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Cosmopolitanism: Is there room for special relationships?*

Gillian Brock's *Global Justice: A Cosmopolitan Account* is a comprehensive and measured account of how best to conceive duties of justice from a cosmopolitan perspective. Brock's central concern is to offer plausible answers to what seem like impossible questions: How do we move towards a more just world? How do we get parochial citizens to contribute to cosmopolitan justice? What policies can move us in the direction of more justice? And how can we deploy the material and institutional resources *we already have available* to us to move in the direction of global justice? Brock draws on an impressively large range of resources to offer her account, which is both critical of, and an attempt to move beyond, previous work in the domain of global justice; her critical observations motivate an innovative positive account of global justice that will satisfy cosmopolitans and placate many of its critics.

In this response, I shall pose some questions with respect to Brock's critical interpretation of liberal nationalism, as well as her attempts to leave some real room for what she deems 'legitimate forms of nationalism' in her cosmopolitan account (this will take me into her discussion of immigration, as well). I will begin with a brief reconstruction of what I take to be the central steps in Brock's argument, and will then ask three questions: 1) How should we conceive the actual content of the 'considerable discretion' Brock intends to allow national communities to have?; 2) If human relationships are an essential element of any plausible account of 'basic human needs', should we consider 'cultural' relations to be among them (indeed, why wouldn't we do so?); and 3) Is the worry that out-migration from developing communities will erode the capacity for these communities to be productive consistent with a rejection of the liberal nationalist thesis? For clarity and by way of introduction, let me say that I take the liberal nationalist thesis to be this: liberal democratic communities are able to sustain themselves only in the presence of a robust and active national community, the components of which are determined historically, as well as presently in the form of active participation by members in a shared public environment to which all (or most) citizens have genuine access.¹

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1. The scholars typically considered as part of this group include David Miller, *On Nationality* (Oxford: Oxford University Press, 1995); Yael Tamir, *Liberal Nationalism* (Princeton: Princeton University Press, 1995); Will Kymlicka, *Multicultural Citizenship: A Liberal Theory of Minority Rights* (Oxford: Oxford University Press, 1996).

The claim that Brock is considering in the relevant chapters (10 & 11) is that, as nationalists argue, co-nationals have special responsibilities to insiders that they do not have to outsiders. As Brock observes, nationalists justify this position in a range of ways (pp. 276-282), though the justification that concerns her in Chapter 10 is in particular the one that underpins both David Miller's and Yael Tamir's work, namely, the associativist account.² According to the associativist justification, members of associations – in this case, nations – have obligations to co-members in virtue of the relationships they share. Relationships among co-nationals, to put it slightly differently, give rise to obligations among them; because these relationships do not extend beyond the boundaries of the nation, obligations likewise do not extend beyond the boundaries of the nation. As Brock observes, nationalists who justify their positions in this way do not argue absolutely against obligations to outsiders; rather, they argue that duties to outsiders are far less robust than are duties to insiders. We can prioritize the needs of insiders, say nationalists, even when the needs of outsiders may be (to some extent) unmet. The extent to which these needs can go unmet while sustaining the justified privileging of the needs of insiders is a matter of ongoing debate.

However, Brock is unsatisfied with the variations on this position that she finds in the literature, terming them 'inconsistent, unhelpful or ad hoc' (p. 264). In her view, their attempts to offer a plausible account of the view that 'obligation somehow does diminish with distance,' fail (p. 274, and see pp. 275-282).³ It is worth noting here that Brock chooses to focus on early accounts of liberal nationalism, and pays little attention to later accounts that attempt more self-consciously to give an account of nationalism that pays attention to cosmopolitan worries (David Miller's later work does precisely this, for example). An attempt to engage these thinkers would have made these sections of the book more relevant and compelling, in my view. That said, while the nationalists Brock examines complain that it is impossible psychologically, and undesirable morally, to require that people disassociate themselves from their personal identity, which is necessarily connected to the nation in which they live and the relationships they thereby share, Brock observes that it is precisely this disassociation that is essential to making the right decisions with respect to our obligations. We must be able to consider the duties we have *independently* of the nations in which we are, arbitrarily (from a moral point of view), a part. There is no duty, says Brock, that 'follows tightly from personal identity'; instead, 'there is, and always should

2. The associativist account is typically attributed to Ronald Dworkin, *Law's Empire* (Cambridge: Belknap Press, 1986).

3. See Chaim Gans, *The Limits of Nationalism* (Cambridge: Cambridge University Press, 2003); Margaret Moore, *The Ethics of Nationalism* (Oxford: Oxford University Press, 2001); Samuel Scheffler, *Boundaries and Allegiances: Problems of Justice and Responsibility in Liberal Thought* (Oxford: Oxford University Press, 2001); Peter C. Meilaender, *Toward a Theory of Immigration* (New York: Palgrave, 2001); Margaret Moore, 'Cosmopolitanism and Political Communities', *Social Theory and Practice* 32/4 (2006), 627-658.

be, a wedge between personal identity and duty' (p. 264).

