

Abstract: Basic Capacities, Coercion, and Liberal Legitimacy

Many people lack basic reasoning and planning capacities, though this lack is remediable. This paper argues that when people are subject to coercive rules, those imposing these rules over them owe them the resources and assistance they need to secure these capacities. While most people assume that only states exercise the kind of coercive power that requires legitimation, this conclusion applies wherever there is coercive rule-making. Several authors have argued elsewhere that many international, if not global, rules are coercive. Further, this paper suggests that there may be significant intergenerational coercion. If so, this paper's argument has incredibly important implications for debates about environmental, as well as global, justice.

Basic Capacities, Coercion, and Liberal Legitimacyⁱ

1. Introduction

Many people lack basic reasoning and planning capacities, though this lack is remediable. Several lines of argument converge on the conclusion that there is an obligation to ensure that these people can develop the minimal capacities at issue, even if this requires providing them with necessary resources. On many accounts of human rights, welfare, or justice, people must secure basic reasoning and planning capacities.ⁱⁱ Nevertheless, some resist this conclusion.ⁱⁱⁱ So, this paper advances a different argument for the conclusion that people are owed the resources and assistance they need to secure basic reasoning and planning capacities. It suggests that when people are subject to coercive rules, those imposing these rules over them owe them at least this much. Moreover, it suggests that this argument can ground significant obligations of intergenerational justice.

More precisely, the paper defends the following Argument for Obligation:

1. Coercive rulers can only be legitimate if all of the people they govern secure basic reasoning and planning capacities (assuming rulers continue to coerce).
2. All the people coercive rulers govern will only secure basic reasoning and planning capacities if rulers ensure that they secure the requisite capacities.
3. Coercive rulers can only be legitimate if they ensure that their subjects secure the requisite capacities (assuming they continue to coerce). [From 1. and 2]
4. Coercive rulers should be legitimate.
5. If, to be legitimate, coercive rulers must ensure that their subjects secure basic reasoning and planning capacities (assuming they continue to coerce), and coercive rulers should be legitimate, coercive rulers should ensure that their subjects secure these capacities (assuming they continue to coerce).
- C1. Coercive rulers should ensure that their subjects secure the requisite capacities (assuming they continue to coerce). [From 3., 4. and 5.]
6. Those in earlier generations often create and uphold coercive rules that bind people in later generations.
7. If those in earlier generations create and uphold coercive rules that bind people in later generations, they should ensure that these people secure basic reasoning and planning basic capacities.
- C2. Those in earlier generations who create and uphold coercive rules that bind people in later generations should ensure that these people secure basic reasoning and planning basic capacities.

The Argument for Obligation differs from much of the recent work on global justice. Martha Nussbaum and Thomas Pogge, for instance, provide theories of *justice*.^{iv} This paper's focus is on defending one necessary condition for *legitimacy*. This paper's argument is also different from much of Pogge's work which claims that there is a global basic structure that is harming the poor and concludes that there are duties of restorative justice to help the global poor. This paper is concerned with what can justify coercion. Unlike Eric Cavellero, Arash Abidazeh, and Laura Valentini's recent work, however, it does not focus on establishing the existence of coercion in international affairs.^v

This argument developed here is similar to an argument I developed in my book *Globalization and Global Justice*^{vi} and a series of papers on coercion and global justice,^{vii} but this paper develops its argument in a new way – avoiding controversial premises about, e.g., the existence of a coercive global institutional system and providing a new basis for obligations to future generations. It explains how coercion generates obligations to future generations that have important implications for debates about intergenerational justice.^{viii} The basic idea is this: Many coercive rules are hard to change. People in earlier generations often create and uphold coercive rules that bind people in later generations.^{ix} Moreover, it is often difficult for those in later generations to change these rules (especially when they are entrenched in a national constitution).^x So those in present generations who create and uphold coercive rules that bind people in later generations often share responsibility with those in later generations who maintain these coercive rules for the fact that many people in future generations will be subject to them. If this is correct, many of those in present generations have significant obligations to those in future generations. This paper will return to this point in its final section. First, however, what follows explains some key terms and defends the argument.

II. The First Premise

Liberalism, Legitimacy, and Coercion

This paper addresses liberals of many persuasions. Recently liberals have focused primarily on arguing that whatever coercive rules are imposed upon people must be decent, if not fully just.^{xi} An equally powerful strand in liberal thought, however, expresses the idea that the *actual* relationship between rulers and *each person* who is ruled must be voluntary in some way. The idea, as I understand it, is that for the imposition of coercive rules to be

legitimate, people must have certain basic freedoms. Before explaining the kind of freedoms at issue, consider the nature of legitimacy and coercion.

As this paper uses the term *legitimate* -- coercive rules are legitimate only if those imposing them have the *justification-right to do so*.^{xii} Having a *justification-right* is having moral permission to make coercive rules and give coercive commands.^{xiii} Knowing that those imposing coercive rules have a justification-right to rule does not tell us whether or not it is permissible for others to interfere with their rule.^{xiv} Some rights may carry with them correlative duties.^{xv} Nevertheless, this paper need not suppose that if those imposing coercive rules have a right to rule, their subjects are obligated to obey their dictates.

Very roughly, a rule is *coercive* when violators are likely to face sanctions for the violation.^{xvi} A *sanction* is a punishment or penalty. Coercive rules usually create conditions under which one's best alternative is to do what those subjecting one to coercive rules want one to do. This is usually explained by the fact that those subject to coercive rules are threatened by sanctions.^{xvii}

As this paper will use the phrase “coercive rules,” they include rules enforced by brute force. This is the “mainstream view of coercion that is more or less continuous with the view found in Aquinas and Hobbes/Locke/Kant (and some of the views of Bentham and Mill). This view identifies coercion with the use of force or violence, as well as to threats of the same.”^{xviii} Those who do not believe coercive rules can be enforced by brute force can read “coercive rules” as “coercive rules or rules backed by the use of force.”

Depending on the kind of sanctions those violating coercive rules will face, coercive rules may or may not undermine autonomy or individuals' basic reasoning and planning capacities.^{xix} Usually, the sanctions supporting coercive rules engage the will of the coerced. Suppose I threaten to blackmail a rich widow and say “give me a thousand dollars or I will expose your dirty past.” The woman's ability to make and act on significant plans will probably not be significantly curtailed whether or not she gives me the money, though she may face severe sanctions if she refuses to do so.

Coercive rules can make people do what they would otherwise do freely. Perhaps the rich widow would have given me the money, if she had not been forced into doing so. Rules can even be coercive if they do not force

anyone into doing anything. Suppose, for instance, a state only creates just laws and everyone willingly obeys. The state is still subjecting people to coercive laws, though it never has to sanction anyone for disobedience.

