Reciprocity and the ethics of giving during pandemics

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1 | INTRODUCTION

The COVID-19 pandemic has had devastating effects worldwide. In response, many individuals have made significant sacrifices. These sacrifices include those made by essential workers who risk infection to ensure that others can have access to adequate food, medical care, electricity, and other goods distancing. Individuals are also asked to sacrifice through social distancing, which brings about a collective benefit in the form of a reduced overall transmission rate of coronavirus (Cato, et al., 2020). Yet it is also quite burdensome. Many workers have foregone earning incomes, businesses have ceased operating, and children have missed educational opportunities, to name just a few prominent costs. In response to these sacrifices, a natural question concerns what individuals can do to help. We argue that those who have not been significantly burdened by the collective response to the pandemic have an obligation to give to help support those who have—especially those who have been burdened due to background injustices. We focus particularly on the American context, although similar points likely apply to other countries as well.

In Section 2, we consider two different rationales for donating to people who have borne especially significant hardships during the pandemic. While one approach would be to focus on duties of aid as a rationale for giving, we argue that a reciprocity-based approach is more sensitive to the ways in which people undertake burdens in order to produce a collective good. In Section 3, we defend the claim that compensation is owed to those who have been unfairly burdened in order to produce a collective benefit. In the fourth section, we address the issue of who counts as having been unfairly burdened by the pandemic. We argue that those who are especially burdened due to pre-pandemic injustices have an especially strong claim to compensation. In Section 5, we argue that giving money to those who have borne unfair burdens in response to the COVID-19 pandemic can be understood as a way of addressing a predictable epistemic limitation on the part of the state. In the final section, we address three objections to our position.

Pierce Randall and Justin Bernstein have contributed equally to this paper.
2  |  TWO APPROACHES TO GIVING DURING A DISASTER

The ethics of giving during a pandemic like COVID-19 might initially appear similar to the ethics of giving in response to natural disasters or diseases more generally. For example, one might think that, just as one ought to donate money to relief efforts after a hurricane, one should also donate money to those who have been especially harmed by the pandemic. Duties of aid might appear to be especially significant in the face of the current pandemic. And there is a sense in which this is correct: duties of aid do count in favor of giving money to those who are in need as a direct result of the pandemic.

Yet to merely view COVID-19 as a disaster that triggers duties of aid would be incomplete. A morally salient difference between pandemics and hurricanes is that many of the costs of the pandemics arise, at least partly, because of the collective social response to the pandemic. One major source of hardships that people experience arises due to collective efforts to flatten the curve or otherwise mitigate spread of the disease. For example, in the United States, many restaurants, bars, and businesses have been shuttered. While many white collar employees are able to telework, others have been unable to work, thus forgoing an income. Similarly, most schools in the United States have been closed. Consequently, many students have missed educational opportunities as well as opportunities to socialize with their peers. Under-served families have been deprived of additional vital services like free or reduced-price lunches and free childcare, or they lack the means to effectively participate in distance learning (Faden 2020; New York Times 2020). Finally, others deemed “essential workers” continue to work, but at much higher risk and no increase in compensation.

The costs imposed by this collective response to the pandemic complicate the ethics of giving. In addition to the pandemic itself generating additional needs, some are in need because they have taken on certain burdens as part of this collective response to the outbreak. Some commentators have even compared our current situation to that of wartime mobilization (see, e.g., Nevins 2020). People are making sacrifices in order to help produce benefits for the community as a whole. The benefits of social distancing are collective because they are non-excludable: if anyone in a community enjoys reduced transmission rates in a then so does everyone else in that community (cf. Ostrom and Ostrom 2015, 7). If every participant in this collective effort to mitigate the pandemic were subject to a fair distribution of burdens and benefits, then perhaps duties of aid would still be the most relevant ones when thinking about the ethics of giving money. Yet these burdens and benefits are distributed unfairly.

The fact that some are making greater sacrifices than others for the sake of the good of the entire community suggests a shift in our ethical point of view. Rather than viewing the ethics of giving in response to COVID-19 solely as acting on duty of aid in response to a disaster, we should view it from the lens of fairness. To the extent that we benefit from the sacrifices of others without similarly being asked to sacrifice ourselves, we ought to do what we can to lessen their burdens. Giving is not merely a matter of beneficence, but rather one of reciprocity.

3  |  RECIPROCITY AND FAIR COMPENSATION DURING COVID-19

The basic notion of reciprocity that we wish to advance involves not “gain[ing] from the cooperative labors of others without doing our fair share” (Rawls 1999b, 17; cf. Klosko 2004). To illustrate
this notion, imagine a small town currently faces the risk of an unexpected drought. In order to ensure that the community has access to sufficient potable water, each resident is required to refrain from watering their lawns or their plants. The community largely complies with this rule and, as a result, the community’s common supply of potable water is not depleted. In this context, we will assume that it would be morally objectionable for you to free ride by watering your lawn. Your violation of the water usage restriction would be objectionable because you would be taking advantage of the cooperative sacrifices voluntarily undertaken by others by enjoying the benefits of access to potable water without doing your fair share in conserving it. In the context of the pandemic, there is a clear analog. Social distancing during a pandemic is like observing watering restrictions during a drought. We frequently hear public health experts and media influencers enjoining us to “do our part” by social distancing, thereby contributing to the effort to ensure that we all enjoy the benefits of reduced transmission rates and a flattened curve.\(^1\) According to this rationale, those who are able but refuse to socially distance might very well end up enjoying those benefits, but they will not have done their fair share. They are guilty of free-riding.\(^2\)

In the drought example, imagine that some members of the community are botanists who need to water plants in order to make a living whereas others enjoy having a beautiful lawn. All else being equal, it seems unfairly burdensome for the botanists if they were required to forego watering plants. And if we accept that these burdens are unfair, there are a few intuitive types of remedies. The first would be to relax water restrictions, thereby allowing everyone to water the plants. This response would not unfairly burden botanists, but it would deplete the water supply. A second response would involve carving out an exception to the rule to ensure it was not unduly burdensome. The botanists might receive exemptions that permit them to water more than the rest of the community. While watering privileges would then be distributed unequally, they would not obviously be distributed unfairly. Indeed, an equal distribution of watering privileges would be especially burdensome for botanists, and would perhaps be unfair as a result. A third kind of response would involve compensating the botanists. The other members of the community could start a fund to pay for the loss of revenue the botanist would experience from compliance with watering restrictions.

