

Beneficence, Street Begging and Diverted Giving Schemes

Final version
Cristian Pérez-Muñoz
Pontificia Universidad Católica de Chile
Email: crperezmu@uc.cl

Abstract

In recent years, some cities and localities in the United States, Canada, the United Kingdom and elsewhere have adopted or intend to adopt one potential solution to the difficulties inherent in addressing the needs of street beggars: diverted giving schemes (DGSs). A DGS is an institutional response designed to motivate people to donate money in charity boxes or donation meters rather than directly to street beggars. Their advocates believe that DGSs are both more efficient and more ethically permissible than direct giving to individual beggars. This article asks whether and how a DGS can be justified. It offers a normative evaluation of the main idea behind this policy, namely, that anonymous and spontaneous donations to charity boxes are in themselves an adequate policy instrument to address the problem of street begging. Ultimately, the paper argues against this idea and develops the case that DGSs can potentially compromise our ability to act upon our moral duties towards truly needy beggars. Moreover, it explains why and under which circumstances this kind of program can potentially and seriously interfere with the freedom and opportunities of individuals in the begging population.

Keywords: street begging, diverted giving schemes, beneficence

Acknowledgements

Previous versions of this manuscript were presented at the 2016 American Political Science Association annual conference and the 2016 Rocky Mountain Ethics Conference. I am grateful to the audiences at these events for their helpful feedback. I would like specifically to thank María José Alvarez, Chiara Cordelli, Alfonso Donoso, Anca Gheaus, Laura Levick, Juan Pablo Luna, Alejandra Mancila, Joshua Potter, Pierce Randall and Carsten Schulz for their comments on earlier drafts of this paper. In addition, I want to extend special thanks to all the anonymous reviewers for their valuable comments. The final stages of manuscript preparation were funded by Chile's Fondo Nacional de Desarrollo Científico y Tecnológico (FONDECYT # 11160045).

Introduction

In recent years, some cities and localities in the United States, Canada, the United Kingdom and elsewhere have adopted or intend to adopt one potential solution to the difficulties inherent in addressing the needs of street beggars: *diverted giving schemes* (DGSs). A DGS is an institutional response designed to motivate people to donate money in charity boxes or donation meters rather than directly to street beggars (Hermer 1999, Scott 2003, Lynch 2005, Johnsen and Fitzpatrick 2008). Their advocates believe that DGSs are not only more efficient and more ethically permissible than direct giving to individual beggars, but also that DGSs constitute an adequate institutional answer to street begging. Although surprisingly very little empirical and theoretical research has studied DGSs, this type of institutional response to street begging has gained noteworthy political and public attention over the last few years.

This article asks whether and how a DGS can be justified. It offers a normative evaluation of the main idea behind this policy, namely, that anonymous and spontaneous donations to charity boxes are in themselves an adequate policy instrument to address street begging. Ultimately, the paper argues against this idea and develops the case that DGSs can potentially compromise our ability to act upon our moral duties towards truly needy beggars. Moreover, it explains why and under which circumstances this kind of program can potentially and seriously interfere with the freedom and opportunities of individuals in the begging population. As my analysis is mainly normative in content, this paper does not pretend to offer a systematic and exhaustive analysis of current DGSs that are currently

being debated and occasionally put into practice around the world. Instead, its purpose is only to draw some insights from actual policies in order to illustrate the normative implications of this approach.

One question that arises is why we should analyze DGSs as a unique type of public policy. The first reason is that, while we know very little about this type of program implemented in several cities across the U.S and the UK, DGSs may have an important impact on the lives of many poor and marginalized people. Second, DGS programs are compatible with what has been described by others as illiberal (e.g. Waldron 1993) and “revanchist” policies (Smith 1996, 2002). That is, a set of policies designed to regulate and control homeless and street beggars’ behavior. Nevertheless, as I will explain later on, DGSs present some particularities that make them an interesting case of policy targeted at street beggars.

This paper is organized as follows. Section one describes the challenges of one-on-one beneficence at the street level and explains why the street begging requires an institutional solution. Section two summarizes the key characteristics of DGSs and reviews the principal arguments in their favor. Section three presents four criteria testing the permissibility of a DGS: (a) it uses permissible solicitation strategies to collect revenue sufficient to cover the operational costs of assisting beggars, (b) it serves as a transparent and accountable mechanism of solicitation and assistance, (c) it is not combined with zero-tolerance or anti-begging ordinances, and (d) under certain circumstances, it satisfies the demands of justice. Section four is devoted to concluding remarks and discussion.

Before beginning, I will make note of a few important caveats about my approach. First, it is worth pointing out that begging is an elusive concept. It is usually associated with homelessness and others activities such as selling small items (flowers, gum, etc).

Following Lee and Farrell (2003, p.302), I define begging as “a public request for money, food, or other goods with little or nothing of value given in return to the potential donor”. Thus, a beggar is “a person who publicly and regularly requests money or goods for personal use in a face-to-face manner from unfamiliar others without offering a readily identifiable or valued consumer product or service in exchange for items received” (Lankenau, 1999, p. 187–188).¹ Second, the goal of this paper is not to justify a moral duty to assist street beggars.² Instead, its aim is to evaluate the permissibility of diverted giving schemes (DGSs) as one instrument of many to potentially discharge that duty. Thus, my argument is built on the assumption that we have a moral duty to help needy beggars.

Finally, this paper attempts to explain why DGSs may be even less efficient and ethically permissible than direct giving to individual beggars. This analytical strategy does not derive from the assumption that direct giving is preferable to other forms of institutional responses, such as redistributive policies financed through taxation. Instead, the comparison between individual giving and DGSs is solely intended to contrast two similar responses to street begging that share the same key defining elements: voluntariness and individual choice. Donor voluntariness is a crucial normative concern for DGSs advocates. The policy is defended as a better mechanism to respect and improve the efficiency and efficacy of voluntary individual donations. This concern is completely disregarded when we adopt a redistributive policy that enforces contributions through the tax system. DGS advocates could argue that a redistributive policy financed by taxes

¹ In this paper I conceive of “begging” and “panhandling” as being synonymous with one another. For a discussion about the conceptual problems associated with the definition of begging see: Lee and Farrell (2003), Adriaenssens and Hendrickx (2011), Brito (2013) and Pérez Muñoz and Potter (2014).

