

2.1 *Poverty and the Justice of Recognition*

The main issue involved in justice as recognition is to find ways of appropriately recognising the humanity of fellow beings. In contemporary constitutional democracies, the humanity of fellow beings is recognised by treating all citizens with equal respect. Equal respect implies that citizens must be viewed as fellow human beings and be awarded equal political rights for meaningful participation in the democratic political system. It can be explained as follows.

Equal respect was discussed more fully in Chapter Four as part of the normative foundations of contemporary constitutional democracies. There it was said that equal respect is universally applicable to all citizens of a country. We call this recognition respect, which means that kind of respect which we owe all persons simply because they are human beings, regardless whether they are rich or poor (Darwall, 1977: 38, 39, 45). To have equal recognition respect for every human being means that some things are due to them because they are human, regardless of wealth, desert, merit, race, moral or religious views, and lifestyle.

The basic thing due to citizens accorded equal respect is to be recognised as human beings of equal moral worth. In contemporary constitutional democracies this recognition implies equal political rights. The first principle of John Rawls' theory of justice spells out basic liberties for each individual. This is accepted as standard practice in most contemporary constitutional democracies. Rawls explains equal basic liberties as follows in his first principle of justice. Equal basic liberties include the right to vote and to be eligible for public office, together with freedom of speech and assembly, "liberty of conscience and freedom of thought; freedom of the person along with the right to hold personal property; and freedom from arbitrary arrest and seizure as defined by the concept of the rule of law" (Rawls 1971: 61).

Despite assigning equal basic liberties to all citizens, black people and women have had major political struggles in contemporary constitutional democracies to secure their equal treatment as citizens. Racism and sexism are often causes of poverty or reinforces and exacerbates the harmful effects of poverty.

Rawls draws two implications from his first principle of equal rights and duties that are worth emphasising. When the first principle is applied to the political procedures defined by the constitution, it leads to the idea of equal participation. According to Rawls, this implies that each vote of a citizen should have "approximately the same weight in determining the outcome of elections." (Rawls 1971: 221–223). This means that political representatives should each represent the same amount of voters in at least one of the chambers of a national assembly (good reasons might exist for suggesting a different form of representation in the other).

Equal political representation can have great significance for poor people as it will enable them to "express their interests and experience in public, on an equal basis with other groups," thus avoiding group domination (Young 1990:95). According to Young (1990:185), democratic institutions should facilitate such public expression of needs and interests of people who are socially marginalised or silenced, as such expression is a major instrument for countering social oppression. However, effective representation in the major political institutions of society is not enough. Young encourages the involvement of all persons in collective discussion and decision-making in all the "settings that depend on their commitment, action and obedience to rules," such as schools and workplaces (Young 1990:191).

If poor people had effective representation and were assured that their voices were heard by those in power, they might not feel, as they often do, that they are being deprived, that their interests are neglected, their protests ignored, and their claims to equal citizenship insufficiently fulfilled.

It is not often that poor people are denied formal opportunities for political participation in contemporary constitutional democracies. In *apartheid* South Africa, though, poor black people were not recognised as equals and thus had no voting rights, were denied political liberties to mobilise themselves to improve their lot, and had their freedom of movement to move around in search of better economic opportunities restricted.

Michael Walzer (1983) illustrates the importance of a moral bond between citizens - recognised as humans of equal moral dignity - which allows all to participate in determining the extent to which a society must provide for its members' needs. Throughout his text, scattered remarks reflect Walzer's grasp of the influence of poverty on people's lives. He is aware of poor people's inadequate access to health care, different treatment in the courts due to a lack of legal counsel, being isolated, stigmatised, blamed and punished for their own misfortune, and that relief does not necessarily break patterns of behaviour consisting of dependence, deference, passivity and humility.

Walzer's awareness of the conditions of poverty provides the background for his view of the moral bond between citizens, expressed in his interpretation of the social contract. For him the social contract is an agreement to make collective decisions about the goods necessary to the common life of people in a society and to implement those decisions (Walzer 1983: 65). All citizens must be able to participate in debates about the meaning and implications of the social contract, otherwise their interests would be neglected and excluded. For this reason Walzer describes the social contract as a moral bond between weak and strong citizens, which commits them to continually re-negotiate the terms of the contract to accord with their shared understandings of needs.

Walzer's social contract has enormous positive value for poor people. It offers

a view of citizens having moral ties with one another, committed to engage in dialogue about the nature and extent of communal provision for needs they regard as important. Poor people are thus equally respected, as they have a voice to promote their interests, and to negotiate the terms of any relief or aid provided to them. Walzer's idea of the social contract furthermore implies that the contents thereof will depend on the values, convictions, and beliefs of citizens in a sovereign state, which can change over time. It also affirms his strong emphasis on the value of political community, which in this case implies that citizens have stronger obligations to poor people within their own community than to those outside.