This is not to say that Brock denies a place for nationalism in her account. On the contrary, her concern is to carve out a space for what she terms 'legitimate forms of nationalism.' To do so, she suggests, we must begin with an account of the duties entailed by a commitment to global justice in the first place, and this is the objective of the first several chapters of Brock's text (I leave others to discuss these chapters). Once these duties are established (for Brock, these duties entail meeting a set of fairly robust basic needs), we must deliberately move towards meeting them. Once we have made considerable moves towards doing so, moves that we can make through the generation of just global institutions (the discussion of which occupies, again, earlier chapters of Brock's work), and *only once these moves have been made*, we may legitimately favour the needs of co-nationals. She writes: 'against a backdrop of globally just institutions that we cooperate in sustaining, so long as we contribute our fair share to the collective project of supporting those institutions, we may act in ways that focus on compatriots' needs' (p. 290).

What is the content of the 'discretion' allowed national communities?

As I have outlined Brock's view, it is an eminently plausible attempt to combine two important observations. First, citizens genuinely feel obligations to those with whom they share citizenship. Second, citizens' belief that they have obligations to insiders can blind them to the obligations they genuinely do have to outsiders. Yet, rather than dismissing out of hand the claim that duties can be differentiated (so that we have some duties to insiders and others to outsiders), she endorses at least an element of the central nationalist claim, i.e., that nations are entitled to 'considerable discretion' with respect to how they run their communities. By her own estimation, Brock's account allows for 'legitimate and meaningful forms of nationalism to flourish' (p. 283). Once our global justice goals are met, or are close to being met, nationalists may with clear consciences, 'prioritize meeting the needs of our compatriots' (p. 290). Or, put differently, once the background structure is just, i.e., once we have structured a set of institutions that secure justice on a global scale over time, 'considerable discretion can be allowed to communities about how they are to lead their group lives as they most desire' (p. 294). Yet, Brock does little to give content to what are, after all, relatively abstract claims about the legitimate behaviours nations may adopt in a world that is progressing towards, without necessarily having achieved, global justice. What, I should like to ask, does this 'considerable discretion' consist in? Does this discretion consist in permitting differentiated duties, or does it consist more broadly in permitting nationalists to pursue a (legitimate) conception of the good? And, if this discretion consists in permitting nations to delimit a conception of

the good, to what extent (if at all) can this conception be distinguished from privileging insiders from a material perspective (i.e., of permitting differentiated duties at the global and national levels)? In particular, since Brock does not appear to require the achievement of global justice, but rather significant moves towards global justice – ‘those institutions [of global justice] must be making considerable progress towards the stated goals, if they have not already been reached’ (p. 290) – I believe it would be helpful to have a clearer account of the content of the ways in which nations may prioritize the needs of insiders, when they may do so, and why they may do so. It may simply be, of course, that Brock misleadingly uses the term ‘needs’ to describe the way in which nations may prioritize each other under conditions of global justice. Perhaps what she means is that once the basic needs of global citizens are met, we can prioritize the ‘non-basic’ needs, or perhaps the interests, of co-nationals. If there is a hierarchy of needs and interests in operation here, it could be made more explicit, however.

In particular, Brock does not seem to argue that national communities will be required to sacrifice their wealth in noticeable ways in order to achieve a more just global environment, or rather she does not confront in any direct way the sacrifices that nations will be expected to make in exchange for participating in her scheme. In avoiding this confrontation, Brock may also avoid having to answer a difficult question, namely: How *much* can wealthy citizens be required to give up to secure justice globally? This is essential, since one central plank of many nationalist positions is that nations *deserve* (some significant portion of) their wealth, because of the national policies they have pursued, and the collective sacrifices they have endured. Of course, it may be that Brock believes that the transitions she advocates will have no real impact on the ‘stuff’ wealthy countries possess, since it is at least part of her stated goal to show how easily her proposed policies can be implemented given the institutions and policies we already have available to us, and which can be built upon. But, if that is the case, it would be helpful to make this statement clearly, since surely this would help assuage nationalist criticism of her own position, if indeed nationalists would be inclined to criticize her position.