² This, of course, is a debatable proposition. Unfortunately, in a paper of this scope, I cannot seriously engage the question of whether or not we have a moral obligation to aid street beggars. For the purpose of this paper, I merely assume we do have that obligation.

neither recognizes the moral relevance of individual choice nor upholds the voluntary nature of donations. The analytical exercise proposed in this article allows us to explain why voluntary individual donations given directly to street beggars can be preferable to DGS programs.

1. Begging and ad hoc individual beneficence

Begging is a phenomenon that highly varies from one context to another. Therefore, it is not the same to compare begging practices that are carried out mainly to provide funds to educate children (such as it is described by Swanson (2010) for the case of Ecuador), to begging practices carried out to simply survive. Since the goal of this paper is to normatively evaluate DGSs programs implemented mainly in the U.S and the UK, I will rely on the salient characteristic of begging practices in those particular contexts. For example, different studies (Lee and Farrell 2003; Tillotson and Lein 2017) have argued that the lack of social capital (e.g. family and friends), the ineligibility for social welfare policies, and the disconnection from the formal labor market explain why some people beg. Similarly, other studies suggest that street beggars typically live in extreme poverty and constitute a highly stigmatized population (e.g. Lankenau, 1999; Dean 1999). Finally, some studies reject the hypothesis that beggars earn large amounts of money and report that beggars spend their income in “food, followed by tobacco, then alcohol and/or illicit drugs” (Bose-Hwang 2002, p.478).³

³ Street beggars’ patterns of spending money may differ from one place to another. Different factors may explain those discrepancies. For instance, the presence of welfare institutions (as in the UK case) may explain why UK nationals who beg in the street spend most of their monies on drugs and alcohol consumption (e.g. Johnson and Fitzpatrick 2010). In contrast, it is reasonable to expect that street beggars in places with a

From the perspective of an individual donor, it is not a simple task to determine what we should do whenever we encounter a beggar asking for money in the street. Even if one is altruistic and assumes a moral obligation to help others in need, there are three challenges that affect our capacity to act upon that obligation: (a) distinguish needy beggars from those who engage in subterfuge in the solicitation of donations, (b) determine who, among the needy beggars should receive our help in the first place, (c) decide whether or not our *direct* aid to beggars – rather than some other form of *indirect* aid -- is a morally desirable way to act upon our moral obligations. Let us consider these three challenges in turn.

First, it is difficult for individual donors to assess and distinguish truly needy beggars from fraudulent ones. Individual donors can infer that given certain conditions (e.g. the nature of the welfare policies in place) more or less truly needy beggars are asking for money in the street. Yet this calculation is complicated by a number of constraints (Pérez Muñoz and Potter, 2014). To begin, street donors do not have access to information sufficient to successfully engage in this type of ad hoc evaluation. Second, even if we solve the first problem by correctly identifying a number of needy beggars, we next have to face the difficult task of deciding who should be the recipients of our donations. Since their resources are typically finite, most potential street donors cannot help all the truly needy beggars they might come into contact with. They require some type of rule or other heuristic to guide the allocation of their limited resources.

One may object that this argument is only valid with respect to moral obligations that are more demanding or straightforward than street-level responses to solicitations from

limited safety net (such as in the U.S) beg for basic survival needs. I thank an anonymous reviewer for offering this insight.

beggars. When our obligations are imperfect, we are not required to follow any particular rule that can improve the effectiveness and fairness of our donation. Any help we can provide will suffice to discharge our moral duties towards beggars. But this argument is disputable. Even if our moral obligations toward beggars are imperfect ones, we should not necessarily assume that they could be simply discharged with any type of help – no matter how scant -- we may provide. Similarly, we should not assume that our obligations are met by merely helping the first beggar we meet in the street (Moen 2014). According to Bradford (2001), the main problem that arises in this situation is that it is impossible to have a universal moral principle or command that guides our actions. It seems hard, in the first place, to adopt a moral command like "whenever you encounter a needy beggar, you should help her" or "you should always give money to the first beggar you encounter in the street". It is easy to find situations in which morality requires us to break those rules due to considerations of scope or magnitude.

Even a consequentialist position might encounter problems in the course of elucidating this moral dilemma. There may be relevant information that is neither available nor inferable. Moreover, we may not have the time and resources to make accurate assessments of the situation (Bradford 2001, p.290). The very idea of including all of these calculations and evaluations cuts against the thought that street charity should be a spontaneous enterprise (Bradford 2001, p.291). Another possibility is to adopt the principle of never giving money to a beggar. This principle is practical and easy to follow.⁴ However, there are many situations in which our donations can readily help street beggars. As Hardin (1990, p.101) puts it, "my action makes negligible difference to the hope of changing the

⁴ We can follow the principle of never directly giving to a street beggar and instead donating exclusively to a charity. But as I will explain later in my analysis of DGSs, this can also lead to some important normative problems.

general condition of these street people, but it could make a real difference for a while to one of them". Thus, it is difficult to find a strong reason to justify a moral principle stating that we "never should give money directly to a beggar". It is not necessary to argue that is always morally right to give money to beggars, but it suffices to show that it is not always morally wrong to do so (Bradford 2001, p.293).

