

**‘The rich should be obliged to give to the poor because they don't deserve what they have.’**

First of all, the ordinary person, if guided by morality, should always strive to help those less fortunate than them. However, looking at the question as a whole, it raises the interesting point as to whether the obligation should not merely be moral, but also legal. I will attempt to prove the following; first, the rich should not have a legal obligation to give to the poor beyond taxation. Secondly, the government should emphasise the moral duty of charitable giving and the legal distinction between wealth gained through inheritance and wealth gained through holding employment.

I will preface this essay with a number of key assumptions. For one, the giving shall take the form of monetary reimbursements. Next, the direct consequence of both such monetary reimbursements and the welfare system is the self-improvement of human beings, allowing them to exercise their fundamental human rights to a greater extent.

The most prevalent argument in support of this statement would be that all people have an incontestable moral duty to give to the poor. Contemporary Western law (*viz.* the civil and common law systems developed primarily in Europe) derives influence from Christian values, a crucial one of which was the virtue of charity. The unspoken moral emphasis on philanthropy is one found in many societies around the world, including in jurisdictions with little religious predilection. Furthermore, the weight placed on poor relief by the Bible ultimately arises from a broader vision of promoting a ‘particular relationship with [other human beings]’<sup>1</sup> – that is to say, greater harmony and cohesion within a society. One might conclude, then, that it is therefore morally appropriate, or even just, to enforce a legal obligation on the rich to give to the poor, as a means of cultivating the stability and longevity of any community.

Further to that, giving to the poor does an indelible benefit to society overall, even when taken in a non-moral context. Existing UK legislation dictates that society’s richest, currently defined by proxy as those earning more than £150 000 per year,<sup>2</sup> should pay more tax than those who earn less simply because they have the ability to do so. Higher taxation on the rich, one could argue, leads economically to the betterment of society as a general. If the rich were obliged to give more to the poor, that money would then trickle down unfailingly into the hands of the very poorest through the ‘public purse’. Then, the poor might lift themselves up out of poverty, thereby nullifying the necessity of giving more to the poor in the first place. Consequently, all people will have the power to prosper together.

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<sup>1</sup> Christian Aid, ‘What we believe’ <[www.christianaid.org.uk/about-us/what-we-believe](http://www.christianaid.org.uk/about-us/what-we-believe)> accessed 2 June 2019

<sup>2</sup> HM Revenue and Customs, ‘Income Tax rates and Personal Allowances’ (HM Revenue and Customs, April 2019) <[www.gov.uk/income-tax-rates](http://www.gov.uk/income-tax-rates)> accessed 2 June 2019

Moreover, we should not underestimate the key values of many Western societies. Meritocracy is an ideal frequently emphasised by legislative and judiciary bodies, immortalised by legislation such as the 1215 Magna Carta which confirmed equal deference before the law ‘[for] the government as well as the governed’<sup>3</sup> and constitutional documents like the Declaration of Independence (‘All men are born equal’).<sup>4</sup> Theoretically, all people are born with the same tools at their disposal and be just as able as any of their peers to exercise their rights. But when people are born with silver spoons in their mouth while others are too starved to even open them, while the law has no provision for those who are too starved, then the ideal starts to break down. If we are truly to respect the principles of egalitarianism set out by our ancestors, then it seems a legal requirement for those born with more to give to their less-fortunate counterparts, to ensure that people can start on as equal a footing as possible.

On the other hand, there are also numerous counter-arguments to this position. We must consider that while the moral obligation of the rich to give to the poor is undeniable, the law cannot always accommodate for the moral code. Although laws are for the greater part influenced by moral codes, there are a number of places where morality and legality are not synonymous. Certain morally questionable decisions are not necessarily punitive, such as adultery. On the contrary, those matters which are illegal may not be immoral, such as smoking marijuana. Where morality and legality do not equate, a pragmatic choice must be made.

In addition, existing British legislation arguably already recognises that certain rich people may not deserve what they have. As of June 2019, estates in the UK above £325 000 (£475 000 if left to children or grandchildren) are taxed 40% of the surplus amount.<sup>5</sup> The existence of inheritance tax is proof that the British judiciary appreciates and upholds the principle of ‘you deserve it if you earn it’ – that is, there is something inherently unjust that one should be entitled to money without having actively generated it, and so any sum of inheritance that is reasonably ‘undeserved’ must be taxed as a form of rectification. But these forms of tax can be easily and remorselessly avoided by the wealthiest of society; the thousands of young heirs living in Knightsbridge penthouses who did not earn their keep by working overtime in a greengrocer’s. This poses two fundamental questions to our society. Are these forms of taxes enough? And should more be done to demand genuine inheritors to comply?

Lastly, one could even argue that obliging the rich to give to the poor is rather counterproductive to the purpose of eliminating poverty. This is a judgment propounded by

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<sup>3</sup> Owen Bowcott, ‘Q&A: the legal significance of Magna Carta’ (*The Guardian*, 15 June 2015) <[www.theguardian.com/uk-news/2015/jun/15/magna-carta-legal-significance](http://www.theguardian.com/uk-news/2015/jun/15/magna-carta-legal-significance)> accessed 2 June 2019

<sup>4</sup> The U.S. National Archives and Records Administration, ‘Declaration of Independence: A Transcription’ (National Archives, 14 December 2018) <[www.archives.gov/founding-docs/declaration-transcript](http://www.archives.gov/founding-docs/declaration-transcript)> accessed 2 June 2019

<sup>5</sup> HM Revenue and Customs, ‘Inheritance Tax’ (HM Revenue and Customs, April 2019) <[www.gov.uk/inheritance-tax](http://www.gov.uk/inheritance-tax)> accessed 2 June 2019

libertarians.<sup>6</sup> If the obligation were to arrive in the form of higher taxation for the wealthy, then a situation where the rich simply refused to give additional charitable aid might easily be envisaged. Even if, for example, taxation rates for those with an arbitrarily defined high enough income remained unchanged while an additional legal obligation to pay for poor relief was introduced, we are still faced with a weighted question. Is it fair to ‘penalise’ those who earn money?

[988 words *sans* footnotes]

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<sup>6</sup> Jacob Hornberger, ‘Voluntary vs. Mandatory Charity’ (*The Future of Freedom Foundation*, 2 January 2015) <[www.fff.org/2015/01/02/voluntary-vs-mandatory-charity](http://www.fff.org/2015/01/02/voluntary-vs-mandatory-charity)> accessed 2 June 2019