It seems to me that there is a real question to be asked with respect to likely nationalist responses to her positive proposals. I shall leave it to others to assess Brock’s positive proposals in detail – they include tax reform, institutional reform, immigration reform and so on. In each case, moreover, Brock is very careful to indicate the ways in which the proposals themselves draw on policies and institutions we already have available to us; one of her stated objectives is to show how quickly and painlessly we can make moves towards a more just world. And she is, as I have observed, critical of nationalist positions that fail

to make adequate room for global justice concerns. Yet, the effect of her careful and measured approach is to make it, after all, less clear that the nationalists who occupy her critical attention in Chapter 10 would object to her positive proposals. Where, in other words, is the *precise* locus of disagreement, with respect to the global justice outcomes as well as the justifications for pursuing these outcomes, between the nationalists she criticizes and the positive views she ultimately endorses?⁴ My own sense is that the nationalists she criticizes – and more importantly, those nationalists who self-consciously take on cosmopolitan claims, but with whom she does not engage specifically – would find Brock's views reasonable.⁵ Of course, it may be that whether Brock and more recent nationalists agree will depend on the *content* of the discretion that Brock defends, that is, with respect to whether the discretion permits differentiated duties, and therefore the material privileging of insiders, or whether the discretion permits nations to pursue a conception of the good (which can, somehow, be distinguished from the material privileging of insiders). Defenders of nationalism may well be willing to concede the former but not the latter.

Are 'cultural' affiliations a component of 'affiliations' more generally? If not, why not?

It seems to me that there are at least two sources of the ambiguity I've pointed to above, with respect to the actual discretion permitted to national communities.⁶ One source concerns the place occupied by social relationships as part of the basic needs hierarchy. A second source concerns the reasons for Brock's apparent concern with nations, even as she is highly critical of most attempts to defend them.

Brock's early chapters are concerned to identify a set of needs that can, she argues, serve as a 'basic component in theories of justice' (p. 68). As a matter of cosmopolitan justice, we should focus on ensuring that people around the world are able to meet these needs; these needs ground the human rights to which we are committed, and are what must be fulfilled in order to enable us to act as autonomous agents, or, put differently, to actualize our capabilities.⁷

4 As Brock observes, for example, Tamir argues clearly that the right of a nation to be self-determining is contingent on other nations' capacity to do the same (pp. 254-5). Here, however, Brock is occupied with observing what she believes is a tension in Tamir's work.

5 See for example David Miller, 'Against Global Egalitarianism', *Journal of Ethics* 9/1-2 (2005) 55-79. See also the thinkers listed in footnote 3, who I believe engage actively with cosmopolitan principles in formulating their visions.

6 I should say that 'national' communities are not necessarily equivalent to 'cultural' communities. The reason to treat them together here is simply to highlight the value that is (or isn't) attributed to relationships that derive from sources other than family, friends and neighbours. Typically, scholars reject or embrace both cultural and national relationships, and for the same reason, namely as a result of the importance they play in underpinning the conditions for autonomous living.

7. This is a very simplified account of an argument that Brock makes carefully over several chapters; it will do, I believe, for my purposes here.

These needs are not surprising, and include rights to physical health, security, autonomy and so on (p. 70). Among the needs that must be fulfilled is the need for what Martha Nussbaum refers to as ‘affiliation’, and what Brock terms ‘decent social relations or psychological health’ (p. 70). An essential element of a genuinely flourishing life will recognize the ‘importance of social (not just physical) functioning in particular communities’ (p. 65).⁸ Psychological health she tells us can be assessed in considerable part by evaluating the prevalence of mental illness (p. 67); social relations can be measured in part by assessing ‘the percentage of children abandoned or abused and the percentage of people without close relationships, among others’ (p. 68). I do not believe that Brock means these lists to be exhaustive. Rather, they are suggestive, and we can surely imagine ways to measure more thoroughly the health of social relations in a given community, but that is a project for elsewhere. Yet, the observations Brock makes in these passages nevertheless make it clear that the relationships in which people are able to engage is one component of a flourishing life, and that it is an essential aspect of any theory of global justice that we think clearly with respect to what we must do in order to ensure that the need for healthy human relationships is met.