A final problem for individual donors is that even when they overcome the first two challenges, they need to evaluate to what extent their direct donations constitute an effective and desirable form of aid. In particular, donors need to rule out the possibility that their donations do not have (unintended or collateral) negative effects on beggars.⁵ For example, donations that are subsequently expended on alcohol and illegal substances are commonly identified as an important example of misuse of the provided aid.⁶ Likewise, donors should be concerned with the possibility of creating a structure of incentives that makes street begging even worse (Hardin 1990, p. 88). This can happen when, for instance, the overall level of donations is sufficiently large that it makes the practice of begging seem attractive to more people (thereby expanding the population of beggars) or seem comparatively more attractive to its current practitioners than wage-based labor (thereby reinforcing the behaviors of those who are already members of the begging population).

There is an additional point that makes direct donations morally troubling: by giving money directly to beggars we are indirectly damaging their self-respect (Kant 1997, Allais 2014). As Margalit (1996, p. 231) puts it: "begging for alms is humiliating." This activity

⁵ Street begging is also an activity that can be harmful for other individuals aside from the primary begging population. For a discussion of this point, see for instance: Hopkins Burke (2000), Ellickson (1996), (Wilson and Kelling 1982).

⁶ It is debatable whether beggars spending money on alcohol or drugs is in all cases a misuse of aid. Similarly, it is debatable whether or not beggars who misrepresent themselves are acting morally wrongly. In line with most of the literature, and for the purpose of this paper, I assume that this is the case. However, it is easy to find examples to the contrary. I thank an anonymous referee for bringing this to my attention.

generates an unequal relationship between donors and beggars, and the result of such an asymmetric power dynamic is often humiliation (Margalit 1996, p. 231; Sypnowich 2006, p.186-188). This asymmetrical relationship challenges the value of equal citizenship. If we are committed to build a more egalitarian society, then we should be concerned about participating in this practice. One-on-one beneficence, therefore, can be “a flawed form of egalitarian rectification” (Sypnowich 2006, p.193).

These arguments show that the adoption of an institutional solution – such as a DGS -- may be a better way to deal with street begging. Given the difficulties associated with potential donors idiosyncratically assessing each street-level begging solicitation on its own merits, the better solution might rather lie in adopting an institutional mechanism that coordinates donors’ altruist efforts; that is, an institutional mechanism that helps donors in perfecting as much as possible the inherent imperfection and indeterminacy of their moral obligations toward beggars. In line with these considerations, the next sections evaluate the case of diverted giving schemes (DGSs).

2. Justifications of DGSs

DGSs can be defined as the set of programs aimed at diverting donations from street-donors to human service agencies, charities and other groups that serve the homeless and begging populations.⁷ Street-donors are asked to donate to DGSs instead of giving spare

⁷ At least 39 U.S. cities or counties have implemented DGS schemes since 2005: Albuquerque Donation Meters (Albuquerque, NM); Make a change (Annapolis, Maryland); Keep The Change (Arlington, Washington); Give Change that Make Sense (Atlanta, Georgia); Make a Change (Baltimore, Bethesda, Maryland); Art of Change (Chattanooga, Tennessee); Change4youth (Chicago, Illinois); Make Change Count

change directly to beggars. Examples of these types of policies include the use of collection boxes in the street⁸, the use of mechanical parking meters that also serve as collection boxes⁹, and programs that raise money via Internet and other standard solicitation methods.¹⁰ These programs share the common goal of diverting donations to collection boxes (material and virtual) instead of street beggars themselves.

DGS can be implemented and administered by four different actors: (a) public institutions (e.g. local governments), (b) private non-profit agencies or organizations, (c) business organizations, and (d) some combination of public and private agencies. For example, The City of Lawrence, Kansas, implemented and paid for a donation meter program whose funds are collected by the city itself and provided to local non-governmental organizations (NGOs) that support various policies for beggars and the homeless.¹¹ Other programs such as *Change for the Better*¹² implemented in Spokane, Washington, are mainly promoted by local business owners looking for a way to drive beggars out of downtown areas. The third alternative can be found in programs such as

(Chico, California); Donation Stations (Cincinnati, Ohio); Britto Meters (Dade County, Florida); Generosity Cleveland (Cleveland, Ohio); Keep the Change (Denver, Colorado); Detroit Donates (Detroit, Michigan); Chip in at the box (Indianapolis, Indiana); Iowa city charitable meters (Iowa City, Iowa); Give change for the change (Las Vegas, Nevada); Change for the better (Little Rock, Arkansas); Power of Change (Macon, Georgia); Change movement (Mesa, Arizona); Keep the change (Marysville, Washington); Adopt a Meter (Nashville, Tennessee); Give change to make change (New Heaven, Connecticut); Homeless meters (Orlando, Florida); Giving change for change-Real change movement (Pasadena, California); Real Change not spare change (Portland, Oregon); Make change count (San Diego, California); Be a part of change. Don't give change (San Francisco, California); Make change count (San Luis Obispo, California); Have a heart, give Smart (Seattle, Washington); Power of Change (St Petersburg, Florida); Change for change (Tempe, Arizona); Power of Change (Virginia Beach, Virginia); PVD Gives (Providence, Rhode Island); Make a change (Wilmington, Delaware); Tucson Change Movement (Tucson, Arizona). Some of these programs are currently inactive. Others, such as PVD Gives in Providence, were adopted during 2017.

⁸ See for instance the "giving boxes" program implemented in Dublin, Ireland.

<http://www.wearedublintown.ie/safer-dublintown/change-for-better/>

⁹ Denver's Road Home is the most famous DGS program using mechanical meters. For more information see: <http://denversroadhome.org>

¹⁰ This is the case of the Oxford Begging Initiative implemented by the Oxford City Council. For an evaluation of this program see: Wahlstedt (2012).

¹¹ For a description of this particular program see: http://lawrenceks.org/donation_meter (Access: 3/1/2016)

¹² For more information, see: http://www.downtownspokane.org/documents/CHANGE_BETTER.pdf

*Denver's Road Home*¹³ in Denver or *Art of Change*¹⁴ adopted in Chattanooga, Tennessee. These are cases in which both private and public actors assume responsibility for the implementation of the program.

