

Abstract

This paper looks at moral justifications for funding welfare benefits through general taxation rather than seeking to support it through charitable giving. That is, the parties to the debate are assumed to accept the moral imperative to support the destitute, and the political question is whether there is any requirement to do so through taxation. The chapter explores parallels between begging and the raising of charitable donations, highlighting not only the costs of begging on supplicants, but those that fall as well on the would-be donors. In the light of this, the chapter offers a justification for using taxation as a preferred way of raising resources for the provision of welfare benefits which has echoes of, but contrasts with, a famous proposal by Thomas Nagel.

Keywords

taxation, charity, needs, reasonable rejection, Nagel, Nozick, Scanlon

Beggar Your Neighbour

(Or Why You Do Want to Pay your Taxes)

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7.1 Introduction

According to the defenders of the minimal state, even if we grant that the poor and destitute have moral claims on us, still we are not thereby required to favour a redistributive state, for we should be equally happy if their needs are met through the activities of charities and other such free associations as through state action. Indeed it is sometimes claimed that the combination of the minimal state with private charities brings two advantages over the alternative of the robust, redistributive state: (1) there is a lack of state coercion of those who lack appropriate motivation to give the money for redistribution that they provide through paying taxation; (2) there is greater opportunity for people in general to participate in charitable activity and to give to charities, thereby increasing opportunities for all to exercise the virtue of benevolence.

Of course, defenders of the minimal state often make a further assumption about the terms in which the justification of social policies can be made: typically, they emphasize the centrality

of individual consent. If *actual* uncoerced consent from all were required to render broadly based tax regimes just, then it might be a short step to demonstrating that the social policies seen by many of us as attractive, and as appropriate ends for the state, are in fact illegitimate and unjust. Indeed, that short step may lead one to question the priority of actual consent in justifying state action.¹ However, it would be a mistake to suppose that the question about why we should prefer state taxation over charitable giving is of interest only within disputes over the priority of individual consent. Even once we have laid aside libertarian challenges to the non-minimal state, we can still ask: What makes a social order in which there is significant redistribution of wealth preferable to the minimal state conjoined with charitable giving? And, indeed, what might make it preferable *despite* the advertised advantages of charitable giving?

Someone moved by this challenge might direct his or her attention in one of two ways. On the one hand, they may focus on the situation of the potential targets of such charity, the poor and destitute themselves, and argue that their concerns rule out meeting morally required provisions by means of charitable donation. On the other, they may focus on those who will be

¹ For a classical version of a focus on hypothetical rather than actual consent, see Rawls (1971). For doubts on actual consent, see Raz (1986: chs. 1–4). For a distinction between two types of consent theories, actual and hypothetical, and their respective perspective on political obligation, see Scanlon (1976: 17ff.). And for a further discussion of the limits of Nozick’s challenge concerning the threat to liberty of state taxation see Scanlon (2018) Ch. 7.

expected to provide the resources of the charities which are to distribute welfare, those who presumably would otherwise be subject to coercive taxation.

Perhaps the commonest *political* response to the advocates of the minimal state takes the former course. It argues that arranging social institutions so that the only social agents dedicated to meeting the needs of the destitute are private, charitable organizations is demeaning to the needy. More specifically, a common complaint is that so organizing distribution of welfare ignores the fact that the individuals in question have a *right* to their needs being met, a right which is appropriately recognized only by the action of the state. In a world in which such needs are met through charitable action, so the argument goes, such people must rely on the whims of others, variably driven by feelings of benevolence, and hence these people are not properly respected, their rights as members of political society are violated by the lack of due regard by state institutions.

Below we will sketch a couple of reasons for finding this line of argument unpromising as a theoretical justification of the robust state, as effective and motivating as it may have been in political debate. (Of course, whether it is better to see it as ineffective politically is a moot point. It was commonly given voice in the UK during the 1980s and early 1990s when its government engineered steps to bring about the most significant increase of street living and destitution in

the last sixty years.²) Such a strategy typically presupposes some account of the special relation between citizens and political society which can lay the foundation of the right that an individual bears against some specific state to furnish their needs. It is preferable to explain the attractions of a substantial tax system without presupposing any such resources; and with that in mind, we'll look to justifications for taxation which relate to the interests of those being taxed, rather than those who might benefit from the disbursement of resources thereby raised. So our principal concern will be to explore the second strategy, looking at the costs or concerns of donors or taxpayers, and seek to tease out a key reason individuals have for preferring to pay taxes over donating to charitable institutions.

The best known version of this alternative strategy occurs in Thomas Nagel's review of Robert Nozick's political theory. He writes:

Most people are not generous when asked to give voluntarily, and it is unreasonable to ask that they should be. Admittedly there are cases in which a person should do something although it would not be right to force him to do it. But here I believe the reverse is true. Sometimes it is proper to force people to do something even

² Youth homelessness and sleeping rough increased dramatically in the UK in the late eighties and early nineties, following the decision by the then Conservative government in 1985 to cap board and lodging allowances for the under 26s, and to remove it entirely after eight weeks in cities such as London. For a study of the consequences of this policy, see Smith (1998: 67).

though it is not true that they should do it without being forced. It is acceptable to compel people to contribute to the support of the indigent by automatic taxation, but unreasonable to insist that in the absence of such a system they ought to contribute voluntarily. The latter is an excessively demanding moral position because it requires voluntary decisions that are quite difficult to make. Most people will tolerate a universal system of compulsory taxation without feeling entitled to complain, whereas they would feel justified in refusing an appeal that they contribute the same amount voluntarily. This is partly due to lack of assurance that others would do likewise and fear of relative disadvantage; but it is also a sensible rejection of excessive demands on the will, which can be more irksome than automatic demands on the purse. (Nagel 1982: 199–200)³

Nagel focuses on the motivational costs to an individual in voluntarily giving to charity instead of being compelled through state action to pay taxes. As we shall see in section 7.5, there are obvious problems with Nagel's particular strategy. But, we want to argue, Nagel is on the right

³ Nagel returns to these themes in his own work in a couple of places: first *Equality & Partiality* (Nagel 1991) where Nagel is concerned again with privileged concerns for self; and then again in *The Myth of Ownership* (Murphy and Nagel 2002). Here the focus is on the moral status of initial distributions: a concern that one equally finds in Rawls and Scanlon. We find these latter discussions complementary to the points we raise here.

track. One can construct an appropriate argument which focuses on what it would be reasonable or unreasonable for us to demand of other potential donors in arranging payments.