The requirement of equal respect rules out looking down on poor people with contempt because of their poverty. Blaming poor people for their own poverty through one-sided explanations attributing poverty to their biological, genetic or moral inferiority, or lack of favour with the gods seems also like actions intended to humiliate poor people as human beings of far lesser worth. Stereotyping poor people as though they all are the same and their poverty have the same explanation similarly amounts to behaviour violating their shared humanity.

Equal respect further implies that simply because another human being exists, we are wrong to treat that person in some ways and right to treat the person in other ways. For example, no person may inflict bodily injury on any person without having sufficient reasons, acceptable in a court of law, for doing so. Poor people's bodies are at greater risk of dangers than those of other citizens. Women collecting firewood or water are at risk of sexual harassment and assault. Poor women are at particular risk of domestic violence. All poor people are at risk of interpersonal violence and crime – phenomena that are far more prevalent in poor areas than elsewhere. Having to rely on cheap energy resources such as wood and paraffin exposes poor people's bodies to pollution and high risks of fires. Fires easily burn down their houses, often made of

highly flammable material like wood or plastic. Fires also spread rapidly in their densely, often overpopulated areas. The risk of premature, preventable death increases with the choice of energy, such as wood and paraffin, and the lack of adequate food to ensure a healthy body resistant to disease.

Equal respect requires that people must be respected in their own terms. Adults must be treated as adults, children as children. Poor children sometimes suffer massive injustices. Some frustrated, tired, and highly stressed poor parents inflict cruel punishment on their children's bodies. Some parents or supervising adults push or sell children into prostitution to earn extra income, leaving major psychological scars. The need for extra income often forces children to work when they should still have played. The adult responsibility of full time or part time labour robs children of their special childhood opportunities for psychological growth and intellectual development.

2.2 *Poverty and the Justice of Distribution*

In justice as distribution the main issues are linked with the equitable distribution of goods. These goods include all things that can be distributed like and analogously to material possessions. How can contemporary theories of justice illuminate the issues of distributive justice?

Most participants in the debates on justice assume that a major part of the concept of justice refers to the distribution of goods. Working on this assumption, John Rawls defines the concept of justice as referring to the principles used to guide the adjudication of conflicting claims to more of the benefits and less of the burdens that result from the life that a group of individuals share together in a specific society (Rawls 1971: 9–10).

From this skeleton definition we can already see that justice as distribution has at its centre the notion of an allotment of things (goods) to (specific) persons –

whether the allotment of benefits such as income, wealth, goods, offices, and privileges, or the allotment of burdens such as hard work and lack of adequate income (Frankena 1962: 9). To secure distributive justice in a specific society the adjudication of conflicting claims should be done according to principles of justice that lead to a division of benefits and burdens that create a proper balance between such claims. The application of such principles of justice must prohibit the making of arbitrary distinctions between persons in the process of the adjudication of conflicting claims to society's distributable goods (Rawls 1958: 165).

A good indicator whether distributive justice prevails in a society is to note what different people have in terms of income and wealth. What people have depends on how the resources and opportunities available in a society have been divided. For example, wealth is one of the benefits of a society. Who are the wealthy people in a society and how did they acquire their wealth? Distributive injustice exists when the benefits and burdens available in a society are unfairly divided between different individuals and groups in a society. Benefits are wealth, income, property, opportunities to education, and good employment. Burdens are hard or dirty work, and taxes.

Poor people suffer many distributive injustices. Classifying people as "poor" means that they have very little income and practically no wealth compared to the abundance others in society have. The degree of inequality in some societies is staggering. If the gap between rich and poor become so pronounced that the rich live in luxury while the poor can hardly afford enough food, live in houses that fail to protect them against the elements, have to make do with dangerous fuels that endanger their health and life, and have to walk long distances to collect water of questionable quality, then their position relative to others in society seems to be unjust.

However, an unequal division of benefits and burdens is not necessarily unjust.

There may be good reasons why the president of a country gets a bigger salary than a teacher. What should be looked for is whether there are patterns in the division of benefits and burdens. For example, do women teachers generally get lower salaries than their male colleagues? If the answer to the question is yes, there is good reason to investigate whether some kind of injustice is responsible for these patterns of people worse off than others.

John Rawls provides an interesting defence of an unequal division of the benefits of society that nevertheless is in the interests of the poor. He justifies unequal distribution of income and wealth in his second principle of justice. The principle goes as follows: "Social and economic inequalities are to be arranged so that they are both (a) to the greatest benefit of the least advantaged and (b) attached to offices and positions open to all under conditions of fair equality of opportunity" (Rawls 1971:83). In terms of this principle, inequalities in a society should benefit the least advantaged persons, otherwise they are unjust. Thus, high incomes for professionals such as doctors and engineers can only be justified if they lead to an improvement in the lot of the least advantaged people. This aspect of Rawls' difference principle expresses care for poor people, as their interests must dominate when deciding which unequal divisions of income and wealth are justified. His difference principle provides an articulation of the democratic ideal of solidarity (fraternity) which could significantly improve at least the relative income and wealth of poor people.