In some cases, the adoption of a DGS is accompanied by legislation that restricts beggars' activities in various fashions. Some DGSs are adopted together with anti-begging ordinances that penalize beggars for soliciting donations from passersby.¹⁵ For instance, begging is a criminal offence in Exeter, UK, where a DGS is used to deal with begging practices.¹⁶ An important distinction to draw when thinking about this issue is that cities do not necessarily need to implement zero-tolerance policies to strongly regulate begging practices. To give an example, even though the city of Fayetteville in North Carolina does not explicitly prohibit begging, it regulates the areas and the time of the day in which begging can be practiced. By contrast, other DGSs only launch campaigns to persuade donors. That is the case, for example, of the *Oxford Begging Initiative* adopted by the Oxford City Council in the UK.

It is possible to identify five main justifications for DGSs. First, DGSs help finance NGOs that have better infrastructures and broader perspectives than do individual donors when it comes to effectively helping beggars. This policy allows specialized agencies to do the work of classifying and distinguishing among various categories of beggars. This gives some certainty to donors that their money is used to truly help beggars in the relief of their immediate needs. DGSs can help distinguish needy beggars from those beggars who misrepresent themselves. Likewise, a DGS can help to eliminate the advantage that some

¹³ For more information about this program, see: <http://denversroadhome.org>

¹⁴ For more information see: <http://www.uwchatt.org/downloads/ArtofChangeRFPGuidelines.pdf>

¹⁵ For an account of anti-begging policies in the US and the UK, see respectively Szanto (2010) and Baker (2009).

¹⁶ For a description of this particular program see: <http://www.exeter.gov.uk/index.aspx?articleid=14841&listid=11972>

beggars may have over other beggars at the time of collecting donations. The location and their ability to get the attention of passersby are important variables that affect the success that a beggar may have for collecting money. For instance, a DGS can avoid the problem of donating to those beggars who are more likely to receive the most from donors. As Moen (2014, p.74) argues, “when you give money to a beggar, you are statistically likely to give the most money to the ones with the locations, looks, and tricks that prompt people to give”. The logic of DGS programs is to eliminate the advantage that some beggars may have for collecting money, and to distribute donations more fairly among all the needy beggars.¹⁷

Second, supporters of DGS present this policy as a good instrument to motivate people to be more charitable and caring than they commonly are. On the one hand, even some altruistic people may prefer not to interact directly with beggars in the street. On the other hand, DGSs may promote the value of unilateral personal giving aimed at the disadvantaged. As a manifestation of personal generosity and kindness, private giving is socially valuable. However, some authors believe that the institutionalization of social welfare policies has displaced and eroded individual private giving (e.g. Obler 1981, p.17). With a DGS based on spontaneous and anonymous donations, donors have the possibility to practice and perfect the habit of helping others.

Third, there is a freedom-based justification of DGSs. The argument, in brief, is that DGSs may facilitate individual private giving without compromising donors’ liberty. The voluntariness that defines DGSs allows donors to act beneficently toward beggars in a discretionary and indeterminate way. In contrast to a scheme of compulsory redistribution, a DGS would protect donors’ rights to make gifts to needy people. The key point is that this

¹⁷ I thank an anonymous referee for bringing this to my attention.

policy does not focus exclusively on recipient's rights. Instead, it also takes into consideration the freedom of donors as well; namely, the voluntary agency to give something to someone or to give nothing (Nozick 1974, p.168).

Fourth, by reducing the direct interactions between street beggars and individual donors, DGSs may diminish the dynamic of humiliation and damage to beggars' self-respect inherent in street begging practices. DGSs give donors the chance to help beggars without participating in this kind of asymmetrical relationship. Since DGSs promote donations that are impersonal in nature, individual donors do not need to engage in undesirable one-to-one interactions.

The last justification is based on the idea that this type of scheme might reduce street begging. The reasoning is that DGSs should create disincentives for people to beg on the street. If most donors exclusively make donations to DGS programs, then street begging will likely become a less profitable activity. The harder the chances of collecting donations on the street, the fewer the people inclined to solicit donations from passersby.

It is worth emphasizing here the importance of studying DGS programs. The first reason is that, although these programs affect the lives of many people, they are understudied in the empirical and normative literature. We know very little about them. Second, DGS programs can be understood as a type of program that is compatible and complementary to other policies used to regulate and control beggars' behavior. That is, as a program that is an expression of a larger phenomenon. To begin with, DGS policies are often implemented together with regulations to prohibit or seriously limit street begging. DGSs are commonly presented as initiatives capable of eradicating some undesirable behaviors. Thus, DGS programs can be as an expression of the "revanchist city" initially described by Smith (1996) and developed by many others (e.g. Aalbers 2011, Mitchell

1997; Atkinson 2003; Blomley 2010). Roughly speaking, Smith (1996) refers to a revanchist city as a set of revengeful urban policies directed against various populations accused of stealing from the city. In order to make the city safe for gentrification, different measures are taken to clean the city, make it safe for business and remove those who are out of the market (Smith 2002, p.442). The zero tolerance policies that I discuss later on in section 3.3 are a clear example of “revanchist” policies (e.g Ellickson 1996). Likewise, DGSs programs can also be seen as a “reaction against the supposed “theft” of the city” (Smith 1996, p. 207).

Yet, in contrast to other “revanchist” policies, a DGS can also be defended as a program aimed to improve street beggars’ lives. We could depart from the “revanchist” type of justification and rather support DGSs as the right policy to provide better help to beggars and not necessarily to those who benefit from a street free of beggars. Put another way, revanchist policies are typically defended as policies aimed to protect citizens from anti-social behaviors that take place in the city; but DGSs may be conceived not only to prevent antisocial behaviors, but mainly also to provide real help to those in need. So this possibility makes DGSs a particular policy within the spectrum of regulatory and punitive programs against street beggars.