In this chapter we want to suggest that this line of argument best explains the attitudes we should have towards paying taxes beyond the prudential concerns which lead to paying for armies, diplomats, health and employment insurance, and police forces.⁴ We highlight certain deep theoretical problems with the first strategy and then elaborate the form we think the second strategy ought to take.

⁴ Although the welfare state as it has flourished in much of Western Europe is often seen as justified by redistributive concerns, it is to be doubted whether that explains the extent to which it has flourished since the nineteenth century. It may be more appropriate to see welfare state systems as combining two kinds of justification: (1) a form of mutual assurance for those who pay for it through taxation to avoid potential future hardship brought about through unemployment or illness; (2) a form of modifying the threat of radical politics or violent action from a deprived underclass. Certainly, the latter motivation dominated Bismarck's thinking; the former motivation was central to the ideology of the National Insurance scheme in the UK, and the extension of the Welfare State in several countries post-1945. One should keep in mind, therefore, that as things stand, the debate about the *redistributive* aims of the state concerns a very small element of the resources raised through taxation. (On the historical character of welfare measures, and different attitudes and values which affect them, see e.g. Rimlinger (1966). For different models of Welfare State systems, and their rationale, see Esping-Andersen (1990).)

While Nagel is on the right track in looking to the motivational costs of giving, his concerns need to be put in the wider context of situations in which we are motivationally compelled to do that which we think is a benevolent or charitable way to respond. An experience of variable frequency for those who live in well-heeled, urban habitats is that of being begged at. In many contexts, it is clear that the person begging is certainly deserving of some help or other. Whether or not one gives money in such a situation, one may feel unhappy with the kind of exchange involved. Charitable giving, we shall argue, takes over certain structural features of begging, and with it certain costs. Charities are a form of vicarious begging. Once we face up to the costs that charitable demands place on us, particularly the level of cost if sufficient resources are to be raised, then it is clear that it would be unreasonable of some to demand that all potential tax payers should be faced with the imposition of such vicarious begging. In other words: it is unreasonable for some to insist on imposing on all their preference for a minimal state, and the opportunity of choosing whether or not to give to charity given the costs this preference imposes on us all.

In section 7.2, we briefly address the political arguments about the rights of the needy and point out certain limitations of this style of argument. That leads us to focus from there on the claims of donors or tax payers. In section 7.3 we introduce the example of beggary and highlight certain essential features of this kind of transaction. In section 7.4, we apply this model to the activity of charities, arguing that we should understand such activity as a form of vicarious or deferred begging. And then we derive, in section 7.5, an explanation from this of why it is

reasonable for us to wish to limit the activity of charities and thereby to prefer taxation; in outlining this argument we contrast it with Nagel's account sketched above. The concluding section 7.6 then returns to the question of the status of consent and voluntary choice in social policy.

7.2 The Rights of the Indigent

With our eye on the recipients of aid, there seem to be two main considerations on the basis of which one might seek to claim the superiority of state aid over that of charities. The first concerns the relation of the destitute to charitable organizations: is there something demeaning, and *need there be* something demeaning, in seeking for, or receiving, aid from a charitable organization in contrast to the state? The second looks at the relation of the destitute to the state and the state's lack of activity if the destitute's needs are being met through charity rather than state activity: are the rights of individuals being violated if the state does not act? If so, what is the ground or basis of these rights directed against the state?

Consider the first ground: *Is there something problematic in the way that charities interact with their potential beneficiaries?* Before one affirms too quickly the charge that charity is inherently demeaning for its targets, note that there are charities which provide benefits to individuals which we don't tend to think of as humiliating for one to receive. Many academics are grateful to private grant-giving bodies for funding research, or research leave (in the UK most

notably the Wellcome Trust and the Leverhulme Trust). Few would think it more demeaning to receive these funds from such institutions than from the government. On the other hand, one might point out that, whatever academics may claim, they do not approach the charities out of a bare concern with their own needs—this is a competition where much esteem is associated with the gift of research resource—and the charities in turn do not raise the resource they distribute through these competitions from individual donations. Do these two differences alone explain why in the more general case of charitable aid there should be something demeaning for recipients of charity?

One way in which one might seek to tease out the potential problem here is to look to a more informal manner by which the destitute seek to raise funds: begging. For, one might think, it is fairly salient that begging is a demeaning activity for those who engage in it. So, if charities directed at the servicing of needs do no more than provide us with an institutional form of begging, the demeaning status of beggary carries over from the informal activity to the institutional form.

More specifically, the concern can be put like this: begging typically involves a beggar demeaning him or herself before a potential donor, offering him or herself as a supplicant. But the institution of charity does not remove this status of being a supplicant for aid, so a destitute recipient of charitable aid may feel him or herself to be in the position of a beggar, and thereby feel demeaned by the exchange.

It certainly is plausible to think that there is an essentially demeaning element in begging: that is, that there is something inherently demeaning in having to present oneself as supplicant, and so as socially inferior to the person to whom one begs. In begging one is put in a position of inferiority, so if charity is no more than institutionalized begging, the same may be true of it. And this thought, that charitable handouts necessarily involve social hierarchy, is certainly one of the powerful images behind the idea that the needy have a right to aid, and that it should not merely be a matter of whim on our part to look after them. But however powerful the image is, and however forceful it may have been in criticizing the organization of some charitable associations in, for example, the nineteenth century, it is puzzling why it should be thought to apply *of necessity* to any aid-giving activity by charities. That is, even if begging is essentially a demeaning activity, the case for thinking of charity as simply institutionalizing the role of supplicant has not been established.