In the area of the household gender distinctions have a profound influence on distributive issues of justice. These distinctions are currently strongly contested, as they are believed to be unjust. Nevertheless, they continue to dominate and negatively influence the lives of many women. Stereotypes about the role of women within the household make their lives particularly difficult in situations of poverty. The distribution of resources within a household can become a matter of intense conflict, often resolved through violence or the threat thereof. As a result of male dominance, many poor women have most of the

responsibility for household management and duties. Some poor women take hours to fetch water, collect firewood, or to do washing and cleaning. These domestic services are mostly unpaid labour that deprives women of free time for self-improvement or productive activities. The unequal division of household duties on gender lines often severely disadvantages women to the benefit of men.

Investigating suspected distributive injustice, like the unjust treatment of women in many households, requires answers to several questions. Let's say there is a pattern of one group of people being far more wealthy than another. Two questions must be asked. One question deals with the origin and history of the wealth or poverty of these people. We must establish how the rich people acquired their wealth. They might have had a better education. If this is true, then the reasons for them having better educational opportunities must be investigated. Rich people may have acquired their wealth from their ancestors. If this is so, then the way their ancestors acquired their wealth needs to be looked at. Did they perhaps illegitimately acquire their wealth?

Next, the investigation must focus on how wealth was transferred through generations to determine whether these transfers were fair. If rich people legitimately acquired and transferred their wealth to current generations, then their riches might be justly possessed (see Nozick, 1974: 150–153). However, if their wealth was based on unfair access to better opportunities for self-development or economic advantage than those available to other people, then their wealth is based on injustice that needs to be rectified.

Justice as distribution deals not only with the distribution of benefits, but also burdens. Doing hard work, such as cleaning up dirt, is one of the burdens of a society. Who does this work and did they have other choices? The distribution of work opportunities – especially the more negative ones that have inadequate pay – is a difficult problem. How should these jobs be distributed? They

must be done, are difficult and hard to do, but nevertheless leave those doing them poor as a result of low pay. Michael Walzer presents specific proposals which can help to alleviate the plight of these poor people in his discussion of hard work (Walzer 1983:165–183).

Walzer defines hard work as harsh, unpleasant and difficult to endure. People usually do not choose such work if they have any alternative, as it has a negative status in society and often leads to poverty, ill health, dishonour, and degradation. Whereas the risks and dangers of military service can be equally divided amongst citizens, the risks and dangers of coal mining do not come from a public enemy. This difference, as well as the strong bond between miners and the fact that their work is best done with experience, does not necessitate an equal sharing of this work amongst citizens.

Nevertheless, the work of miners does serve the interest of the political community, which could ease their burden in various ways, such as supporting research into mine safety, making health care available for their specific needs, enabling early retirement and decent salaries and pensions (Walzer 1983: 170). Instead of exposing mine workers to hard, gruelling work, degrading poverty, and many risks to their health and well-being, they are regarded as fellow citizens of equal moral standing, who are treated as such in their dangerous work. Through trade union membership they gain a voice in determining the contents of the communal social contract.

2.3 Poverty and the Justice of Reciprocity

The third category is justice as reciprocity. In this category issues arise that deal with the nature, scope, and contents of fair terms of co-operation at interpersonal, social, and institutional levels.

It is not without reason that the idea of a contract has been – and still is – so

influential in modern political philosophy. Many aspects of the public lives of citizens, of their social lives as members of communities and associations, and of their personal lives as individuals in interpersonal relationships can be characterised in terms of contractual agreements where two or more parties make an agreement that define their relationship, specify duties and responsibilities, and outline benefits and advantages. How to determine fair terms of co-operation at different levels in society and what qualifies as being fair co-operation between different people are important issues of justice.

The procedure for determining fair terms of co-operation must itself be evaluated in terms of justice, as an unfair procedure cannot lead to a just outcome. Thus, all procedures for determining outcomes that affect any aspect of justice need moral evaluation to determine whether they allow justice to prevail. For example, the procedures of criminal courts need evaluation to determine whether they are fair toward the victims, the accused, the prosecutors, the defenders, and the judge so that retributive justice will be satisfied. Similarly, the procedures for selecting national sports teams must be judged whether they are just toward all serious contenders for such coveted positions.

Poor people can be vulnerable to injustice when unfair procedures are used to determine fair terms of co-operation. Their powerless political position might have excluded them from participation in designing the procedures. As a result such procedures might be discriminatory to their interests. More likely, perhaps, is the possibility that the procedures are applied to their detriment, as they are too powerless to resist the pressure and manipulation exerted by powerful members of their society on weak or immoral implementers of procedures, like corrupt judges in courts of law.