Certainly, there is more to say.^{xx} A lot hangs on what counts as a violation, a punishment or penalty, and a good alternative in this analysis. People disagree, for instance, about whether coercive rules must violate rights or entitlements.^{xxi} Some think sanctions can include offers as well as threats. And so forth.

As this paper's argument is largely independent of exactly how one specifies the boundaries of what constitutes coercion, it will not say more about it now. Different readers will just take different views on the scope and significance of its conclusion. Let us consider, instead, what is necessary to justify coercion.

The freedom required to justify coercion on liberal theories is not constituted by the social order but is compatible with significant constraints on social life. On liberal communitarian theories, the relationship between rulers and ruled is voluntary only if rulers allow or support communities of appropriate kinds that need not be explicitly consensual or consent based. Other liberal theories make consent central to legitimacy. On (reasonable and) hypothetical consent theories, for instance, the relationship between ruler and ruled is only voluntary if (reasonable) people *would* agree to (at least the general structure of) coercive rules to which they are subject *were* they asked.^{xxii} On democratic theory, legitimacy usually arises through the democratic process where the majority must actually consent to being subject to coercive rules for it to be legitimate to subject them to these rules. On actual consent theory, everyone subject to coercive rules must freely consent.

Those who are concerned about individual freedom disagree about what makes the relationship between the rulers and ruled voluntary, but the liberal commitment required for this paper's argument specifies that this relationship can only be voluntary if the ruled possess at least some freedom.^{xxiii} The key idea is that subjects must be able to determine their actions and shape the nature of their relationship to those imposing coercive rules over them.^{xxiv} Although individuals may not have a choice of whether or not they are subject to coercive rules, freedom requires that individuals be able to control the way they react to their subjection. Subjects should get to decide whether or not to abide by, dissent from, or consent to coercive rules for themselves.^{xxv} The liberal commitment this paper assumes supports the claim that people have a right to dissent from coercive rules by conscientious objection, non-violent protest, passive resistance, and so forth. To do this, people must be able to reason about, make, and carry

out significant plans in light of their beliefs, desires, values, and goals; they must secure basic reasoning and planning capacities.^{xxvi} So the requisite kind of liberal theories support the first premise (for extended defense of this claim, see: Hassoun, 2012). (Some, e.g. actual consent theories, clearly require more than this as well – on these accounts one must have the freedom to exit from coercive rule).

This paper's argument is not only intended to address those who endorse liberal consent theories. Many endorse the idea that, in order for people to freely consent to coercive rule, they must have the basic reasoning and planning capacities they need to consent. But the core idea underlying this paper's argument is more general; namely, that respect for individuals' freedom to shape the nature of their relationship to rulers requires protecting basic capacities. This is so even if the freedom at issue does not require consent.

Moreover, this paper's argument is quite controversial. The obligation to protect basic capacities may be extremely demanding. Nevertheless, the view has some chance of convincing skeptics of positive rights. In other work, for instance, I have argued at length that libertarians should endorse the argument.^{xxvii} Consider the basic reasoning and planning capacities at issue. These capacities are components of even the most minimal kind of autonomy (though nothing in this paper hangs on this being so). To have these capacities people must at least be able to reason about, make, and carry out some significant plans on the basis of their beliefs, values, desires, and goals (henceforth: commitments). Consider what this requires.

First, to reason on the basis of one's commitments one must have some instrumental reasoning ability. There are some more demanding conceptions of rationality and reasoning ability. Kant, for instance, thinks that reason requires each of us to acknowledge the categorical imperative as unconditionally required.^{xxviii} The reasoning capacities at issue do not require this much, however. People need only have the ability to do some instrumental reasoning.

Next, to make some significant plans on the basis of one's commitments one need not plan one's whole life or every detail of one's day. Rather, it must not be exceedingly difficult for one to navigate through one's day and make general plans for the future. One must not be, like Joseph Raz's proverbial man in a pit, constrained to making plans only about how to meet one's basic needs.^{xxix} Although one might not choose to exercise this ability, one must have the planning ability necessary to pursue the projects one values, to pursue a good life as one sees it. This ability requires a kind of internal freedom one can have even if subject to external constraint. Internal freedom is roughly

the capacity to decide “for oneself what is worth doing,” one must be able to make “the decisions of a normative agent”; to recognize and respond to value as one sees it.^{xxx} One must be able to form some significant plans that would work if implemented. One must be able to make some significant plans that one could carry through if free from external constraint.^{xxxi}

Finally, to carry out some significant plans one requires both some internal freedom and external freedom. Once again, internal freedom is (roughly) the capacity to recognize and respond to value as one sees it.^{xxxii} External freedom, or liberty, is (roughly) freedom from interference to pursue a “worthwhile life.”^{xxxiii} To carry out some significant plans one must have enough freedom from constraint to carry out those actions necessary to bring some valuable plans to fruition.

The qualifier *some* emphasizes that one need not be able to carry out every valuable plan that one might want to carry out to have this capacity. Still, the ability to carry out *some* significant plans is necessary. Those who, like Raz’s hounded woman, can only ever focus on survival lack the requisite freedom to reason about and make the plans necessary to pursue worthwhile lives (though these people may be able to do some very basic reasoning and planning they lack the basic capacities at issue).^{xxxiv}

The relevant capacities are ones that liberals traditionally value, but they are not particularly Western. They are compatible with concern for community and care. So there is little reason to suppose they are inappropriate for evaluating non-Western rules. To see this, suppose Aadil is a devout Muslim. He wants to live his whole life according to his faith. Occasionally he wants to drink with the other young men who live in his neighborhood. Fortunately, he is able to reason about, make, and carry out some simple plans on the basis of his competing commitments. Aadil might reasonably decide, for instance, that his commitment to being a good Muslim is much stronger than his desire to drink and, thus, never drink at all. So Aadil has the reasoning and planning capacities at issue.^{xxxv}

The fact that the capacities at issue are so minimal should, moreover, help secure agreement on the first premise of this paper’s argument.^{xxxvi} Many reject the idea that people must secure robust liberal conceptions of autonomy for it to be acceptable to subject them to coercive rules. Even these people may accept the first premise properly understood. It is easy to see how the relevant condition for legitimacy might be derived from many more robust liberal accounts of what full legitimacy requires – including many versions of contractualism.