An officer of a charity who acts to meet one's urgent needs, be they housing or subsistence, does not necessarily have to be the person who is making the donation to the charity in the first place; nor are they obviously acting in any way as the officer or representative of that person. Indeed, in direct opposition to this worry about the demeaningness of benevolent aid, one might point out that one of the great advantages of charitable organizations is precisely that they allow the possibility of someone asking for funds through a relatively anonymous functionary. The functionary does not have to pretend to social superiority, and the needy person does not have to act out any social inferiority in putting his or her case.

Of course, quite consistently with this, one might complain that, as a matter of fact, the charitable organizations we actually have regularly demean or patronize their destitute clients. This is something we think open to dispute;⁵ but there is still a more significant point to note from a philosophical perspective: that there seems no good reason to think that charities have to act in ways which *necessarily* are demeaning to the individuals to whom aid is offered. Without any argument to show that charities inherently debase their clients, we have no grounds as yet to show that the robust state is necessarily superior to the combination of minimal state and private charity.

On the other hand, the idea that there are parallels between the activity of begging and the institutions of charitable aid is one we think should be taken very seriously. Although there are significant contrasts between being the recipient of charitable aid and being a beggar; we will argue in section 7.3 that there are equally important similarities between the role of raising funds for a charity, and acting as a beggar. But that anticipates our discussion of the concerns of donors. If the destitute are not essentially demeaned in receiving charitable aid, we need to look to the second ground for supposing a privileged role for taxation: the alleged rights of the destitute against the state.

⁵ There are, after all, a wide range of charitable bodies, funded in diverse ways and with diverse aims. Many of the housing charities in the UK concerned with the plight of the homeless, for example, display a keen awareness of the power relations involved in offering aid to the destitute.

The complaint here seems to be that all the destitute have a right to have their needs met, and the failure of the state to act on behalf of these rights indicates a lack of respect for the destitute, thereby demeaning them. Certainly, the talk of rights and rights violations here have been politically potent, and may encourage us to feel appropriate sentiments of fraternity and outrage at the neglect of fellow humanity. Nonetheless, the line of reasoning which results from these thoughts when one tries to articulate it properly in terms of the rights of the destitute against the state is a puzzling one.

The problem here is to understand the precise way in which the needs of the destitute give rise specifically to rights, and moreover do so not against specific individuals, but against the state. Start first with the idea that has moved so many utilitarians, from the radical philosophers of the nineteenth century on, that it is one's duty to do more good rather than less. Where needs are present at all in the world, there will be overriding demands on us to meet those needs; or at least there will be so given the further empirical assumption that meeting those general needs will promote happiness more than other courses of action. This will get us that each with sufficient resources is under a moral requirement to provide for the destitute. But that is not yet what the argument requires: the argument requires not only that we have a duty to help the poor, which the requirement would establish, but also that in turn the poor have a right against us to have

that aid. Even were it true that every right issues in a duty, it certainly does not follow that every duty establishes a right.⁶

Moreover, the idea that we have an absolute duty to bring about the best result is, to say the least, a controversial one. Among the many who reject this theoretical commitment, it is more commonly accepted that we have instead *imperfect* duties of benevolence which we owe to the rest of humanity. Rather than saying we are required in every situation to do that which brings about the most good or happiness, many suppose that we simply have a duty to help others in need, and to do good where we can. Duties are imperfect, as opposed to perfect, in as much as there is no way of acting such that in so acting one has discharged exactly what one owes. A perfect duty specifies what it takes to be compliant with that duty, an imperfect duty does not. If duties of benevolence are imperfect duties, then there is no upper, nor any lower bound, on what is required of us in aiding the needy.

On this conception of imperfect duties of benevolence, these duties are not typically restricted just to one's family or the widening circle of interest around one. Rather we recognize that in as much as anyone is in need, they have some claim against us. So, the primary duty of benevolence that we all have is not directed to any one individual. If Mabel or Harry is in need, then one may have a duty to give to either, or to both, but not because one had a more

⁶ And the most notorious of the radicals, Bentham, famously dismissed all talk of right as nonsense on stilts.

fundamental duty to Mabel to meet her needs, or to Harry to meet his. One has a duty to meet needs where one can, and as it turns out Mabel and Harry both have needs which one can meet. This suggests an asymmetry between agents who have duties for meeting needs on the one hand, and any *right* that those receiving benefit would have back against them on the other.

Given that duties of benevolence are imperfect duties, a person who will benefit from the giving of aid normally does not have a right with respect to any given individual who may meet their need. (Perhaps one should think that within families, such specific rights and duties are generated, but that is not our concern here.) It is not that Harry, deprived of all resources and means of acquiring them through effort, has a right against *you*, a particular individual, that you should provide for his well-being. Or so, typically, we think. Rather we recognize that each of us, and hence all of us, have duties to help Harry and others in their need. We also recognize that probably we could do more than we do, perhaps much, much more, and we can recognize this without necessarily affirming the kind of overriding demands on our actions which Peter Singer, or Peter Unger, insist on.⁷

⁷ See e.g. Singer (1993) and Unger (1996). These perspectives notoriously draw on consequentialist considerations to argue for quite surprisingly high demands on each every one of us to redistribute wealth. However, the growing popularity of effective altruism in recent years reflects a different way of thinking how we can all better use resources at hand to make a real difference; see, most notably, MacAskill (2015).

Even while we recognize that there are duties that we all have towards the poor, there is reason to deny that corresponding to these duties are rights that the poor have against any one individual or against each of us. So, the initial case for insisting that the destitute's rights have been violated is not established simply by pressing the intuitive thought that there are requirements or duties on us of aid to the needy. What more can be added?