What seems less clear, however, is why a concern with the health of social relations does not translate into a concern with the status of *national* or *cultural* groups, i.e., with the status of the *national or cultural relationships* in which nearly all of us are involved. In Chapter 10, Brock dismisses at least the moral relevance of the national or cultural relationships that nationalists claim are essential to our personal identity (we must, rather, move beyond them in order to think clearly about the duties we have to others). Yet, earlier she admits the importance of ‘affiliation’ to such an extent that it occupies a spot on the list of needs to which we must be committed as theorists of global justice. She is skeptical of Tamir’s claim that cultural membership is a precondition for the practice of autonomy (p. 25), while she nevertheless agrees that relationships of *some kind* are essential to agency (pp.70-71). I don’t intend, with this line of questioning, to suggest that we should agree that relations among co-nationals should always take moral priority over other human relationships (I also do not believe that either of Tamir or Miller is making such a radical claim). What I do wish to ask is how we might, as scholars who believe that human relationships are an essential component of a flourishing life, and who therefore believe that protecting the conditions under which these relationships can flourish is a matter of global justice, distinguish among the *positive* relationships that are ‘basic’ and those that are less so.⁹

8. Brock makes this statement approvingly in a discussion of various accounts of defining basic human needs.

9. I italicize *positive* here because I take it for granted that nationalists and anti-nationalists agree that xenophobic, racist, violent nationalist movements are not at issue when we are assessing the moral status of nations. We all agree that these forms of nationalism are morally repugnant.

If many, or even most, individuals in the world take their national or cultural relationships to be essential to their personal identity as Yael Tamir suggests, on what grounds should we reject the claim that these relationships are among those that deserve protection as part of our concern with ‘basic needs’? Of course, not everyone agrees that their national or cultural affiliations are essential to their lives or identities – but as Brock observes, lack of universal agreement is insufficient to disqualify a possible ‘need’ from the list of basic needs. An ascetic has less need for food, for example, but we don’t disqualify food from the list of objective needs, while a hermit has less need for company, and we don’t disqualify relationships from the list either. What, then, disqualifies national or cultural relations from the protection to which other relations seem to be entitled, on the account that Brock provides? Certainly, it seems to me, the psychological health of many individuals in the world would improve, for example, if their culture or nation was not under physical or existential threat. The psychological devastation to individual Aboriginal citizens as a result of attempts to erode their culture, for example, provides evidence of this claim. This example suggests that the ‘absence of existential threat’ is an essential element of any plausible ‘basic needs’ account; yet, acknowledging this claim entails recognizing the value of cultural and national relationships independently of the more intimate relationships that are already protected by such an account.

Why worry about out-migration from developing countries if nations are of no moral relevance?

In Chapter 8, Brock offers a tremendously careful evaluation of what, in normative theorizing on migration, is a neglected topic: the effect of out-migration on developing communities. In our concern with whether *more* immigration can serve as a tool of global justice, and with whether more migration to developed countries will erode the culture of the host country, or simply its capacity to provide the goods its citizens have come to expect, we have paid less attention to the effects of out-migration on poor nations around the world. In fact, Brock observes, the out-migration of thousands of citizens from many nations has a tremendously detrimental effect on these nations: the out-migration of trained health care workers from a host of countries means, for example, that developing nations continue to be unable to provide for their own health care needs (it has the perverse effect, moreover, that developing countries are in effect subsidizing the health care of citizens in wealthy countries). Brock expresses, additionally, some concerns with the negative effects of remittances, which are typically lauded as the central benefit of ‘exporting’ migrants from developing nations.¹⁰ Remittances may reduce the incentive of those who receive them to work, for

10. See in general the contributions to Samuel Munzele Maimbo and Dilip Ratha (eds), *Remittances: Development Impact and Future Prospects* (Washington, DC: World Bank Publications, 2005).

example, and those who receive remittances are likely to desire to attempt to emigrate as well (p. 206). The receipt of remittances, moreover, may mean that (remittance-receiving) communities may ultimately demand less of their government, which can then, without consequence, abrogate its responsibility to provide for its citizens (p. 207). Since out-migration cannot be prevented absolutely, it is perhaps the case that receiving countries, especially those that actively recruit poor citizens (and especially poor citizens who have additional training at the expense of their state), should be required to offer some sort of formal compensation to the sending country, compensation which may well enable these communities to better provide for themselves (pp. 198-204).¹¹

As Brock observes, moreover, it is worthwhile to consider the possibility that migrants in general would prefer *not* to leave their homes. As a result, we should consider ways in which to enable nations to provide the conditions under which those who migrate for improved opportunities would, in the end, choose against migrating. Brock writes, ‘prospects for decent lives are better secured by attending to the situation on the ground in home countries, examining why people there do not enjoy prospects for decent lives, and examining what can be done to fix the primary situation’ (p. 193). Brock’s formulation is in terms of providing decent lives, and more broadly, in terms of remedying global justice. She does not believe, as I do not, that more migration is a plausible solution to global poverty.