It follows from the liberal commitment this paper assumes that subjects must be able to determine their actions under and shape the nature of their relationship to rulers, subjects must be able to abide by, dissent from, or consent to their rule. So, subjects must be able to reason about, make, and carry out some significant plans on the basis of their commitments. Subjects must not be constrained to making plans only to satisfy their immediate needs. Though they might not exercise this ability, subjects must be able to pursue the good life as they see it, whether or not that includes obedience to those imposing coercive rules over them; they must be able to support, protest against, or surrender to coercive rules. In other words, for it to be legitimate to subject people to coercive rules, subjects must have basic reasoning and planning capacities.^{xxxvii}

The point is not that people must have basic capacities at all times for it to be legitimate to subject people to coercive rules (or just force them to do some things).^{xxxviii} It may be necessary to force children to do some things in order to ensure that they can secure basic reasoning and planning capacities once they are old enough. The fact that people grow old and lose their basic capacities does not undermine their rulers' legitimacy. Nor do rulers suddenly lose legitimacy when their subjects fall asleep or get mild illnesses. The key idea is just that subjects must be able to secure and maintain basic capacities over the course of normal lives.^{xxxix}

What would accounts of legitimacy look like that denied that subjects must have basic freedoms under coercive rules? On such accounts, it could be legitimate to subject people to coercive rules *even though they could not freely object to them*. It is hard to see how such rules are not totalitarian. After all, people would not be able to dissent from the coercive rules by voting, conscientious objection, non-violent protest, or even passive resistance. Even if rulers provide their subjects with some formal freedoms, and are otherwise decent, it is hard to see how their relationship to their subjects is voluntary.

II. The Remaining Premises Necessary for Establishing the First Conclusion

The second premise should be relatively uncontroversial once its meaning is clear. Recall the premise: All the people coercive rulers govern will only secure basic reasoning and planning capacities if rulers ensure that they secure the requisite capacities. To ensure that people secure basic reasoning and planning capacities, rulers have to assist all those in the population who need assistance in securing the capacities. In other words, in cases where the assistance is not forthcoming, they must provide it, though in some cases no assistance will be necessary. What is

necessary for someone to secure basic reasoning and planning capacities will vary with the case. It depends on how close people are to being able to secure these capacities and what resources are already available. In cold climates, for instance, people may need heat in winter. In the tropics, heat is usually unnecessary. Some people will secure basic reasoning and planning capacities as long as they are free from interference. Others will receive the necessary assistance from family, friends, or benefactors. Some, however, will only secure basic reasoning and planning capacities if those subjecting them to coercive rules provide a lot of assistance. To ensure that their subjects secure basic capacities, rulers must act like lenders of last resort. If people secure basic reasoning and planning capacities on their own, or with the help of family, friends, or benefactors, those imposing coercive rules over them need not do a thing. Rulers must step into the breach, however, if help is required. It is only if they do this that all of their subjects will secure basic reasoning and planning capacities. So all the people coercive rulers govern will only secure basic reasoning and planning capacities if rulers ensure that they secure the requisite capacities. More precisely, here is the argument for the second premise.

- 1) Some need assistance to secure basic capacities and no one else is providing (or will provide) this assistance. (call this a)
- 2) If some need assistance to secure basic capacities and no one else is providing (or will provide) this assistance, they will only secure basic reasoning and planning capacities if rulers help them secure the requisite capacities. (If a \rightarrow b)

If rulers help those of their subjects that need assistance, they ensure that all of their people secure basic capacities. (b=c -- recall that, to ensure that people secure basic reasoning and planning capacities, rulers have to assist all those in the population who need assistance in securing the capacities.)

- 3) Some of those rulers coerce will only secure basic reasoning and planning capacities if rulers ensure that all of their people secure basic capacities. (If a \rightarrow c also note that the logical form of this statement is this: for some d to have x, y is necessary)
- 4) If some of those rulers coerce will only secure basic reasoning and planning capacities if rulers ensure that all of their people secure basic capacities then all the people coercive rulers govern will only secure basic reasoning and planning capacities if rulers ensure that they secure the requisite capacities. (If for some d to have x, y is necessary then for all d to have x, y is necessary)
- 5) All the people coercive rulers govern will only secure basic reasoning and planning capacities if rulers ensure that they secure the requisite capacities. (for all d to have x, y is necessary)

I take 1) to be uncontroversial and 2) analytic. The third premise follows from the definition of ensuring (recall that to ensure is to guarantee what is needed such that, whenever what is needed is not otherwise available, it is provided.) If rulers (reliably) provide for those who need it, they ensure that all of their people secure basic

capacities. The fourth premise follows from the first three. The fact that all of those rulers coerce will secure basic capacities only if rulers enable them to do so follows from the fact that rulers must assist some of them (5).

The third premise of the Argument for Obligation follows directly from the first two premises, but it is worth saying a few words about how to interpret it. Recall the third premise: To be legitimate, coercive rulers must ensure that their subjects secure the requisite capacities (assuming they continue to coerce). The “must” here indicates that ensuring subjects secure the requisite capacities is a *logically necessary* condition for legitimacy. Some will require help to secure basic capacities and, where necessary, coercive rulers must provide this assistance.

Again, to ensure that people secure basic reasoning and planning capacities, rulers have to provide whatever assistance is necessary to those in the population who will not otherwise secure these capacities (though in some cases no assistance will be necessary). If, for instance, someone is in a malaria-induced coma from which that person could only recover with proper medical care and that person is not receiving such care from friends, family, or benefactors then those who subject the person to coercive rules must provide it.^{x1} That is the only way all the people coercive rulers govern will secure basic capacities in our imperfect world.

It is important to note an exception to the conclusion that coercive rules can only be legitimate if those imposing these rules ensure that their subjects secure basic reasoning and planning capacities mentioned at the start.^{x1i} It may be legitimate to subject people to coercive rules without ensuring that they secure basic reasoning and planning capacities if there is no nomologically possible way in which rulers can ensure that these people secure these capacities. People who are permanently comatose will never be able to reason or plan at all. So it may not make sense to say rulers must ensure that they can do so. Some of those in comas can secure basic reasoning and planning capacities with good medical care, however. Assuming they can provide this care, those who subject them to coercive rules must ensure that these people secure the requisite capacities. This constraint can, however, be left implicit in what follows.^{x1ii}

The fourth premise is different than the third premise in that it does not state a logically necessary condition for legitimacy but is a *normative* claim. It says coercive rulers *should* be legitimate. It is possible to justify this assertion in a way that even those least likely to accept this paper’s conclusions should endorse. One possible line of reasoning for the conclusion that imposing coercive rules requires justification starts from the kind of commitment

to individual freedom implicit in liberalism. Following John Locke, one might suggest that each person has a natural right to freedom; hence, sane adults cannot be subject to others' commands without justification.^{xliii} Locke claimed that people are "naturally in... a state of perfect freedom to order their actions, and dispose of their possessions and persons, as they think fit, within the bounds of the law of nature, without asking leave, or depending upon the will of any other man."^{xliv} The constraint that all are subject to the law of nature is cashed out in terms of being subject to reason, which "teaches all mankind, who will but consult it, that being all equal and independent, no one ought to harm another in his life, health, liberty, or possessions..."^{xlv} So, as long as one does not harm another, justification is necessary to abridge one's natural right to freedom. H.L.A. Hart provides an argument in defense of the premise that there is a natural right to freedom. Hart argues that if there are any natural rights, there is a natural right to freedom.^{xlvi} Alternately, one might try to ground the concern for freedom in another way, perhaps in a concern for individuals' interests. This premise does not say anything about what legitimacy – the justification right to rule requires – it could be many things. Though, as noted above, the paper's argument is addressed to liberals who believe people must have basic freedoms for it to be legitimate to coerce them. It does not matter that many of these people endorse more robust conceptions of legitimacy as a claim-right to rule as the relevant conception of legitimacy – a liberty right – is included in the more robust conceptions.

