



# Against Patriotism and National Partiality

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## Abstract

Commonsense, widespread moral opinion affirms patriotism as a moral requirement binding on all members of nation-states and national communities. This chapter argues against this consensus. The duty of patriotism for purposes of this discussion is understood as the moral duty of each person to be partial in promoting the national project of her own national community and in favoring specially the interests of conationals over those of outsiders. The chapter argues against the claim that there is any such duty by rebutting arguments offered to support this claim. The uncertain bearing of doctrines of cosmopolitanism on the case for these duties of patriotic partiality is briefly explored. The chapter ends by considering whether duties of patriotic/national partiality might find their place, justified by instrumental considerations, as subordinate elements in a multilevel moral system.

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**Introduction**

For many people, patriotism is an unshakeable moral imperative. That a morally decent person loves her country and is willing to make big personal sacrifices for the sake of her land and her people just goes without saying. The moral rightness of patriotism is taken by many to be a fixed point for moral reflection. That is to say, the moral rightness of patriotism is regarded as a given, not a belief that might be altered or abandoned if it came in conflict with other moral convictions people hold or some otherwise attractive abstract moral theory that claims their allegiance.

The claims in the preceding paragraph regarding the obvious and unquestionable rightness of patriotism are staples of ordinary commonsense belief across many societies and historical periods. They are not only convictions affirmed by moral philosophers.

For example, in Treuer (2019), an Ojibwe Indian who is fighting as a member of the US military in the Iraq War is asked by his mates, given the injustices heaped on American Indians throughout US history, why join the US Army? His reply is, “Hey. This is still my fucking country. My Turtle Island. Get it?” (In Ojibwe lore, Turtle Island is the back of a giant turtle surrounded by water on which all Indians – and now all Americans – are residing.) The quoted thought seems to be that there is a strong presumption that an individual should be loyal to his country and be prepared to make sacrifices for it. Even belonging to a social group that is mistreated, at least up to a point, does not overturn the presumption. The slogan “My country, right or wrong” seems to affirm this presumption as absolutely binding.

This chapter swims against this tide of commonsense opinion. This is not a solo enterprise. Many individuals throughout history have voiced opposition to nationalism and patriotism. Hardly anyone denies what is patently obvious, that in contingent circumstances making personal sacrifices for a patriotic cause might be the best means available to satisfy impartial principles that should command everyone’s allegiance. But it is doubtful that this sort of contingent convergence between what patriotism demands and what morality requires holds usually or regularly. And the idea that the sheer fact that one’s patriotic sacrifice would advance the flourishing of one’s nation or the welfare interests of fellow countrymen renders such sacrifice morally permissible let alone morally mandatory merits decisive rejection. So anyway this chapter argues.

Sometimes opposition to norms of patriotism takes a sweeping form that looks suspicious. The English novelist E.M. Forster famously remarked, “If I had to choose between betraying my country and betraying my friend, I hope I should have the guts to betray my country.” (Forster 1951). Forster here is affirming the greater value of intimate personal relations and loyalty to friends, lovers, and close family members over the abstract claims of nation, state, clan, ideology, and

supposed noble causes. No doubt people often appeal to such abstractions when they lack any correspondence with moral reasons that genuinely are present, relevant, and binding in one's particular circumstances. No doubt there is deep, perhaps intractable disagreement concerning the merits of abstract causes and asserted principles in conflict: one man's noble cause is another's moral sewer. But the claims made on behalf of personal relations can also be bogus, and disputes about what friendships require in particular circumstances can be intractable. "My friend, right or wrong" on the face of it looks to be no more plausible than "my country, right or wrong."

Yet Forster might have a point. Loyalty to country is portrayed as akin to loyalty to friends, but more compelling and admirable. The comparison cuts the other way. Profession of love for one's country cannot avoid exuding an odor of ersatz or bogus friendship, as it involves treating attachment to an agglomeration of persons – the nation – as though the attachment were to an intimately known person. Abstract principles can deserve allegiance, and known persons, whether deserving or not, can be proper objects of personal loyalty, but nations are neither the one nor the other.

Section "[Duties of Patriotic Partiality](#)" of this chapter characterizes the claim that there are moral duties binding all persons to patriotic/national partiality. Section "[Assessment](#)" considers and rejects some arguments that there are any such duties. Section "[The Cosmopolitan Alternative](#)" sketches the bearing of moral cosmopolitan doctrine on the question, are there duties of patriotic/national partiality. Section "[Taking Stock of the Arguments and Moving on to Others](#)" considers and rejects some further arguments for a Yes answer to this question. Section "[The Upshot](#)" sums up the upshot of this discussion. Section "[The Upshot](#)" notes that denial of duties to favor conationals and the national project of one's own land does not cut off moral permission to do so. Section "[Permissions to Show Patriotic and Nationalist Favoritism](#)" considers whether instrumental justifications for duties of patriotic/national partiality, deemed subordinate elements in a multilevel morality, might rehabilitate indirectly, so to speak by the back door, the claim that we are all bound by such duties.

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## Duties of Patriotic Partiality

A patriot is someone who "loves, supports, and defends his country." The term has overwhelmingly positive connotations in ordinary commonsense moral thought. It is high praise to be called a patriot.

Loving one's country is compatible with being critical of aspects of its culture, folkways, and the policies of its government. Patriots might deeply hate the injustices that mar their beloved land (of course, they instead might hate its just and morally admirable features, though not likely under those descriptions). But patriotism tends to connote an overall positive evaluation of what are taken to be her country's culture and institutions. By the patriot's standards for rating countries, her own country rates high.

