Why People Should Not Be Poor

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Though much intellectual energy has been expended on the “poverty problem” in India, the debate simply does not take into account the highly unequal social context in which poverty is produced and reproduced. Can we reflect on the right not to be poor without taking on these background inequalities? Arguably, the right not to be poor is best articulated as a subset of the generic right to equality. The concept of equality, however, is not self-explanatory. In many circles, redistributive justice has replaced equality. It is therefore time to ask the question — equality for what? Is equality only about the provision of minimal resources, or is it about enabling a sense of self-worth so that people can participate in the multiple transactions of society with a degree of confidence? Unless we are careful about the way we approach the poverty debate, we will land up not with equality, but with “sufficientarianism”.

The important question of how poverty is to be abolished is one of the most disturbing problems which agitate modern society (G W F Hegel 1820: para 140).

Building a Political Consensus on Freedom from Poverty

Hegel in his magnificently crafted Philosophy of Right had written, with some despair, of the moral squalor and of the ravages that poverty brings in its wake. The state of poverty, he argued, is not an aberration; it is a product of industrial society, of the overproduction and under-consumption which marks this particular social order. But it is precisely this social order that banishes its victims to the twilight zone of poverty. Here, removed from the advantages of solidarity that civil society has to offer, the poor are reduced to a heap of fragmented atoms, rabble, poebel.

When the standard of living of a large mass of people falls below a certain subsistence level...and when there is a consequent loss of the sense of right and wrong, of honesty and the self-respect which makes man insist on maintaining himself by his own work and effort, the result is the creation of a rabble of paupers...Poverty in itself does not make men into a rabble; a rabble is created only when there is joined to poverty a disposition of mind, an inner indignation against the rich, against society, against the government, etc. A further consequence of this attitude is that through their dependence on chance men become frivolous and idle...In this way there is born in the rabble the evil of lacking self-respect enough to secure subsistence by its own labour and yet at the same time of claiming to receive subsistence as its right. Against nature man can claim no right, but once society is established, poverty immediately takes the form of a wrong done to one class by another (Hegel 1820: para 244).

Hegel’s analysis of the causes and consequences of poverty might, perchance, help us to negotiate the question posed in this essay: why should people not be poor? First, it is clear that society is complicit in the creation and recreation of poverty. Second, poverty breeds unfortunate consequences such as suffering, which demoralises human beings. Third, the existence of a large number of poor poses a direct threat to the social and political order, simply because the poor are (justly) resentful of their exclusion from the benefits of civil society. Each of these three insights can arguably form the axis of separate and distinct arguments on the reasons for, as well as on the detrimental effects of, poverty.

Take, for instance, Hegel’s argument that poverty is the outcome of one of the primary components of civil society: the system of needs. Logically, if the economic ordering of society is responsible for poverty, and for the ill-being that accompanies poverty, then society is obliged to remedy the wrongs that it has visited upon the heads of the poor. This constitutes a basic code of justice. If I, while driving on the highway, suddenly halt my car and cause an accident, I am solely to blame,
and have to compensate the driver whose car has been damaged. But if another driver bangs into my car, which is stationary at a red light, the said driver is at fault, and for that reason obliged to compensate me. Yet even though Hegel scripts some of the most fervent pieces of prose on the social origins and moral offensiveness of poverty, the poor simply do not form part of his project to organise civil society on ethical principles and to create, thereby, a perfect universal state. The poor were of concern to the philosopher, but they remained beyond the pale of his own ethical project. As far as Hegel was concerned, the poor were non-members of civil society. It was Marx who, in the course of a few decades after the Philosophy of Right was published, brought in the poor from the metaphorical cold. Initially in his 1842 writings on wood thefts, Marx romanticised the poor as the elemental class of civil society. Since the poor did not possess property, they were liberated from the false conceptions and the artificiality of the propertied classes. It was later that Marx replaced the category of the poor with that of the working class. The working class was the victim of deep injustice, yet it was this working class that would challenge deprivation. The elemental class of civil society was the proletariat (Chandhoke 1995: 133).

We have come a long way since Hegel authored his influential Philosophy of Right in 1820. From the last decades of the 19th century, right into the first two decades of the 21st, the victims of history began to speak back to histories of marginalisation, to histories of oppression, and to histories of exploitation. Political movements of the working classes, of the peasantry, of women who were denied political rights and the right to property, of the colonised, and of religious, linguistic, and racial minorities, have challenged poverty and ill-being as a violation of what is due to human beings: equality, freedom, justice, democracy, and citizenship rights. As this upsurge imprinted collective consciousness, it had an impact on both political practices and normative political theory. Today political philosophers realise that bare concern about the roots and the costs of poverty is simply not enough. For poverty, which traps human beings in a never-ending spiral of want and deprivation, diminishes and humiliates people. We realise that the existence and the reproduction of poverty contravenes our basic moral conviction that every person should live a life that we recognise as uniquely human. This commits us to the proposition that every person has the right not to be poor, because to be poor is to be forced to beg for those very preconditions of existence (basic rights), which every human being has a right to by virtue of his or her humanity. In sum, we believe that the social collective owes certain things to human beings, and among these things is the right not to be poor.