The fifth premise may be analytic. Setting aside one qualification, it says that if legitimacy requires coercive rulers ensure that their subjects secure basic reasoning and planning capacities and coercive rulers should be legitimate, coercive rulers should ensure that their subjects secure these capacities.

The qualification is only that this conclusion may not hold if the ruler stops exercising coercive force. This is necessary to ward off the objection that those imposing coercive rules, even wrongly, need not ensure that their subjects secure basic reasoning and planning capacities. Consider an analogy. Suppose Samantha is suffering from an episode of Alzheimer's and, so, lacks the basic capacities at issue. Nevertheless, in the throes of one of her delusions she agrees to abide by my rules. I do not thereby have a duty to ensure that Samantha secure basic reasoning and planning capacities. I merely fail to have a contract with her. Samantha has not, by agreeing to follow my rules, given me the right to subject her to coercive rules. If I force Samantha to follow my rules, I act wrongly. But, as long as I do not do so, I have no obligation to her.

Insofar as rulers continue to subject people to coercive rules who have not secured the necessary capacities, however, they are illegitimate and if these people require their assistance to do so, they must provide this assistance on pain of continued illegitimacy. That is, to be legitimate in the future, they must thus ensure that their subjects secure basic capacities. Otherwise, they will be illegitimate. A better analogy to illustrate the import of these observations is this. I find out Samantha is incapable of autonomously agreeing to my rules because she is unable to reason and plan and I do not go elsewhere. Rather I continue to subject her to coercive rules. In this case, I act illegitimately unless I get her free consent to my rules. By supposition, this requires ensuring that she has the reasoning and planning capacities necessary to freely agree.

The third, fourth, and fifth premises together entail that coercive rulers should ensure that their subjects secure the requisite capacities (assuming they continue to coerce), but there may also be other conditions for legitimacy besides the one this paper has defended, and tradeoffs may be necessary. Full legitimacy may require that everyone have a say in important decisions or that everyone receives a minimum wage, for instance. In imperfect worlds, trade-offs between these conditions for legitimacy and the one this paper has defended may be necessary.

Still, it is not generally enough if rulers just try to help people secure basic capacities: Those subjecting people to coercive rules must do everything it is possible for them to do (compatible with any competing requirements for legitimacy to ensure that their subjects secure these capacities). Ensuring that people secure basic reasoning and planning capacities merits a good deal of priority. This paper has not relied on it being the case that these capacities are components of welfare or necessary for many other things to have value. Some will reject these claims, though there are compelling arguments in their favor.^{xlvii} In any case, because this paper's argument explains *why* it is necessary to ensure that those subject to coercive rules secure basic reasoning and planning capacities, it can help determine what tradeoffs must be made.

Other arguments for significant obligations to those who lack basic capacities may provide additional grounds for these obligations but, if this paper's argument is successful, it should be important as well as interesting. Millions lose basic reasoning and planning capacities every year from easily preventable poverty-related illnesses.^{xlviii} Millions more lack basic capacities for other reasons. There are convincing arguments in the literature that there are many coercive international institutions.^{xlix}

Before considering exactly how far this paper's argument can go, however, consider a few final objections. One might object that this paper's argument implies that those imposing coercive rules on others have to fix problems they did not create. Rulers may not be causally responsible for the fact that some people are not able to reason or plan. Brain cancer, for instance, can undermine these abilities. So can other people and organizations. Alternately, there may be no obligation to ensure that those who have squandered away the resources or opportunities necessary to secure basic capacities must be able to secure them. Moreover, objectors might point out, rulers may already be doing their fair share to ensure that their subjects secure these capacities. As acknowledged above, other people or organizations may be primarily responsible for helping a ruler's subjects secure basic reasoning and planning capacities. If these people fail in their obligations it is not clear that rulers must take up any, never mind all, of the slack. Coercive rules may bring real benefits to people (e.g. peace or security). These rules may even make people better off with respect to the very reasoning and planning capacities at issue than they would otherwise be. Certainly, the objectors might conclude, rulers need not ensure that their subjects secure basic reasoning and planning capacities if they have not undermined these capacities but have, rather, done their fair share to ensure that their subjects secure them.

All of these objections deny the conclusion of this paper's argument without specifying which of the premises upon which this conclusion relies is false, but those who want to reject this paper's argument will probably do best to deny the first premise. One might deny that this paper's condition for legitimacy can be derived from the kind of concern for freedom this paper suggests is implicit in liberalism.¹ One might argue that there is a distinction between natural and social inequalities. Perhaps there is reason not to subject to coercive rules those who are deprived of basic reasoning and planning capacities due to the working of shared rules. Nevertheless, one might deny that there is a duty to refrain from subjecting those who naturally lack these capacities to coercive rules.

I believe, however, that denying the first premise will come at some cost to most liberals. A version of liberalism under which people must have some freedom under coercive rule strikes me as utterly plausible. If one rejects this claim, one has to agree that coercive rules can legitimately govern those who lack basic reasoning and planning capacities and cannot even dissent from rulers' dictates. To deny the first premise, one has to deny what it asserts – that those subject to coercive rules must at least be able to object to these rules. At least a charitable

construal of liberalism implies a commitment to the first premise of this paper's argument. If there are no better objections to this (or another) premise of the argument, the first conclusion follows.

III. Implications of the Argument for Intergenerational Justice

Consider, finally, the Argument for Obligation's sixth and seventh premises as they establish that the Argument has important implications for intergenerational justice: Those in earlier generations often create and uphold coercive rules that bind people in later generations and, for this reason, they should ensure that these people secure basic reasoning and planning basic capacities. Rules are often hard to change. Many of the economic, legal, and political rules those in earlier generations implement and uphold will bind people in later generations. When those in earlier generations create new rules, they usually provide for their effective enforcement. They do this by, for instance, providing funding for, or creating new organizations or governmental units that support and implement, these rules.^{li} The rules those in current generations implement and uphold also influence the public culture and can entrench powerful coalitions of individuals or agencies that benefit from maintaining them.^{lii} So, many of the rules earlier generations create and uphold will continue to be enforced in the future, even if people living under them would prefer that they were not subject to these rules. Many rules are difficult to change (especially when they are entrenched in a national constitution).^{liii} At least there is some reason to think most of those in future generations can reasonably hope to change very few of the rules to which they are subject. So those in earlier generations who create and uphold coercive rules that bind people in later generations share responsibility for the fact that these people are subject to coercive rules they implemented and/or upheld with those in later generations who help maintain these rules. If this is correct, this paper's argument supports the claim that some of those in earlier generations have significant obligations to those in future generations.