Simon Keller (2005) sees here a problem for the patriot and often a defect in patriotism. Except in marginal cases, one does not have a choice as to which country

the duty of patriotism is owed. Loyalty is owed to “one’s own” country, the land in which one was born and raised. As just stated, the patriot rates her country as good compared to others. Where there is normative pressure to be patriotic, and the ideal includes this epistemic dimension, one is pressured to form judgments that accord high rating to one’s own country, regardless of the evidence. The end result is that like the stereotypical sports fan, who twists the evidence so it points to judgments that make his team look good, the loyal citizen is pressed into a posture of bad faith, deceiving himself into heaping praise on his country that on some level he knows is bogus. But in sports fanship, the stakes of bad faith false belief are generally trivial, whereas in matters of citizenship and assessment of national policy and behavior, the stakes are high.

This chapter focuses on a problem that would exist whether or not the syndrome that Keller characterizes is widespread and damaging. Commonsense opinion holds that there is a moral duty that binds each person to love, support, and defend her own country. The duty might be deemed nonbinding in extreme cases of societal collapse, injustice, or corruption, but holds otherwise. Is there any such moral duty? For a clear articulation of a negative answer, see Nussbaum (1996).

This chapter will not mark any strong distinction between patriotism and nationalism. This usage is just employed for convenience, to highlight an issue for discussion. The terms are legitimately used in a variety of ways (see Kleingeld 2000 and Primoratz 2015 for distinctions among notions of patriotism). Here loyalty to one’s country is identified with loyalty to one’s nation-state or national community. All that is meant by a “nation” here is a group of people that by virtue of how they regard themselves is apt for being or becoming an independent, separate political society. A national community naturally has some aspiration to form a nation-state.

The loyalty of a patriot involves special partiality toward or favoring of one’s own nation. Following Thomas Hurka (1997), this chapter takes there to be two elements to national partiality. One is the claim that each member of a national community has a duty to support and promote the national project – the flourishing of that particular national community. This flourishing involves the success and vitality of its culture, institutions, and practices. It is built into the idea of a nation that political independence and sovereignty are presumptive goals of national communities. A nation might forego political independence; the Welsh might choose to remain a part of the nation-state of Great Britain. But the question of political independence is always at least latently on the agenda.

The flourishing of the national project is here conceived to be an impersonal good, one that accrues to a collective, the national community. This flourishing might incidentally shower some goods on individual members of the collective, but that is not required. The impersonal good of success of the national project places moral demands on members of the collective. As already noted, these demands are not usually voluntarily assumed. Being a member of a national community is an ascriptive status. If one is born on French soil, raised as a French citizen imbued with French culture, the duty to support the French national project falls on one.

The other element of nationalism is the duty to favor the interests of conationals over outsiders. The duty comes into play when one votes in democratic elections for public policies, also when one is called on to conform to public policies that favor conationals enacted by the state, and also in personal interactions with conationals and outsiders. The duty to favor might also apply when one is weighing the strength of moral reasons to make sacrifices to protect the moral rights of other people or to refrain from oneself violating their moral rights. The strength of such reasons might be deemed greater if the rights at stake are possessed by fellow countrymen rather than by outsiders.

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## Assessment

The supposed duty of each person to support and promote the national project of the particular national community of which she is a member, the success of the national project being conceived as an impersonal good, is subject to quick dismissal. To rebut the claim that there are such duties, it suffices to note that according to an individualism that we should accept as part of any plausible fundamental level morality, all goods (at least all goods that generate moral reasons for doing one thing rather than another) are goods that accrue to individual persons (and other animals, we leave this important complication to the side, as not relevant to the present discussion).

To illustrate the point, suppose that the cause of Irish nationalism suffers terrible losses. The Irish national community is subsumed into a larger European nation-state of the future and eventually disappears. The impersonal good of the success of the Irish national project, if such there be, is utterly frustrated for all time. But suppose a further description also holds: each Irish person is well treated by others and enjoys an uncontroversially good life, high in personal well-being. The moral rights of each Irish person are scrupulously respected, apart from the disputed right of each person to be a part of a flourishing Irish national community. The claim of moral individualism says that if each individual person receives fair treatment and lives well, then there are no significant moral issues regarding what is owed to groups or communities left to settle. Any collective interests of this sort must ultimately reduce without remainder to interests of individual persons. Any unreduced residue they can be disregarded in the determination of what any person ought to do or what public policies by any state or supranational body ought to enact and pursue.

Objection: The description in the previous paragraph sneaks in a reference to a national project. In the imagined fate of the Irish, they lose their Irish nationality but gain another. They are reported to be participants in a new European national community, whose national project enjoys success. The description is consistent with holding that each person has a fundamental moral right to be a member of a flourishing national community or at least of a national community accorded a fair opportunity to flourish. And in the same spirit, one might hold that each person has a duty to support the impersonal good of success in some or other national project to which she is linked by membership.

Reply: In modern times, not being a part of a national community in charge of a well-functioning state tends to be accompanied by various familiar deprivations. So describing individual Irish persons as all flourishing despite the collapse of their national project is easiest to imagine if one supposes they are assimilated into some other national entity. But first, this is a contingent matter, not a necessary truth. The description of Irish persons two paragraphs back can be amended. These individuals might be stripped of their connection to the Irish national community and remain stateless. Their rights are protected by some supranational body like the United Nations, we can stipulate. Or the imagined Irish individuals all become guest workers in various lands, noncitizens but enabled to live well and to be respected in terms of fundamental moral rights. The amendment does not change the case.

