On nationality and global equality: a reply to Holtug

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Abstract
I here defend some of the positions taken in National Responsibility and Global Justice against criticisms by Nils Holtug. I reinforce my suggestion that claims about national membership being ‘morally arbitrary’ are question begging and try to show how such membership can legitimately serve as a source of special obligations. I examine the claim that the problems involved in constructing a ‘currency’ of global justice also arise in the domestic context and suggest that appealing to ‘welfare’ as the relevant currency is not a useful way of responding to cultural differences. Finally, I respond to the hypothetical case of an unequally distributed life-extending vitamin by arguing that the discovery of such a substance would change our understanding of a normal human life, and thereby raise the bar of sufficiency.

Keywords: moral arbitrariness; obligation; national identity; global egalitarianism; sufficiency

Nils Holtug’s probing critical discussion of my book raises some fundamental questions both of moral and of political philosophy. Some of our disagreements are quite deep-seated, and I am not sure how far it is possible to produce arguments that decisively support one position at the expense of the other. Perhaps, the best that one can do is to show that one’s own position is coherent and moderately persuasive, in the sense that where it leads to specific conclusions, these are more or less in line with our considered judgments. If it turns out that these judgments are themselves contested, we may have reached an impasse. So, I will attempt to rearticulate some of the claims that Holtug finds unacceptable, though without assuming that I can decisively defeat his objections.

Let me begin with the question, whether material inequalities between people that stem from their membership in different national communities are ‘morally arbitrary’ in a sense that would lead us to condemn them at the bar of justice. In National Responsibility and Global Justice, chapter 2, I tried to expose the sleight of hand that is often involved when such claims about arbitrariness are advanced. I suggested that

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they traded on an ambiguity in what it means for a feature of a person to be ‘morally arbitrary’. In one sense, a feature is morally arbitrary if it does not result from the person’s own choice—thus it is morally arbitrary, in that sense, that I was born a man and not a woman. In a second sense, a feature is morally arbitrary when it is irrelevant to some decision or policy that has to be taken—thus, if I am applying for a job, it is morally arbitrary whether I have brown eyes or blue. Plainly, arbitrariness in this second sense depends on knowing already which features are relevant and which are not. If the job in question is to play a character in a film, and the script describes that character as blue-eyed, then eye-color is no longer ‘morally arbitrary’ in the second sense, though in the first sense it obviously is. My complaint about cosmopolitan critiques of global inequality was that they slid silently between the two senses of arbitrariness without acknowledging the petitio principii involved. They simply assumed that because people did not (standardly) choose their national memberships, inequalities that stemmed from membership must be morally arbitrary, hence objectionable, in the second sense.

The example that I used to illustrate how an arbitrary (sense 1) feature might nonetheless be morally relevant was inborn disability, thinking that few would dissent from the substantive principle involved (compensation for special need). Holtug points out, correctly, that the example itself need not pose any difficulty for luck egalitarians. But other examples—such as the one I have just used, involving eye-color—can easily be supplied to make the analytical point. Luck egalitarians would doubtless object to people becoming better off as a result of landing film roles by virtue of having blue eyes—but this merely serves to remind us that moral arbitrariness (sense 2) requires one to have adopted a principle that specifies which features are relevant and which are not. It has no independent justificatory force. For nationalists and statists, a person’s membership of a nation-state is a morally relevant feature, and therefore non-arbitrary.

Of course, if you are luck egalitarian, then you will think that global inequalities, by virtue of being arbitrary in sense 1, must also be arbitrary in sense 2—that follows directly from the luck egalitarian principle itself. But when Caney and others deployed the moral arbitrariness argument in defense of cosmopolitanism, they thought that they were producing an argument that had wider appeal. Holtug appears to think that any case that is made out in favor of equality within nation-states must rely on luck egalitarianism, but this is far from true. Domestic egalitarianism can be defended by appeal to the special relationships that exist between citizens (but do not obtain globally). This is not the place to debate the merits of luck egalitarianism in its own terms. In my view, it displays an unenviable combination of philosophical incoherence and political irrelevance. But it would take us too far afield to give that judgment the support it needs.