It will suffice for this paper's purposes if those in earlier generations who create and uphold coercive rules that bind people in later generations are (morally^{liv}) *liable* for the fact that many people in later generations will be subject to some coercive rules. That is, it is not necessary to show that those in earlier generations who create and uphold coercive rules that bind people in later generations are blameworthy for anything. For an individual to be blameworthy for something, it must be reasonable to expect that person to know what he or she has done (or at least the likely consequences of his or her action). But there is no reason to think that those in earlier generations who create and uphold coercive rules that bind people in later generations must know about the consequences of their

actions to be held liable for creating or upholding coercive rules to which many of those in later generations will be subject.

Or course, a well cashed-out account of shared responsibility is necessary to decide which people bear primary responsibility (even understood as liability) for ensuring that everyone subject to coercive rules they help implement or uphold secures basic capacities. Some play much greater roles in instituting or upholding coercive rules that bind those in future generations than others. Some argue that individuals should bear responsibility based on their own actions, identities, or membership in collectives.^{lv} Others suggest that responsibility should primarily lie with those in positions of power.^{lvi} It is impossible to engage in, never-mind resolve, these debates here and it will not matter for this paper's purposes precisely how responsibility for collective action is distributed. Though, the paper does suggest that all of those creating or upholding coercive rules have at least a remedial obligation to do what they can to ensure that all those subject to these rules have basic capacities.

One might object that, no matter how collective responsibility is defined or distributed, no one in earlier generations subjects those in future generations to coercive rules. The coercive rules those in earlier generations implement may determine who comes into existence in (at least further) future generations. Moreover, these people do not live at the same time. So, one might argue, it is not clear how any of those in earlier generations can subject those in these future generations to coercive rules.^{lvii}

There is some truth in this objection. If one embraces a theory on which coercive rules must be backed by a threat to make someone worse off than they would otherwise be, it may be impossible for most of those in future generations to be subject to coercive rules created by people in earlier (non-overlapping) generations.^{lviii} Even on the other main accounts of coercive rule, those in earlier generations cannot subject those in future generations to coercive rules directly. This is not surprising. Most rulers do not enforce their rules directly against those of any generation. Rulers' agents enforce their rules. Police forces and armies are the usual agents that enforce coercive rules in most states. Nevertheless, those in earlier generations often create and uphold rules that bind people in later generations. They often share causal responsibility for the fact that these people are subject to these rules and, so, are at least liable for subjecting these people to these rules.

One might object that the police and military forces that subject those in later generations to coercive rules are not the agents of anyone in an earlier generation. More generally, one might argue that no one in an earlier generation authorizes the enforcement mechanisms that bind those in future generations. Rulers in earlier generations hire police forces and hire, or conscript, military personnel, to enforce laws on existing people. They obviously cannot hire people in (further) future generations to coerce those in later generations

Even though, over time, different people fulfill different roles in subjecting people to coercive rules that persist across generations, those in earlier generations often create or uphold coercive rules that persist across generations. They, thus, bear some causal responsibility for the fact that people in later generations are subject to their rules and are at least liable for their actions. Recall that preceding sections argued that those exercising coercive rule (e.g. creating or upholding such rules) are obligated to ensure that these rules only govern people who secure basic reasoning and planning capacities. So, those in earlier generations who create and uphold coercive rules that govern people in later generations are obligated to ensure that these people secure basic reasoning and planning capacities. It may help to consider a concrete example of how coercive rules can apply to those in many generations: The US constitution establishes the executive, legislative and judicial branches of government and grants them many powers. Congress can, for instance, levy taxes and, for generations, those in congressional roles have exercised this power. Because a 2/3 majority in both the house and senate (or 3/4 of the states) is necessary even to propose to amend these rules, they are quite difficult to change. Those in previous generations who instituted and have upheld the US constitution, thus, bear some causal responsibility for the persistence of constitutional rules and are, at least, liable for their actions. Sometimes constitutional rules are nearly impossible to amend. Until 1808, for instance, the US constitution specified that it could not be amended to prevent the slave trade and, until 1865, no such amendment was passed. The original creators of the constitution, thus, bear some causal responsibility and, at least, liability for the fact that slavery persisted in the US until 1808 when it was technically possible to prohibit the slave trade. They may also share causal responsibility and, at least, liability for the persistence of the slave trade until 1865, given the difficulty of changing the relevant provision. (Of course, as noted above, there are many hard questions about how we should ideally distribute responsibility for ensuring that those subject to coercive rules secure basic capacities – in this case, for instance, anti-abolitionists in subsequent generations plausibly also bear some responsibility for the continuing slave trade).^{lix}

Perhaps, one might object, people who do not now exist and whose existence is contingent on the choices those in earlier generations make, need not be able to consent to, or dissent from, the rules those in earlier generations create and uphold. Does it even make sense to say that these people have to be able to consent? We do not know who will exist in the future. There may be no such people. Whoever comes into existence may only do so due to the rules earlier generations create. In any case, one might argue, future people do not have rights. So it requires no justification to create or maintain coercive rules that will apply to them.^{lx}

What is important for this paper's argument is just that no one is subject to coercive rules without being able to consent to, or dissent from, these rules. It does not matter that those in earlier generations do not know who will exist in the future. Nor does it matter that those in earlier generations can influence who comes into existence. Whoever comes into existence must be able to consent to, or dissent from, whatever coercive rules are in place (even if these people would not otherwise exist).^{lxi} This is so, even though many people who will live in the future would not exist without the rules some of those in earlier generations create and those in earlier and (further) future generations do not live at the same time.^{lxii} When they come into existence, all people have rights.^{lxiii} If these people cannot consent to, or dissent from, whatever coercive rules are in place, these rules are illegitimate. So, those in earlier generations who create and uphold coercive rules that bind people in later generations are obligated to ensure that those subject to these rules in later generations can consent to, or dissent from, these rules (subject to the constraints set out in previous sections of this paper). At least this is so if those in earlier generations who create and uphold coercive rules that bind people in later generations played a significant enough role in causing these people to be subject to these rules.

If, eventually, future people are able to amend or avoid the rules those in earlier generations create, no one in earlier generations may have obligations to these people, but until then they do. Those in earlier generations who create and uphold coercive rules that bind people in later generations must do what they can to ensure that whoever is subject to their rules (whenever they live) will be able to consent to, or dissent from, them.