Further reply to objection: Anyway the objection posed is strictly irrelevant to the position at issue. This was whether or not each person belonging to a national community by birth or some other nonvoluntary process has a moral duty to support and promote the national project of that particular national community, with the success of the national project being conceived as an impersonal good. The position affirmed is that there are no such impersonal goods relevant to what ought to be done as the claim under review supposes. So there cannot be duties that fall on individual to achieve such impersonal goods. End of story. The objection gestures at another position, according to which the success of some national project or other to which every person can be linked is an important element of the good of each person. Whether plausible or not, this alternative position does not challenge moral individualism. What is being gestured at is the idea that there is a duty of reciprocity that falls on each person who benefits from the efforts of fellow countrymen to cooperate to supply important goods falling on all national community members. This idea is discussed later in this chapter.

Turn to the second element in nationalism, seen as justifying patriotic partiality. This says that there is a moral duty falling on all members of a national community specially to favor the interests of fellow countrymen. Mexicans should favor fellow Mexicans, Canadians should favor fellow Canadians, Sri Lankans should likewise favor their own fellow countrymen, and so on.

This duty to favor fellow countrymen might assume various forms. It might be limited in strength, so a penny's worth of damage to a fellow countryman could be offset by X dollars' worth of damage to outsiders, for some specification of X. Or the duty might be deemed to be constrained by basic duties to refrain from wrongfully harming others, violating their basic rights to bodily integrity and property.

Thomas Hurka (1997) suggests a justification for the duty, to some extent, to favor the interests of conationals. The starting point is the assumption that there is a moral duty falling on participants in close personal relationships to favor the interests of relationship partners at least in many contexts. Parents ought to favor their own children, friends ought to favor their own friends, and so on. The next step is to suppose that there is one factor, the presence of which in a relationship justifies partiality to relationship partners. The factor is the same across different types of relationship. (Notice that this last assertion might be disputed.) The task then is to identify this partiality-justifying factor and discern to what degree it is present in the

relationship holding among those who are members of a national community. Hurka proposes that for a personal relationship such a friendship to justify partiality, the friend must possess desirable, not necessarily superlative, traits that warrant esteem, and the friends must share a history of doing good or suffering evil together. He further proposes that these conditions hold, to some degree in the relationship of being a member of the same national community. Qua being a member of a national community, one can possess nice traits shared by fellow community members. And although members of large anonymous national communities lack a history of personal encounter comparable at all to what happens in friendship, the members of national communities can share a common history of doing good together or suffering evil. So national partiality is at least somewhat warranted on the surely plausible assumption that personal partiality is warranted.

Response: This discussion raises several issues. Here is one. One might hold that for personal partiality to be warranted, there must be personal acquaintance among personal relationship partners. Friends are personally acquainted with friends, and must be, to count as friends. The same goes for other plausible candidate relationships that warrant partiality. If personal acquaintance is a necessary condition of justified partiality, then the relationship that consists in being a member of a large anonymous group cannot satisfy this condition, so partiality toward partners in such relationships cannot be warranted.

This response invites flat rejection. It just seems to be a feature of social life that many people value membership in large anonymous groups and seem to be reasonable in valuing their relationship to fellow group members. Consider colleagues engaged in a large-scale work enterprise, involving a large number of people, and bringing about valuable accomplishment. Or consider comrades in a large-scale effort to advance a good cause. Or consider fellow participants in an activity simply pursued for enjoyment and personal satisfaction, such as learning and practicing a craft, watching movies, playing sports or other athletic endeavors, or being a fan of any of these various activities. The large numbers of people involved preclude all participants being personally acquainted with each other, but that does not seem to be any sort of bar against participants valuing the relationship.

Samuel Scheffler presses this line of thought, as does David Miller (Scheffler 2001, 2007, 2010, 2018, and with special reference to nationalism, Miller 1995, 2013).

Scheffler adds a twist. He holds that if a social relationship in which one is a participant is noninstrumentally valuable all things considered, then it ought to be the case that you are open, in various ways depending on the type of relationship in play, to accepting that you have special duties to promote the interests of your relationship partners. If you claim that your friendship with Sarah is valuable for its own sake, not just as a means, but you are not willing to treat her needs and interests as special reasons for choosing actions catering to those needs and interests, you do not really noninstrumentally value the relationship, whatever you say or think. Scheffler advances this position not as a conceptual point but as a substantive moral claim about special-tie relationships and reasons for action to which those special ties give rise.

Scheffler explicitly applies this idea to relationships in which there are many participants and the partners are anonymous and do not share any personal acquaintance (Scheffler 2018). In such cases the tie between having good reasons all things considered to value the relationship for its own sake and being obliged to treat relationship partners' interests as giving you reasons for action is mediated by group rules and norms.

Moreover, if you are participating in a valuable relationship of this type and without compelling reasons you fail to treat the partners' interests via group norms and rules as reasons for your own choice of action, you have wronged the relationship partners. You are failing to treat the relationship partners appropriately and respectfully as independent agents and sources of reasons, whose views as to where their interests and needs lie demand deference from you at least to some considerable degree. So asserts Scheffler.

There are several moving parts to Scheffler's argument just sketched. It merits more careful scrutiny that can be accorded it here. Several points are offered in rebuttal.

The assertion that correctly valuing a relationship one has with a person for its own sake, all things considered, must render one liable to accepting the relationship partner's interests as reasons for one's choice of actions does not plausibly hold across the board, for all types of relationships. Some valuable relationships may in fact have as a condition of their intrinsic value that they leave the participants free of such encumbrances. Some valuable relationships with persons are and must be free-floating, spontaneous, revocable at will by either party, and duty-free. Some valuable sexual/romantic relationships may have this character. Or consider the relationship of friendly, civil exchange between a dealer who regularly sells services to a customer over a long time period. No doubt some valuable relationships do include as a component that the partners are disposed specially to advance each other's welfare interests. Friendship has this character. But many people do not discern the necessary tie across the board that Scheffler intuits between having reason to find intrinsic value in any relationship and being duty-bound specially to favor the relationship partners' interests. To reiterate, Scheffler just asserts the tie and does not argue for its existence.