Analogously, in our current context, we have been enjoined to socially distance to promote various goods for the community. For some people, especially those who have to forego educational or economic opportunities, these costs are unequal. Furthermore, some members of the community might be understood as bearing unfair burdens for the sake of producing a benefit for the community as a whole. A similar point applies to the distribution of benefits from promoting the community’s good. If some people benefit much more than others when it comes to the production of a public good, then this will also influence our sense of what constitutes their fair share of the burdens. Reducing transmission rates will benefit those especially at risk from the virus or those who are more likely to need emergency services when there is a shortage of hospital beds. COVID-19 has a much higher case fatality rate for those from older age groups than younger age groups. Children are far less likely to die from COVID-19 than those fifty and older (CDC 2020). If we were to consider those benefits alone, then older generations stand to benefit more than young children from social distancing measures. Overall, children take on significant burdens in the form of school closures, yet enjoy the direct benefits of social distancing far less than other members of our society.

A similar point applies to those who take on exceptional risks for the sake of the common good by continuing to work. In these cases, workers remain employed and paid for the services that they provide. Perhaps they are not compensated enough, however, given the extraordinary circumstances they find themselves in. So perhaps they are entitled to hazard pay. People facing
additional risks normally rely on markets to set their wages. The rationale for giving to them is to make up for difficulties in re-negotiating their wages or other perquisites (such as job security) during a emergency and a time of high unemployment. And this rationale resonates with many people; there is a call to give these workers their “fair share” (Allen 2020) or to “take care” of those who have “taken care of us” (Stewart 2020). We are also regularly enjoined to give larger tips to service workers or assist medical workers who get sick or experience financial trouble relocating to areas where they are most needed.

The upshot of this discussion is that our collective response to the pandemic has involved some bearing unfair costs for the sake of the good of the community as a whole. Given that social distancing measures distribute benefits and burdens unfairly, what should we do? As illustrated by the water restrictions example, three intuitive responses emerge when a rule provides a benefit to a community but is unfair. First, some might argue that, given the unfairness involved, we should abandon policies intended to mitigate the pandemic, by, e.g., unshuttering businesses or opening schools. Whether reopening is, in fact, an appropriate response will depend on a host of factors beyond the scope of this paper. In some circumstances, however, reopening will not be justifiable given the terrible epidemiological consequences. Fairness is not the only value that matters when assessing a response to a pandemic and must be weighed against the bad outcomes of a worsened COVID-19 transmission rate (Bernstein, et al., 2020). Even many of the countries that have seen success at social distancing are now experiencing second waves of the virus (Parra 2020). Accordingly, for the rest of this paper we will assume that either reopening is not morally justifiable; or, if it is morally justifiable, the question of how to make the distribution of benefits and burdens of social distancing fairer remains relevant since reopening has not, in fact, occurred.

The second way to make the burdens and benefits of social distancing fairer would involve issuing exemptions. Here it is worth drawing a parallel to a different proposal, namely, “immunity passports” (Kofler and Baylis 2020). According to this proposal, individuals who can demonstrate immunity will receive permission to bypass ordinary restrictions on social distancing. Similarly, those for whom social distancing is unfairly burdensome could be issued “unfairly burdened passports” (UBPs), which would permit them to return to work or school, while those for whom it is not burdensome would be required to remain at home. There are several problems, however, with this proposal.

First, governments would face challenges in determining who qualifies as unfairly burdened. The US government has failed to adequately compensate those who have been unfairly burdened by the pandemic, and, as we argue in section 5, there may be epistemic challenges states face in principle in ensuring distributive fairness during pandemics. A similar concern has been noted for issuing immunity passports: states lack the surveillance capacity to determine who, in fact has immunity, and who lacks it (Kofler and Baylis 2020). The difficulties for UBPs would be even worse, since issuing UBPs will run up against limits of the state’s epistemic capabilities to monitor non-compliance as well as normative disagreements over who counts as unfairly burdened.

A second, related, problem is that UBPs would generate a perverse incentive on the part of those who are not unfairly burdened to demonstrate that they are unfairly burdened. If only a few people act on this kind of perverse incentive, the results may be relatively harmless—albeit unfair—since those who are not unfairly burdened would receive special dispensation as though they were. If enough people act on this incentive, however, then too many UBPs would be issued, undermining the epidemiological benefits of social distancing in the first place.

Third, UBPs would not even alleviate the relevant burdens facing people who are actually unfairly burdened by reduced incomes from social distancing. For example, allowing those who
are disadvantaged to go back to work will not ensure that they are, in fact, able to work, because social distancing creates a supply problem and a demand problem. It does no good to allow low income service workers to go back to work if restaurants are closed and hotels are at limited capacity. To be truly effective, special dispensation would also have to be given to potential consumers of services provided by those who are issued UBPs in order to work, and this would be tantamount to ending social distancing.

A third proposal to reduce the unfair burdens of social distancing would be to compensate those who have had to bear them in order to promote the common good. Because social distancing measures have been unfairly burdensome for certain individuals, we might think they are owed compensation from those of us who have not borne comparable burdens—such as those of us who have continued to telework or enjoy educational opportunities but nonetheless benefited from the major sacrifices of others. Moreover, this proposal would not compromise the epidemiological gains of our collective response or encounter the problems we have identified with UBPs.