I turn next to the question of whether special obligations (to compatriots and others) can be rendered consistent with the (weak) cosmopolitan premise that we should value goods and bads equally regardless of who experiences them. Holtug suggests that it follows from that premise that each of us has a reason, of fixed strength, to go to the aid of a person in need regardless of any relationship that might obtain
between us and them. So, let us try a thought experiment to test that suggestion. Someone describes to me Ismail, living in a refugee camp in Mogadishu and seriously malnourished, and also explains how a donation that I might make to a particular charity will provide food to Ismail. On the basis of this information, I have some reason to make the donation, but is it a reason of fixed strength? Shouldn’t I want to know, for example, how Ismail came to be in the condition that he is in (who is responsible)? Also, how likely is it that others will come to Ismail’s help if I do not? Further, do these others have any special obligation to help Ismail whether or not they are likely to do so in fact? Still further, given my finite resources, are there more important ways in which I might use my money? In this thicket of questions can I discover a reason of fixed strength for me to help Ismail, even though I acknowledge that Ismail’s condition is as much a bad as that of anyone else suffering from malnutrition to the same degree? I do not think so. The strength of my reason seems to depend on various relational facts that concern not just Ismail and me but also potentially many others who are connected to Ismail in different ways—through past practice, commitments, cultural ties, and so forth.

So far this just shows that compatriot ties might be a reason for giving the needs of some people more weight than those of others in our practical reasoning. Holtug also challenges the positive argument in favor of compatriot priority, arguing that we do not enjoy ‘personal relations’ with more than a tiny fraction of our compatriots, by contrast with a small face-to-face community in which, he allows, the argument for special duties might have some merit. This heavily mediated character of national communities is often urged as a reason for not giving them ethical weight. However, one needs to distinguish two different versions of the critique, corresponding to the distinction between ‘imaginary community’ and ‘imagined community’. One version holds that those who think of themselves as compatriots actually have nothing in common, nothing to bind them together over and above the fact that they inhabit the same territorial state. Each believes that the others hold the same beliefs, values, and cultural attitudes as him- or herself, but this is in fact an illusion, maintained entirely by selective interpretation of the social world. Two French people are no more alike, on average and in the relevant respects, than a French person and an Afghan. The other version concedes that the commonalities are real, but focuses on the means by which they are sustained and reproduced—the social mechanisms by which people are taught what they should believe and how they should behave if they are going to be ‘French’. Now, it is true that more artifice is involved in the cultural reproduction of a national community than would be involved in sustaining a face-to-face one—a traditional village, say (I tried to acknowledge this artifice when choosing the picture to adorn the cover of my book *On Nationality*, which showed children in Alsace being taught, in 1918, to think of France rather than Germany as their homeland). But provided that certain other conditions are met—in particular that the content of national identity should be open to debate and revision, with all sections of the community having adequate opportunities to contribute to that process—the beneficial consequences of sustaining such a community (especially the support it gives to democracy and social justice) provides sufficient justification. Even though I
know very few of my compatriots directly, our shared identity allows us to pursue values together that we would be unlikely to pursue if we did not feel the sense of mutual commitment that this identity induces.

Holtug focuses on a child rescue case as a way of casting doubt on the ethical relevance of nationality. He says that it would be obscene to ask two children to reveal their national identities before deciding which one to help (if I have to choose), and equally indecent to allow prior knowledge of identity to determine one’s choice. He draws a contrast with finding out that one child has poorer health and is therefore in more urgent need of help. Presumably, he would not think it wrong to choose to save one’s own child, even if in every other respect the situation of the two children were the same. So, it is something about nationality specifically that makes it an inappropriate basis for choice. I hazard from some remarks on (7–8) that this may stem from a reductionism that understands nationality as nothing more than the set of cultural characteristics on which it is based. Suppose, to caricature for the sake of simplicity, that what was culturally distinctive about the Swedes was their love of pickled herring and IKEA furniture. Then, it would seem somewhat bizarre to give preference to someone in a rescue context just because you and he shared these passions. But this badly misunderstands what it means to have a national identity. It is to be committed to a group of other people in the expectation that they will reciprocate your commitment. The shared characteristics are what marks the group out from the rest of humanity but the national community itself is something over and above those features. When you choose to pull your fellow-Swede first out of the water, it is because you recognize him as someone with whom you have particular (albeit mediated) relationship, and whom you would expect to follow a similar priority rule in the reverse case; it is not merely because you have common tastes in food and furniture.