Arguably, our obligations to persons supervene upon the fact that they have rights. Certainly sentiments that are independent of a rights-laden tongue, such as care, benevolence, charity, sympathy, pity, and love, are good things in themselves. Any society which is not marked by the presence of these sentiments would be sadly impoverished. But unless we recognise that obligations supervene upon rights, the recipient of these obligations is rendered dependent on our “construction” of care or benevolence. We might feel, for instance, that whereas p deserves our sympathy, and therefore we have a moral obligation to her, q does not evoke quite the same sensitivity and, therefore, we owe her nothing. Or that q’s status, or rather her lack of status, is neither here nor there as far as we are concerned. Bearers of rights, on the other hand, possess irreducible standing as persons who matter, or at least who should matter, equally. That is obligations are not attached to either p or q as persons with specific traits, but to p and to q because both p and q belong to a category that we term human.

**Felicitous Moment**

The contemporary political moment is particularly felicitous for conceptualising a right not to be poor; or the right to be free from poverty. The World Bank has propelled the issue of poverty reduction to the centre stage of the political agenda, and it is difficult to fault the Bank’s stress on heeding the “voices of the poor”, or its adoption of the Comprehensive Development Framework, which has elbowed out the Washington Consensus of yore. The UN General Assembly in the year 2000 adopted the Millennium Declaration, which seeks to create a generic moral obligation to reduce poverty, and which aims to halve extreme poverty by 2015 (UN Doc A/ RES/55/2). And poverty ranks high on the agenda of both the United Progressive Alliance (UPA)-I and UPA-II in India. Yet the political agenda seems somewhat incomplete, somewhat lacking, as if it merely skims the surface of the issue. The right not to be poor is, however, decidedly an important one. Therefore, reflective scholars committed to removing disabilities that cramp human beings need to substantiate the agenda, in order to rescue the right from ending up as just another exercise in populist/electoral rhetoric, or as the theme of pious declarations, which might well be destined to remain unfulfilled.

The shortfall of the current focus on freeing people from poverty is simply this: the agenda lacks awareness of, and sensitivity to, the social and political context within which persons are poor, or within which they have the right not to be poor. But the right not to be poor, like other rights, can hardly be conceptualised in abstraction, or in isolation from wider social relations in a given society, because poverty happens to be a relational phenomenon. It is not only that in a given society some persons are poor beyond belief, and others are rich beyond belief; poverty is both comparative and relative. For instance, the magnitude of poverty can be understood, measured and evaluated only in comparative terms, in relation to “non-poverty” or the levels of wealth in a given society, and between societies. P is poor, we can say, when she does not possess access to those basic resources which enable q, or s, or m to consume nutritious food, avoid ill health, attend school, take up a job, and own a home, let alone go on holiday or own a car. But this means that p is not just poor, she is unequal to q, s, or m, since the latter three, unlike p, have access to certain advantages that p does not. In short, poverty is the effect of inequality as well as the prime signifier of inequality.
These inequalities are reinforced and compounded because poverty breeds multiple deprivations. The poor are not only denied access to basic material requirements that enable them to live a decent life, they are likely to be socially marginalised, politically insignificant in terms of the politics of “voice” as distinct from the “vote”, humiliated, dismissed, and subjected to intense disrespect in and through the practices of everyday life. To be poor is to be denied the opportunity to participate in social, economic, and cultural transactions from a plane of equality. To put the point across starkly, the presence of large numbers of poor reflects sharply and pejoratively on the kind of social relations we find in a given society. Because these social relations are indisputably unequal, they cannot but be entrenched in massive discrimination and exploitation. Can we reflect on the right not to be poor without taking on these background inequalities in society? And unless we confront these background inequalities directly, will not poverty continue to be produced and reproduced along with the production and reproduction of an unequal social order, indeed as an integral part of this social order?

Moreover, is it enough to enact a right not to be poor and leave it at that? Is that all we owe the victims of poverty? Should we not be working towards the creation of a moral and political consensus in society that poverty is undesirable, precisely because it massively and fundamentally violates the basic presumption of equality? Should we not, as partners in this shared project, concentrate on thinking through what a just society based on equality should look like? It might be far better for our task, let me suggest, to situate and to ground the right not to be poor in a political consensus that persons have to be treated in “this” way not “that”, for at least three reasons.

First, the notion of a right does not stand alone; a right is always a right to some good which we have reason to value. Let me suggest that the specific right not to be poor can be best articulated as an integral part of the generic right to equality. Equality as a palpably moral norm codifies a powerful presumption: the equal moral worth of persons. Persons are equal because each human being has certain capacities in common with other human beings, for instance the capacity to make their own histories in concert with other similarly endowed human beings. Of course the histories that persons make might not be the histories they chose to make, but this is not the issue at hand. What is important is that each person possesses this ability.

**Two Principles of Political Morality**

The principle of equal moral worth/standing generates at least two robust principles of political morality. For one, equality is a relation that obtains between persons in respect of some fundamental characteristic that they share in common. Equality is, morally speaking, a default principle. Therefore, and this is the second postulate, persons should not be discriminated against on grounds such as race, caste, gender, ethnicity, disability, or class. These features of the human condition are morally irrelevant.