So far, we have argued that, when thinking about giving away money in the current pandemic, it would be incomplete if one were to merely consider the needs that arise due to the pandemic itself. One should also consider the benefits and burdens that arise from our collective response to the pandemic. Many Americans have engaged in a collective effort to try to reduce the rate of transmission for our entire community. They have radically altered their way of life to protect all of us. Yet the costs and benefits from this radical change have not been distributed fairly. Therefore, compensation is owed to those who have borne unfair burdens or have benefited far less than others in the community.

4 | Unfair Burdens and Compounding Injustice

Who bears unfair burdens during the pandemic? In this section, we note two morally salient dimensions of this question: whether the burdens in question are absolute or relative, and whether they have been caused by injustices.

To begin with absolute and relative burdens, one might claim those who have lost the most are most entitled to compensation. In particular, it may seem that those who have lost the most in absolute monetary terms are those who are most entitled to compensation. But this is implausible for two reasons. First, determining who lost the most is complicated. For example, it may be unclear how we should weigh the loss of educational opportunities and social services for children against economic costs or lost employment. Second, those who have experienced the greatest loss in monetary terms do not necessarily correspond to those who have borne the greatest burdens. A poll tax of $1,000 from each citizen or resident will be more burdensome for the least well-off members of society than the wealthiest, even though the wealthiest members of society are taxed the same amount. Similarly, even though a company like Shake Shack might suffer larger financial losses in absolute terms than smaller restaurants during this time, shareholders of Shake Shack have not been burdened more than owners of smaller, independent restaurants. This in part explains the condemnation the company received for accepting loans intended to support small businesses through the Paycheck Protection Program before agreeing to give them back (Yaffe-Bellany 2020).

The second dimension of fairness concerns the source of the benefits and burdens of some policy or set of policies. Some burdens are due to injustice. These burdens should not be assessed in the same way as other kinds of burdens. For example, imagine that, due to existing injustices, someone is born in an environment in which she is more exposed to air pollution than
other members of the community. She develops asthma as a consequence. In her society, there is government-provided health insurance although people have to pay higher premiums for pre-existing conditions. Insisting that this person should have to bear the costs of her illness or pay higher premiums amounts to insisting she should bear additional burdens precisely because she is a victim of injustice.\textsuperscript{4} Intuitively, this seems unfair.

This example highlights that it would be deeply morally problematic to claim that individuals are obligated, as a matter of fairness, to take on additional burdens that arise due to past or ongoing injustices in a way that compounds them. An injustice is compounded when one has to bear a new burden in virtue of unrectified injustices.

This point about compounding injustice applies to the present context because individuals from low-income backgrounds, African Americans, Latinx individuals, and Native peoples have all been especially burdened by the pandemic.\textsuperscript{5} Individuals from these socioeconomic, racial, and ethnic groups disproportionately lack access to jobs that allow for teleworking, and thus are disproportionately unemployed due to social distancing or face great risk as essential workers. They are disproportionately deprived of educational opportunities that enable access to those jobs. Distance learning is especially burdensome for children from families that experience background social injustice—due to the lack of access to laptops, fast internet connections, or the ability of their parents to provide care during the day while schools are closed (Van Lancker and Parolin 2020). Children from lower social economic status households may be particularly burdened by the loss of instructional time more generally, leading to a loss of learning retention (Doyle 2020). In short, many individuals have been especially burdened by the response to the pandemic because of historical and ongoing injustices. The pandemic has compounded these pre-pandemic injustices.

Importantly, individuals from these social, racial, and ethnic groups are also disproportionately suffering the effects of the pandemic itself (Knittel and Ozaltun 2020; Ford, Reber, and Reeves 2020; Begley 2020). So while the collective response to the pandemic is especially burdensome for these individuals, they also stand to benefit a great deal from it. Indeed some object to ending social distancing measures precisely because they worry these disadvantaged individuals will be especially harmed by the consequent rise in transmission of the virus (Serwer 2020). One might object, then, that many individuals disadvantaged by pre-pandemic injustices are the primary beneficiaries of our collective response to the pandemic. So, perhaps, the benefits and burdens of our collective responses are distributed fairly, after all, and considerations of reciprocity do not entitle these individuals to compensation.

In reply, part of the reason why individuals from these backgrounds have higher rates of COVID-19 is because they work essential jobs where the risk of exposure is higher than, say, for those who telework (Hawkins 2020). As discussed, some of these individuals are already taking on burdens for the common good in the form of heightened risk of contracting the disease—rather than being individuals who stand to benefit especially from social distancing.

Second, and more fundamentally, the concern about compounding injustice applies not only to burdens but also to benefits. The reason why individuals from these groups have died in higher numbers is precisely due to serious background injustices—such as: being disproportionately employed as essential workers at heightened risk; not being able to take time off from work; enjoying inadequate medical care (often due to prejudice or stigma); or living in areas that are more likely to cause certain health conditions that exacerbate the disease, such as asthma or hypertension (Braveman et al. 2010; Owen, Carmona, and Pomeroy 2020; Shonkoff and Williams 2020; Wadhera, Wadhera, and Gaba 2020). So even if we grant that social distancing is, in absolute
terms, very beneficial for members of these groups given the grave threat the novel coronavirus poses to them, this is largely due to pre-pandemic injustices that placed them in conditions where they were unfairly at risk from the pandemic.

Our argument, then, is twofold. First, when determining whether the benefits and burdens that accompany social distancing are fair, we should take into account burdens relative to one’s overall resources or opportunities. This counts against just looking at burdens or benefits in absolute terms. Second, we should also look at the source of burdens and benefits. Some individuals who shoulder especially large burdens during this time do so because of persistent injustices. To proceed as though the losses those individuals experience constitute their “fair share” would compound injustices that existed prior to the pandemic.

Accordingly, when we think about whether the distribution and burdens and benefits accompanying social distancing are fair, we should pay special attention to those who are from less advantaged backgrounds and who are burdened due to injustice. When combined with the conclusion of the previous section—that those of us who are not unfairly burdened have duties of fairness to compensate those who are—we arrive at the main thesis of this paper: we are obligated to compensate those members of our community who are burdened for the sake of our collective benefit because they come from less advantaged backgrounds, especially those who are burdened due to historical and ongoing injustice.