Poor people are thus very vulnerable when other groups in society refuse to implement mutual agreements or to deliver on promises made earlier. Poor people often do not have the authority to demand that others in society keep

their side of agreements, or they do not have the power or self-confidence to resist unilaterally broken promises.

Many of the problems associated with justice as reciprocity start when individuals decide to become free-riders. A free-rider is an individual who judges that not doing one's share through reneging on agreements or promises will not have a large impact on society, as millions of other citizens will probably do their duty in any case (cf. Rawls 1971: 267–270). When other individuals become aware of free-riders, they could either decide to become like that themselves, or insist on collective arrangements that ensure that everyone does their part. Most people will keep to agreements only when they are sure that fellow citizens will do so too. In contemporary states with large populations people do not trust their fellow citizens to have sufficient moral integrity to make the enforcement of civic responsibilities superfluous (cf. Rawls 1971: 267–270).

The terms of co-operation mutually agreed upon can be presupposed in social conventions, embodied in promises, agreements, and contracts, or specified in responsibilities and obligations. In modern constitutional democracies many strong agreements are written in the constitution or laws of a state. The terms of co-operation can be found in many other places else as well. They can be raised knowingly and voluntarily as expectations by us through our own conduct, as when charitable donations over time raise expectations of continued or improved aid. Promises by aid agencies or agreements with local governments or business can also lead to informal assumptions of terms of co-operation between aid-givers and the needy.

Government policies outlining strategies and plans for eradicating poverty are promises to poor members of the electorate that a vote for the party will change their lives. Similarly, when rights accorded to poor people to have their basic needs fulfilled are included as part of a bill of rights in a state's constitu-

tion they raise expectations. Poor people can legitimately expect that government and non-poor citizens will fulfil their correlative duties and take up their responsibilities. The rights of poor people do indeed make government and non-poor people respondents of those rights, which imply the latter have duties to fulfil those rights and responsibilities to provide poor people with the goods the rights assign to them.

Poor people themselves might find it difficult to keep to social agreements or to stick to promises. They too, must keep to financial agreements to repay loans, live up to agreements specifying job descriptions, and honour marriage vows to their partners.

When the terms of social co-operation are determined by fair procedures, their contents are just to everyone concerned, and when citizens keep to their agreements, contracts, and promises, a society benefits enormously. People adhering to fair terms of social co-operation create order and stability in a society, as people know what to expect from one another. As fellow citizens comply with social rules and implement mutually agreed upon principles and policies, they learn to trust one another. Order, stability, and trust in a context of fair and just social rules make for lasting peace.

2.4 Poverty and the Justice of Enablement

Justice as enablement concern the extent to which institutions and human behaviour enable or constrain the self-development and self-determination of people in society. When people are constrained to develop and use their capacities, they are being oppressed. When people are hindered to participate in determining the course of their lives, they are being dominated (Young 1990: 22, 37). Oppression and domination are thus the modes of the injustice of disablement. Oppression and domination need not necessarily be the result of individual actions or the consequence of identifiable social actors, such as gov-

ernments or businesses. They could result from many actions by individuals and institutional actors that combine into conditions, circumstances, and institutions that constrain the lives, opportunities, skills, and talents of groups of people. Poverty is an example of a condition consisting of many possible elements that can constrain people's lives significantly and disable them into lives far below their capacity.

It is striking to note to what extent aspects of the phenomenon of poverty disable poor people to develop themselves and constrain their scope to determine their own lives. Poor people's bodies suffer from an inadequate diet, leading to stunted growth, more diseases, and less resistance to them than other people. Furthermore, their bodies have pain and scars that result from interpersonal violence and the damage and dependence caused by substance abuse, like alcohol, for example. These effects on the bodies of poor people constrain children's physical development and diminish the health and fitness of adults needed for motivated work. Hungry and painful bodies have diminished abilities for concentration on work that needs to be done, thus decreasing poor people's performance in their daily work.

Poor people more often use interpersonal violence for resolving conflict. Violence leaves not only physical signs of abuse, but mental scars as well. Fear and distrust become part of life, with destructive effects on interpersonal relationships and the social fabric of poor communities. Sometimes moral decay follows when people become desperately poor and struggle to survive. Crime often follows as consequence of moral decay, creating further pressure on vulnerable people who sometimes have fragile social networks of support. Crime increases fear and frustration, thus disabling individuals through creating anxiety and destroying social bonds.