Now, I turn to the issue of global egalitarianism. In *National Responsibility and Global Justice*, I deployed two arguments intended to show that global justice could not plausibly be understood as requiring global equality. One turned on the unavailability of a viable ‘currency of egalitarian justice’ at global level; the other pointed out how allowing scope to national responsibility would in all likelihood destroy equality (however measured) over time. Holtug responds to both. He first questions whether my scepticism about the possibility of a global ‘currency’ to measure equality—which hinged on cultural differences in the way that goods are understood and valued—would not also apply to distributive justice within societies that are increasingly multicultural internally. I agree that this is a real issue, so it is worth reflecting a little further on how principles of social justice are applied in the domestic context. The aim is not to establish some overall state of equality, whether of resources, welfare, etc. Instead, the principles mandate that different ‘primary goods’ should be allocated in different ways—jobs on the basis of merit, health care on the basis of need, etc. Applying such principles does not require a cultural consensus on the relative values of all the specific goods that may be available for distribution, but a series of much more localized consensuses on, for example, the criteria that should count as relevant merit when jobs are being assigned, or on what
qualifies as healthcare and what doesn’t (homeopathic medicine, cosmetic surgery?). Over and above this, there has to be some agreement, hammered out politically in practice, on what we might call ‘sectoral allocation’—the relative proportions of GDP that should be devoted to education, health care, etc., or left after taxation to be distributed as personal income. So although culturally based disagreement is certainly possible, and if it existed would be corrosive of social justice, it remains an empirical question how much of it there is once we focus our attention on the areas where agreement is required.

Turning back now to global egalitarianism, we confront two significant shifts. First, justice is now understood in terms of some overarching principle of equality—there are different views about what the relevant principle should be, whether resources, opportunity, welfare, etc. Second, the scope is shifted from a political community within which the meaning of various principles and the goods they are used to allocate can be debated and a working consensus created, to a world in which there are many such communities, within each of which a distinctive political culture may be expected to evolve. Against this background, my claim is that ambitious principles of equality cannot meaningfully be applied. The best that we can hope for is agreement on a list of human needs, which, in turn, can be used to generate a set of basic human rights. If we are going to talk about global justice, this is where we should begin.