Fully specifying who counts as most unfairly burdened in the relevant way and what priority they should be assigned is beyond the scope of this paper. We have pointed to various age, social, economic, racial, and ethnic groups that have been especially burdened, in no small part because of unrectified pre-pandemic injustices. To fully determine who has been most unfairly burdened would require further articulating competing views of justice and delving deeper into the details of the kinds of hardships different individuals have undergone during the pandemic. Nonetheless, by indicating that the obligation in question is one of reciprocity and making clear how this pandemic has compounded injustice, we have provided initial guidelines for determining who has been unfairly burdened by the pandemic and thereby would appear to have claims to compensation as a matter of reciprocity. The final determination will depend on contentious normative issues about which people will disagree, as well as empirical complexities that will be difficult to resolve.

Nonetheless, to illustrate how one might go about making this final determination, we will discuss a particular case: young children, especially those who are underserved. While young children do face real risks from the coronavirus, they appear to be subject to less risk than older age groups—and so they do not (directly) benefit as much as others from social distancing (CDC 2020; Milstone 2020). At the same time, these children are missing educational opportunities at especially formative stages in their development. Children from underserved backgrounds also bear additional burdens. They often lack the requisite technology to effectively engage in distance learning. They also have less reliable access to social services provided by their school—medical care, childcare, free lunch, and so on (Faden 2020). That social distancing is burdening children in these ways suggests that when providing compensation, these children have a powerful claim on grounds of reciprocity.

Presumably, cash transfers directly to children would not be especially effective at remedying these burdens. But there are other ways to give to compensate them—for instance, by giving to charities to ensure that these children have access to meals or the requisite technology to engage in distance learning, or that provide other measures that can offset the unfair burdens these children bear.
5 | INDIVIDUAL AND INSTITUTIONAL RESPONSES

In the previous three sections, we have argued that benefits and burdens of social distancing are unfairly distributed. We have argued that this unfair distribution ought to be remedied, and have indicated that those who are unfairly burdened have especially strong claims to compensation. But it does not follow from this argument that individuals who are relatively unburdened by social distancing have an obligation to help those who are disproportionately burdened through direct assistance. One possibility is that institutions, such as government agencies, should be providing this kind of assistance, rather than individuals.

Governments have an important role to play in helping to secure terms of social cooperation that are fair according to norms of reciprocity. One component of that role is to facilitate the production of collective goods, such as a reduced viral transmission rate acquired through social distancing, by making it more difficult to free ride. One might cogently reason that one would benefit from others’ efforts to socially distance, since this would reduce the overall transmission rate, without being willing to give anything up by social distancing oneself. States attempt to keep this kind of free-riding in check by legally mandating that certain businesses close, as well as sanctioning individuals who violate social distancing rules.

Governments also have a role in helping to alleviate the burdens some experience through social distancing. Many have provided economic assistance to households that are likely to be hit the hardest by the response to the pandemic. In these cases, the state is addressing a motivational problem on the part of private individuals: many would not help those who are disproportionately burdened by our collective response to the pandemic, while taking advantage of their sacrifices. The government’s financing of assistance through taxation makes this assistance mandatory, thus helping to solve the problem of assurance that others will help to discharge our shared responsibilities toward one another.

The United States government has provided $1,200 in assistance through the CARES Act to individuals earning under $75,000 a year, with a graduated reduction in benefits for those earning beyond that amount. While this policy has been referred to as a “stimulus,” the policy is better understood as assistance, for two reasons. First, the government’s aim has not been for consumers to rush out and purchase goods and services from businesses that are actually made vulnerable because of social distancing. Those businesses are closed or seeing less business precisely because of social distancing. Second, the assistance was means-tested, which might be a reasonable approach if the aim is to direct funds to those with lower incomes, but less-than-ideal if the aim was to get checks out sooner to stimulate spending and resist an economic downturn. Means-testing substantially slows down broad-based cash payments to individuals, because those without tax returns from the previous year have to file before they qualify for checks. Economic research suggests that the speed at which individuals receive assistance, as well as its automaticity and whether it is a direct cash payment or a tax rebate, substantially influences the degree to which it changes consumer spending behavior (Sahm 2019; Sahm, Shapiro, and Slemrod 2012). Instead, the CARES Act funds to households are better understood as a form of economic aid, while millions are facing financially precarious conditions (cf. Enda, Gale, and Haldeman 2020).

While assistance through the CARES Act has been targeted to some extent, however, this targeting has been quite rough-grained. This is because governments face a difficult epistemic problem when attempting to assess who is experiencing greater burdens because of social distancing. Not all employees who make similar wages are similarly burdened by social distancing. A graduate teaching assistant earning a PhD in economics is likely in a less dire position financially than a single parent earning the same income from a low wage job. Some households experience
higher debt than others or have difficult needs that the government cannot easily target. And, as we have mentioned, some workers are able to safely telework from home, while others experience layoffs, and some children have access to resources that make remote education far more feasible for them than for less advantaged children. When considering what obligations individuals have to assist others through giving money beyond the efforts by the state at correcting for the disproportionate burdens experienced by some from social distancing, it is important to note the limitations to what the state is capable of knowing about the hardships faced by particular individuals, and who would possess this kind of knowledge. In many cases, individuals are in a better epistemic position to recognize whether they are unduly burdened by social distancing than the state is, and so in a better position to know that economic assistance would be better targeted helping others.