So far, we have left out of account one essential element of this political argument: that the right in question is not against any one person or group of people, but rather against a distinctive political agent, Leviathan himself, the state. So, the next move is to ask whether there is a way of showing that given the existence of the state, there is thereby an additional right against that entity for welfare, beyond the duties that we all have of benevolence.

Rather than assessing all the arguments that one might employ at this point to generate an answer, we want to raise a more general concern about this strategy of argument. Given the absence of rights against people in general, this strategy will be successful only if we can show that there are specific states (or state institutions) against which the destitute have a right that has been violated. But what kind of grounds can be established which show that the destitute have rights against some one specific state as opposed to any other? There is a concern both about generating a sufficiently wide range of destitute individuals as the bearers of rights, and about finding suitable target states as the unique bearers of the corresponding duties.

The simplest way of illustrating this worry is to think in contractual terms, as the rhetoric of so many welfare insurance schemes encourages us to. If you have entered into some kind of

contract with the state, or the collection of people who make it up, where in return for certain activities (being a good citizen, or member of the workforce, or such like), you have an entitlement to your needs being met, then talk of a specific right makes sense. You may claim that the contract in question grounds the specific claims that you have against others. The contractual image of our relation to the state makes it easy to think in terms of having rights against it. At the same time, the image immediately raises precisely the problems raised above concerning scope of coverage and specificity of target.

What counts as entering the contract with a specific state in the first place? How should we characterize a remotely plausible account of the kind of action which could count, at least tacitly, as entering into the contract? Correspondingly, how can we get this picture to apply sufficiently generally to those we think are owed aid? For there are a broad range of people who we think should have their needs met, even if they do not seem to have acted in ways which amount to a contract with the state or other citizens—from new-born babies, to the travelling destitute who pass through a country's borders, to distant strangers whose geographical distance from us does not deprive them of a claim on our concern.

The more concrete we can make the suggestion that someone has entered a contract, the easier it is to make sense of a specific right directed at some particular state. But the cost of this is to exclude many of the destitute of having any such right—being too young, infirm, or fleet of residence to have enacted the contractual bond. So, the more that we press the breadth of needy

to be covered, the less clear the fiction of a contract becomes, and with it our grip on the idea of any specific right.

That is, one can make good the claim that the rights of some individuals have been ignored, only if one supposes that they bear a special relation to a given state, and not to any other social organization, nor to any other state. But, as is notorious in the discussion of political obligation and the social contract, the grounding of such a specific relation to just one state is rather murky. Many more people are affected by the activity of any given state than are candidates to be its citizens. The choices that particular societies make as to who qualifies for the various forms of welfare provided seem to be determined through variable historical factors, and not a general recognition of the rational conditions under which individuals belong within its net of care.

While the claims of need of others may be very salient to us, and the duties we all bear to act so as to meet needs are fairly obvious, the right that any individual has to have a need met is rather more obscure. We move from the entirely intuitive thought that there is a moral demand on all of us to meet the needs of the badly off, to the rather more slippery idea that there must be some entity against which the needy have a right. There seems to be no clear theoretical account of how the state institutions which have actually come about do so in a way to give rights against them to the needy. Nor do we have a clear overview of the legitimacy of the state such that were states instituted in such a way then they would bear the duty which would mirror that right.

It seems better, then, to recognize the more basic thought that we all as individuals bear an imperfect duty in this realm, without seeking to strengthen it by the additional problematic idea

that there is in addition a right. Of course, this is not to demonstrate that individuals don't have a special relation to the state which grounds a right. What has been thrown into doubt is rather the centrality of any such right in explaining our reaction to the destitute by reference to such a right. It is clear to us that people have a claim on our resources and that this feeds into questions of how social institutions should be organized. It is not clear that people have a right through being needy to demand that social institutions operate one way or another. Although claims of right seem to have a special force in political debate, in our theorizing they bring with them heavy burdens of justification. It would be better if we could explain the appeal of non-minimal systems of taxation without having to rely on such substantial assumptions.

Before we rest everything on the existence of such rights, we would do better to look for other, more evident, grounds for preferring a system of redistributive taxation. Can one find another ground for defending the use of taxation? We suggest that it is best at this point to shift our concern from the beneficiaries of welfare distribution to the interests of those from whom resources are claimed either through charitable giving or coercive taxation.

7.3 Begging & Charity

Our suggestion will be that those with resources to answer their moral duties to aid the destitute have an interest in the existence of a system of redistributive taxation over one where aid is provided solely through charitable action and donation to charities. To develop the case, we need

now to turn more focus on one issue which was briefly raised at the outset of section 7.2: the similarities and contrasts between begging and charitable organizations.

Typically, acts of begging require the beggar to make him or herself supplicant to another in demand of alms, or more abstractly, resources to meet his or her needs. Where a beggar is successful, the person begged at will act out of charity, and from a motive of benevolence provide something towards the beggar's manifest needs. It is common to view begging as an activity that is demeaning to both parties, and to think that there are good reasons for societies to organize themselves so as to minimize or eliminate begging as a public activity.

Here it is noteworthy to compare and contrast begging with usury and prostitution. In many societies for a long time the provision of money at interest to others was thought to be a shameful activity. It was either officially outlawed or tolerated only for some groups in society who were then treated as engaged in something shameful. For us now, in a society in which the provision of credit is recognized both as a necessity and as a vehicle of economic activity, it is difficult to see how there could be anything inherently wrong in the transactions of money lending, independent of the general attitude to usury. Typically, now we recognize a difference between a morally neutral notion of money lending, and those forms, the activities of the 'loan sharks', which involve exploitation or other forms of wrongdoing.⁸

⁸ For an ambitious survey of the history and varieties of structures of debt and lending, see Graeber (2011).