These two postulates of political morality yield the following implications. To treat persons equally because they possess equal moral worth is to treat them with respect. The idea that one should treat persons with respect, not only because some of these persons possess some special skill or talent, for example, skilled cricketers, gifted musicians, or literary giants, but because persons are human beings, is by now part of common sense morality. If someone were to ask “equality for what”, we can answer that equality assures equal standing and respect, and respect is an essential prerequisite for the making of human beings who can participate in the multiple transactions of society from a position of confidence and self-respect. Further, though equality should be a constitutive feature of various social, economic, political, and cultural transactions, political equality is non-negotiable. For instance, political rights cannot be traded for social and economic rights, for political rights are weapons which ensure distributive justice. And because equal rights cannot be sustained in conditions of extreme hardship such as poverty, the state is obliged to eradicate or at least ameliorate factors that perpetuate inequality, such as poverty.

The second reason why the argument for freedom from poverty should be located in a political consensus is that a consensus on the deeper values around which a just society should be arranged might serve to both inform and justify particular arguments, whether the argument is about the undesirability of capital punishment, or about the right of persons not to be poor. Society can, perhaps, be convinced of the merits of a specific case, if the arguments for that case appeal beyond the parameters of the specific case on offer, and invoke deep values. The proposition that “this is not the way a just society, or a society of equals, should be treating its citizens”, might prove a more effective way of approaching crucial and contentious issues, than detached arguments about why certain persons should not be subjected to certain kinds of treatment.

More significantly, though rights constitute the dominant currency of political vocabularies today, we cannot just invent or discover a right, and leave it to do its own work: that of garnering a degree of social and political acceptance and legitimacy. If a right is violated, citizens should be exercised or agitated about this violation. But for this to occur, for society to feel deeply about the right on offer, the incorporation of a right into political thinking, into our values, and into vocabularies that are ritually employed in and through an activity the ancient Greeks termed politics, requires a great deal of hard work. The right not to be poor has to be grounded in antecedent moral values; to be underpinned by a political consensus, and be legitimised by referral to these values. It might be difficult to legitimise the right of persons not to be poor if a consensus on the desirability of equality as a value has been demoted or abandoned.

The construction and the consolidation of this political consensus is, of course, a project requiring the harnessing of creative imagination and courage on the one hand, and careful reasoning, persuasion, and dialogue on the other. The task also demands the investment of rather high degrees of energy and time. But this is essential because a political consensus on
what constitutes, or should constitute the basic rules of society, is central to our collective lives. The political is not a given, it has to be constructed, as Marx had told us long ago, through determined and sustained political intervention.

In India the creation of this political consensus is a difficult task simply because Indian society is not only plural, it is deeply unequal. Poverty is deeply implicated in social hierarchies and discrimination based on caste. It is not easy to tackle both social and economic marginality at the same time, but we have to do so. Presumably, reasoning, persuasion, and dialogue constitute far more effective ways of making rights politically acceptable than the mere enactment of laws, which can easily be interpreted as an imposition.

The third reason for locating the right not to be poor in a political consensus is pragmatic. The fulfilment of this right demands a degree of redistribution in society, where resources have been disproportionately monopolised by particular groups. Resources will, therefore, need to be transferred from the well-off to the worse-off through deliberate political intervention such as progressive taxation, land reform, and ceilings on property. This process can, however, prove contentious. Why should persons part with the profits they have earned through hard work, through entrepreneurship, and through innovative creativity? In many circles, taxation is seen as theft in accordance with the Lockean principle that I have rights over what I mix my labour with.

Certainly it is unjust to prevent persons from enjoying the benefits of transactions that involve the entrepreneurial self, the hard-working self, and the energetic self. To be an egalitarian is not to deny this, neither is it to argue that persons’ conditions should be made the same in every respect. All that egalitarians ask for is that all human beings should be given an equal chance to access opportunities that enable them to hone their skills and their talents, so that they can also benefit from their particular transactions. All that egalitarians ask for is the recognition that social, political, and economic institutions systematically disadvantage many persons and deny them access to structures of opportunity. To be poor in a wealthy society, to be born into a lower caste family in a casteist society, to belong to a religious minority in a communal society, or to be born into a race that is discriminated against in a racist society, is also to be denied equality.

In short, redistribution of resources via, say, taxation, can be justified in terms of putative obligations that we owe our fellow beings only when redistribution is grounded in a political consensus in society that people have a right to "equal freedom", or to "equality", for this reason or that. If background inequalities force certain people to live below the poverty line, this should be seen as constituting a serious violation of basic rights. Phrased in this way society might come to feel that it is just that profits be taxed to some extent, because this rectifies a wrong done to the rights holder. In sum, unless the transfer of resources is located within a normative framework, and unless it is legitimised by referral to this normative framework, the transfer can prove deeply contentious, which may delegitimise efforts to make persons free of mind-numbing poverty.