The social bond of family life is at great risk for many poor people. Fractured family relations can severely constrain healthy psychological development and

consume vast amounts of whatever precious little energy poor people have left after other struggles to survive. Domestic violence over the distribution of household resources and the division of household duties place further constraints on family members, usually women and children, who suffer from male violence. Their freedom of speech and personal autonomy are restricted through violent domination. In many cases, poor parents are too tired or stressed to take proper care of their children. In other cases, children grow up apart from their parents with other family members, thus deprived of the valuable resource of parental guidance and nurturing love that parents can give. Poor children's psychological and emotional development can thus often be constrained through these factors.

Poor people are sometimes not capable of maintaining social relationships through lack of funds to invite people over, or because they cannot afford to participate in the lifestyles dominant in their communities. They might not have enough money available for the food, clothes, and proper interior decorations needed to sustain certain kinds of social relationships. Money for membership, the right clothing or gear, and lack of time might disqualify poor people from social activities such as cultural organisations, clubs, or sports events. They do not have the money to develop those aspects of their lives. As a result of the social isolation poor people often find themselves in, they are sometimes stereotyped or stigmatised by non-poor people. This might mean that non-poor people look down on poor people, refuse to associate with them, and treat them like dirt in social interactions. This becomes another constraining factor in the lives of poor people, making it difficult to present themselves with self-confidence in social situations other than those with their closest family or friends.

The negative effects of social constraints are strengthened by some poor people's dependence on aid. Some desperately poor people experience themselves as powerless to change their situation. They often have a negative self-image and feelings of inferiority. As a result they resign themselves to their

desperate condition. Experiencing poverty over a long period can strengthen these feelings and create a so-called “culture of poverty” in a community. Even aid can deepen these feelings through making people dependent and thus disable poor people to develop their own initiative and take care of themselves. Poverty can thus constrain people’s ability to function as mutually interdependent and relatively self-sufficient citizens.

Why is interdependence important to human beings? Interdependence characterises healthy relationships where adult people experience both dependence on, and independence from, other people. Why is it judged negative for poor people to be dependent on other people? The significance of interdependence can be explained by reference to the function of independence in the lives of disabled people (cf. Zola 1983). The effect of a disability is often to take away a part of a person’s independence, leaving people more or less fully dependent on others. Obviously this must be a specific kind of dependence on other people, as all people are to some degree dependent on others – whether it be to buy clothes or for emotional support.

All humans are mutually interdependent – they are dependent on others for certain things, others depend on them for other things, and all of them are independent with respect to part of their own range of needs and interests. The dependence relevant here has to do with the basic components of daily living. Most adults are not entirely dependent on others for moving around their own bodies, for washing and dressing themselves, for supplying their own basic means of life, and so on. This means that there are certain things that human beings normally do for themselves and mostly want to do for themselves, without always needing others or being dependent on the assistance of someone else. Different kinds of disabilities rule out various kinds of activities that would have made this kind of personal independence possible. Disabilities affecting movement, for example, make it impossible for some people to move from one place to another – sometimes they cannot even get out of bed by themselves.

Other disabilities, for example those that severely affect intellectual and emotional capabilities, make the people suffering from them dependent on others for even some of the most basic decisions about their personal lives.

In the case of disabled people the severity of a disability is often regarded as being proportional to the degree of personal dependence that it causes (Garrad 1974:142). The degree of personal independence that a disabled person can maintain must not be measured by the quantity of (especially physical) tasks that such persons can do, but rather by the quality of life that they can attain – albeit with help (Zola 1983b:347; Stopford 1986:6). The most important aspect of personal independence is the ability to make many of one's own decisions, whether it be alone or in partnership with others. This aspect is more important than the quantity of activities that a person can perform. To make one's own decisions enables persons to take responsibility for a substantial part of what happens in their lives. To be able to do so, Stopford (1986:6) argues, is "crucial to achieving independence and self-respect."

The value of independence has direct consequences for the nature of aid. Stopford (1986:5) rejects the idea that those caring for disabled people should try to do as much as possible for them. Rather – it is correctly argued – independence should be encouraged by "intervening to assist only when required." This kind of care for disabled people would assist their progress in rehabilitation, as this progress is largely dependent on their self-concept. Garrad (1974:145) argues that disabled people who consider themselves capable of fulfilling an independent and definite, "although altered role" in society, respond better to treatment than those who see themselves as limited, dependent, and disabled people.

How can the role of dependence in the lives of disabled people be applied to poor people? In a sense, poor people are economically disabled people. More accurate would be to refer to poor people as people disabled in various ways

and to different degrees through lack of resources. The independence of people can suffer in different ways as a result of poverty. Poor people's independence is restricted by the way that poverty curtails their ability to make decisions about their own lives for lack of resources they command and opportunities they are able to utilise.

Some very poor people can be dependent on others for food, clothes, income, housing, transport, and for raising their children. These are things most people want to do or provide for themselves or pay others to do or provide them. Being dependent on others for those things, means having to rely on the goodwill of generous benefactors, which can be degrading. If a very poor person does not want to be dependent on others for these things, the only alternatives available might be to go without them or to steal to have them. Both alternatives can add further harm to very poor people. Furthermore, dependent people can not easily engage in mutually interdependent relationships, as their ability to give something of themselves to others is often severely restricted.