Where money lending is now a central activity of all commerce, prostitution is generally still thought to be a demeaning activity (again for both parties). Yet, while one may find the actual development of prostitution within our society something which requires action to alter, it is not obvious that what is wrong with prostitution can be located in the idea simply of exchanging sexual favours for benefit. That is, even if there is something inherently shameful in prostitution as it has developed in our societies and as it is liable to develop, still that element may not reside essentially in the interaction between prostitute and client. So, it is correspondingly unclear that one would require of the just society that there should be no market in exchange of sexual favours for profit, even if the only such permissible markets would not be what we thought of as traditional prostitution.⁹

In contrast to both of these examples, we want to suggest that there is something about the very act of begging that involves something demeaning for beggar and person begged at. There could not be a society with an institution of begging that did not systematically involve

⁹ Of course, some philosophers have sought to argue that there is something intrinsically wrong in at least female, heterosexual prostitution. But it is difficult to find more in these discussions of the wrong of prostitution than the expression of the social disapproval of the trade; and that may be essential to the social practice of prostitution per se, but not necessarily market labour in sexual favours. See Véronique Munoz-Dardé, 'The Priest, the Liberal and the Harlot: Liberalism and Sexual Desire' (in preparation) for a more elaborated discussion of the issues raised here.

demeaning beggars and those begged at; if not on each occasion (a beggar may feel triumphant in his skills at extracting money; a donor merely indifferent to the display), then still typically or generically.

In respect of the beggar, we have already noted one key element in what is problematic here. One aims to gain resources from someone else in begging by calling on their human feeling, their recognition of need, in such a way that the motivational force of feelings of sympathy and benevolence will lead the donor to sufficient a state of emotional distress that giving alms is the only way of relieving this distress, and returning them to equilibrium. In order so to entreat someone, one has to indicate one's lack of power and resource relative to them. In general, it is not enough for the beggar simply to indicate that he or she has a need. There are, after all, many needs with a claim to be met in the world; and few of us feel that we must devote all our time to meeting these needs. For the beggar to be effective, their needs must be suitably displayed so that the donor both has the keen feeling of lack on the part of the beggar and a sense of their own ability to act so as to make good the lack in a way that no one else is saliently placed to do.

In general, to succeed in this, the beggar must present him or herself as socially inferior to the one begged at, since the donor must have the sense in their interaction of possessing power in relation to resources to solve problems which the beggar is incapable of doing. Ironically, perhaps, begging is a worse phenomenon in egalitarian societies than in hierarchical ones. In societies with great social division and hierarchy, in which some are considered very much superior to others, the act of begging itself need not particularly demean the beggar. For in a

situation in which the beggar is manifestly socially inferior to the donor, and this is common knowledge, then there is little that the beggar would have to do, other than to display this manifest fact, in order to make their claim on the donor. Conversely, in societies with ideologies concerning the absence of social hierarchy, and with an emphasis on equality of peoples (or at least with an emphasis on how close the different social strata are), then a beggar may well have to make salient their inferiority; and thereby feel more keenly themselves the lowering of their social status through this act. It is so much easier for us to beg from princes than from our fellow subjects or citizens.

It should be remarked that over the ages, begging has been heavily regulated and often banned (even if with limited success). Although part of the purpose of outlawing begging may have been a concern with the plight of beggars, at least as important has been a concern with the costs of begging on society at large. Poor laws and other provision for the destitute have often been introduced precisely with the aim of controlling and removing begging from the social sphere. This highlights something that is as important for our purposes as the demeaning feature in begging for beggars: the costly and often demeaning element of begging for those begged at, the potential donors.

Why is it costly to be begged at? Note our starting assumption: in general, we all agree that we have duties to meet the needs of the poor and destitute (without, as we have remarked already, any corresponding right); but despite this general agreement, our motivational effectiveness in so giving is variable at best. A beggar cannot assume, therefore, that in general

simply informing a passer-by of their needs will lead to the necessary donation. As we claimed earlier: if someone is to be effective in begging, they must not only make salient the thought to the donor that they have the resources with which to help them, but also find some way of moving the donor to a motivational state in which they feel the urgent desire to help. In this case, effective begging requires that the donor be manipulated in their emotional responses: moved into a position of feeling distress or guilt such that the act of giving will lessen the distress felt.

This kind of manipulation can certainly lead a donor to feel somewhat demeaned in the transaction. Even if one ends up doing something which one feels it right to do, one is also keenly aware that one hasn't done this *just* because it was right: one has done it because on this occasion the beggar has stirred one's emotions such that one acted right now and for the benefit of this individual. One will be liable to view one's action as not entirely rationally motivated but as having been manipulated through the way in which one's feelings have been engaged.

Some philosophers talk of emotional manipulation as always involving morally inappropriate behaviour, but we do not intend such censure here. We leave open the possibility that there are situations in which emotional manipulation is not wrong. Often in the context of begging, however, such manipulation does leave the donor in a position of having been exploited. And in recognition that the kind of exchange involved in begging will cost the donor in this way (as much as it may also demean the beggar), we have a general reason to seek to expunge such activity from the just society, independent of any further consequences it has on society.

Suppose, then, that begging is essentially an unwanted social activity, imposing costs on both beggars and their targets. One way of viewing the activity of many charities (those focused on alleviating the needs of the poor and destitute) is as a substitute for such begging, and one which might remove unwanted elements inherent in begging itself. For example, when we replace individuals' acts of begging by the operation of charitable organizations, we can thereby lessen the element which is demeaning to the beggar in manifesting one's claims of need. Since the agent of a charity who acts to meet the indigent's needs does not have to be convinced beyond appraisal of the facts (already possessing the relevant motivation), and since they are not the person who has property rights in the resources being provided, there is no reason for this agent to present him or herself as socially superior, or the indigent to demonstrate themselves as inferior in the provision of resources. (One should not deny, however, that there remains a considerable cost to people in raising money for charities. Lord Levy makes clear that he was so successful as a fund-raiser in the UK because he did not mind asking for money on behalf of others and was unusual in this characteristic.¹⁰)

¹⁰ 'I was extraordinarily good at raising badly needed funds . . . most other people in most charitable or voluntary organisations positively detest raising funds. Some are dismissive and cynical about it, preferring to take credit for charitable *work*, as if any charity could run without the money to fund its good deeds. Others are simply uncomfortable with asking for money, particularly approaching their friends or colleagues, or perhaps scared of rejection if they do. Yet I soon found that I was good at it,

Is there a parallel benefit in relation to the targets of begging through the activity of charities? In general, charitable organizations have resources to provide to the poor only because they raise resources from individual donors. It is for this reason that we can think of charities as a kind of deferred, or intermediate, begging, supplicating the wealthy on behalf of the indigent. The deferral allows for the possibility of removing the need for the destitute to demean themselves to gain rewards, and this indicates a definite advantage of organizing welfare through charities rather than encouraging a market in begging. But does that remove all of the disadvantages manifest in begging? Do charities nonetheless still demean *donors* in order to gain funds?