Although further reflection on this paper's potential practical implications is warranted, its argument merits exploration from a variety of perspectives. Many people care about the kind of individual freedom at issue in this paper's argument. If this paper's argument goes through, liberals of many sorts must agree that those imposing coercive rules have to ensure that their subjects secure basic reasoning and planning capacities. This may have

significant philosophical and practical implications for intergenerational, as well as global, justice. To some, this paper's argument may seem anemic because it does not appeal to the details of every competing position. But the fact that it only requires a very minimal commitment to individual freedom is what gives the argument its strength. Those who believe that rulers need not protect even the minimal freedom involved in this argument do not embrace an important strand in liberal thought – the idea that the relationships between rulers and each person who is ruled must be free

i Too many people have helped me with this paper to thank everyone by name. It has benefitted immensely from the generous feedback I have received from so many kind and thoughtful colleagues. I will just thank here those who immediately come to mind as having read several versions or as having helped me put the finishing touches on this one – Dale Dorsey, Darrel Moellendorf, Anthony Reeves, Thomas Christiano, Gillian Brock, Michael Blake, Alex London, Michael Gill, Jerry Gaus, Thomas Pogge, Thom Brooks, Allen Buchanan, Luc Bovens, Mathias Risse, Leif Wenar, Debra Satz, Aaron James, Sarah Wright, Thomas Hill, Rachana Kamtekar, Bill Talbott, Josh Knobe, David Boonin, Carol Gould, Larry May, Rex Martin, Julian Culp, Deen Chatterjee. I would also like to thank audiences at the following institutions and conferences where I have presented the argument since 2008: University of Washington, Seattle; AMINTAPHIL; University of Rochester; Center for Ethics and Society at Stanford University; Vanderbilt University; London School of Economics; Justitia Amplificata at Goethe University; the Conference on Global Justice at CERSES Université Paris Descartes and CNRS in Paris, France; the Tanner Conference on Global Justice: Economic Globalization, Crisis, and the Common Good; the workshop on Theories of Global Justice at the University of Glasgow; the Mellon Sawyer Seminar at CUNY Graduate School; Carnegie Mellon University; the MANCEPT and Pacific Division American Philosophical Association sessions on *Globalization and Global Justice*. Finally, much of the work on this paper was completed at the Center for Ethics and Society at Stanford University, the Centre for Advanced Studies “Justitia Amplificata: Rethinking Justice – Applied and Global” at Goethe University in Frankfurt, Germany and as a fellow at the Center for Advanced Studies in the Humanities at Binghamton University for which I am incredibly grateful. I apologize for leaving the list vastly incomplete.

ii James Nickel. 2006. *Making Sense of Human Rights*. 2nd ed. Wiley-Blackwell: New Jersey. Henry Shue. 1980. *Basic Rights*. Princeton University Press: New Jersey. Joseph Raz. 1998. *The Morality of Freedom*. Clarendon Press: Oxford.

iii Many of those who deny this conclusion are libertarians who believe no one should have to sacrifice their freedom for others. Moreover, some statist and nationalists will deny that there are significant obligations to aid beyond borders. See, for instance: Jan Narveson, *The Libertarian Idea*. (Ontario: Broadview Press., 2001, Ch. 19). Richard Miller. 1998. “Cosmopolitan Respect and Patriotic Concern.” *Philosophy and Public Affairs*. Vol. 27, No. 3. 202-224.

iv This is so even of Pogge’s earlier work. See: Thomas Pogge. 1989. *Realizing Rawls*. Cornell University Press: New York. Martha Nussbaum. 2007. *Frontiers of Justice: Disability, Nationality, Species Membership*. Harvard University Press: Cambridge.

v Laura Valentini. 2011. *Justice in a Globalized World: A Normative Framework*. Oxford University Press: Oxford.

vi I owe thanks the press for allowing me to draw on some of the material in the book here. For the expanded argument, see: Nicole Hassoun. 2012. *Globalization and Global Justice: Shrinking Distance, Expanding Obligations*. Cambridge University Press: Cambridge.

vii See, for instance: Nicole Hassoun. 2008. “World Poverty and Individual Freedom.” *American Philosophical Quarterly*. Vol. 45, No. 2: 191-198.

viii For a contractualist defense of a similar conclusion and answers to similar objections see: Axel Gosseries and Lukas Meyer. (2008). "Wronging Future People."

Intergenerational Justice. Axel Gosseries (ed.) Oxford University Press: Oxford.

ix W. Arts and J. Gelissen. 2002. "Three Worlds of Welfare Capitalism or More? A State-of-the-Art Report." *Journal of European Social Policy*. Vol. 12 No. 2 137-

158. Carl Wellman. 2011. *The Moral Dimensions of Human Rights*. Oxford University Press: Oxford.

x Carl Wellman. 2011. *The Moral Dimensions of Human Rights*. Oxford University Press: Oxford.

xi See: John Rawls. 1993. *Political Liberalism*. Columbia University Press: New York. Also see: Thomas Pogge. 1989. *Realizing Rawls*. Cornell University Press:

New York.

xii Legitimacy, as I will use the term, comes in degrees. Some people believe legitimacy is an all or none affair. This is not a substantive disagreement. Those who

hold a binary theory of legitimacy can specify that a rule is legitimate in the binary sense if it surpasses a threshold of legitimacy in my sense. Understanding

legitimacy as a degree term, allows one to specify different thresholds on legitimacy for different purposes. In what follows, one need only suppose that imperfectly

legitimate rules must be reformed. See: Allan Buchanan. 2004. *Justice, Legitimacy, and Self-determination: Moral Foundations for International Law*. Oxford

University Press: Oxford.

xii Pyarelal. 1958. *Mahatma Gandhi: The Last Phase*. Vol. 2. Navajivan Press: India. p. 65.

xiii Robert Landenson. 1980. "In Defense of a Hobbesian Conception of Law." *Philosophy and Public Affairs*. Vol. 9, No. 2: 134-159.

xiv See: Thomas Christiano. 2004. "Political Authority." *Stanford Encyclopedia of Philosophy*. Available: <<http://plato.stanford.edu/entries/authority/>>.

xv John Simmons. 1979. *Moral Principles and Political Obligations*. Princeton University Press: New Jersey.

xvi For further discussion of coercion and its moral significance see: Gerald Gaus. 2003. "Liberal Neutrality: A Compelling and Radical Principle." *Perfectionism and*

Neutrality: Essays in Liberal Theory. Steven Wall and George Klosko eds. Rowman and Littlefield Publishers: New York.

xvii Mathias Risse. 2006. "What to Say about the State." Mimeo. John F. Kennedy School of Government. March draft. Harvard University.

xviii Scott Anderson. 2006. "Coercion." *Stanford Encyclopedia of Philosophy*. Available at: <<http://plato.stanford.edu/entries/coercion/>>.

xix Frankfurt, Harry, "Coercion and Moral Responsibility," in T. Honderich (ed.), *Essays on Freedom of Action* (London: Routledge & Kegan Paul, 1973), 65-86.