3. Normative Challenges to DGSs

In this section I discuss the permissibility of DGSs as an institutional response to street begging. I list four conditions that are related to the supposed advantage of DGSs. For the

sake of the argument, I assume that the permissibility of a DGS depends on achieving the outcomes suggested by its advocates.

First, according to its advocates, one of the main benefits of DGSs is that through well-organized collective action, these programs can achieve more efficient and normatively permissible outcomes than uncoordinated and idiosyncratic acts of charity on behalf of unorganized individuals. Not surprisingly, one question that arises is to what extent a DGS typically manages to solve the collective action problem so sufficiently that it crosses some threshold of resource acquisition and service provision? In order to deliver on its promises, of course, a DGS needs to be able to collect enough money to properly fund the operational costs of the organizations in charge of assisting beggars. Therefore, a first condition is that, by using permissible solicitation strategies, a DGS should be able to collect enough money to sufficiently fund the provision of reliable relief to beggars.

Second, DGSs advocates argue that this policy can provide more certainty to individual donors through coordination than can be derived through idiosyncratic individual donations. Individual donors may not only struggle to distinguish truly needy beggars from fraudulent ones, but they also may have problems determining whether or not their donations are truly helping beggars. In most cases, they do not know how beggars make use of the monetary donations they receive. DGSs instead provide donors with more accurate and transparent information about the impact of monetary donations. In consequence, in order to be permissible, DGSs should be managed transparently and include mechanisms that allow their decision-makers to be held accountable for their activities and for the allocation of the money they receive.

Finally, DGSs advocates believe that this policy fosters fairer relationships between donors and street beggars. The remaining two conditions account for this point. On the one

hand, this may happen by reducing the one-to-one interactions that potentially produce humiliation and harm beggars' self-respect. However, in order to fulfill this goal, I argue that DGSs should not be implemented along with anti-begging policies. On the other hand, under certain circumstances some DGSs should meet demands of justice. That is, the principles of justice regulating the main governmental institutions of society should directly regulate the activities of these organizations.

Needless to say, the list of conditions does not pretend to be exhaustive. It only counts crucial conditions that affect the moral case for DGSs advanced by their own advocates. A failure to meet these conditions not only compromises our ability to act upon our moral duties towards truly needy beggars, but also interferes with the freedom and opportunities of individuals in the begging population. My main objective in this section is to explain why DGSs often encounter serious problems in meeting each of the conditions outlined above. I do not claim that all DGSs are equally vulnerable to the same problems. Instead, this exercise is intended to illustrate why these policies are more complex and difficult to justify than many of their advocates seem to recognize.

3.1 DGSs and the challenge of collecting sufficient funds

Some authors have pointed out that DGSs have not been particularly successful in soliciting substantial donations (Hermer 1999, Lynch 2005). For instance, in his study of a DGS implemented in Winchester, UK, Hermer (1999, p. 203) observed that the funds collected by that program were considerably insufficient to cover the operational costs of the charity

organizations in charge of addressing beggars' demands and needs. This result does not seem very surprising. Even in a community of altruists, there may be potential collective actions problems at the time of implementing this kind of scheme and these problems would be difficult for even well-designed DGSs to overcome (Stark 1985). For example, a successful DGS has to mitigate against what is known as an "assurance problem".¹⁸ This problem refers to the possibility that many donors may be not willing to collaborate with a DGS unless they have the reasonable assurance that most people will simultaneously (and independently) elect to do their fair share as well.

To illustrate this, assume there were only two donors and a larger number of beggars where the donors have to decide whether or not to anonymously donate money via a DGS. Imagine also that every donor in the community harbors symmetrical preferences over actions and outcomes. In a sense, this situation is analogous to the classic prisoner's dilemma. First, a donor prefers that all other donors engage in transfers rather than himself. Second, a donor prefers an arrangement where all the donors engage in transfers. Third, a donor is worse-off if none of the other donors make a transfer; and finally he is worst-off if he alone gives to the beggar whereas none of the other donors do. As Oded Stark (1985: 326) rightly points out, in this kind of situation -- when the transfer game is played in non-cooperative fashion -- the only stable equilibrium point is a non-transfer to the beggars; additionally, this equilibrium is clearly not pareto optimal. Stark argues that the prisoner's dilemma charity problem disappears in the presence of institutional schemes that generate mutual altruism among the donors. Put another way, the existence of pareto-improving (mutually beneficial) contractual arrangements can transform self-interest into "tempered

¹⁸ For a discussion about how the free rider and the assurance problems appear in the context of the discharge of duties of beneficence, see Buchanan (1996, pp.32-35)

altruism" or "enlightened self-interest". That is -- as Andreoni suggests -- a step removed from pure selfishness (Andreoni 2006:1204). In the presence of mutual altruism it becomes expensive in terms of one's own utility to refrain from transfers under any course of action taken by other individuals (Stark 1985: 326). The key is to design institutional mechanisms that bring about mutual altruism and promote the altruistic nature of altruists. If not, the level of transfers to beggars via DGSs can be quite limited. Successfully implementing such mechanisms, however, is more difficult than one might initially expect for two notable reasons.

First, DGSs that only collect money via charity boxes or donation meters are therefore based on anonymous and spontaneous street donations. This approach to donating can negatively affect donors' *signaling* motivation by limiting their possibilities to signal their pro-social behavior. Donations can be used to satisfy donors' desire "to be liked and respected by others and by one's self" and to "signal to others that one is good" (Ariely, Bracha and Meier 2009, p.544). Indirect street donations to charity boxes or donation meters, however, do not provide opportunities to engage in such signaling. Given the presence of signaling motivations, it is expected that prosocial behavior occurs more frequently in public than in private situations. That may explain why people and organizations rarely make anonymous donations to charities (Ariely, Bracha and Meier 2009, p.544).