The fact that the government has only a limited ability to predict who exactly is most burdened by social distancing and will need assistance is a deep problem. The relevant information includes not only predictions about individuals’ economic behavior, but also about their preferences and expectations. To assess the degree to which someone is burdened by social distancing, the government would have to know whether working from home is an adequate substitute for their working in an office, whether they have other options if they are unable to work, to what degree they depend on having access to childcare, the tolerance for experiencing a greater risk of getting sick, and whether or not they have important life plans and milestones that are interrupted by having their options removed under social distancing. States face obstacles in gathering this kind of information. This is similar to the problem central planners face in a non-market economy in attempting to efficiently allocate scarce resources, since information about individuals’ preferences and trade-offs are normally gathered through economic exchange (Hayek 1945). A government’s efforts to target financial assistance will necessarily be rough-grained, given its epistemic limitations about knowing the degree to which someone has been burdened by social distancing. It will predictably generate false positives, by giving to some people who have not seen financial hardship or a loss of income due to the crisis; and it will generate false negatives, because it fails to compensate some who are profoundly burdened by the policies.

Individuals generally do, however, have the relevant kind of information available regarding themselves. The obligations of reciprocity that governments help address are ultimately obligations members of society owe to each other, and so they bear some responsibility for helping to discharge them when the state predictably fails to do so. These obligations do not cease to exist simply because the state fails to enable individuals to fulfill them. Indeed, on at least certain influential views of the grounds of state authority, such as Joseph Raz’s service conception, the state’s authority arises in virtue of the state’s ability to enable individuals to discharge their obligations to each other (or do what they have most moral reason to do). Put simply, the state helps us to fulfill certain obligations of reciprocity, but it is not the case that these obligations exist only if the state succeeds in helping us to discharge them.

Many people are aware that they are not burdened by social distancing, either because it does not frustrate many opportunities of sufficient quality that they may wish to take or because they are not being asked to take on excessive risk in their daily lives. Those who are not burdened can give to charitable organizations, which often possess local knowledge of what kinds of needs are being generated in a community (homelessness, food insecurity), the different preferences of members of the community, as well as expertise regarding how best to satisfy those needs and preferences (Kingma 1997). Individuals may also possess information unavailable to governments regarding how to assess the needs of neighbors, family members, or individuals to whom they can provide direct cash transfers.
Those who receive relief money because the state misallocated it to them, by failing to register that they are not particularly burdened by social distancing, have an obligation to see to it that the money goes to those who are disproportionately burdened. Indeed, it is (in some sense) not their money to keep, since it is only the result of a failure on the part of the state to help us discharge the obligations members of society have toward one another that they receive it at all. Some recipients of a stimulus check who have donated the money have expressly said they don’t view the check as “their money” (Albrecht 2020). Our argument suggests one way to explain why these people are right: keeping the money would be unfair to those who are disproportionately burdened. Giving one’s stimulus check to those who are disproportionately burdened amounts to helping the government do its job by correcting for its mistakes.9

6 | Responses to Objections

Before concluding, we consider three objections. First, it may seem that our claim that individuals have an obligation to correct for failures of distributive justice over-generalizes. It may seem as though our view implies a general prescription of vigilante distributive justice, so that individuals who pay too little taxes than would be obligated to donate their tax refunds to those in need. Second, while we have couched the argument in this paper in terms of discharging duties of reciprocity toward one another in the production of a collective good (reduced viral transmission rates) rather than as providing assistance or discharging a duty of rescue to those suffering the most, it may seem like the obligations individuals have to assist those who are worst-off globally are more stringent than these requirements of reciprocity, and so should take priority over them. Third, we have claimed that the obligations individuals have toward others burdened by the social response to the pandemic are primarily owed to other members of one's community, i.e., conationals. This claim, however, could be challenged: it may be better to view the response to the pandemic as global. Individuals, especially those in less affluent countries, may be facing the most severe burdens from attempts to reduce the overall viral transmission rate globally, and it may seem that individuals who disproportionately benefit from those efforts (especially those living in relatively well-off countries) ought to compensate them. We answer each of these objections in turn.

6.1 | Vigilante Distributive Justice

We argued in section 5 that governments have predictably failed to compensate those who have borne unfair burdens from the social response to the pandemic. But this point may seem to apply to all instances of need-based assistance that the state provides. If the state is not particularly good at determining who is greatly burdened by the social response to the pandemic, then should we think that it will do a much better job with respect to other natural disasters, such as hurricanes or floods, or for other social problems like poverty? It may seem like this point would generalize to other domains as well, and individuals who are unfairly benefited by the tax code have an obligation to donate their refund to those who are unfairly worse off than they are. Without rejecting this conclusion, we do not think that our argument in this paper has this implication for two reasons.

First social distancing raises a particularly difficult epistemic problem for the state with respect to compensating people in need. So, we should expect the state to misallocate relief assistance to
a greater degree than with respect to other crises, and for more individuals to receive assistance without being disproportionately burdened. In the case of assistance in response to weather events like hurricanes, the state’s epistemic challenges are more tractable. Government agencies can model how many people’s homes will be destroyed in a given area, how long they would take to rebuild, and how much insurance market assistance would be needed to encourage rebuilding. For the most part, people’s preferences to live in homes on the coast that are not destroyed by hurricanes do not change (Binder, Baker, and Barile, 2015). The economic burdens of social distancing, however, are more difficult to predict, because the economic damage is caused by changes in people’s preferences and behaviors. The state will struggle to anticipate how much risk an individual household is willing to take on, or should be willing to take on, before going back to work. Since the pandemic is likely to persist for some indeterminate period of time, the state cannot predict how this will change people’s preferences for where to work, what kinds of businesses to patronize, or what kind of communities they want to live in. Because people’s preferences and behaviors are shaped in unpredictable ways by social distancing, the state cannot easily predict need on the basis of the crisis. Additionally, there is a significant lag in the data that the state can draw on to assess need: it can use income reported in past tax returns to predict who will be neediest, but, obviously, people’s financial conditions may have changed since and will be affected by the crisis.