Charities face a market situation that parallels that of beggars: there are more needs to be met than there are likely to be acts of spontaneous charity by donors. In general, it will not be sufficient to guarantee an income for a charity that it should simply disseminate the information

that I liked doing it, and was—and very much still am—proud of doing it well. At the height of the “cash for peerages” controversy, even media profiles often implied there was something not quite wholesome about it—portraying me as some kind of confidence trickster who would manipulate hapless donors into parting with their cash. [T]hese slightly sneering portrayals missed the absolutely central point about fundraising, why I excelled at it, and why it mattered to me. It is this: having made money for myself . . . my fundraising was for *other* people, other causes, in which I believed and which simply couldn’t have operated without the contributions I helped to bring in’ (Levy 2008: 79–80).

that it has concerning potential clients who are needy. It rather needs to stir the emotions of potential donors to move them to feel the urgency of these needs here and now that will lead to a donation. The shift to vicarious begging can help insulate the needy from the costs of raising funds, but it does little to reduce the costs on their donors.

Now the institutionalization of begging in charitable activity certainly alters the impact of the demand on donors. The charity does not have to take the form of a particular individual pressing on a donor. Even if some money raising by charities looks very close to aggressive begging (think of the so-called 'charity muggers' that fill the streets of large cities from time to time), it is certainly not essential that money be raised in that manner. So, it is not of the essence of fundraising that it involves manipulation of one individual by another. Nonetheless, in having charities press urgent needs on us we are still faced with certain costs to ourselves. There is the cost simply of acquiring the information of the existence of needs, but in addition there is cost involved in having one's feelings moved by the plight of others, moved in ways which are intended to increase the return in income for a charity given the campaigns they run. Even if one doesn't in this case end up feeling that there is some particular individual manipulating one, and hence there need be no occasion of resentment, still one can feel that it would be better for one not to have to have been pressed in this way.

Consider some of the costs that are normally imposed on you by the approach of a charity. Some charities, it is true, contact people only where they have antecedent reason to believe that the person has an interest in donating to them. The advertising used by such charities is therefore

aimed principally at providing the potential donor with the information required for them to do what they already wish to do. Yet much of the advertising and other forms of approach by charities are less discriminating than that. They are intended not only to provide people with information, but also to engender appropriate emotional reactions. As with begging, there is the recognized end of engaging sufficient motivation on the potential donor's part that they act on the advertising. Like all advertising, charities' bids for our attention take up our time; also, in being effective, they may well distress us in various ways.

Charities can adopt different strategies in attempting to raise money. Compare again the case of beggary: often beggars treat potential donors as one-off targets. In such cases, that there should be lingering resentment at the intrusion and manipulation is of less concern than maximizing the chance of a donation. In other cases, the beggar recognizes the possibility of further funds and so modulates the manner of demand. Charities face the same strategic concerns: for some charitable organizations, the possibility of repeated interaction with a donor requires that the donor think of the charity as being sensible and honest in the demands they make; for others, the urgency of a specific case, and the need to broaden their appeal to the widest possible range of donors requires as intrusive and as emotionally a manipulative campaign as they can manage.

In sum, the replacement of casual begging by institutionalized charities leads to a beneficial reform of society. Many of the ills associated with begging, for example, the imposition on the needy to plead their case in a demeaning manner, are, or at least, can be removed in a well-run

civil society with a suitable plurality of charities providing for the needs of the poor. But this is not to say that charities abolish all the costs associated with begging. And what our discussion so far has highlighted is how many of the costs on donors of begging remain once we have supplanted begging with institutionalized charity. Thinking clearly about these costs, the costs on donors, bears directly on the question of how reasonable we should find it to be faced with the prospect of providing for the needs of others solely through the activity of charities. Or so we shall now press.

7.4 The Costs of Charity

In the societies in which we live, charitable foundations make only a small contribution to the meeting of needs which we all, or pretty much all, agree should be provided for. In some societies, this may just reflect that the provision for the poor is woefully low from both state institutions and private resources. In others, the provision may still be an embarrassment but involves all the same a significant distribution of resources, one that is much higher than charitable organizations have ever had either to raise or distribute. What would occur, then, if we were to turn the raising of resources and their distribution over to such organizations?

On the one hand, all of us would have much higher levels of personal income to distribute. One should not ignore, perhaps, the pleasures that can come with such greater resources. At the same time, the requirements that charities would have would require them to attract a very high

level of donation to meet even the level of provision that we now have for the indigent. The level in question would mean that such charities would have to target the population as a whole with demands, and make their demands at an insistent level. It is not clear whether charities would succeed in raising the required level of funds in such a situation. If that turned out necessarily to be the case, then the argument for taxation would be settled directly. There simply would be no possibility of our moral duties of benevolence being met in a world which contained a minimal state; since the meeting of needs through charity would not be feasible. But let us suppose that they can in fact be met in that way. The question we need to face is how desirable such a circumstance would be, and how that question can bear on the reasonableness of taxation.