Secondly, DGSs based on anonymous and spontaneous donations also fail to provide sufficient *extrinsic* motivation for donors. The contingent rewards associated with this method of donation -- such as making contributions tax deductible -- are rather limited. There is no external intervention that can induce people to contribute to this program. As a consequence, in the absence of signaling or extrinsic motivations, the financial viability of

DGSs rests on the possibility of having *intrinsically* motivated donors. That is, when donors are motivated to contribute anonymously to DGSs without the possibility of receiving any apparent reward except for the act of donating itself (Frey 1997).

DGSs can use three strategies to overcome these problems of collective action. First, as briefly mentioned previously, they can be implemented along with anti-begging policies that prohibit or seriously limit street begging. The idea here is that once beggars are displaced or removed from the streets, donors who want to help beggars can do so via DGSs. I will discuss this strategy in more detail in the next section. Second, DGSs can be implemented along with communication campaigns that persuade people to donate to these programs instead of directly donating to beggars. The viability of this strategy, however, depends on, among other things, successfully persuading donors that giving indirectly to a DGS is more efficacious than giving directly to beggars. The problem here appears when DGSs appeal to some contestable facts about begging practices. These campaigns usually claim that beggars misuse the money they obtain, that most beggars are idle or undeserving of financial charity, that some beggars make a decent amount of money with this practice and that charity organizations always provide better help (services and goods) to beggars than that which they can procure by themselves with the money they obtain from donations. For instance, the communication campaign that was used to support *Chip in at the Box* in Indianapolis said:

“Do not give money to people on the street. Giving money to panhandlers only encourages more panhandling. Most panhandlers are not homeless. Many panhandlers are scam artists. Many panhandlers have alcohol

and/or drug addictions. Giving money to panhandlers often feeds drug or alcohol addictions and may deter individuals from seeking the help they need”.¹⁹

This kind of rhetoric is not uncommon in the promotion of DGSs. Depicting street beggars in this way reinforces their stigmatization and negative stereotypes. To be sure, one might imagine, in the abstract, a set of communication campaigns designed to communicate less disputable arguments about the nature of begging practices. Unfortunately, this is typically not the approach taken by DGS promotional campaigns.

Third, DGSs can be used as a general strategy that includes non-anonymous and non-spontaneous donations. In a nutshell, this is a scheme that combines charity boxes or donation parking meters with more standard forms of direct donation to charity organizations. There are, however, two additional concerns with adopting a non-anonymous approach. The first is again related to the strategies employed to motivate donors to donate to this kind of scheme. As I mentioned before, communication campaigns that reinforce stigmatization and stereotypes on beggars and homeless are morally wrong. DGSs should be able to persuade donors to use these schemes without blaming needy beggars and reinforcing their stigmatization

Additionally, DGSs that appeal to non-anonymous donations do potentially generate extrinsic motivation for donors in the form of tax incentives. Thus, while the use of tax-exemptions for donations to DGSs implicitly subsidizes this type of policy, this situation raises fundamental questions with respect to the normative and practical merits of addressing this problem through individual tax expenditures versus direct government

¹⁹ <http://www.indydt.com/Panhandling>YouHelp.cfm?&lm=db> (Accessed: 3.12.2014)

expenditures (Reich 2013).²⁰ If the state itself can deliver services and goods to beggars more efficiently than DGSs, then we need to rigorously scrutinize the adequacy of the DGS solution to street begging. Nonetheless, the main attractive feature of DGSs is their promise of collecting money to help needy beggars via spontaneous, anonymous and voluntary donation in the street. If my arguments are correct, then we need to ask several questions related to the procedures and capacity that DGSs have to collect sufficient funds to minimize street begging and truly help street beggars.

3.2 Transparency and accountability

In order to be permissible, DGSs should be managed transparently and include mechanisms that allow their decision-makers to be held accountable for their activities and for the allocation of the money they receive. Accountability is usually understood as “a relationship in which an individual or agency is held to answer for performance that involves some delegation of authority to act” (Romzek and Dubnick 1998, p.6). In this case, the agencies that receive the funds via the DGS can be accountable to the donors and their beneficiaries. Transparency consists of “mandated public disclosure by corporations or other private or public organizations of standardized, comparable, and disaggregated information, regarding specific products or practices to further a defined public purpose” (Fung, Graham and Weil, 2007, p.6). The disclosure of information about the performance and characteristics of DGS is needed to improve the fairness and quality of those policies. The idea is that both donors and beggars can use the disclosed information to make more

²⁰ In a paper of this scope, I cannot seriously engage the extensive literature on the provision of tax incentives for charitable giving, so I will merely state that it is far from clear to what extent the state should forego tax revenue by allowing people to deduct contributions to DGSs from their taxable income.

informed choices and to highlight specific risks or performance problems. This would, in turn, also have the effect of encouraging the disclosers of this information (i.e. the decision-makers in charge of the DGS) to improve their policies. Unfortunately, at present we know very little about how DGSs work.

Although some programs have presented some data²¹ about the money that is collected and the services that are provided, this is not the case for most of DGSs. For the majority of these programs, the only available information about their performance can be found in newspapers articles. This is exceptionally problematic since this policy is commonly justified precisely due to its potential to provide more certainty to the donors than they can get through individual donations. For instance, in his analysis of the DGSs adopted by the City of Winchester in 1995, Hermer (1999, p.210) found no available information on how much money the program raised and how much of those funds effectively went to those in greatest need. According to Hermer, the leaders of that DGS made no effort to monitor how the collected money was administered and used.

From a donors' perspective, there are two important points to consider in relation to the transparency and accountability of DGSs. First, donors need to know whether or not their moral obligations are properly discharged through donating to a DGS. That would necessarily include information about the services that are funded through the donations in order to help beggars. Second, donors need to know to what extent the overall magnitude of donated money is enough, in the aggregate, to help beggars as a subpopulation of the country's citizens. Some of the most frequently mentioned justifications for donating to DGSs directly are that direct giving does not provide us the certainty that the donations are used for a good use and that the money is allocated to people in real need. However, if the

²¹ See for instance the case of Denver's Road Home and the Oxford Begging Initiative.

information about the way these programs work is not easily available, donors cannot be sure that this particular policy fulfills these important goals any better than their own idiosyncratic patterns of giving to individuals in the street.