Even if it were conceded for the sake of argument that any personal relationship in which one is involved, if intrinsically valuable, must leave one liable to being duty-bound specially to favor the relationship partner's interests (or some subset of them), one might well balk at the extension of this claim to impersonal associations, with many members. Suppose one is devoted to a worthy cause, along with thousands or millions of other people. Working for this cause gives meaning to one's life and to the lives of other participants. The association with others makes possible for all this meaningful work. Each participant is actively concerned for something larger and more significant than his or her own self-interested wants and cares. Moreover, the association with others makes possible action with others, so that one's concern for the grand goal is not just a wish or desire in one's life, but an important pattern of activity. One feels lucky to have the opportunity the worthy-cause association has provided. This association with others constitutes a significant good in one's life and



presumably in the lives of other participants; it is not just a neutral means to some further goal.

What goes for comradeship also goes for collegueship. One might join with thousands or even millions of others in working in an industry or line of business that provides good value for dollar to customers and value the associational tie of colleague in a work enterprise. Again, working steadily with others in a team production process can be fulfilling. One values not just the widgets the production process delivers and not just the nice pay and enjoyable working conditions. One values also, and with good reason, the relationship of team member in which one stands to others, independently of the number of people involved. One may feel a special tie of this sort to team members who live on different continents and at different times.

None of this adds up to a reason to believe that having good all things considered reason to value noninstrumentally a large anonymous associational relationship in which one is participating is in itself any ground for holding that one is required to favor the interests of anonymous relationship partners over others. It is psychologically understandable that if one finds that someone who happens to be a comrade or colleague needs help and someone who happens to be a stranger has a greater need for help, one is motivated to give the help to the relationship partner just on that basis. However, this natural motivation does not rise to the level of a good reason to favor the anonymous associate. The person is not a friend or family member or even an acquaintance. Qua being associate one need not have any personal acquaintance whatsoever with the individual. The choice of whom to favor with aid may be a choice involving which button to press on a computer keyboard that will channel benefit to a person who is and remains a cipher to one.

To strengthen this thought, imagine that one helps the stranger who is more in need and the passed-over relationship partner becomes aware of this and remonstrates with one, condemning one for morally wrongful breach of trust. One is the recipient of an angry email message issuing from a hitherto unknown email address and penned by a person unknown to one, except that one is informed that the person is a colleague or comrade.

The sheer fact of being a colleague or comrade, an anonymous cog in a worthwhile machine in which one is also an anonymous cog, does not give one standing to press such moral demands. There is no basis here for the moral condemnation to which one is being subjected to resonate with norms one should accept.

It goes without saying that a struggle of a group of people united by various affinities to found a nation and build a functioning nation-state can be a worthy goal, at some times, in some places, for many people. Or one might become dedicated with others to helping one's nation advance in culture and successful institutions and take its place in the worldwide family of nations. In some circumstances, joining a nationalist cause may be morally required, not merely a morally desirable option, as assessed from a wide variety of moral perspectives including extreme cosmopolitan perspectives. In one's particular circumstances, it can happen that the impartial duty to do some good for the world can only be fulfilled by joining the nationalist movement. If so, impartial morality may demand that one join up.

## The Cosmopolitan Alternative

The negative assessment of the claim that there are moral duties of patriotic partiality reached so far has invoked the alternative of impartial principles linked to a cosmopolitan morality. But the ideal of cosmopolitanism comes in different flavors. It is a matter of dispute whether its best interpretation rules out as inadmissible duties to favor conationals and promote the national project (see Walzer 1983; Tan 2004; Caney 2005) (and for extended discussion, see the essays in Brock 2013). Impartial principles might justify duties of partiality.

In fact, the negative assessment of the previous section explicitly countenances the possibility that special-tie duties to be partial to family and friends might well be acceptable, whereas special-ties duties to be partial to large anonymous social groups are not. Partiality comes in different flavors, some acceptable, some not. But even if the arguments advanced so far are found convincing, more needs to be said, to characterize the cosmopolitan ideal, in order to determine whether the claimed opposition between cosmopolitanism and nationalism/patriotism is genuine and well founded. The cosmopolitan, we are told, regards herself as a “citizen of the world” (a saying attributed to Diogenes). But does being a citizen of the world rule out also being a citizen also of some particular nation with special duties to its members? The title of an essay by Paul Gombert (1990) (“Patriotism Is Like Racism”) announces that its conclusion is a Yes answer to this question. Others raise doubts (see Miller 2007).

Here is a statement of cosmopolitan commitments by Thomas Pogge (2002, 169):

“Three elements are shared by all cosmopolitan positions. First, *individualism*: the ultimate units of concern are *human beings*, or *persons* – rather than, say, family lines, tribes, ethnic, cultural, or religious communities, nations, or states. The latter may be units of concern only indirectly, in virtue of their individual members or citizens.

Second, *universality*: the status of ultimate unit of concern attaches to *every* human being *equally*. . .not merely to some subset, such as men, aristocrats, Aryans, whites, or Muslims. Third *generality*: this special status has global force. Persons are ultimate units of concern *for everyone* – not only for their compatriots, fellow religionists, or suchlike.” Call this basic cosmopolitanism.

This basic cosmopolitanism leaves it open what is involved in taking individual persons and only individual persons to be ultimate units of concern. Different principles might interpret requirements of concern in different ways.