Poverty, Inequality, and Equality
How do we go about creating and consolidating a political consensus that poverty violates the basic right to equal moral worth in India? Consider the paradox of the Indian economy. According to the Approach Paper to the Twelfth Five-Year Plan (2012-17), the economy is expected to grow by 8.2% per annum in the period 2007-12. Revised estimates also show that the percentage of people in poverty declined from 45% of the population in 1993-94, to 37% of the population in 2004-05. More than one-third of the population of India lives below the poverty line. These are persons who are unable to access the minimal consumption basket. More significantly, poverty is concentrated in the rural areas and among two vulnerable groups, the scheduled castes (scls) and the scheduled tribes (scts). Further not only do a quarter of the world’s poor live in India, the number of illiterates, school dropouts, persons suffering from communicable diseases, and infant, child and maternal deaths, amount to a staggering proportion of world totals.

The problem of multiple deprivations in India is both acute and pressing, and it is easy for concerned scholars to articulate a case that persons should not be poor from vantage points other than equality. How on earth does it matter, someone can ask, that more than 250-300 million poor Indians are unequal to others, such as the 300 million “new” middle class? Why should the discussion of poverty be conflated with inequality, or rendered dependent on equality? It might be far more useful and more efficacious, to provide the poor with sufficient resources, which can provide reasonable prospects of subsistence, rather than worry about the gap between the poor and the non-poor. Equality, it can be argued persuasively, is not the issue, sufficiency is. Or as Frankfurt puts it, “with respect to the distribution of economic assets, what is important from the point of view of morality is not that everyone should have the same but that each should have enough. I shall refer to this alternative to egalitarianism...as the ‘doctrine of sufficiency’” (1987: 21-22, italics in the original).

The problem is, however, not just one of providing the poor with sufficient resources and leaving equality aside. Poverty is not created and recreated in a social vacuum; it is produced and reproduced through practices that are both relational and unequal. At an obvious level, poverty is a product of a market economy, in which capital, income, and employment are disproportionally distributed among the population. Patterns of ownership, the production and the labour process, and unemployment produce and reproduce poverty. In India, the majority of the poor live in the rural areas, but over the years, the contribution of agriculture to the growth rate of the GDP has fallen. The labour market in the rural areas is marked by near zero elasticity of employment, leading to landlessness and unviable landholdings. Consequently, we witness a steady stream of migrants to towns and cities, where they become a part of the massive informal sector. Ninety-four per cent of the working population of about 390 million is in the unorganised sector which is marked by low wages, absence of unionisation, and which lies beyond the pale of the regulatory structure. Of the small number of workers employed in the formal sector,
6% have jobs in the public sector. But here the onset of economic reforms has led to a decline in employment opportunities. The economy is doing well but this is not matched by commensurate growth in economic opportunities, leading to the phenomena of jobless growth.

Notably, however, the causes of poverty in the country are not merely economic, and it is precisely here that we can discern the problem with extricating poverty from inequality. Consider that more than half the poor persons belong to the scs some groups of the “backward” castes that have been socially and educationally marginalised because of their lowly position in the caste system, and the sts that have historically been outside the caste system. A major part of the poor belong to the sts and the scs or the dalits.

Let me focus on the dalit community simply because this community is doubly disadvantaged, or because a majority of the dalits not only suffer from economic deprivation but also social discrimination. The significant point is that members of the so-called lower castes are poor not only because they lack skills and resources; they lack skills and resources because they belong to a caste that has been wilfully denied such access in the past. Though in the post-Independence period, the government has institutionalised policies that ban caste discrimination and introduced affirmative action or protective discrimination in education and in public employment, the legacies of history are not so easily neutralised. Economic marginality in this specific case is the outcome of discriminatory social practices or flows from social marginality.

**Distributive Justice and Equality**

Let me phrase the issue in this way: since equality is premised on the norm of equal moral worth, logically this presumption should generate a principle of distributive justice. If people are unequal in their life chances, the principle of equality remains unrealised. Conversely the principle of distributive justice should validate the principle of equal moral worth. The presumption of egalitarianism, equal moral worth and distributive justice, should not, in principle, be separated, not if we subscribe to egalitarianism.

The relevant question then becomes the following: how exactly does the presumption of equal moral worth translate into a principle of distributive justice? Equally, do principles of distributive justice always validate the equality presumption? I will suggest that the conceptual link between a presumption of equality and principles of distributive justice is weak. To phrase the point differently the focus on distributive justice, might well be at the expense of equality of moral worth. Consider the arguments offered by an influential school of liberal egalitarians to the first of the questions posed above: how exactly does equality translate into principles of distributive justice? Some liberal egalitarians are driven by the conviction that persons should not be worse off than others, if they happen to be the victims of circumstances which are not of their own making, or over which they have no control (Dworkin 2000; Arneson 1989; Roemer 1998).