Fowler, Mark, "Coercion and Practical Reason," *Social Theory and Practice*, 8 (1982), 329-55.

xx I find the following accounts of coercion quite reasonable: Haksar, Vinit, "Coercive Proposals [Rawls and Gandhi]," *Political Theory*, 4 (1976), 65-79. Lyons,

Daniel, "Welcome Threats and Coercive Offers," *Philosophy*, 50 (1975), 425-36. Benditt, Theodore, "Threats and Offers," *The Personalist*, 58 (1979), 382-4.

Although I think coercive rules are not always successfully enforced, I find a disjunctive account of sanctions that can include some threats and offers that do not

violate rights, but that are exploitative, compelling. As Benditt notes, "It is sometimes said that everyone has his or her price. This may be true, but there is nevertheless all the difference between being prepared to give in (or sell out) when the price is right, and not at all being ready to do so but finding that one must because the alternatives are so awful." Benditt, Theodore, "Threats and Offers," *The Personalist*, 58 (1979), 384. Although no one may be blameworthy for making such offers, even knowingly, some justification is necessary. Nothing in this paper will hang on this being so, however.

xxi One worry about accounts of coercion on which coercion must be backed by a threat to violate rights is that coercion may never be legitimate. There may, however, be some exceptions to the general principle and this paper's account may be used to explain when they are justifiable. Coercive rules that violate rights may be justifiable as long as the relationship between the rulers and the ruled remains free. Of course, if one endorses human rights, there may be a direct obligation to ensure people secure basic capacities. Nevertheless, this paper's argument provides an additional reason for doing so.

xxii See: Thomas Pogge. 1989. *Realizing Rawls*. Cornell University Press: Ithaca. Also see: Charles Beitz. 1979. *Political Theory and International Relations*. Princeton University Press: New Jersey.

xxiii Jeremy Waldron. 1987. "Theoretical Foundations of Liberalism." *Philosophical Quarterly*. Vol. 37. No. 147: 133.

xxiv Ibid pp. 132.

xxv Ibid pp. 146.

xxvi This does not mean that freedom cannot be shaped by society in important ways. Society can have a great influence on individuals' preferences, for instance, without undermining individuals' ability to reason about, make, and carry out some significant plans.

xxvii Nicole Hassoun. 2012. *Globalization and Global Justice: Shrinking Distance, Expanding Obligations*. Cambridge University Press: Cambridge. Nicole Hassoun. 2015 "Libertarian Welfare Rights?" Binghamton University Working Paper. Available at: <http://harvey.binghamton.edu/~nhassoun/papers.html> For discussion of this argument also see: Nicole Hassoun. 2008. "World Poverty and Individual Freedom" *American Philosophical Quarterly*. 45, 2: 191-198. Jorn Sonderholm. 2011. "World Poverty and Not Respecting Individual Freedom Enough." *Journal of Philosophical Research*. 36: 209-218. Nicole Hassoun. 2014 "Coercion, Legitimacy, and Individual Freedom: A Reply to Sonderholm," *Journal of Philosophical Research*, 39:191-198

xxviii See: Thomas E. Hill Jr. 1989. "The Kantian Conception of Autonomy." *The Inner Citadel: Essays on Autonomy*. John Christman Ed. Oxford University Press: Oxford. Also see: Onora O'Neill. 1986. *Faces of Hunger: An Essay on Poverty, Justice and Development*. Allen and Unwin: London.

xxix See: Joseph Raz. 1998. *The Morality of Freedom*. Clarendon Press: Oxford.

xxx James Griffin. 2006. *Human Rights: The Incomplete Idea* (Working Draft). Oxford, Corpus Christi College: Ch. 7.

xxxi To make sense of this idea, one might analyze the ability to make some significant plans on the basis of one's commitments in terms of the ability to make one's motivating commitments generally coherent. Alternately, one might give a decision-theoretic analysis of planning in terms of a consistent preference ordering. Yet another option is to cash out the ability to make some significant plans on the basis of one's commitments in terms of ordering one's ends perhaps by drawing on John Rawls' work on plans of life. Since these moves have all been explored at some length elsewhere, this paper will not explicate the ability to make some significant plans on the basis of one's commitments further. See, for instance: Michael Bratman. 2005. "Planning Agency, Autonomous Agency." *New Essays on Personal Autonomy and its Role in Contemporary Moral Philosophy*. James Stacy Taylor ed. Cambridge University Press: Cambridge.

xxxii James Griffin. 2006. *Human Rights: The Incomplete Idea* (Working Draft). Oxford, Corpus Christi College: Ch. 7.

xxxiii Ibid.

xxxiv See: Joseph Raz. 1998. *The Morality of Freedom*. Clarendon Press: Oxford.

xxxv The basic reasoning and planning capacities set out above do not prevent one from acting from poor reasons (e.g., wishful thinking). If one thinks more is required, this paper's argument will only be stronger.

xxxvi It is, of course, possible to get more out of this argument if one accepts a more robust conception of these capacities. Moreover, it is plausible to hold that people have to secure some information to understand what it means to consent even to the general structure of coercive rules to which they are subject.

xxxvii On Rawls' theory, full autonomy requires more than the rational autonomy people possess in the original position. Rawls was also quite clear that even the rational autonomy attributed to the agents includes more than minimal basic reasoning and planning capacities at issue. John Rawls. 1980. "Kantian Constructivism in Moral Theory." *Journal of Philosophy*. Vol. 88: 532.

xxxviii Recall that this paper is using "sanctions" in a broad sense to include the use of brute force.

xxxix It will not matter much if this paper's argument is qualified to allow that some acts are impermissible violations of individual liberty and these acts are legitimately prevented by any person or institution even if prevention requires subjecting people to coercive rules. For further discussion, see: John Simmons. 1999. "Justification and Legitimacy." *Ethics*. Vol. 109, No. 4: 770.

xl The kinds of programs that will, normally, ensure that people secure basic reasoning and planning capacities are almost exclusively welfare programs (e.g. health and education programs). While radically simplifying some coercive rules may help the severely disabled better navigate their surroundings, for instance, it will not ensure that they can reason and plan.

xli As is common in political philosophy, I am interested in policies that could be implemented in the real world for (and by) real people in the foreseeable future.

xliv Perhaps people should also be able to freely give up these capacities without undermining their rulers' legitimacy.

xliv John Locke. 1690. *Second Treatise on Civil Government*. 1990. C.B. MacPherson ed. Hackett: Indianapolis.

xliv Ibid. Section 4.

xliv Ibid. Section 6.

xlvi H.L.A. Hart. 1955. "Are There Any Natural Rights?" *The Philosophical Review*. Vol. 64: 175-191.