The concern that morality requires might be taken to consist in ascribing moral rights to all persons and requiring each person to respect everyone’s rights. The rights might be negative (requiring doing nothing against persons) or positive (doing things for persons) or a mix. Consider negative rights only, construed as telling us to refrain from wronging others by harming them in certain ways. This doctrine can take various forms, but perhaps its most prominent expression is Lockean libertarianism: people have natural moral rights, which forbid us to harm others in certain specific ways, and beyond that, each person is morally at liberty to live as she chooses so long as she refrains from wrongful harming. No one has any fundamental

positive duties to assist others in their projects or enable them to have opportunities to enjoy resources or live well. One can acquire positive duties to benefit others by voluntary contract or promise and perhaps by other voluntary acts such as being the proximate cause of childbirth. Otherwise one's moral duty is not to cause harm to others in ways that violate their rights, and that's it. Or at least, there are no enforceable duties that warrant the use of coercion except duties not to harm.

Libertarian cosmopolitanism is concisely articulated in Robert Nozick's *Anarchy, State, and Utopia* (1974). It denies that individuals have special duties to fellow countrymen unless they have voluntarily assumed such duties by their voluntary consent. In this respect, for the libertarian, duties to make sacrifices for one's country are on the same footing as supposed duties to aid the needy or help everyone enjoy decent opportunities to choose among valuable activities and lead a flourishing life. And since the space of permissible conduct is wide according to libertarianism, the allowable scope for devoting oneself to patriotic causes is also extremely wide.

Could taking all and only persons as ultimate units of concern as cosmopolitanism requires be compatible with a libertarianism that posits only constrained duties not to harm that are limited by national borders or social group membership? This could be a universal principle: each person has a duty to refrain from violating only the natural moral rights of her own countrymen. This view would countenance negative duties of partiality.

This seems somehow incompatible with the idea of taking all and only persons as ultimate units of concern. There is no formal inconsistency, but it is hard to see how a sensible basic cosmopolitanism could take this form.

There is a division within cosmopolitanism between moral views that take all moral duties to be negative duties not to harm and moralities that affirm positive duties to help others, provide them benefits, and improve their condition. One might say, the idea of being a citizen of the world suggests that the strong positive communal duties that noncosmopolitan moralities take to be binding on the members of limited social groups toward each other are extended and held to bind everyone to everyone. On this view, the very same moral duties that non-cosmopolitan moralities attach to the role of citizen of a nation or member of a significant social group, the cosmopolitan morality attaches to the generic role of being a person living amidst other persons on Earth. (This position could be extended beyond Earth, so it would require treating Martian persons and other extraterrestrials, if such there be, according to the exact same principles that apply to one's dealings with Earthlings. The extension is hard to resist, but for simplicity this complication is set aside.)

Again one could raise the question whether taking all and only persons as ultimate units of concern as basic cosmopolitanism requires could be compatible with a positive duty morality that posits only constrained duties to help that are limited by national borders or social group membership.

Again, this seems somehow incompatible with the idea of taking all and only persons as ultimate units of concern. There is no formal inconsistency, but it is hard to see how a sensible basic cosmopolitanism could take this form. This is the Gomberg intuition.

As stated, the positive side of cosmopolitanism is vague and also varies according to the strength and character of the duties that tend to be built into the social role of citizen or social group member. When one gets down to the fine grain of the content and substance of moral duties, there are many cosmopolitanisms.

Also, it cannot literally be that the duties that nationalists affirm as binding fellow group members are simply made universal by cosmopolitan commitment. A nationalism that requires one to kill outsiders or oppress them would not have a plausible counterpart in a cosmopolitan morality that included a duty to kill or oppress anyone or everyone.

At this point this chapter employs a rough simplification. Construe the positive duties that commitment to a possible nonlibertarian cosmopolitanism imposes on us as duties of impartial beneficence. Each person has a cosmopolitan duty to improve the world by improving the life prospects or rights fulfillment of individual persons, now and in the future. This duty of impartial beneficence might be interpreted as more or less demanding. At the limit, cosmopolitanism interprets impartial beneficence as the entirety of the requirements of fundamental morality. At this limit cosmopolitan commitment would become a commitment to an act consequentialist morality: one ought always morally to do an act, of those available for choice, that would bring about an outcome no worse, as assessed by impartial standards, than the outcome of any other act one might instead have done. But without insisting on an act consequentialist maximizing construal of impartial beneficence requirements, this positive cosmopolitanism, beyond denying that there are duties of partiality to conationals or the national project, also insists that we are all bound by a significant impartial beneficence requirement.

Here is another way to state the possible positive element of cosmopolitanism. It affirms a doctrine of basic equality – all persons have the same basic moral standing.

And this basic moral standing possessed by all persons is set at a high standard. As Jeremy Waldron has observed (Waldron 2012), the commitment to human equality – the equality of all persons – assigns to all persons, the highborn and the lowborn alike, something close to the high standing that in hierarchical societies is supposed to attach only to the nobles as opposed to commoners. Again, the right of the nobles to lord it over others cannot be sensibly generalized. The suggestion being made here is that equal high standing has this content: each and every person is entitled to significant equal consideration of her interests in the determination of what actions ought to be done and which policies ought to be implemented.

Without presuming to settle the large continuing moral disagreements regarding the plausible substantive content of cosmopolitan morality, this chapter notes the profound disagreement between libertarian cosmopolitanism and all versions of cosmopolitanism that affirm a strong duty of beneficence – either to increase the well-being of persons and its fair distribution or to promote the fulfillment of everyone's basic moral rights (on the latter, see Sen 1982).