3.3 DGSs and Anti-Begging Policies

In recent years, many cities around the world have adopted anti-begging policies. These policies range from prohibitions against begging in certain places and at certain times to a complete ban of this activity. As some studies report, cities in the U.S are increasingly enforcing more regulations on street beggars' activities. For instance, since 2006, the National Law Center on Homelessness & Poverty (NLCHP) has surveyed different regulations for homeless and beggars in 187 cities across the U.S. In its most recent report, the NLCHP found that while 27% of cities prohibit panhandling city-wide, fully 61% of cities prohibit this activity in particular places (downtown, commercial areas, etc). This implies a 43% increase of city-wide prohibitions and a 7% increase of particular places bans since 2006 (NLCHP 2017, p. 25).

In the U.S, the Supreme Court has not issued a clear and standard definition of “aggressive panhandling”. As a consequence, even though the Constitution protects begging as a form of speech, some states and cities have been able to declare “aggressive begging” an illegal activity (Szanto 2010, p. 524). Likewise, in the UK, the government has stressed the importance of reducing the harmfulness and offensiveness of anti-social behavior (Baker 2009, p.212; Whiteford 2013). Begging has recently been regulated by some enforcement interventions such as the “Anti Social Behavior Orders” introduced in 1998 by the Crime and Disorder Act. These civil orders prohibit and restrict the practice of begging through the adoption of behavioral and spatial conditions. The violation of these

conditions can lead to harsh punishments, even including prison sentences (Johnsen and Fitzpatrick 2008, p.193). The most extreme versions of this type of prohibition, known as zero-tolerance policies, indicate that both aggressive and passive forms of begging are prosecutable as criminal offenses. When a DGS is complemented with an anti-begging ordinance, the welfare of individuals in the begging community becomes all the more dependent on the performance of the DGS in place. Since beggars can be penalized for asking for money in the street, their chances to obtain the services and goods sufficient for survival are very much limited to people's donations to DGSs.

Additionally, most of the literature specializing in anti-begging ordinances in the U.S suggests that this type of policy violates the constitutional right to freedom of speech. As Calvert (2015, p.254) points out, courts generally recognize begging as a form of expression that is protected by the First Amendment. This Millian-inspired argument is emerges repeatedly in the literature. Begging is a form of speech that “provides information about poverty and lives of poor people” (Hershoff and Cohen 1991, p.898). The very presence of street beggars contributes to “the interchange of ideas regarding homelessness” (Millich 1994, p.275). The practice of street begging helps to transmit an important message: namely, that the safety net may not be doing a proper job. The presence of street begging is a strong signal that our welfare institutions are failing to protect some people in dire need. If successful, anti-begging policies have the potential to eliminate that message (Dean, 1999, p.1; Adler et al., 2000, p. 209).

Moreover, even if the presence of beggars can cause some distress for ordinary pedestrians, this “spectacle of another suffering is good rather than evil” (Waldron 2000, p.379). It is better that this suffering “be seen and that people be distressed by it rather than it remains invisible to all but the immediate sufferers” (Waldron 2000, p.379). Let me

simply note that in the case of DGSs, the message that beggars provide is also fundamental to making the scheme viable. It could reasonably be argued that the absence of visible beggars will negatively impact donors' proclivities to donate to these programs for lack of a perceived problem (Adler et al., 2000; Dean 1999). In this case, the potential damage is twofold: anti-begging ordinances limit beggars' abilities to obtain money in the streets by themselves *and* DGSs will have additional difficulties in collecting the donations necessary to the provisions of goods and services beggars need.

Johnsen and Fitzpatrick (2008, p.194) suggest that "the use of enforcement measures, when accompanied by appropriate support can, in fact, lead to beneficial outcomes for some individuals involved in begging". But this, of course, depends on the possibility that beggars have easy access to appropriate support. As Jeremy Waldron (1993, 2000) has persuasively argued for the case of homeless, the condition of not having an allowed place to stay and engage in basic functions (sleep, urinate, eat, wash, etc) seriously limits the homeless population's freedom. Although not all beggars are homeless, a parallel argument can be made with the case of a DGS that is implemented alongside anti-begging policies. Under these circumstances, the only opportunity beggars have to obtain help lies on those organizations that are funded through the DGS. If those organizations lack the resources to help beggars, they will then be deprived of access to most basic services and goods.

Some may argue that this type of scenario is actually beneficial to beggars since they will be forced to make their living through wage labor. The expectation is that beggars can assume greater responsibility for their lives (Whiteford 2013, p.11). This reasoning is based upon the assumption that beggars have real opportunities to stay out of the streets and go back to work. We should not assume without argument that this idea is sound. In

general, beggars in countries like the UK or the US are a vulnerable population with complex needs such as psychiatric disorders, chronic medical conditions and substance use and abuse (Dean 1999; Lee and Farrell 2003; Johnsen and Fitzpatrick 2008, p.194). It is unlikely that severe restrictions on begging and the implementation of DGSs will together compel most beggars to participate in the job market.

3.4 DGSs and the site of justice

As noted above, different actors can implement DGS schemes. When NGOs play an important role in the design, implementation and evaluation of this program, it is important to ask whether or not DGSs should be subjected to demands of justice. Some scholars believe that NGOs should not be held to these demands (Rawls 2001, p.10). Put differently, the argument implies that the principles of justice regulating the main governmental institutions of society should not directly regulate the activities of these organizations. But that argument is not entirely convincing. There are good reasons to believe that, at least under certain circumstances, some NGOs should be required to meet the same requirements of justice that are applied to the main institutions of society (Murphy 1998, Cordelli 2016).