According to Dworkin, the state is obliged to eliminate all inequalities that are due to “brute luck” but it is not so obliged when it comes to inequalities which result from the making of deliberate choices, including risky choices that result in losses for the chooser. Distinguishing between choice and circumstance, Dworkin suggests that the state should compensate the victims of “brute luck” through a transfer of resources. From a different vantage point, G A Cohen defends a system of distributive justice, or “equal access to advantage”, based on the idea that the fundamental distinction for an egalitarian is between choice and luck in the shaping of people’s fates. Equalising access to advantages involves eliminating the effects of brute luck on distribution because the disadvantages of those who suffer from brute luck are “unchosen” or “imposed” upon them (1989: 908). Cohen opts for equal opportunity for welfare. If someone is left worse off by virtue of having more expensive tastes, it is unfair only to the extent that the person is not responsible for these tastes. “I distinguish among expensive tastes according to whether or not their bearer can reasonably be held responsible for them. There are those which he could not have helped forming and/or could not now conform, and then there are those for which, by contrast, he can be held responsible, because he could have forestalled them and/or because he could now unlearn them” (ibid:923). Richard Arneson, defending a version of prioritarianism as a form of liberal egalitarian ideology, suggests that “the idea is that justice requires us to maximise a function of human well-being that gives priority to improving the well-being of those who are badly off and of those who if badly off, are not substantially responsible for their condition in virtue of their prior conduct” (2000: 340).

Despite conceptual differences between Dworkin’s egalitarianism and that of Cohen and Arneson, the primary aim of liberal egalitarians is to eliminate the influence of “bad luck” on the distribution of resources. The distinction between choice and circumstance serves to link presumptions of equality and distributive justice on the one hand, and legitimise transfer of resources to the deserving on the other. This strain of reasoning has, however, not gone unchallenged. Critics argue that these theorists do not question the institutional structure that generates disadvantages but merely seek to rectify distortions, that liberal egalitarians are not concerned with tackling
oppression and exploitation, and that they have waylaid the egalitarian project by concentrating on individual choices. Of some interest is the critique launched by Jonathan Wolff on liberal egalitarians. Wolff argues that since claimants for benefits must show that they lack the opportunities of those who are in work, the brute luck argument singles out the poor for insulting levels of scrutiny. “Think”, urges Wolff, “how it must feel – how demeaning it must be – to have to admit to oneself and then convince others that one has not been able to secure a job, despite one’s best efforts, at a time when others appear to obtain employment with ease. This removes any last shred of dignity from those already in a very unfortunate position” (1998: 114). Wolff accordingly suggests that egalitarians should not only be motivated by a concern for fairness, but also by the idea of respect. There is more to a society of equals, argues Wolff, “than a just scheme of distribution of material goods. There may also be goods that depend on the attitude people have towards each other” (ibid: 104). But these two values, both of which are authentically part of the egalitarian ethos, can conflict. Therefore, in some cases, respect should take priority over equality.

The problem is fairly evident by now: principles of distributive justice that are derived from presumptions of equality might actually end up diminishing the sense of equal worth, or respect might be sacrificed at the altar of redistribution. Elizabeth Anderson in a hard-hitting critique suggests that by focusing on bad luck instead of oppression, liberal egalitarians have entirely neglected the victims of racist and sexist injustice, and served up disrespect and pity for the victims of bad luck (1999: 289). “The proper negative aim of egalitarian justice”, claims Anderson “is not to eliminate the impact of brute luck from human affairs, but to end oppression, which by definition is socially imposed. Its proper positive aim is not to ensure that everyone gets what they morally deserve, but to create a community in which people stand in relations of equality to others” (ibid: 288-89).

To some extent Anderson has pinpointed the issue at stake well. How does a principle of distributive justice validate the principle of equal moral worth? For equality is not primarily about distributive justice, it is about the moral standing of people vis-à-vis each other, or that each person is of equal moral worth and this should not be modified in any way.

Whereas the objective of egalitarianism is the constitution of a society of equals, liberal theories of equality concentrate on justifying the transfer of resources from the well off to the worse off. Yet these elaborate conceptual systems of justification which tell the well off why they should part with a degree of their resources has, in effect, sidetracked the essential idea that inequality is bad in itself. People should not be poor if their poverty is the outcome of circumstance and not chance, that is it, no more and no less. Certainly, liberal egalitarians have contributed a great deal towards reinforcing principles of justice by advancing the notion that victims of poverty (but not those who choose to fritter away their resources) cannot be held responsible for their situation. But these theories also serve to highlight the rather tenuous nature of the link between the presumption of equal moral worth and the fashioning of a principle of distributive justice.

**Experience of Protective Discrimination**

Starkly put the problem is the following: if we concentrate on distributive justice, this might come at the expense of equal moral worth. Let me illustrate this problem through a brief narrative of how affirmative action or what is called protective discrimination has fared in India. Since dalits have historically denied access to opportunities because of caste prejudices, the Constitution and the Government of India designed policies of affirmative action. It was assumed that these measures would secure access to resources both material and symbolic, freedom from poverty as well as freedom from disrespect.

How have policies of affirmative action, or what in India is called protective discrimination, worked? In the 1960s, the sociologist I P Desai studied the impact of protective discrimination policies on untouchability in rural Gujarat. In public arenas that were governed by law such as schools and post offices, he told us, untouchability was least practised. Only one school in 59 villages had separate seating arrangements for dalit children, and only 4% of the post offices practised discrimination in their transactions with dalits. When it came to the private sphere of social transactions, however, matters were different (1976). In 90% of the villages that he surveyed, Desai found that dalits were not allowed to enter the houses of caste Hindus. Barbers, shopkeepers, and potters kept their distance from dalits who continued to be thought of as polluting. Dalits were prohibited from entering temples frequented by caste Hindus. In 10% of the villages that were surveyed, dalits were not allowed direct access to common water sources. They were consequently dependent on caste Hindus for access to water (ibid: 62-63). Other villages had created separate wells for dalits.