Is there room for a plausible intermediate cosmopolitan position, according to which there are positive duties, going beyond requirements to refrain from harm, that are duties to promote the good or advance the rights fulfillment of members of some social groups but not all? Any view that countenances special-tie moral duties to act

with special concern for friends and close family members is committed to a Yes answer. But arguably the special ties of close personal relations form a unique case. At least in the case of friendship, the duty of partiality is plausibly a constitutive element of a type of relationship that is an important human good. No partiality, no friendship. One need not accept this position to recognize it is a plausible contender.

But this is not a plausible claim if extended across the entire terrain of associations and social relationships. No moral duty of partiality, then no football clubs, no universities, no business corporations, no associations of chess players, no nations? Hardly.

The claim here is not that as a conceptual matter, a cosmopolitan morality of impartial principles could not include a broad requirement of partiality: Each person has moral duties specially to favor the members of her own associations and the partners in her own social relationships. The suggestion is normative: the claim looks weird and implausible. The question then arises whether there is something special about the nation and the nation-state that somehow puts it in the same putative special category in which personal relationships sit.

Whether or not one is sympathetic to libertarian versions of cosmopolitanism, one can see a liberty rationale for denying the existence of enforceable positive moral duties. A spare morality limited to moral constraints against harmful wrongdoing leaves wide spaces in which individuals are morally at liberty to fashion their lives as they choose encumbered by positive duties to others. And one can see a liberty rationale for limits on positive duties – for a beneficence duty that stops short of becoming a maximizing act consequentialism that swallows up the entire duty realm. But is there a plausible liberty rationale for imposing on each person positive moral duties specially to favor her own association partners, even her partners in non-voluntary associations such as national communities?

The questions raised in the preceding four paragraphs are not rhetorical questions. They provoke deep-seated disagreement. The discussion here urges negative answers, but the considerations raised are not dispositive. In the next section, the discussion shifts gears, surveying arguments for partiality different in kind.

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## **Taking Stock of the Arguments and Moving on to Others**

It is time to take stock. The discussion of arguments for duties of national and patriotic partiality has been narrow in scope. One argument considered was that on the assumption that special-tie duties to friends and close family members are acceptable, special-tie duties to those bound together in other types of associational relationships should also be deemed acceptable, to the degree that they satisfy the same conditions that justify friend and family partiality. The response was that no argument of this sort will justify acceptance of duties of partiality toward fellow members of large-scale anonymous associations such as national communities and nation-states. The reason is that duties of partiality, if binding at all, bind only in associations whose members are personally acquainted with one another. Intimate association might trigger required partiality; impersonal association does not.

A second argument challenges that last claim, by asserting that across the board, for any relationship with persons in which one is a participant, if the relationship is valuable for its own sake, one must accept that the interests of relationship partners, in various ways depending on the type of relationship, impose on one reasons to further those interests. Rebuffing these demands for consideration of relationship partners, in the absence of compelling reasons against giving consideration, is wronging them. The response to this argument was that these implications of being party to a valuable relationship do not hold across the board, even though they do seem to hold in particular relationships, notably friendship and love. Indeed the implausibility of that general claim as it applies in particular to large-scale anonymous associations undercuts it.

These arguments for duties of patriotic partiality rely on the claim, simply put, that comradeship (national partiality being a form of comradeship) and colleague-ship are like friendship in relevant respects. But there are further arguments for what are in effect duties of patriotic partiality that do not rely on this analogy but instead appeal to different sources. It is time to survey some of these.

At the start it may be worth mentioning that all the arguments for patriotic partiality canvassed in this chapter appeal to fundamental impartial principles to justify special-tie duties to fellow countrymen. All of the arguments are compatible with basic cosmopolitanism and indeed rely on its correctness. The arguments pit cosmopolitans versus cosmopolitans. It is possible to defend duties of partiality within a morality that is partialist all the way down (Oldenquist 1982; MacIntyre 1984). One reason within the tradition and norms of one's culture, and the rock-bottom claim, is that within, for example, our American culture, loyalty to Americans and devotion to the American nation are morally required. The views canvassed in this chapter proceed differently. They assert a universal agent-relative duty: each person should be loyal to her own country, to one or another extent (an agent-relative duty is one whose content cannot be specified without essential reference to the agent who has the duty; for this idea, see Nagel 1986).

Michael Blake starts from the observation that states massively coerce insiders, those residing within its territory, but not outsiders. Each person has a moral right to autonomy, which this massive state coercion presumptively violates. To squash the presumption, compensation is owed, in each separate state, from those who benefit and support this coercion, to those bound by it. The coercion in any state's system of criminal, contract, and tort law takes one of many possible forms and in this way favors some and disfavors others. Compensation thus comes to be specially owed to the disfavored. These considerations require strong norms of egalitarian distributive justice, specially compensating the disfavored, in each separate state, taken one by one. In this way Canadians come to have strong duties to favor Canadians, Mexicans to favor Mexicans, and so on, in the public policies of each distinct nation-state. (See Blake 2001, and for related arguments Miller 1998, 2010, also Risse 2012a, b, also Valentini 2011, and for criticism, Sangiovanni 2007, Abizadeh 2007 and Arneson 2016.)

Response: Coercing someone to induce that person to fulfill moral requirements she is anyway required to obey does not trigger a duty of compensation toward the

coerced person. If morality includes strong requirements of beneficence with global scope, as the cosmopolitanism defended in this chapter affirms, coercing a person to comply with these beneficence requirements is not a presumptive violation of anyone's right to autonomy. When the package of laws a state reinforces takes one of many possible forms, a justification is owed to those subject to the coercion, as to why one package is being singled out for enforcement. But the justification need not take the form of compensation to the coerced person. The justification might consist in pointing to cosmopolitan duties to help the globally disadvantaged, conformity to which the coercion facilitates. Blake's discussion raises the question: What is owed by insiders to outsiders as compared to what is owed to fellow insiders? But so far no ground has been supplied that delivers Blake's answer, which in effect says that each separate state should favor its own.