Dependency and feelings of resignation on a personal level easily turn into political powerlessness. On the other hand, political powerlessness and inequality suffered by poor people can reinforce personal dependency and resignation. Poverty leads to inequalities in the democratic process as poor people do not have the means available to compete with the more affluent groups. Poor people often experience that their democratic rights are of lesser worth as a result of their meagre means to utilise such rights. If poor people's further lack of command of resources is added to their lack of political influence, their experience of being socially disabled are strengthened. Adding political powerlessness to poor people's lack of social and economic power increases their dependence on the decisions of others to determine the course of their lives.

One important result of social and political powerlessness is that poor people's bargaining power with political authorities is limited. Consequently their ability

to secure adequate public services are limited. Often poor areas are neglected in the provision of public services like education, electricity, roads, water provision, recreation facilities, and health services. This often contributes to environmental degradation, adding to the pressure placed on the environment by aspects of poor lifestyles, such as desperate needs for firewood, inadequate space for animal grazing, overcrowded housing conditions, lack of public amenities, and services aiming to beautify urban surroundings. An environment without adequate services and amenities that lacks opportunities for self-development, recreation, and aesthetic enjoyment further constrains poor people's self-development.

By now poverty can be described as a disabling condition that places many restrictions on people's ability to determine their own lives and develop themselves. Lack of self-respect, reinforced by public stereotyping, undermines poor people's confidence to change their situation. Lack of basic skills as a result of inadequate access to educational and self-improvement opportunities makes it difficult to design creative solutions to the problems of poverty. Lack of time and money place further constraints on people's ability to change their lives, as does the inability to tap into social and political resources that can help to address problems of poverty collectively. On the whole, then, poverty is a major disabling condition. The question now is to rectify the injustice of poverty and to determine who is responsible.

2.5 Poverty and the Justice of Transformation

In justice as transformation issues of changing existing institutions, practices, and behaviour are explored. Matters such as rectifying past injustices, compensating victims of serious injustices, and dealing with the legacy of physical, social, and emotional harm inflicted by past injustices are discussed. Past injustices can be dealt with in different ways (cf. Gordon 1996). One way is to put retribution in the spotlight and thus to look for villainous agents who can be

blamed. Another way puts retribution aside and tries to find explanations for what went wrong. Some people prefer to rather remedy past injustices through transforming public institutions so that it becomes extremely difficult to repeat past injustices. The way people in a society respond to past injustices constitutes their redefinition of their public values and shared identity (Gordon 1996: 37).

In the case of poverty the issues would be how to transform the condition of poor people to one of self-sufficient, mutually interdependent citizens with self-respect. If this is the end goal, the question must be how poor people can take the initiative to drive this transformation for themselves while enlisting the needed help from others. Despite the importance of allowing poor people to take the initiative in their own transformation, listening to victims of poverty and speaking on their behalf might be appropriate in cases of desperate poverty where people may have been so affected by poverty as to need others to help them to help themselves.

How can citizens of contemporary constitutional democracies deal with victims of poverty? Judith Shklar (1990) judges a modern constitutional democracy to be the best available response to the sense of injustice, for the reason that it does not "simply silence every expression of the sense of injustice" (Shklar 1990: 117). Furthermore, people committed to a constitutional democracy accept "expressions of felt injustice as a mandate for change," instead of resorting to repression as most other regimes would do (Shklar 1990: 85). Listening to poor people would be important to determine their needs and their sense of society's injustice against them.

The awareness of victims in Western democracies in recent times has been politically significant, as the sense of injustice created thereby has "not merely festered, but has led to new institutions" (Shklar 1990: 37). The openness to accusations of injustice made by citizens functions as a "protection against op-

pression" for them (Shklar 1990: 55) and as an invaluable asset for all citizens who have an interest in "maintaining high standards of public service and rectitude" (Shklar 1990: 5). Openness to demands that injustice be rectified thus fulfils a vital function in protecting the moral and social health of a constitutional democracy.

Knowing that fellow citizens take them seriously as fellow-citizens-who-are-victims, poor people might explore opportunities for political protest. Transforming any social condition through public means will require political mobilisation, that is dependent on adequate public space for political protest. For this reason one must note the extent of civil liberties available in society and the degree to which dissatisfied citizens are tolerated to act on them.