Desai concluded that dalits had benefited, because “they do not have to suffer humiliation every day at the hands of the savarna [upper castes]” (ibid: 144). But though the attitude of caste Hindus had changed at least in public transactions, their beliefs about untouchability had not been altered. In sum, dalits had advanced in the sphere of public transactions that are governed by law, but not in the sphere of private relationships-friendship, intimacy, dining together, visiting each other-which lie outside the formal jurisdiction of the law. Though Desai did not see non-entry into the private domain of social transaction as significant, this domain is arguably important, and it is not disconnected from the public sphere. Where we spend our time and with whom, who our children go to school with, what neighbourhood we live in, what clubs we belong to, and what sort of persons our children marry, have an inescapable effect on material things like jobs, promotions, and placements. If dalits continue to be discriminated against in the private sphere, their opportunities in the public sphere are undoubtedly curtailed.

One would have thought that matters would be different today. In the post-Independence period the dalit movement
and dalit parties have moved to the centre stage of Indian politics. The caste question has been foregrounded in the collective consciousness until March 2012. The chief minister of the largest state in the country, Uttar Pradesh, was a dalit, one of the former presidents of India was a dalit, and one of the chief justices of the Supreme Court was a dalit. Widely respected dalit intellectuals have aggressively fought out the caste issue in political and intellectual circles. The dalit movement has raised, and continues to raise vexing issues of caste discrimination publicly. Activists have dragged persons and institutions to court, as well as to the Scheduled Caste Commission on charges of discrimination. Prominent literary figures writing in English invariably have a dalit protagonist as the linchpin of their story, pace Rohinton Mistry and Arundhati Roy. No election can be fought without reference to the caste issue. And dalit politics has finally generated a politically correct pin of their story, and dalit politics has finally generated a politically correct

Equality and Distributive Justice

I have suggested that the conceptual link between presumptions of equality and principles of distributive justice is a tenuous one, because the latter does not always validate the principle of equal moral worth. The significant question then becomes: how can we design a principle of distributive justice that validates that of equality? Correspondingly, how exactly does the presumption of equal worth generate a principle of distributive justice?

Let us consider the sequence of an argument that seeks to construct such a link. Equality as a condition that obtains between human beings is important in itself because it is based on the precept of equal moral worth, and thereby respect. This is the minimum we owe people, because equal respect ensures self-assured and positive human beings, and not the kind of degraded individuals who are stripped of self-respect, a phenomenon that Hegel had lamented so eloquently. More significantly, the presumption of equality also enables persons to participate in various social, cultural, and political transactions with a fair degree of self-confidence. If (a) people are caught up in a morass of poverty and (b) this poverty is traceable to social discrimination that among other things prevents access to resources, what should egalitarians do? It follows that egalitarians have to argue for distribution of resources in a way that would also validate equal moral worth of all persons.

Towards this end, let us proceed to think out what the implications of the presumption of equal moral worth are. The first implication, of course, is that of equal political rights. We can no longer believe that amidst social and economic inequality equal political rights are a bourgeois fiction at worst, and inadequate at best. Simply put, political and civil rights enable political and civil rights are incomplete, but without political and civil rights, civil societies are simply not empowered to assert the right not to be poor. The two sets of rights cannot be substituted for or reduced to each other, for each of these rights is an
indispensable prerequisite for the realisation of other rights (Chandhoke 2006).

Take the case of India, where formal democracy coexists with a high level of economic and social unfreedom and inequality. If this form of democracy has any virtue, it is that democratic rights enable movements of the marginalised as well as campaigns by non-governmental organisations (NGOs) to demand what is due to the citizens of India. In recent history, NGOs and social activists have employed the vocabulary of political and civil rights as codified in part iv of the Indian Constitution to struggle for the realisation of social and economic rights. Though social and economic rights form part of part iv of the Constitution, these rights, unlike civil and political rights, are not justiciable. But political and civil rights have inspired as well as empowered collective action for the implementation of social and economic rights. Collective action has served to substantiate social and economic rights though the enactment of social policy, via an expansion of the vocabulary and the conceptual repertoire of rights. For instance, a major campaign launched by social activists and NGOs since 2001 has resulted in the enactment of the Mahatma Gandhi National Rural Employment Guarantee Act. The right to work has created a government-sponsored scheme for generating employment that is among the largest in the world.

However, we still need to answer the question: how exactly does Article 14 of the Constitution, which grants the right to equality, generate a principle of distributive justice? What does the political equality presumption (equality before the law and equal treatment by the law) mean when it comes to the social and the economic domain which is indisputably unequal? Any negotiation of this particular question will need to recognise the concern identified earlier, that principles of distributive justice have to validate the presumption of equality.

This double link, between the presumption of equal moral worth and distributive justice, can perchance be realised when we conceive of human beings as co-sharers in the collective resources of a society by reasons of right. Or that each human being by virtue of being born into a given society has an equal right to the collective resources of that society (Hinton 2002). If these resources have been disproportionately monopolised by certain groups, and if unequal command over resources is reflected in institutions, disadvantaged persons have the right to demand that they be granted their default share by virtue of a right.