In such a situation, we suggest, you would be faced by continuous and repeated demands from many charities to provide increasing levels of donation to the causes they pursue. Even if you, as a well-meaning individual who keeps their life in good order, manage to provide a large amount in donations to various charities, still it is likely that you will be bothered in some way or another by further charitable organizations looking to raise their income to meet the demands on them. In such a world, the irritations of the double-glazing salesman, or the mortgage salesman, or the new phone deal, would pale in comparison with the campaigns run by the major charities seeking to meet the needs of the poor.

Given this, we suggest that it is reasonable for one to reject a world in which benefit for the poor was collected in this kind of way. Even if a given individual does not find it particularly irksome to be constantly bombarded with demands for donation (perhaps they like the

attention), still it would be unreasonable of them to impose what for others would be a great cost, just so that they could have the choice of donating to the needy or not, rather than being compelled to pay through taxation.

And this gives our basic explanation of why we should accept the taxation of the many to meet the needs of the poor. On the assumption that we are all committed to there being a scheme which sufficiently distributes resources to the least well-off, our choices will involve a range of options in which distribution happens partly or solely through private charities, and in which funds are raised for state distribution in terms of compulsory taxation. The challenge with which we started was why, given the possibility of meeting these needs through private organizations, we should ever deem it reasonable to suppose funds should be provided through centrally raised taxation. A salient answer to this, we suggest, is that reflection on the kind of world in which charities provide all of the resources for the destitute, imposes emotional and time costs on the rest of us which could be easily avoided through a scheme of redistributive taxation. Even if some prefer always to have the choice whether to give or not, the burden that this imposes on the rest of us makes it unreasonable to insist on having only a minimal state.

7.5 Self-Indulgence & Reasonable Rejection

The account we offer parallels Nagel in focusing on the costs imposed on the many by making contribution to the needy a matter of voluntary contribution rather than coerced taxation. But

there are key differences between the two strategies of argument. We think that this strengthens the kind of case that can be made for taxation on the basis of the interests of taxpayers. These are best highlighted through considering the objections to Nagel.

There are typically two ripostes to Nagel's argument. The first, perhaps more empirically directed, focuses on the claims about motivational cost involved in Nagel's original complaint. As G. A. Cohen puts it:

Nagel appears to ignore the individual's ability to avoid such recurrent difficult voluntary decisions: I can bind my own will, once and for all, or once in a long while, by signing an appropriate banker's order. I do not need the state to make me give, since, through various contractual devices, I can make myself give. . . . In considering the present question, we must distinguish between the cost of doing something and how *difficult* it is to do that thing. (Cohen 2000: 171)

That is to say, if my complaint against the lack of a system of coercive taxation is based on the burdens imposed on me, we had better be sure that the burdens in question really are as weighty as Nagel initially suggests. And Cohen's complaint is in fact that the burden cannot be so great: there are ways of reducing the motivational burden which might otherwise keep you from doing what you would otherwise concede would be the best thing to do.

The second, and more theoretical, point is slightly more delicate. Nagel wishes to question whether there could be any duty to make contributions in the absence of a taxation system, given that we do find the motivational costs so high. But, of course, this is intended to be consistent

with our recognition of the general moral imperative that the needs of the destitute should be met; after all, it is the recognition of this demand on us which will warrant the system of compulsory taxation as an alternative to the demands of voluntary contribution. This suggests, despite Nagel's careful avoidance of explicitly articulating any such claim, that he supposes it unreasonable that we should be forced to meet those demands (which we recognize, at least given a taxation system) through voluntary contribution when a taxation system is available, since the costs on one of contribution are so great. And putting Nagel's point in this way is liable to raise a certain unease (which is presumably why he carefully avoids stating the point in this way). For it seems to rely on a question of cost to oneself as a justification for imposing the costs of a system of coercion on others. And this gives the air, which Cohen exploits, of a certain self-regard or indulgence in the line of thought, a kind of preciousness.

In fact, taking that appearance at face value is not at all fair to the basis of Nagel's position. While it is true that the point can be made in the first person, it is equally forceful when one takes up the point of view of others. Nagel's point is one about the impositions on us, each in turn.

But that this is not a question of indulging oneself is all the more salient when we focus not on one's own motivational resources but the cost that typically will fall on relevant parties. Suppose you yourself are happy to give as much and more as is required of you, the costs avoided by taxation would still be a burden on you. In general, it is true of humanity that many people will not have suitable motivation to provide sufficient resource for charities without intrusive advertising which cannot effectively be selectively targeted. So, we must all be polluted with the

attention-grabbing and emotion-manipulating activities of charities in a society without significant centralized redistribution of resources.

In turn, because this clearly is a cost borne by all of us, regardless of how we contribute to the needs of the poor, it is no excuse for someone to say that, in their own twisted way, they enjoy the attentions of charity volunteers as they seek to extract funds. Even if one has a strong preference in one's own case to have one's time taken up in this way, and to have one's emotions so roused, still it would be unreasonable to expect of one's fellow victims that they should have to put up with this simply because of the pleasure you obtain, or because of the value that you so place, in the opportunity of choosing whether to give the money or not.

And this, we suggest, makes the argument immune to a complaint like Cohen's. Nagel's own strategy is to emphasize the impossibility of giving enough without a system of taxation. Perhaps Cohen's riposte is sufficient to show that it is not, strictly speaking, impossible to set up a system without taxation in which people do give enough. Our focus has not been on the impossibility of pure charity, but how unreasonable is the cost it imposes on us. Given human nature, charities would have to be motivationally effective with those that possess suitable resources for redistribution: one way or another, burdens of attention and motivation would be placed on those people. Given the practical inevitability of these costs, the question why they should be imposed is an urgent one. And it is in the light of this that we question the weight that otherwise might be given to a libertarian preference for a minimal state and the right to choose.