Brock’s arguments rely on two essential observations: first, many people would prefer to stay ‘home’, and migrate in desperation only, and second, there is a loss associated with out-migration that must be considered independently of the wealth transfer benefits that derive from the remittances sent home by migrants. I believe the power of these two observations cannot be understood without an explicit recognition of the moral importance of national or cultural communities, and the obligation-generating relationships to which these communities give rise.

Consider first why it is that migrants prefer to stay home. In large part this is because of their connections to families, friends, neighbours and so on (all of which is considered to be among our basic needs, in Brock’s formulation). However, I am not alone in thinking that migrants’ ‘homes’ are also defined in large part by the culture or nation in which they have been raised. It is the stability and comfort of this cultural or national environment that provide citizens with a sense of

11. As a parenthetical aside, Brock is quick to dismiss the importance of the rights of individual migrants to migrate, and the ways in which they might be infringed via policies that make their out-migration more difficult. She states simply that ‘the rights to emigrate that health care workers have must be balanced against the responsibilities they have to the countries in which they were trained’ (p. 203). Given how frequently individuals wish, and intend, to take their nationally-subsidized training and practice ‘away,’ more normative work needs to be done to justify the restriction, even if temporary, of the exit rights of high-skilled citizens in poor countries.

belonging,¹² and which empower them to live authentic and autonomous lives. In my view, the moral relevance of migrants' preference to stay home derives in large part from the value that is associated with the national and cultural environment in which they live. As a result, then, these national and cultural relationships (rather than simply family and friendship relations) are *morally significant* and supporting them must be a matter of moral concern to cosmopolitans. Brock believes that potential migrants would in general stay home if decent lives were available to them; I believe her concern cannot be adequately justified without a commitment to the moral relevance of national and cultural communities and the relationships to which they give rise (in addition to family and friendship relations).

Moreover, as Brock suggests, it is a mistake to evaluate migration simply in terms of global redistributive justice, i.e., in terms of wealth transfer from migrants to home communities in the form of remittances. This 'benefit' must be balanced against the real costs experienced by the sending community, costs associated with losing a substantial part of the population to migration, whether temporary or permanent. In particular, it is inevitable that the character of a community shifts in response to the loss of citizens to migration. For example, says Brock, the receipt of remittances may well shift the work ethic of those left behind, who may as a result choose against working entirely (because remittances are sufficient to live on), or they may prefer to focus on finding opportunities to migrate as well. In more general terms, extensive out-migration can affect a massive shift in the members of the community itself, and can therefore cause a shift in the cultural or national character that we may, ultimately, lament as a genuine loss (in spite of the increase in wealth experienced by these communities). The cultural or national connections on which members relied to exercise agency or autonomy may be lost as a result of extensive out-migration; in other words, the status of the loss that occupies Brock, and its normative implications, cannot be fully understood without considering the cultural or national concerns at stake.

Conclusion

Gillian Brock's *Global Justice: A Cosmopolitan Account* is a powerful and important contribution to the literature on global justice. I have no hesitation in recommending it to political theorists who are concerned with global justice, as well as practitioners who are concerned to have a deeper understanding of the normative considerations at stake in defending the pursuit of global justice, and the policy proposals that flow from these considerations. I hope that Brock will

12. For two different accounts of the importance of belonging, see Joseph Carens, 'On Belonging: What We Owe to People Who Stay', *Boston Review Summer* (2005), Jennifer Leaning, Sam Arie, and Elizabeth Stites, 'Human Security in Crisis and Transition', *Praxis: The Fletcher Journal of International Development* 19 (2004) 5-30.

take the questions I have posed above in the spirit of continuing an important conversation about the role and place of human relationships, whether cultural, national or familial, in thinking about global justice. I believe that Brock has pressed this debate forward in important ways, and my questions are intended to do the same.

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