Civil liberties are not only important as means for reaching the goal of transforming social injustices, but also for the transforming effect it has on the protesters. Poor people publicly protesting their condition are rising up to deny their powerlessness, making a start to assert their rights to develop themselves and determine their lives, and regaining their self-respect as people who refuse to be treated in humiliating ways. Michael Walzer calls mobilisation for collective protest action against the violation of their humanity through protest movements action by virtuous citizens and refers to protest movements as the "breeding grounds of self-respecting citizens" (Walzer 1983). When poor citizens demand to deliberate with their fellow citizens, start to take responsibility for their views on economic and social change, and publicly protest the violation of their rights, they are exercising political power in defence of their rights. Such citizens respect themselves by not allowing fellow citizens or governmental authorities to violate any of their rights through either acts of commission or omission.

If poor people can assert their rights and demand social change to rectify their situation, part of the change must be to determine who had any responsibility

for causing poverty and thus needs to compensate poor people in an effort to restore them to mutually interdependent, self-sustaining, equally respected, fellow citizens.

2.6 Poverty and the Justice of Retribution

Justice as retribution has its focus on appropriate sanctions, penalties, or punishment for those persons who violate society's accepted principles of justice. Retribution presupposes a clear vision of what injustice is and clarity on the concept of responsibility, so as to be able to accurately determine who must be held responsible for specific injustices and to what degree.

What does responsibility mean? Responsibility has different meanings, but the one relevant here is the following. Responsibility means that some persons or groups could hold other persons or groups to account for their actions over which they have control or ought to have control. To hold people responsible for their actions is an integral part of a democratic society. People must demand that politicians, bureaucrats, and ordinary citizens explain or justify any kind of conduct that they regard as violating precepts, principles, and norms of justice.

Injustice has to do with actions or events that harm, injure, or constrain people. Injustice might occur when people are denied their rights or refused their valid claims to society's benefits. Injustices are brought about by human agents and thus socially controllable or politically avoidable. To accurately identify injustice and hold people responsible, a distinction between injustice and misfortune is necessary (see Shklar 1990). Misfortune is unavoidable and cannot be altered through human intervention. Injustice, by contrast, is brought about by human beings and can thus be socially controlled or avoided.

The distinction between misfortune and injustice can become blurred in some

cases. Nevertheless, this distinction matters. Misfortune must be accepted, while injustice has to be rectified and compensated. If poverty, for example, is the result of inevitable and unalterable events, it has to be accepted. If poverty results from events that are alterable and avoidable, it becomes an injustice to be rectified and paid for. Poverty caused by natural forces, such as drought or floods, could be considered a misfortune, though only if there are no people who have the responsibility to prepare for such disasters, issue warnings of imminent disasters, repair the damage done, and prevent similar catastrophes from recurring.

The difficulties of distinguishing between misfortune and injustice can be explained as follows. Earthquakes and famines are usually explained as misfortune. This might not be true. Although they are natural and unavoidable, people today expect that governments will warn and protect them from natural disasters. Furthermore, people can make the impact of natural disasters worse. For example, buildings collapse during earthquakes because "contractors have violated construction codes and bribed inspectors," people die because they were not warned of the dangers, or public authorities fail to make "serious preparations for the eventuality" (Shklar 1990: 2).

Once we have determined injustice and the people responsible, we must still decide on the degree of responsibility people have for injustice. The degree of responsibility for injustice is strongly affected by the distinction between active and passive injustice (Shklar 1990). Active injustice occurs when perpetrators of injustice deprive or harm other people's life and dignity. Passive injustice results from persons who are indifferent to injustice happening. Passively unjust persons are people who tolerate injustice and ignore the claims of victims of injustice. Shklar depicts citizens who are passively unjust as any of us : when we do not report crimes, when we look the other way when we see cheating and minor thefts, when we tolerate political corruption, and when we silently accept laws that we regard as unjust, unwise or

cruel (Shklar 1990: 6).

Issues associated with poverty that bring the need for justice as retribution into play are the following. In the strong sense of active injustice many poor people are themselves subjects of possible retribution. Many poor people use violence against others, particularly to dominate women and to discipline children. Bodily injuries – sometimes severe – often result, as well as fear and distrust. The sorrow and unhappiness caused by the use of violence make the already difficult situation of poverty far worse. Sometimes moral decay is associated with poverty, that in some cases result in criminal conduct. Again, poor people slipping into criminal activities become targets for retributive justice.

Business people taking advantage of poor people through exploitative selling practices also expose themselves to retributive justice. Some of the causes of poverty, such as unjust political policies and practices places whole governments, and sometimes societies as well, under the judgement of retributive justice. Governments and societies can also be in trouble if they have started a war that has devastated the economy and thus the life prospects of other countries.