The second response is just to bite the bullet about the state’s ability to gather fine-grained information about the extent to which members of society are burdened by disasters. States do not have an enviable epistemic position when assessing the degree of burden or need individuals have that would entitle them to compensation. This does not mean that the state should get out of the business of trying to alleviate burdens caused by disasters altogether. It should simply be recognized that its attempts to do so will inevitably be less precise than would be ideal, sometimes helping those who are not particularly burdened and sometimes failing to adequately help those who are. In many cases, individuals who are disproportionately benefited relative to the burdens they have experienced from a natural disaster should look for ways to help those most burdened in their community, and this is an obligation grounded in reciprocity.

Relatedly, our view does not imply that individuals have general obligations to correct for failures of the state to secure fair terms of social cooperation by, e.g., donating their tax refunds to those who are unfairly burdened by social policy more generally (including some of the pre-pandemic injustices we have discussed in this paper). The problems of distributive justice that modern democracies face are not best understood as a series of one-off disasters that the state must correct for, but instead as terms of ongoing social cooperation that may better or worse realize the ideal of reciprocity. Additionally, the state does not face as daunting a knowledge problem in its obligations of distributive justice toward members of society, since the distributive consequences of its policies are often more familiar to policymakers, and so are either knowable in advance or something that can be discovered through experimentation and revision of social policy. Because the demands of distributive justice are ongoing and predictable, normally, ensuring a fairer distribution of benefits and burdens through social cooperation more generally is probably best achieved through advocacy through the state rather than through vigilant redistribution. Even if individuals do have obligations of distributive justice toward one another directly, it may be that the best way to discharge those obligations is through participation within and the promotion of just institutions rather than direct cash transfers to make up for the limitations of state action. By contrast, the COVID-19 pandemic is a sudden, difficult-to-predict crisis. Even if individuals ought to advocate for a fairer public response to the differential burdens for future
pandemics, they still have obligations to their fellow members of society who are burdened by the demands of social distancing to reduce the threat of disease to themselves.

6.2 Duties of Assistance Versus Duties of Reciprocity

One might question the assumption that obligations of reciprocity ought to take priority during a disaster like a global pandemic. While conationals are being burdened in order to reduce the viral transmission rate, it may seem that we have especially stringent obligations—even in non-pandemic conditions—to assist those who are worst-off, such as those experiencing dire poverty or preventable diseases like malaria, and that we have stronger reasons to provide aid to these people than to discharge our obligations of reciprocity to others in our community who are social distancing.

For instance, Peter Singer (1974) has forcefully made the case that problems like global poverty and malaria are dire, that individuals in wealthy countries are able to save lives by giving money directly to alleviate these problems, and that individuals have an obligation to do so if they can without giving up something of significant moral worth. Even while social distancing and during a pandemic, most Americans are better off than those who experiencing severe poverty (the roughly 9.2% of the world’s population living below the World Bank’s poverty threshold of $1.90 a day; World Bank 2018) or who live in malaria-stricken regions. It may seem that assisting them is more urgent than giving to other Americans, especially given that low-income countries have been hit quite hard by the pandemic (Walker 2020). In this section, however, we provide some reasons for why one should think that the duty of rescue does not undermine our claim that individuals have a pro tanto obligation to help conationals burdened by the pandemic.

First, while the duty of rescue may be particularly stringent, obligations grounded in reciprocity imply that others have claims in virtue of these obligations. These claims constrain how we may fulfill duties of rescue. Normally, it is only permissible to discharge a duty of rescue with resources that are rightfully one’s own. For example, it is generally acknowledged to be impermissible to steal money to donate to programs that reduce malaria aid to the world’s poorest (pace Unger 1996, ch. 3) While duties of reciprocity may not be as absolute as the duty not to steal, they—along with debts and promissory obligations—do determine what is rightfully one’s own and what one owes others. Our argument in this paper is that the state has failed in its role to help us discharge our obligations of reciprocity to others to compensate them for the production of a collective good, a reduced viral transmission rate, and those excessively burdened by this policy are owed compensation. This means that others have a stronger claim to at least some of our resources than we do, and this should be taken into account before deciding to use those resources for other purposes, even when donating to global charities.12

Second, however, the priority of obligations of reciprocity should not be taken to imply that these obligations can never be overridden by more urgent duties of rescue. Even if, in some cases, there is an obligation to provide assistance to those who are neediest, even outside of one’s community, this would only show that the obligation to rescue is overridden, not that it does not exist (for this distinction, see Feinberg 1978, 102). If donating to the world’s neediest is more urgent, recognition of the outweighed, but undefeated, obligations conational has toward one another may require recognition in the form of an apology or some other attempt to make amends. In any case, it would not be permissible to do one’s fair share in donating to the world’s neediest and then to simply ignore the obligations one has toward conationals who have borne the costs of the social response to the pandemic.
6.3 | Reciprocity Beyond Borders

Even if one accepts that obligations of reciprocity are especially significant, one might nonetheless arrive at the conclusion that giving should aim to help non-conationals. Viruses, like people, cross borders, and it may seem that the rate at which COVID-19 spreads is better understood as a global phenomenon. People in other countries who are required to socially distance or who are restricted from crossing international borders are being asked to take on burdens that contribute to a global collective good: a less severe pandemic. So it may seem that the obligations of reciprocity we have highlighted should be understood as global in scope as well.

This debate has parallels to a fundamental debate in global justice theorizing. Some theories of global justice are statist, in the sense that they hold that duties of justice (including those grounded in reciprocity) apply almost exclusively to conationals (cf. Rawls 1999a; Blake 2001). According to these views, individuals may have duties to provide assistance to those who live in burdened societies to help meet their basic needs or to protect their human rights. Obligations of justice, however, are primarily owed to conationals in virtue of living under a state that mutually coerces its members or because national communities delineate communities in which economic and social cooperation take place. Some cosmopolitan theories of justice, by contrast, hold that there is a “global basic structure,” and so mutual economic cooperation and coercion occur between non-conationals (Pogge 1994, Beitz 1999, 143-53; Tan 2004, 26-29). According to these views, obligations of justice are owed globally. If these cosmopolitan theories are correct, then it may be that the global basic structure fails to fairly distribute the costs of the response to the global pandemic, and so individuals have an obligation to correct for this failure, not by donating to those who are burdened in their own societies, but to those who are most unfairly burdened globally. While we do not assume that obligations of justice are, in general, owed exclusively to conationals, there are several reasons for thinking that our obligations to compensate those burdened by the social response to the pandemic are primarily owed to conationals.