Holtug hopes to sidestep some of the difficulties in reaching agreement about, for example, what should count as equivalent opportunities when a principle such as equality of opportunity is deployed globally, by switching to welfare as the currency of global justice while accepting that cultures will disagree about the contribution that different goods may make to individual welfare. But the problems with equality of welfare have often been rehearsed, in the work of Dworkin and others. Conceptions of welfare vary. If we opt for one of the subjective conceptions, such as felt happiness, then it is well-known that when international comparisons are made, happiness often correlates poorly with other indicators such as per capita GDP—for example, the Pew Global Attitudes Survey in 2007 found that more Mexicans than Americans (76% vs. 65%) recorded high levels of personal life satisfaction, despite the fact that per capita incomes in the United States are about four times higher than those in Mexico. (Of course, one could simply accept such findings at face value and say that there is no case for redistribution from the United States to Mexico). Alternatively, we might plump for an objective list conception of welfare, such as that represented by the Organisation for Economic Co-operation and Development (OECD’s) Better Life Index, which identifies 11 separate components of welfare, but then we confront the problem of how these components should be weighted relative to each other—a problem which the OECD ‘solves’ by inviting individual users of the index to input their own weighting. This might be helpful for members of the cosmopolitan elite facing the terrible burden of deciding which of the many places in which they might choose to live is most desirable, but it is going to be of little use in constructing a currency of global justice.
Consider now the dynamic problem that arises because policy choices made by different nations will create inequalities between them even if starting points could be equalized. Holtug focuses on the case where the choices made in one nation make their successors worse off in absolute terms, but of course the issue of inequality also arises in the case where society A pursues a steady-state economic policy (perhaps on environmental grounds) while society B goes for growth. Here, there is no question of the A’s exploiting their descendants, but a global egalitarian might still ask why future members of A should suffer from relative deprivation. Notice, however, that because of continual population replacement, there is no way to allow the two societies to make autonomous decisions in any area that has an impact on the relevant currency of justice which will not (potentially) mean unequal starting points for later arrivals. Here, the analogy with individual inheritance, cited by Holtug, fails. It is indeed possible (in theory anyway) to give the children of feckless parents equal life chances by breaking the link between the resources that their parents leave behind and those that the children start with, at some conventionally selected age. We could replace the current practice of inheritance with equal capital grants to all 18 year olds, for example. But, if the members of A are responsible for a collective decision at T whose effects will run forward to some future point T + 1, then it should be obvious that at the very least all those born into A between T and T + 1 will bear the impact of that decision. Either we must prevent the original members from experiencing the effects of a choice for which they were responsible over the future course of their lives, or we must allow the incoming members to be disadvantaged (relatively) by a decision for which they were not responsible. This, it seems to me, creates an insoluble dilemma for luck egalitarians—but I have already commented in passing on the incoherence of that doctrine.

Let me turn finally to the critique that Holtug mounts of my own theory of global justice, which centers on the universal protection of basic human rights, and can therefore be seen (in the unlovely jargon that seems to be taking over political philosophy) as ‘sufficientarian’ in nature. He invents an example in which one society discovers vitamins that extend people’s lives to 400 years and argues that it would be unjust if the members of that society refused to share the vitamins (which they could easily do) on the grounds that people elsewhere already had sufficiently good, albeit much shorter, lives.

My response is that the idea of human needs, on which the account of basic human rights is grounded, invokes what I call the ‘human form of life’. That is, I assume that there will be sufficient cross-cultural agreement on the various elements that together make up a life that is recognizably human; included in that set of elements is an understanding of the average life span that a human being can reasonably expect and in terms of which we define concepts such as ‘youth’ and ‘old age’. (We hear Jaques’ monologue in Shakespeare’s *As You Like It* and immediately recognize, from our own experience, the ‘seven ages of man’.) Now it is possible to imagine circumstances in which our understanding of the human form of life would change—indeed it seems to me quite probable that with the advances in biotechnology that are now taking place, our understanding will change over the course of the next century or so. What
Holtug’s example does, perhaps inadvertently, is to introduce such a shift in our understanding. It is tempting to assume that those who would live for 400 years would be just like us, but with a much larger capacity for welfare; on reflection, this must obviously be wrong. Their lives are simply different from ours. If such beings were to come into existence, this would radically disrupt our understanding of the human form of life, and might lead us to conceive of human needs differently.

A ‘sufficientarian’ position, in other words, works with a conception of a minimally decent human life that is not sensitive to the existence of inequality as such, but will be sensitive to changes in the core idea of a human life itself, if indeed they occur. If we think that the vitamin finders are behaving unjustly by refusing to share their discovery, this is not because of inequalities between the two societies, but because their discovery has had the effect of transforming the idea of a decent human life on both sides of the border.

NOTES
1. D. Miller, National responsibility and global justice (Oxford: Oxford University Press, 2007).
2. I attempted to tackle this question, appealing to empirical evidence, in ‘Social Justice in Multicultural Societies’ in Cultural Diversity versus Economic Solidarity, ed. P. Van Parijs (Brussels: Deboeck University Press, 2004).