Local Priorities, Universal Priorities, and Enabling Harm

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"National communities," Michael Ignatieff writes in his thoughtful essay on the prospects for a global ethic, "have some good reasons, as well as some not so good ones, to privilege local ahead of universal priorities and interests."[1] And he goes on to explain the clash of local and universal priorities as rooted in a conflict between the values of "justice and democracy." I would rather suggest that the conflict is an internal one—a conflict inherent in our thinking about what justice requires. But in any case, he is surely right that providing a compelling account of how to distinguish good from bad reasons for privileging local priorities, and identifying how weighty the good reasons for local priorities are, is fundamental to developing a plausible global ethic.

When a national community privileges local over universal priorities, it gives more weight to the interests of its members than they would have in an impartial ordering. Only a radical nationalist affirms the absolute privileging of local priorities, and only the most radical cosmopolitan denies that local priorities can ever be privileged. At present, there is little agreement about just how local and universal priorities should be balanced as a matter of policy, even though (as I will discuss below) there seems to be substantial agreement on some very clear-cut cases.

Before turning to questions of substance, however, it is important to note that there is just as much heated philosophical disagreement over the best method for determining the appropriate balance between local and universal priorities. Some philosophers, as Ignatieff notes, require that privileging the local be justified from an impartial point of view—the view from nowhere in particular. It may seem puzzling that any meaningful local priority could be justified in this way. If we

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really recognize that we are but one among many, and that our well-being and that of those close to us is of no greater intrinsic importance than the well-being of others, how can we hope to justify the moral weight we ascribe to the interests of our co-nationals, especially to our near and dear, who may be already pretty well off? With this starting point, it may seem obvious that one will arrive at the radical conclusions reached by such theorists as Peter Singer and Peter Unger, who maintain that we act seriously immorally if we fail to give away most of our financially valuable assets to reduce the severe deprivations of others.[2] However, this impression may be misleading. Perhaps allowing certain forms of local priority—to family, close friends, and so on—is required if people are to live lives that they can recognize as having any value, given certain facts about human nature that cannot be easily changed, if they can be changed at all.[3] And perhaps privileging the local is the best administrative device we currently have for protecting the interests of people throughout the world.[4] To take an example from trade policy, having a global order in which each government makes trade policies that enhance the well-being of its citizens without taking into account its effects on noncitizens may be better at promoting universal interests than any feasible alternatives. Some have gone so far as to claim that (under current conditions, at least) functioning liberal democracies with welfare systems can only be sustained by *national communities*—collectives that are constituted first and foremost by their members' beliefs that they "belong" together and that they must give priority to one another's interests over the interests of outsiders.[5]

There is, however, a great deal of resistance to the claim that prioritizing the local is permissible only if it can be justified impartially. And this resistance comes not only from the "political drivers of state action" that Ignatieff mentions, but from rival camps within philosophy. For many, the problem with any approach to global ethics that demands such justification is not that it fails to motivate or gain traction in the world of politics, but that it fails to take other values sufficiently into account. Bernard Williams, for example, famously mocked the idea that we needed to invoke impartial justification in order to permit us to save our spouse from harm in an instance when we are forced to choose between saving our spouse or saving a stranger.[6] For Williams, the reasons we give priority to those who are near to us in such cases are not derived from impartial concerns; and even to try to justify them in these terms would be a distortion of practical reasoning. Philosophers such as Susan Wolf have argued that it is a serious

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mistake to view the reasons that we have for pursuing particular goals, including those that involve giving priority to certain favored individuals, as *excuses* for not living lives that are maximally morally good from an impartial perspective.[7] Some critics of impartial justification also stress that we prioritize the local for positive noninstrumental reasons, and stress the centrality of these reasons to moral thinking, emphasizing the situated nature of practical reasoning. As Samuel Scheffler puts it, "the willingness to make sacrifices for one's family, one's community, one's friends is seen as one of the marks of a good or virtuous person, and the demands of morality, as ordinarily interpreted, have less to do with abstractions like the overall good than with the specific web of roles and relationships that serve to situate a person in social space."[8] These critics acknowledge that our well-being and that of those close to us is of no greater intrinsic importance than the well-being of others, but they nevertheless claim that we unobjectionably view the world from within a web of our own interests, identifications, and commitments, which are given special weight in our practical deliberations.