What would be a fair share? A fair share in the common resources of a society amounts to ownership of enough resources to allow human beings to have a reasonable chance of making their histories, irrespective of the kinds of histories they wish to make. I conceive of a fair share not in sufficentarian terms, as Frankfurt does, but in relative terms. That is, what counts as a fair share depends on the average affluence of the society in question. What is significant is that all persons should have access to basic goods that allow them to live a life that we recognise as human. It follows that the concept of basic goods is objective inasmuch as it is independent of the agent’s own perception of what is good for her. A wine drinker may believe that regular intake of wine is a primary need, but experts know better. It is more important that our wine drinker consumes a regular and a nutritious diet even if his own preference is for wine over food. Some scholars, argue that the very objectivity of the concept of basic goods is disagreeable, because it results in the domination of expertise over individual perceptions and desires. Further, when experts take over the domain of basic needs, or indeed any other domain, people’s own ideas of what is good for them may well fly out of the window.

However, basic goods are arguably not completely independent of subjective desires or preferences. Assume for a moment that an individual begins to list the requirements that she or he considers indispensable for life itself. And then consider whether a home, clothing, food, health, education, and political and civil rights, will not top any such list? If we presume that a consumer starting from scratch begins to acquire some of the resources that she or he needs, basic goods are the desires she or he may be expected to prioritise, before she or he turns to others.

**Right to Participation**

The egalitarian objective of assuring citizens’ basic goods is not only so that persons can live a minimally decent life, but so that they can participate in social, political, cultural, and political transactions from a plane of (admittedly rough) equality. A publicly-funded educational and a health system goes a long way in helping persons translate their skills into talents. This is a necessary prerequisite for competing for jobs and for other advantages which are coded in the principle of equality of opportunity. The right to work will also go a long way towards ensuring that citizens are not forced to beg for what is rightfully theirs and thereby stripped of their right to equal moral worth. In other words, if equal political and civil rights are the signifier of equality in the political domain, the institutionalisation of conditions that make it possible to ensure access to structures of opportunity is the signifier of equality in the social and economic domain. The precondition is that the state has to equip its citizens with the capacities that would enable them to access as well as profit from these opportunities. Correspondingly, since the task of providing citizens with work, health, education, and shelter on non-market principles requires public funding, the well-off are obliged to part with some the profits they have earned. This is part of their putative obligations to rectify violation of rights. Society is obliged to rectify the violation of a right to equality, irrespective of whether poverty is the result of choice or brute luck. For, even if an individual has chosen to gamble away his savings, should we leave him to his ill-chosen fate, simply because he chose to make his own history, and that of his dependent children and spouse, badly? This runs contrary to the luck egalitarian suggestion that we remedy only those aspects of the human condition for which persons are not responsible. Nevertheless to condemn human beings just because they made bad choices to ill being does not make for good political morality.
The proposition that persons by virtue of being born into a society possess an equal claim on the collective resources of that society might conceivably help us constitute the double link between the presumption of equality and that of distributive justice. First, legitimate claims to basic goods supervene onto the right to equality. Accordingly, poverty is a violation of the right to a fair share of basic goods. Second, the state, as the institution which is in a position to affect the realisation of this right, is obliged to rectify this violation through a transfer of resources via progressive taxation, a ceiling on property, land reforms, income generating schemes, and social security measures.

This is the first stage of rectifying historical wrongs. Once each citizen has been provided with basic goods, the special needs of the doubly disadvantaged – caste/class, class/gender, class/religious, class/ethnic minorities – have to be considered, and affirmative action policies must be designed for them. To embrace affirmative action policies in the abstract, or in isolation from a moral and political consensus on equality and distributive justice, is simply to invite acrimony. Arguably, affirmative action policies in India have been embroiled in controversy, and the beneficiaries of these policies have been subjected to animosity, simply because these policies have been instituted in a political space not informed by a generalised consensus on what human beings are due or by a moral and political consensus that poverty represents a violation of the right to equality.

We can draw a significant lesson from the manner in which affirmative action policies in the country have been conceptualised and implemented. For one, the notion of compensation on grounds of “harm done” or brute luck, is simply inadequate, if it is left to stand on its own. In India the entire case for protective discrimination rests on a particular reading of history: a reading of history as a story of collective complicity and guilt, on the one hand, and collective victimisation and harm on the other. Though the general feeling at the time of forging the Constitution was and continues to be that those who have benefited from history should be willing to pay the costs, over time this consensus has been watered down. For the idea that “we” owe something to “them”, in abstraction from a moral consensus on why people are owed restitution for historical wrongs, divides society along the axis of “we-ism” and “they-ism”, and dissolves solidarity. Over time younger generations have begun to raise the following questions: how long should we pay compensation? Why should our generation be made responsible for the sins of our forebears? And why someone from the lower caste who has benefited from these policies continue to enjoy advantages from affirmative action policies?