First, the most unfairly burdened countries in the world are not necessarily the ones that, in the context of the pandemic, are bearing the greatest burdens to provide a global epidemiological benefit. The global justice theorists we mention identify injustice-caused burdens in the international context. Yet our arguments have focused on two sorts of considerations. The first is the burdens people have borne, especially burdens that have been compounded by injustice. The second is the benefit these individuals have provided us by social distancing or continuing to work despite being at high risk. For our reciprocity-based argument to yield the conclusion that we should be giving internationally, one would need to provide evidence that the unfair burdens these countries bear in response to the pandemic are burdens they bear that provide people in other countries with the relevant kind of collective benefit.

And, second, there are reasons to doubt that unfairly burdened individuals abroad are also the ones providing benefits by socially distancing. Since transmission rates of coronavirus do not correlate strongly by country (given that most global transit is temporarily closed), social distancing in one country primarily benefits only the people in that country by helping to lower the transmission rate there. That is, it would appear that Americans who socially distance by being out of work are primarily helping to reduce the risk of the virus spreading to other Americans or causing various hospitals in the United States to be overrun, rather than reducing these risks in other countries. Accordingly the benefits of social distancing appear primarily to be local. So, it is well-motivated to focus on local benefits and burdens associated with the collective effort to mitigate the spread of the novel coronavirus at home. Moreover, epidemiological models of the effects of social distancing assume closed borders, and do not attempt to account for the effects
of social distancing on other countries (Hsiang et al. 2020). So, it is at least a credible assumption, given what we now know about the spread of COVID-19, that travel across borders is not presently a main driver of viral spread within countries.

Third, our argument does not entail that the local obligations of reciprocity are the only obligations we have, nor that they override all other obligations. Let us grant the cosmopolitan position that individuals have obligations of reciprocity to residents of other countries in virtue of how the global economic order has unfairly burdened them while benefitting others. It does not follow from this that these obligations override all other obligations of reciprocity, including domestic ones. Our claim is merely that the pandemic has given rise to a particular set of obligations of reciprocity; we do not claim to have shown that these local obligations of reciprocity override or outweigh all other obligations. As we saw in the previous section, it is beyond the scope of this paper to try to demonstrate that these local obligations necessarily override all other obligations.

Fourth, as we have noted, there are already epistemic difficulties in determining who, exactly, has taken on the greatest burdens, even if we constrain our focus to the domestic context. These epistemic difficulties become that much more vexing once we consider the question on a global scale and the relevant counterfactuals. For instance, perhaps the pandemic would have been much worse were it not for the burdens undertaken by many citizens in China during the early phase of the pandemic, burdens that compounded injustices there. Determining how much worse the pandemic would have been were it not for this effort is difficult. More importantly, while there are effective charities and NGOs for various kinds of international giving, it’s far less clear that such organizations exist for this purpose—that is, for compensating citizens in other countries in virtue of unfair burdens they have undertaken in order to provide us with some sort of epidemiological benefit. While we have argued that citizens in the domestic context often have forms of knowledge about who is in need, knowledge that their government lacks, we should not think that this point applies internationally. Indeed, there are reasons to doubt that citizens have the relevant kind of information.

There are, however, two conciliatory points worth noting here. First, if it turns out to be the case that social distancing or other burdensome measures by non-conationals are or have been a major causal factor in providing global benefits, then they would also have a claim to assistance from those they have benefitted. In some cases, such a verdict might be plausible. For example, if the widespread destruction of poultry in China helps reduce the risk of an avian flu pandemic but burdens Chinese farmers, then these farmers may be owed assistance, not only by their Chinese conationals, but also from people in affluent countries who benefit from their sacrifices. Additionally, if early social distancing in Wuhan helped reduce the global transmission rate of COVID-19, but imposed substantial burdens on residents of the city, then it may be that they have a claim of reciprocity from people across the globe.13

Second, prospective migrants may be an exception to our general claim that duties of reciprocity in response to the pandemic have imposed disproportionate burdens, sometimes unfairly, on vulnerable populations such as refugees and those in low-income countries seeking to migrate for better economic prospects. Because international travel has been sharply curtailed in order to isolate cases in one country from spilling over into another, potential migrants are particularly burdened in order to reduce transmission rates of the virus. Even if, as we have suggested, a strong case cannot be made that individuals generally have duties of reciprocity to assist those disproportionately burdened by social distancing and other transmission-reduction policies outside of their own countries, the case that they have obligations to those who have a claim to cross borders but are not allowed to—including refugees and some other migrants—is much stronger.
CONCLUSION

The arguments in this paper have addressed the ethics of giving in response to the COVID-19 pandemic. We have argued, first, that such giving is not merely a matter of acting on one's duty of aid. This is because many of the devastating losses people are experiencing are not due to COVID-19 itself. Rather, some such devastating losses have also accompanied the collective efforts at mitigation. Such collective effort has involved significant sacrifices, especially those that accompany social distancing. These sacrifices have produced various community-wide benefits such as reduced transmission rates and a flattened curve. Yet, while these benefits are vital, the burdens of the collective endeavor have not been borne equally. Indeed, the pandemic itself and the costs of social distancing have fallen disproportionately on less advantaged members of our society—in many cases, members of our society who are less advantaged due to historical and ongoing injustices. This is not merely tragic; it is profoundly unfair.