Consider, for instance, the case of a DGS that is implemented exclusively by a single NGO. Imagine that this NGO launches a communication campaign asking people to donate to DGSs instead of giving money directly to beggars. Additionally, assume that the government adopts anti-begging ordinance that criminalizes street begging. This situation is not uncommon. It is easy to imagine a NGO that has quasi-monopolistic control over the implementation of a DGS. That is, one that establishes the allocation of collected funds, the nature of the communication campaigns to attract donors, and the behavioral conditions

that beggars should meet in order to access to its services. Additionally, we know that street begging is currently considered a criminal offense in many cities.

Under these circumstances, both donors and beggars face a basic challenge. Some donors, for example, may prefer not to donate money to a DGS that is exclusively implemented by a given NGO that imposes certain behavioral conditions to beggars asking for help. In this context, beggars can also be affected. They not only are banned from asking for money in the street, but their only choice for help may be reduced to a single NGO that asks them to behave in a particular way. One could simply reply with the slogan "beggars cannot be choosers". But that principle is morally troubling. The fact that beggars are truly in need does not allow policymakers to respond with complete selective discretion to their demands. To take an example: it would be unfair if that particular NGO gives primary attention and services to those beggars who are willing to accept and follow its religious beliefs and values.

It would probably be something of an exaggeration in this scenario to say that this NGO holds and exercises a quasi-governmental power (Rubenstein 2015). However, it is not exaggerated to suggest that this NGO holds and exercises a power that considerably affects the lives of beggars. The potential misuse of that power and the strategies for avoiding that misuse should be a chief concern as we evaluate DGSs. A crucial problem here is that NGOs may end up losing their voluntary nature. As Cordelli (2016, p.925) says, demands of justice may apply to NGOs when these organizations do not provide substantive conditions for exit. This happens, for instance, when an organization (or a group of them) monopolizes the provision of a good or a basic service (Cordelli 2016, p.928). Such a scenario could plausibly characterize many of the DGSs under consideration around the world. Therefore, we can argue that at least in some cases, some of the NGOs in

charge of implementing a DGS should be considered a suitable site of justice.²² That is to say that some DGSs should be regulated by principles of justice (e.g. fairness, impartiality, freedom of conscience and speech, etc) and not by the specific values, missions, and beliefs that define the NGOs in charge of implementing these schemes.

4. Discussion

In this paper I described DGSs and presented four standards to evaluate their use. If my arguments are sound, we should be worried about DGSs. Specifically, we should be aware that DGSs serve as highly limited mechanisms through which we might act upon our moral duties toward needy beggars. It is unclear to what extent DGSs can achieve their goals of (a) consolidating an effective form of aid to beggars, (b) helping donors act upon their moral obligations, and (c) minimizing the potential social harms created by pervasive street-level begging practices.

One could argue that I have overstated the importance and influence of DGSs. Given the modest scope of some of these schemes, it is inaccurate to demand that all DGSs meet the conditions I developed in the previous section. As a consequence, it could be objected that my argument overstates and misdiagnoses the potential problems associated with DGSs. While some of them involve many actors and restrict donors' and beggars' actions, others imply no more than the installment of few charity boxes and modest communication campaigns. In brief, not all DGS are equally vulnerable to my objections. While there is certainly some force in this objection, there are multiple counterarguments that prevent it from becoming decisive. Even in the most innocuous contexts, however, we

²² It is worth noticing that not all DGSs are subject to this criticism. For example, DGSs can be implemented by multiple NGOs that guarantee to donors and beggars substantive conditions for exit.

have reasons to worry. For example, we may think in the case of a DGS that (a) does not have government endorsement; (b) is not backed with an enforcement policy (e.g. zero-tolerance, anti-begging ordinances) and (c) distributes the information about its collection procedures and outcomes as well as its implemented policies transparently and publicly. Although in the particular situation described above we are free to decide whether or not to give directly to beggars, the real options we might have are highly contingent on the nature of the DGSs in place. Unless there are alternative DGSs that we can trust and agree with, we may still prefer direct giving. This solution is far from being optimal. If a considerable number of donors prefer direct giving to donating to DGSs, then the collective action problems of street charity will remain unaddressed.

This study opens up new avenues of research on both the empirical and normative levels. First, it is important to provide comparative and comprehensive evaluations of DGSs. At present, we know very little about the processes of designing, implementing and evaluating this policy. As Section two showed, DGSs are initiatives of a varied nature. We need to better understand and account for this variation in order to assess the results of this type of redistributive program. This will allow us to evaluate how various DGSs either fail or succeed in meeting the criteria for moral permissibility I have outlined above.

Second, this study shows that more normative work is needed to unravel the ethical implications of both street level charity and the adoption of programs aimed to deal with the collective action problems inherent to ad hoc beneficence. Thanks to the ongoing normative debate centered around notions of global justice, we now have a better conceptual and theoretical understanding of possible alternative ways to think about the nature of our obligations of justice to the distant needy. Moving forward, this debate can

now be extended further to consider the normative considerations surrounding street level charity.

Street begging is a problem that cannot be addressed through individual actions because it requires collective efforts. This, of course, it is not a novel diagnosis. Kant (1997) himself thought begging constituted a public problem that could not be solved through private interactions. This is not only due to the lack of information donors may have, nor is it due to the type of humiliating relationship that this activity involves. Rather, begging reveals a fundamental structural injustice. As Lucy Allais (2014, p. 18) put it, “if there are genuine beggars, then there is structural injustice of a sort which makes it impossible for you to relate rightfully to these individual encounters”. Genuine beggars have been “wronged by the state’s defense of property and its property distribution: they have been treated unjustly and they are lacking something to which they have a basic entitlement under justice” (Allais 2014, p.15). A complete evaluation of alternative institutional arrangements to current DGS schemes, however, requires a broader analysis exceeding the scope of this article.

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