To put it bluntly, since our public discourse over reservations is conducted in a moral and political vacuum, in the absence of a consensus on the desirability of redistribution and the right to equality, this discourse undermines both reservations and the beneficiaries of reservations. Reservations are seen not as a justified component of egalitarianism but as unjustified rewards. Resentment and hostility, in turn, have been expressed through the perpetuation of demeaning caste stereotypes and stigmatising imagery, which has reproduced humiliation. This has occurred despite the best efforts of the powerful dalit movement, social activists and reformers to reinstate members of the community into social relations on terms of equality. But since the political class refuses to engage in the time and energy-consuming task of building up a political consensus that each citizen has a right to equality and that violations of this right should be redressed, political defences of such policies are rendered wafer thin. The case for compensation becomes less compelling than it should. In the process, the double link between the presumption of equality and distributive justice becomes even weaker.

To come back to the argument, protective discrimination policies are a second step towards the realisation of equality. The first step is that all citizens have the right to basic goods on non-market principles (assurance of income, free education, subsidised or free food, free health, accommodation, and political and civil rights) which will free them from poverty. More importantly, the right not to be poor should be enacted within a generalised moral consensus that persons who have been denied their rights should be given their due, that all persons are owed basic goods, and that the state should engage in additional measures to remedy harm done to the doubly disadvantaged. The proviso is that protective discrimination has to be taken seriously and employed sparingly. It has to be invoked only for the doubly disprivileged, because protection for those who do not qualify on this criterion can seriously hamper the construction of this consensus on egalitarianism.

Wrapping Up

I have argued that the answer to the question why people should not be poor can be negotiated adequately only when we perceive poverty as a violation of the core moral right to equality. Consequently, the current focus on freeing persons from poverty should be located in a political consensus on equality. Poverty is unacceptable because it massively violates our basic convictions that no one should be compelled to lead a life that is not distinctively human. But more importantly poverty is a violation of the fundamental axiom that human beings possess equal moral worth. This proposition generates a principle of distributive justice that concentrates on giving to the disadvantaged what they have a right to.

Finally, does our task as egalitarians end at the proposition that people have the right not to be poor? Should we disclaim any further responsibility for the disadvantaged? Should all of us not be moving constantly towards a shared vision of egalitarian democracy where people can live fulfilling lives, instead of remaining mired in notions of minimal compensation? Should we not strive to strengthen the moral consensus on the desirability of foregrounding the value of equality, of essaying obligations to people whose rights have been seriously hampered, and persuading other citizens to participate in debates on what constitutes a just society? For it is only when we concentrate on the construction of a moral consensus in society that we can dissolve the uncomfortable distinction.
between “us” and “them” that bedevils much of the case for redistribution. In sum, unless the right not to be poor is located in a strong version of equality as a good which has intrinsic value, as well as a good that enables access to other goods such as the ability to equally profit from structures of opportunity, the right not to be poor might prove no more compelling than other pious wishes for the human condition, which remain on the lips of politicians, or on statute books.

NOTES
1 Arguably poverty is not the only cause of multiple deprivations. In many societies women, the lower castes, and ethnic minorities lack voice even if they are not poor, but poverty is certainly one of the main causes of deprivations, because it is trans-caste, trans-gender, and trans-ethnicity.

2 We can be committed to equality for a number of different reasons, and the concept of equality comes to us in many avatars such as equality of opportunity and equality before the law. However, formal notions of equality can be faulted because these are insensitive to background inequalities. Therefore, a more persuasive notion of equality is egalitarianism, which argues that people ought to be treated as if they possessed equal moral worth.

3 Egalitarianism suggests that equality is good in itself because it validates equal moral worth. The presumption of equality thus generates a principle of distributive justice, or policies that favour redistribution of resources which are disproportionately held by a few, because egalitarians feel that it is unjust and unfair for some to be worse off than others through no fault of their own.

4 Darwall has an interesting take on respect. Distinguish between “appraisal” respect or respect based on a positive assessment of the personal characteristics of another. 

5 Iris Marion Young, for instance, claims that liberal egalitarians have pursued a “distributive” approach to social justice at the expense of a critical examination of institutions (2000: 8).

6 Earlier novels such as The Untouchable written by Mulk Raj Anand had dealt with the disturbing issue of caste discrimination.

REFERENCES

Why should/shouldn't they? If that ever happens.. what would be the reason? Increasing popularity and multiplying incomes (the same reason why celebrities and politicians get involved with charity)? Update: Why would you think ALL rich people earned their money with lots of hard work? To be honest I'm sure 60% of them haven't even gained their wealth even-handedly.. 1 following. Why do some people not help poor people? How are you helping deserving poor people? John Bruss, MS Eng + Philosophy, Theology and Psychology. Answered Jul 30, 2018. And if the person is attempting to stay employed, they should not be required to take drug screens, etc. Why not save taxpayer dollars? Most employers require drug screens anyway! Why should I pay for some deadbeat’s trip to Europe? Another aspect of this phenomenon is known as actor-observer bias. When we watch others, we tend to see them as being driven by intrinsic personality traits, while in our own case we know that, for example, we acted angrily because we'd just been fired, not because we're naturally angry people. As a result of this phenomenon, Pimpare says, poor people tend to be hardest on each other. He gives the example of a large literature in anthropology and sociology about women on welfare published since the 1980s. It finds over and over again that some of nastiest things you ever hear about women on welfare come out of the mouths of women on welfare.