Whatever side one takes in this methodological dispute, it seems important to come to grips with the content of common moral thinking about the nature, scope, and limits of local priority. In referring to common moral thinking, I do not mean to suggest that these are universally held ideas—no ideas are, except empty generalizations. Rather, they are ideas that are shared by a great many people, including a great many readers of this journal, and which are implicit in international practice in some measure. Ignatieff is right when he says that we already have a global ethics. But this ethics is embedded not only in such instruments as the UN Charter and the various human rights conventions, but in international practice and the beliefs of a great many people. Starting (though not necessarily ending) with such ideas seems crucial if we are to achieve "buy-in," as he puts it, to any alternative modes of thinking about the appropriate balance of local and universal priorities.

The first thing to notice about common moral thinking regarding local priority is that it is complex, and that it resists reduction to any easy formula. There is no fixed exchange rate between the interests of locals and nonlocals. Indeed, when faced with a particular political choice, the degree to which local priorities are privileged seems to depend very much on the context. If, for instance, the issue concerns the mere expenditure of resources, a great deal of permissible local priority is assumed in common moral thinking. A slight but costly improvement of a stretch of road, resulting in a small reduction in the likelihood of serious automobile

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accidents, is routinely carried out by relatively wealthy nations, even though the funds employed for this purpose could save many hundreds of lives were they instead spent on improving basic sanitation or access to clean water in some poorer nation. The relatively wealthy nation is ordinarily thought to be morally permitted to act in this manner, and arguably even required to do so. In other contexts, however, local priority seems much more sharply limited. For example, it is not commonly thought to be permissible for a national community to dump toxic waste in the water supply of the territory of some other state, even if doing so is necessary to prevent much larger health problems from afflicting its own members.

What explains the dramatic difference in the weight granted to local priorities in these two cases? How were the actions of the wealthy nation that spent its resources on road repairs relevant to the suffering of the people in the poorer nation in the first place? The question itself appears odd, since it may seem inappropriate to say that it was relevant in any way whatsoever. A sensible answer, however, would be that the actions of the wealthy nation were relevant because they could have but failed to use those same funds to address or prevent suffering in the poorer nation. Of course, this answer does not refer to any one thing in particular that the wealthy nation did—improving a road is just one of countless examples—but to what this nation *did not do*, which was not providing those resources to the poorer one. In the case of toxic waste, on the other hand, the relevance of the actions of one nation to the suffering of people in a neighboring state is more straightforward and relates to a particular thing that it did. That is, it initiated *a complete causal process* by dumping the waste that linked it with the resultant harms. The toxic waste case is a clear-cut instance of doing harm, while the road repair case is a clear-cut case of failing to prevent harm. So one way of characterizing common moral thinking about local priority is to follow Thomas Pogge, who has argued that moral reasons for local priority can be weighty when what is at stake is failing to prevent harm, but not nearly so weighty when what is at stake is doing harm.[9]

This characterization seems correct as far as it goes, but it is nevertheless incomplete. It is incomplete because there are many instances in which one national community is connected to harms suffered by nonnationals without it being the case that they have done harm in a clear-cut manner, nor that they have merely failed to prevent it. That is, in many cases, nations become relevant to the harms suffered by non-nationals because of things that they *do*, but without

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it being the case that they have initiated a continuous causal process that results in these harms, as in the example of dumping toxic waste into a neighboring state's water supply. Elsewhere I have argued that these are cases that are most aptly described as instances of *enabling* harm.[10] The international scene is replete with such cases. For example, the drug enforcement policy of one nation may, through its incentive effects, enable substantial human rights violations in neighboring states. Or the implementation of an import tariff or export subsidies by one nation may reduce the export prospects of other states. Or a skills-based migration policy may lead to the flight of much-needed health professionals from other states.