Nagel (2005, also Dworkin 1986) maintains that states both coerce inhabitants and also claim, and morally must claim, to be acting in the name of those coerced and with their authorization. This special involvement of the will triggers egalitarian justice demands that hold in each separate state taken one by one. So like Blake, Nagel affirms that each state should favor its own. The needs of insiders count for more than the needs of outsiders. Nagel adds that duties of social justice, to be binding, require effective state enforcement, or else the individual complying with the duty has no assurance her efforts will not be in vain, and anyway it will be unfair for some to comply and others to evade compliance. State enforcement of social justice, for now, is achieved only in each separate state, so justice, for now, is only binding within each separate state. (For discussion, see Cohen and Sabel 2006, Julius 2006, and Moellendorf 2009.)

Response: In a clear sense, anyone whose actions impinge or might impinge on others must be acting in the name of those possibly impinged upon and must be authorized by principles all should accept. This involvement of the will of others when one acts may be significant, but it issues only in a purely formal requirement that one do the right thing. It does not help us to pick out what acts or policies are morally right, and so does not help to determine the substantive content of what we owe to others, be they insiders or outsiders. Moreover, the claim that the state must claim to speak in the name of those subject to its laws in some further sense seems misguided. To one subject to the laws who complains he cannot authorize them, the state can say, "We understand our policies are not eliciting your authorization; nonetheless, these policies are right, for these reasons."

Regarding the claim that justice requires enforcement, one can reply that here on Earth as we know it, fulfillment of moral requirements is always partial and variable. Partial compliance can bring about some morally desirable results. The complier alongside noncompliers suffers from comparative unfairness, but this defect is often outweighed by the moral gains brought about for beneficiaries of partial compliance.

Andrea Sangiovanni (2007) suggests yet another impartial defense of partiality toward conationals. His suggestion is that within each well-functioning nation-state, people cooperate to bring it about that public goods such as the rule of law and basic security and safety that are necessary for anyone to enjoy a reasonable prospect of a good life are provided to all. This cooperation demands reciprocity from all members

of the nation-state. The cooperation may be more onerous for the disadvantaged, so more is owed to them in return. In this way egalitarian justice requirements are triggered that apply in each nation-state taken one by one.

Response: Networks and schemes of cooperation that secure important public goods do not fall neatly within national borders but overlap borders in complicated ways. Some forms of important cooperation that plausibly trigger reciprocity requirements span the globe. Even confining our attention to intrastate cooperative schemes, some are local and regional rather than national. Also, if cooperative dispositions and behavior give rise to duties of reciprocity, the duties are owed not to all members of society but to the subset of cooperative individuals. Traced out in detail, the Sangiovanni considerations do not favor anything like a duty of conationals to favor each other. Also, reciprocity at the most abstract, perhaps most compelling level involves those who conscientiously do what is moral generating in others a special duty to do the same. This does not tell us what those moral principles require and so does not tell against the flat denial of duties of national partiality.

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## The Upshot

In the previous section, some prominent arguments for construing social justice requirements as binding members of each nation-state taken separately were considered and counterarguments advanced. These arguments for cabined social justice amount to arguments for duties of national partiality.

The reader of this chapter might judge the counterarguments to be weak and one or more of these defenses of duties of national partiality to be successful. But even if one is convinced by the counterarguments, and rightly so, the existence of unsound arguments for a conclusion is compatible with the claim that the conclusion is nonetheless true. The next argument that comes around the bend might be sound. Or the conclusion might be taken to be self-evident or a rock-bottom fundamental principle in the correct moral system.

However, if repeated attempts to find sound arguments supporting a view turn up only conspicuously weak attempts, at some point one should entertain the suspicion that the view one has found intuitively plausible is in fact false. Maybe that is the case with proposed duties of national partiality.

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## Permissions to Show Patriotic and Nationalist Favoritism

Suppose it is conceded that there are no fundamental moral duties binding on each person and requiring her patriotically to favor the interests of fellow countrymen above others or to promote specially the nationalist project of her own nation. As already noted, this concession would still leave the door open to holding that morality permits each individual voluntarily to favor these particular interests of



partiality. The permission to favor one's own is simply included in the personal prerogative that each person enjoys, to pursue any interests that she chooses, so long as the pursuit would not violate any basic rights of others (on the personal prerogative, see Scheffler 1982). This Scheffler personal prerogative is limited, in the cosmopolitanism this chapter seeks to support, by a significant impartial duty of beneficence. The personal prerogative shrinks in scope as one judges that the duty of impartial beneficence has more, and still more, weight, when it conflicts with other reasons for action. At the limit, the cosmopolitan norm of acting as a citizen of the world becomes a demanding act consequentialist norm that serves as the sole fundamental moral principle. But it may be worth emphasizing that a moral doctrine that includes a significant impartial beneficence requirement is along an important dimension allied with the consequentialist against advocates of any version of libertarianism.

Also, the position reached so far has already pulled off the moral grandeur and tinsel that many people associate with ideals of patriotism and national partiality. So far from being the highest and noblest principle that should command our allegiance, national partiality is permissible only on the same footing as any innocent interest one might take in anything that strikes one's fancy, from shopping for fancy clothes to bingo playing to watching cute cat videos. And insofar as favoring fellow countrymen and the national project crosses a line and would involve one in violating anyone's basic moral rights, the patriot drops to a lower moral level than the innocent fan of cat videos and the like.

