effect on the global development debate, largely because of their simplicity and measurability – and thus accessibility’.⁸ The final outcome of this was ‘a historic and effective method of global mobilisation to achieve a set of important social priorities worldwide’.⁹ This can be seen in how the first goal was met in all regions, except Sub-Saharan Africa, four years ahead of schedule.¹⁰ The MDGs have had a lasting effect on enshrining poverty eradication in global institutions. After they expired in 2015, they were replaced with the SDGs, which promise to continue the work in alleviating poverty ‘in all forms’ by 2030, which at its heart has the commitment that no one should be living beneath the IPL.¹¹ The combination of increased economic growth in the Global South and the coordinated transnational effort found in the MDGs and the SDGs are the key themes in the narrative that global poverty is in decline and, indeed, might disappear in our lifetimes. However, while it may be true that hundreds of millions of people have surpassed the World Bank’s IPL, there are compelling reasons to doubt this narrative.

In the first place, we might doubt whether we are dealing with accurate numbers. The method by which those living in poverty are counted has been criticised for undercounting. Shaohua Chen and Martin Ravallion have claimed that the World Bank underestimated the number of people

⁶ Paul J. Nelson, ‘Human Rights, the Millennium Development Goals, and the Future of Development Cooperation’, *World Development* 35, no. 12 (2007): 2042–4; Sakiko Fukuda-Parr and David Hulme, ‘International Norm Dynamics and the “End of Poverty”: Understanding the Millennium Development Goals’, *Global Governance* 17, no. 1 (2011): 18–19.

⁷ Fukuda-Parr and Hulme, ‘International Norm Dynamics and the “End of Poverty”’, 25.

⁸ Mark Malloch-Brown, ‘Forward’, in *Targeting Development: Critical Perspectives on the Millennium Development Goals*, ed. Richard Black and Howard White (London: Routledge, 2004), xviii.

⁹ Jeffery D. Sachs, ‘From Millennium Development Goals to Sustainable Development Goals’, *The Lancet* 392 (9 June 2012): 2206.

¹⁰ United Nations, *The Millennium Development Goals Report 2015*, 15.

¹¹ UN General Assembly, Resolution 70/1, Transforming Our World: The 2030 Agenda for Sustainable Development, A/RES/70/1, ¶ 1.1 (25 September 2015).

living in extreme poverty by some 400 million.¹² In response, the World Bank has attempted to improve the means by which it measures global poverty to incorporate such criticism.¹³ Yet there remain lingering concerns about how we go about measuring the number of people living beneath the IPL.

Assuming that the current estimates of the number of people living in extreme poverty are accurate, one can point to the problem of uneven development. The number of people lifted above the IPL is not evenly spread across the globe. The explosion of economic growth in China has greatly influenced the data on extreme poverty. It is a remarkable achievement and one that is not matched in the rest of the world. Sub-Saharan Africa remains a problematic region as it failed to meet the MDG goal of reducing the number of people living in extreme poverty, though it did achieve a 28 per cent reduction.¹⁴ This complements the line of argument developed by Paul Collier that the ‘bottom billion’ of humanity face a form of entrenched poverty and that they have largely been left out of the benefits of globalisation.¹⁵ China may have experienced considerable success in reducing the number of people living in extreme poverty, but this cannot be generalised. The bottom decile of global income distribution has seen a relatively small increase of real per capita income between 1988 and 2008, hovering at around 15 per cent compared with nearly 70 per cent for those in the middle and well over 60 per cent for those in the top percentile.¹⁶ This indicates that there may be a deeply intransigent core of extreme poverty and that the world’s poorest people have not benefited significantly from economic growth or poverty eradication programmes.

We might also contest the means by which poverty is measured. The IPL, as it stands, might not actually capture poverty in a meaningful sense. It is absurdly arbitrary to say that someone earning a penny more than the IPL is not living in poverty. The IPL may be an effective way of measuring

¹² Shaohua Chen and Martin Ravallion, ‘The Developing World Is Poorer Than We Thought, but No Less Successful in the Fight against Poverty’, *The Quarterly Journal of Economics* 125, no. 4 (2010): 1621; Jan Vandemoortele, ‘The Limits of the MDGs’ Design: Six Caveats for Human Rights’, in *The Millennium Development Goals and Human Rights: Past, Present and Future*, ed. Malcolm Langford, Andy Sumner, and Alicia Ely Yamin (Cambridge: Cambridge University Press, 2013), 51–2.

¹³ Ferreira et al., ‘A Global Count of the Extreme Poor in 2012’, 3.

¹⁴ United Nations, *The Millennium Development Goals Report 2015*, 14–15.

¹⁵ Paul Collier, *The Bottom Billion: Why the Poorest Countries Are Failing and What Can Be Done about It* (Oxford: Oxford University Press, 2007), 10–11.

¹⁶ Milanović, *Global Inequality*, 11.