xlvi I defend this claim in: Author. Reference d.

lviii World Health Organization (WHO). 2004b. "World Health Report 2004." World Health Organization: Geneva. Many diseases associated with malnutrition can undermine basic reasoning and planning capacities. Scurvy results from a lack of vitamin C, beri-beri from a lack of thiamine, pellagra from niacin deficiency, and macrocytic and microcytic anemia from folic acid and iron deficiencies, for instance. There is also a lot of evidence that decent nourishment is important for good cognitive functioning. Keratomalacia which results from vitamin A deficiency, kwashiorkor which results from protein deficiency, and iodine deficiencies can all lead to severe disabilities and death. Children's mental functioning may even be impaired if their mothers do not receive proper nourishment during pregnancy. See: Howard Leathers and Phillips Foster. 2004. *The World Food Problem: Tackling the Causes of Undernutrition in the Third World*. Lynne Rienner Publisher: Colorado.

lix Laura Valentini. 2011. *Justice in a Globalized World: A Normative Framework*. Oxford University Press: Oxford.

l John Rawls. 1993. *Political Liberalism*. Columbia University Press: New York: 68-81.

li Carl Wellman. 2011. *The Moral Dimensions of Human Rights*. Oxford University Press: Oxford.

lii W. Arts and J. Gelissen. 2002. "Three Worlds of Welfare Capitalism or More? A State-of-the-Art Report." *Journal of European Social Policy*. Vol. 12 No. 2 137-158.

liii Carl Wellman. 2011. *The Moral Dimensions of Human Rights*. Oxford University Press: Oxford.

liv Moral not legal liability is at issue here. On different conceptions of moral and collective responsibility and the connection between these concepts and agency see: Freeman, Samuel, *Justice and the Social Contract: Essays on Rawlsian Social and Political Philosophy*, (Oxford University Press, 2007). Green, Michael, "Institutional Responsibility for Global Problems," *Philosophical Topics*, 30 (2002), 79-96.; May, Larry, "Symposia Papers: Collective Inaction and Shared Responsibility," *Noûs*, 24 (1990), 269-77. List, Christian and M. Koenig-Archibugi, "Can There Be a Global Demos? An Agency-Based Approach," *Philosophy and Public Affairs*, 38 (2010), 76-110. Miller, David, *National Responsibility and Global Justice*, (New York, NY: Oxford University Press, 2007). Feinberg, Joel, "Collective Responsibility," *Journal of Philosophy*, 65 (1968), 674-88. Held, Virginia, "Can a Random Collection of Individuals Be Morally Responsible?" *Journal of Philosophy*, 67 (1970), 471-81. Also see: Kutz, Christopher, *Complicity: Ethics and Law for a Collective Age*, (Cambridge University Press, 2000). For an

introduction to the literature see: Risser, David, "Collective Responsibility," *Internet Encyclopedia of Philosophy*, (2009), Available at:

<<http://www.iep.utm.edu/collecti/> <http://www.iep.utm.edu/collecti/#H1>>. Smiley, Marion, "Collective Responsibility," *Stanford Encyclopedia of Philosophy*, (2010),

Available at: <<http://plato.stanford.edu/entries/collective-responsibility/>>. Abraham Sesshu, "Shared Agency," *Stanford Encyclopedia of Philosophy*, (2010),

Available at: <<http://plato.stanford.edu/entries/shared-agency/#MutObl>>.

Iv I say more about the account of responsibility I find compelling in my book: Nicole Hassoun. 2012. *Globalization and Global Justice: Shrinking Distance*,

Expanding Obligations. Cambridge University Press: Cambridge. For an overview of some of the key positions on collective responsibility and global justice see: A.

Gosselin. 2009. *Global Poverty and Individual Responsibility*. Rowman & Littlefield Publishers: Lanham, MD. For a compelling theory of responsibility for global

problems see: David Miller. 2007. *National Responsibility and Global Justice* Oxford University Press: Oxford.

Ivi Ibid. It is also worth considering work on distributing responsibility in different contexts – e.g. reparations for slavery – see, for instance: David Boonin. 2009.

Untitled Manuscript. Chapter 2: Repairing the Slave Reparations Debate. January 2009 draft. University of Colorado, Boulder. Available at:

<<http://www.colorado.edu/philosophy/PHIL4260/>>.

Ivii For consideration of some similar objections see: Axel Gosseries and Lukas Meyer. (2008). "Wronging Future People." *Intergenerational Justice*. Axel Gosseries

(ed.) Oxford University Press: Oxford.

Iviii Robert Nozick. 1969. "Coercion" in *Philosophy, Science, and Method: Essays in Honor of Ernest Nagel* S. Morgenbesser, P. Suppes, and M. White (eds.), St.

Martin's Press: New York, NY. pp. 440-72. David Zimmerman. 1981. "Coercive Wage Offers," *Philosophy and Public Affairs*, 10:121-45. For a critique of

Zimmerman, see: Lawrence Alexander. 1983. "Zimmerman on Coercive Wage Offers." *Philosophy and Public Affairs* 12:160-164.

lix Similar examples abound. The recent coup in Honduras arose in part as a result of a dispute over a clause in the constitution prohibiting the president from

changing his term limit. It obviously proved impossible for the then president to do so.

Ix Also see: Axel Gosseries and Lukas Meyer. 2008. "Wronging Future People." *Intergenerational Justice*. Axel Gosseries (ed.) Oxford University Press: Oxford.

Ixi There is a lot of good work on the non-identity problem, so I will not discuss it further here. I will only suppose that it is possible to do things to people who would

not have existed but for what one has done. I may cause my child to suffer from fetal alcohol syndrome (though I may not make her worse off than she would have

been but for my action) if I get pregnant with her when I am drunk. For some relevant discussion, see: Axel Gosseries ed. 2008. *Intergenerational Justice*. Axel

Gosseries (ed.) Oxford University Press: Oxford.

lxii The relationship between past and (further) future generations is asymmetrical in that those in future generations can exercise no influence over (never mind subject to coercive rules those in) past generations (Brain Barry. 1977. "Justice Between Generations." *Law, Morality and Society: Essays in Honour of H.L.A. Hart* P.

Hacker and J. Raz (eds.) Clarendon Pres: Oxford.

lxiii Note, nothing in this argument hangs on those in present generations harming those in future generations. The claim is not that we now violate the rights of future people but that once future people are in existence, we will have acted illegitimately if we do not now ensure that these people can secure what they need to reason and plan. At least this is so assuming that, when these people exist they will be subject to some of the coercive rules we create or uphold and cannot secure basic reasoning and planning capacities without our assistance. For defense of the idea that existing people can violate the rights of future people, however, see: Rahul Kumar. 2003.

"Who Can Be Wronged?" *Philosophy & Public Affairs*, 31: 98-118.