Passive injustice is highly relevant when discussing the link between poverty and justice as retribution. The idea of passive injustice helps us point out the responsibility of non-poor people for allowing people to continue living in conditions of poverty. In many societies non-poor people often allow poor people to die from ill health, fail to protect them from injustice and exploitation, do nothing to alleviate their lack of food, clothing, and shelter, and fail to enhance their opportunities for self-development and growth. Although non-poor people do nothing to visibly exacerbate the lot of poor people, they also do nothing to change or improve their situation, while the non-poor presumably have the ability and means to do so. Standing by while some people suffer from so much difficulties inflicted by a social disease like poverty, makes non-poor

people guilty of acting unjustly through violation of the positive intent of principles and norms of justice.

2.7 Poverty as a Conglomerate of Injustices

Why would one describe poverty as a conglomerate of injustices? A conglomerate consists of many different parts gathered, combined, or cemented together. Poverty seems like many unjust parts fitted together to combine into a greater whole unified under the rubric of poverty. We have seen in Chapter Three how it is possible to construct a profile of the poverty of individuals, families, communities, regions, or continents. This profile of poverty can be judged in terms of justice to deepen the profile so as to include a moral evaluation of the specific case of poverty.

Each individual case of poverty will be a unique configuration that consists of its own set of injustices, depending on the circumstances and people involved. Nevertheless, in each case of poverty more than one kind of injustice usually work together to create a conglomerate of injustices plaguing poor people. The injustices of poverty might lie in the causes and effects thereof, while some injustices of poverty consist of the failure of others to act to relieve poverty. The many sites where injustice can be done to cause, prolong, or exacerbate poverty, as well as the numerous effects of poverty on its sufferers, explain the multiple opportunities for injustices to be identified in each case of poverty.

3. Conclusion

In this chapter I have shown the value of analysing poverty as a matter of justice. I have first analysed the contents of the concept of justice to determine its scope and functions. The concept of justice concerns the public morality of a society, formed through collective decisions. A conception of justice aims to give content to the concept of justice by establishing a common point of view from which to adjudicate certain conflicts. These conflicts are about problems,

conditions, ideals, and values that are remediable through moral intervention and decision-making.

General requirements for the contents of this public morality to qualify as matters of justice are the following. The principles prescribed by a conception of justice must be consistently applied to all people subject to those rules. Differences and inequalities between people may be recognised, but only if they can be justified to everyone in terms of publicly acceptable reasons. The principles of justice must ensure that every person gets their due, provided “their due” is worked out and justified in terms of reasons and values appropriate to the matter concerned and acceptable to fellow citizens. Principles of justice do not necessarily have to apply to all spheres of a society, as some are legitimate only within one sphere, like the economy or within the context of education, for example. Other principles of justice, such as the importance of truth-telling are important in all spheres.

The fundamental aims of a conception of justice ought to be to recognise the humanity of human beings and to facilitate their opportunities to live their lives as worthy of human beings. When a conception of justice functions in this way for all citizens in a particular society, it plays the role of a pact of reconciliation that protects the interests and advances the good of all involved.

A conception of justice for relations between different states can no longer be judged to be impossible or too difficult to realise. The changing relations between states during the past century have brought the ideal of a global conception of justice much closer. Several good reasons to justify a strong commitment to articulate, justify, and implement a conception of global justice were discussed.

Using the concept of justice – the primary normative concept operative in contemporary societies – for understanding and evaluating poverty, illuminates

many of the moral issues concerning poverty in terms of the dominant public morality. The upshot of the chapter is that a conglomerate of injustices cluster together in the phenomenon of poverty, making it a social disease complex to understand and difficult to deal with other than a case-by-case basis, viewed in wider social and global context.

I use the concept of justice as an analytical tool for understanding the moral issues involved in poverty. I show that the concept of justice raises moral issues that can be divided into six categories. Justice as recognition deals with matters affecting human dignity, such as respect for persons and the ways they may be treated or not. Justice as distribution has to do with the way income, wealth, possessions, and goods are divided between individuals and for what reasons. Justice as enablement concerns ways and means of enabling people's self-development and self-determination, while lessening constraints on the development of their capacities and skills, as well as eliminating stumbling blocks on their path to self-determination.

Justice as reciprocity deals with ways to determine fair terms of social co-operation in various contexts, as well as how to ensure compliance with those terms. Justice as transformation focuses on the legacies of past injustice and how best to compensate victims and change institutions or policies so as to avoid similar injustices in future. Justice as retribution looks at violations of principles of justice embodied in constitutions, laws, and policies. This category also tries to determine degrees of responsibility for both violations of principles of justice, as well as for failures to positively fulfil duties required by a conception of justice.

Many moral issues raised by poverty fall into these six categories of justice. In the light of this analysis poverty is a major disabling condition that causes many harms to the lives of poor people. Poverty is a dehumanising human condition that deprives its sufferers of many aspects that contribute to people

having a good quality of life.

The question now arises what light a Biblical perspective can throw on the moral issues involved in poverty and whether that light adds any unique contribution to what we already know. In the next two chapters I explore the ethics on poverty and riches contained in the Old and New Testaments.