Significantly, it is with respect to these kinds of issues where thinking about the balance between local and universal priorities seems most shaky. Some think of the manipulation of trade regulations for national benefit as the legitimate prerogative of national communities, while others view such policies as egregious wrongs. For instance, as the *New York Times* columnist Nicholas Kristof has written: "By inflating farm subsidies even more, Congress [is] impoverishing and occasionally killing Africans whom we claim to be trying to help."[11] Kristof is implicitly treating enabling harm through trade policy as morally equivalent to a clear-cut case of *doing harm*. And this seems to be Pogge's view as well. Some philosophers who have written on this topic, on the other hand, consider enabling harm to be morally equivalent with clear-cut cases of *failing to prevent harm*.[12]

My own view, which I think coincides with the intuitions of many, is that the permissibility of prioritizing local interests seems somewhat more limited with respect to enabling harm than with respect to failing to prevent harm, but broader than with respect to doing harm. But I cannot argue for this position here. In any case, a plausible global ethic will need to develop norms for balancing priorities in these ubiquitous and under-theorized cases. And the norms that we develop will likely have significant implications for practice. If we conclude that it is not permissible for states to enable significant harms for others in order to avoid relatively minor costs to themselves, then this provides a strong prima facie case for international regulation of the policy areas where they are most likely to enable harm. If, on the other hand, we conclude that it is permissible for states to enable significant harms for others to avoid relatively minor costs to themselves, then this provides an equally strong prima facie case for leaving the policy area to purely domestic regulation. Indeed, this debate may itself help constitute the idea of a

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global ethic: one in which, as Ignatieff puts it, "the particular is called to the bar of justification before the universal . . . creating the possibility of a process of recurrent adversarial justification."

NOTES

[1] See Michael Ignatieff, "Reimagining a Global Ethic," in this issue.
[2] See Peter Singer, *The Life You Can Save* (Melbourne: Text Publishing, 2009), p. 19; and Peter Unger, *Living High and Letting Die: Our Illusion of Innocence* (New York: Oxford University Press, 1996), p. 134.
[3] See Peter Singer, *One World*, 2nd ed. (New Haven, Conn.: Yale University Press, 2003).
[4] See Robert Goodin, "What Is So Special about Our Fellow Countrymen?" *Ethics* 98 (1988), pp. 663–86.
[5] See David Miller, *On Nationality* (Oxford: Oxford University Press, 1995).
[6] See Bernard Williams, "Persons, Character, and Morality," reprinted in his *Moral Luck* (Cambridge: Cambridge University Press, 1981).
[7] See Susan Wolf, "Moral Saints," *Journal of Philosophy* 79 (1982), pp. 419–39.
[8] Samuel Scheffler, *Boundaries and Allegiances* (New York: Oxford University Press, 2001), p. 36.
[9] See Thomas Pogge, "Bounds of Nationalism," reprinted as chapter 5 in Thomas Pogge, *World Poverty and Human Rights* (Cambridge: Polity Press, 2002).
[10] Christian Barry and Gerhard Øverland, "The Feasible Alternatives Thesis: Kicking Away the Livelihoods of the Global Poor," *Philosophy, Politics and Economics* (May 10, 2011); doi:10.1177/1470594X10387273.
[11] Nicholas D. Kristof, "Farm Subsidies That Kill," *New York Times*, July 5, 2002.
[12] See Samuel C. Rickless, "The Moral Status of Enabling Harm," *Pacific Philosophical Quarterly* 92 (2011), pp. 66–86; and Matthew Hanser, "Killing, Letting Die and Preventing People from Being Saved," *Utilitas* 11 (1998), pp. 277–95.

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