The strategy here has been to highlight a cost inherent in a system of redistribution provided solely through charitable activity: a burden on those who must exercise their choice in donating charitably. Since such a cost will unavoidably exist, the question arises whether it is unreasonable to insist that this cost be avoided through a system of coercion, the central raising of taxes. And the fundamental claim here is that however much one values the opportunity of choosing whether or not to give to some charitable cause, the insistence that these choices be maximized (i.e. that no necessary meeting of needs be derived from general taxation) is unreasonable in the face of this cost.

7.6 Conclusion

The final comment we wish to make relates to this appeal to the reasonableness of requiring all to submit to a requirement and forgoing the possibility of exercising choice. It is clear in certain cases of dire need that people should sacrifice their choices where survival depends upon it. For example, imagine a wagon train which has developed haphazardly as it heads out West. At a certain stage, the train passes through dangerous country. If any one of the settlers decides to set out on his or her own and make a bid for freedom and safety back East, then the train will be discovered by hostile forces and the whole company slaughtered. In such a case people find there to be no difficulty in the supposition that no one can insist on their right to choose whether to

stay put with the wagon train rather than light out on their own. And here, one might suggest, cooperation and the forsaking of individual choice is a rational requirement of safety.

Yet, in the arguments we have been considering, we have not focused on whether it is *rational* for an agent to insist on choice and to reject taxation, but rather whether it is *unreasonable* of them to favour choice over such a system.¹¹ That indicates a different and indeed, broader attitude towards the justification or explanation of social principles.

Were it irrational not to agree to have a system of redistributive taxation, then any agent, whatever their general interests or principles, however selfish they were, would have a prudential requirement to prefer a society with powers of raising taxes and redistributing wealth. We doubt that one could demonstrate that there is such a prudential requirement. And we have certainly not sought to offer such a case here.

At the same time, we also want to question whether we should in political theory be interested in securing such claims in the first place. Is our task one of offering prudential justifications to all rational agents regardless of their moral outlook? Few now suppose that one can get a useful account of the foundations of ethical thought in purely prudential terms, such that one could demonstrate to the wicked but rational that they were acting not only badly but irrationally. Why, then, should we suppose that the purpose of justifying our political institutions is to convince the wicked or amoral of their prudential virtues?

¹¹ For this distinction, see Rawls (1993) and Scanlon (1998).

Rather than supposing the task to be one of showing why all rational agents have a requirement to affirm the policies of a state, we might rather be interested in understanding why *we* should take the policies in play to be legitimate. That is, one might focus our concerns on ourselves and people like us who recognize the moral demands on all of us. The duties we bear towards others and our own interests often require us to coordinate our actions with those of others. State institutions are of concern to us not least in the ways in which they may either help or hinder this kind of coordination. Against this background, the point of asking about the legitimacy of the state is to connect its actions to the general ends we all share. The question is, given these general ends, what policies may the state legitimately pursue?

We are interested in the question of what kinds of institutions would be just for people like us. And our assumption in this is that such people are, broadly speaking, morally concerned, and recognize and acknowledge the moral claims on them. Such people are not entirely selfish and lacking in any moral scruple. In asking about the justification of political society, we are not principally concerned with the question how we can socialize egoists into moral behaviour. Rather, we are to see the just society as an instrument for meeting our agreed shared ends. For such people as most of us are, it is easy to recognize that there are some moral imperatives and some ends which we can identify in common, and hence to see the context of social policy as one in which we can, at least tacitly, cooperate in the pursuit of these shared goals. It is relative to such sharing and cooperation that we judge people to be reasonable or unreasonable.

Against this background we have sought to establish a series of considerations. First, as compelling as the duty to provide for the destitute and needy is, that requirement is obscured if it is first framed in terms of rights possessed by the destitute and needy, not least if that right is supposed to hold not against any group of moral agents, but the state. We do better in our political theorizing if we can start from weaker assumptions. Second, while there is something right in the thought that there can be something demeaning in being supplicant and getting a handout, the key parallel between begging and charity lies not in the costs imposed on the needy, but the costs imposed on donors. Even where charities act as an institutionalized, vicarious form of beggary, they work at best to insulate the needy person from representing him or herself as supplicant, but they do not (after all, how could they?) move away from the need to manipulate the emotions of donors to engage their motivations sufficiently to bring resources to bear. We suggest that it is here that one of the great advantages of a tax system resides: we all avoid the costs associated with having to make the choice, and act on it, of substantial charitable giving.

Note that this is not to argue that private charities should be abolished or even that their role should be severely limited. The conclusion we arrive at is, rather, that the privileging of the libertarian's choice imposes a severe burden on the rest of us, and it is that which renders unreasonable the insistence on a minimal state. We have argued only against the proposition that the burden of meeting the needs of the poor should fall on the shoulders of charitable giving *alone*. We have resisted the fetishizing of choice that is commonly offered in favour of this position. Of course, the libertarian may feel that this does not really engage their concerns. We

have assumed throughout that they can recognize the demand shared by all of us to meet the needs of the destitute. But if, instead, they simply insist that they have no interest in this question, that they have interests which engage them, that the state and other social structures should not hinder the pursuit of these interests, and that the poor can do the best that they can for themselves, then it is not clear why we should be bothering to argue with them in the first place.¹²

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¹² This paper was first conceived in the streets of Naples where among its Baroque splendours the opportunities for begging, prostitution, and usury were all too salient. The paper was presented at a workshop on taxation organized by the think tank Policy Exchange in November 2006; a conference on Philosophy and Taxation, organized by the ESRC Preference Elicitation Group in November 2007; and graduate seminars at the University of Berkeley and the University of London. The authors are grateful to the audiences of those occasions for comments and questions. We thank the editors and reader for Oxford University Press for their helpful directions too.

Regarding the title of this paper, the *Oxford English Dictionary* defines 'beggar-my-neighbour' as 'a simple game at cards often played by children'; Wikipedia notes: 'The game was probably invented in Britain and has been known there since at least the 1840s. It appears in Charles Dickens's 1861 novel *Great Expectations*, as the only card game Pip, the book's protagonist, as a child seems to know how to play.'

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