Most governments have failed to adequately ensure that citizens fulfill their obligations of reciprocity to those who have borne unfair burdens. Moreover, we have given reasons to think they will continue to fail in doing so. Accordingly, it falls on individuals to fulfill these obligations of reciprocity. Fully specifying how we should go about doing so will need to be sensitive to further empirical considerations that we do not have room to address. In the meantime, however, we have hopefully helped readers to think through how they should go about giving away money during the pandemic.

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ENDNOTES

1 See, for example, Maragakis 2020, Virginia Department of Health 2020, and WBIR 2020.

2 Some, such as Robert Nozick, have argued that in such circumstances one is not obligated to contribute to the good. See, esp., Nozick 1974. Yet, as others have argued, Nozick’s examples involve trivial public goods. Reducing transmission rates or flattening the curve presumably are not trivial public goods. See Moller 2018, 74-75; Klosko 1987; 2004. Indeed, they qualify as what Klosko labels “indispensable goods,” public goods that are analogs to what Rawls labels primary goods—goods that any reasonable person would want, regardless of whatever else they want; Klosko 1987, 246 and Klosko 2004, 32. Of course, some staunch libertarians may remain unconvinced that individuals have this duty of fairness even in the face of a pandemic like the current one. However, our arguments are not aimed at persuading staunch libertarians.

3 One could arrive at this conclusion despite disagreeing about the exact nature of the burdens and benefits of this collective response. For example, some (e.g., Rawls 1999c, Daniels 2008) might draw on resourcist views and construe the burdens of social distancing solely in terms of lost economic or educational opportunities, whereas others (e.g., Robeyns 2016) might spell out the burdens in terms of the frustration of preferences or the loss of basic capabilities.

4 A similar objection appears in the context of debates about whether Black Americans are obligated to integrate neighborhoods so as to realize requirements of justice. Tommie Shelby argues that such requirements effectively impose additional burdens on individuals precisely because those individuals have already been subject to injustice. See Shelby 2014, 281-283.
5 See Faden 2020; Lopez, Raine, and Bundiman 2020; Parker, Horowitz, and Brown 2020; and Solomon and Hamilton 2020.

6 An anonymous reviewer suggests that income qualifications for the CARES Act may also suggest that it is more of a stimulus, since lower income people have a higher marginal propensity to consume (rather than save) their income. While this is true (cf. Carroll, et al., 2017), at least in the US, the poorest members of the population on government assistance are less likely to have tax returns on file to avoid a delay in receiving a check. Of the approximately 12 million Americans who qualified for a check but did not receive one under the CARES Act, 9 million were recipients of the Supplemental Nutrition Assistance Program (SNAP) or Medicaid (Marr, et al., 2020).

In any case, a single piece of legislation may have multiple aims. We think that an important aim of the CARES Act—the full title of which is the Coronavirus Aid, Relief, and Economic Security Act—is to provide economic assistance to those burdened by the pandemic, which is sometimes lost by referring to the bill as an economic stimulus.

7 See Raz 1986, 46-57.

8 Our claim is not that everyone has direct, first-personal access to their own preferences and expectations to know whether or not they experience a burden. While people sometimes mistakenly overestimate the degree to which they are burdened by social distancing, normally they are responsible for forming well-founded beliefs about their own condition relative to others. Someone who is not greatly burdened should not overestimate the importance of minor setbacks they experience, and so should donate government assistance they receive. Failure to do so would, at least in many cases, be a failure to discharge their duty of reciprocity because of culpable ignorance.

Some individuals who are unfairly burdened may falsely believe that they are not if they tend to compare their condition to those who are even more unfairly burdened in their communities. We suspect that such cases are rare, because of the normal tendency not to underestimate the degree to one is burdened by social policy relative to others. In any case, such individuals would not be obligated to donate to help others worse off than they are, though it would be supererogatory for them to do so. Because of the epistemic difficulties in assessing whether others are burdened by the pandemic, we are not suggesting that people attempt to elicit shame or guilt on the part of those who fail to donate but appear not to be burdened, since it is difficult to assess the degree to which others are burdened by the social response to the pandemic.

Additionally, while some people are not presently burdened, they may be burdened in the future (e.g., through job losses). Our position is that the reasonable expectation of diminished prospects as a result of social distancing is a kind of anticipatable burden, and may be a reason that justifies not giving now. Since we believe that people are normally prone to overestimate the extent to which they are burdened or threatened with future burdens, however, we think that individuals should generally err on the side of helping others in need now rather than on focusing on the risk of future burdens to themselves. If one’s expectations of future burdens, even if reasonable, are not realized, one should work to help others who have in fact been unfairly burdened.

9 It is important to clarify that we are not claiming that individual donations do a better job than state assistance in helping us discharge our obligations of reciprocity toward one another. Individual contributions, for example, are less able to help solve the assurance problem. Obligations of reciprocity are obligations that we ultimately owe to each other, and that the state helps us solve through helping us coordinate with one another and to solve the assurance problem. The apparent trade-off between the fine-grain information that individuals possess about their own preferences and situation and the state’s ability to apply coercive power to solve the assurance problem is illusory: both approaches have an important role to play in cases in which the state lacks fine-grained information about where relief is most needed.

10 Some of the challenges for businesses and policymakers in predicting how the post-COVID recovery will go are outlined by Barrero and Bloom 2020. Pohlman and Reynolds 2020 give additional reasons why economic forecasting during a pandemic is particularly challenging for governments and businesses.

11 For example, economic theory once predicted that increasing the minimum wage would have negative distributive consequences for some, since it would increase unemployment in low-wage occupations, but decades of empirical research suggests that this is not the case. For an overview of this literature, see Card and Krueger
2015. While the effects of economic policies on distributive justice can be surprising, the epistemic problems they raise are empirically tractable, as evidenced by the now mostly-settled debate about the distributive effects of minimum wage policy.

For a similar view on the priority of obligations of reciprocity to conationalists over considerations of global justice, see Sangiovanni 2007.

Indeed people around the world did support Wuhan in the early days of the pandemic. See Direct Relief 2020.

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