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## **A Backdoor Justification of Patriotic Partiality?**

However, nationalism and patriotism, rebuffed at the front door of moral justification, might yet find entry through the back door. Denying that fundamental moral principles include duties of patriotism or national partiality is fully compatible with judging that duties of partiality to fellow countrymen and to the national project are indirectly justified on instrumental grounds. Acting in patriotic ways and behaving in ways that advance the national project might be endorsable on this basis.

A general case can be made for embracing a multilevel morality. This moral framework is familiar from discussions of consequentialism (Arneson 2019) but is plausible from nonconsequentialist standpoints as well. Even if appearing not at all in fundamental-level moral principles, nationalism and patriotism might show up as justified norms, in some possible and perhaps likely circumstances, at derivative levels of moral thinking.

Fundamental moral principles, taken together, determine what actions among those available for choice are morally required, permitted, and forbidden. In another terminology, fundamental principles constitute a criterion of what is morally right and wrong. A familiar clarification insists that a criterion of right and wrong action need not necessarily also function as a practical decisionmaking guide for individuals choosing what to do. Human persons have limited disposition to do what is

impartially justified and also limited abilities to sift through candidate moral reasons and figure out which ones really contribute to determining what is impartially justified. In addition, they have limited capacity to learn the empirical facts that are germane to decision problems they face and limited ability to integrate the facts of which they are aware into their reasoning about what should be done.

Given these motivational and cognitive deficits that simply ride along with being human, then whatever fundamental moral principles require, training people to apply those principles directly to their situation to decide what to do in each decision problem they face would be a poor strategy for eliciting conformity to the principles. This point is familiar in discussions of consequentialist moral principles (Hare 1981; Railton 1984). But it holds for any moral doctrine, consequentialist or non-consequentialist, provided the doctrine includes within itself a concern for bringing about a greater rather than a lesser degree of fulfillment of its own principles and includes a requirement on individuals that they strive to secure greater fulfillment.

This train of thought leads to the idea that morality ought to have a multilevel structure. At the bottom, foundational level are principles that determine what actions are morally permitted, forbidden, and required. At upper levels are subordinate norms that are tools for bringing about greater fulfillment of foundational principles. How many levels there should be, of what sorts, should be decided on instrumental grounds. One possibility is that there should be a public morality of rules for conduct that are easy to understand, are simple to apply and administer, and are crafted to make generally modest demands on human motivation. Legal rules enforced by the state, overlapping in their requirements on individual conduct with these public morality rules, are another likely subordinate level. Social norms and codes of conduct attaching to various social rules form another layer or layers.

Another source of complexity in a multilevel system arises from the fact that a criterion of right and wrong, besides not necessarily being also a reasonable decisionmaking guide to choice of action, is also not necessarily what should motivate an individual as she deliberates and acts. The motive from which one acts can affect the value one's action brings about, and being motivated by the desire to do what is morally right can reduce the value one could gain. A simple example is that when lovers kiss, they will gain more from the kissing if they are motivated by sexual desire or personal love rather than by abstract concern to do the right thing.

A further source of complexity is that some goods have motivational components. For Inez and Izzy to have a friendship, each must have affection for the other and be disposed specially to boost the welfare of the other, and the disposition to favor must be caused by the attitude of affection. To illustrate the complexity in this situation, consider how a simple welfarist act consequentialism should deal with friendship. If friendship is a great good in human life, then acts of forming and sustaining friendship will in many circumstances be morally right acts according to this consequentialist principle. This is so even though the disposition specially to aid one's friend risks doing wrong sometimes according to consequentialism, and even if being so disposed makes some wrongdoing inevitable. These wrong acts are wrong, though brought about by acts that are right. A similar situation can arise if the foundational moral principles deemed correct are nonconsequentialist.

In a multilevel morality, foundational moral principles might be cosmopolitan and register no concessions at all to supposed imperatives of patriotic priority, yet subordinate principles might include imperatives of patriotic priority. This could occur in circumstances in which promotion of patriotism would be instrumentally beneficial in bringing about greater fulfillment of the foundational principles. (Goodin 1988 discusses how an act consequentialist morality might incorporate special duties to fellow countrymen in this way; see also Arneson 2003.)

One can easily imagine that such circumstances actually obtain. If people in each separate country come to love and support their own country's culture and in situations and develop a general disposition to be favorable to fellow countrymen, the overall result might be that impartial principles are fulfilled to a greater extent overall than they would be if people lacked patriotism. This overall result might still obtain even if patriotic impulses sometimes lead to morally wrong acts of partiality. Patriotism among Greeks and Turks, for example, might have this effect: Turks better fulfill impartial duties they owe to other Turks, and Greeks better fulfill impartial duties they owe to other Greeks, and these moral gains are not fully offset by a further effect of this patriotism: namely, it leads patriotic Greeks to violate impartial moral duties owed to Turks and patriotic Turks to violate impartial duties owed to Greeks.

Of course, no actual set of moral practices and beliefs in any country conforms to any plausible multilevel moral system. But existing layered moral systems that include norms prescribing duties of patriotic partiality might come closer to fulfilling correct multilevel norms than they would if the duties of patriotism were eliminated.

The significance of this matter for the moral assessment of norms prescribing patriotism and for the assessment of extreme cosmopolitan rejection of such norms is twofold. First, by ignoring this matter, a theorist might be led to condemn norms of patriotism that are in fact, in a way, defensible. That is, the patriotic norms might be part of a package of secondary norms support and implementation of which would be instrumentally effective in prompting the degree to which fundamental moral requirements are fulfilled.

The second way in which this matter might be significant is that someone considering extreme cosmopolitan rejection of patriotism and national partiality at the level of fundamental moral principle might be led incorrectly to oppose that condemnation by failing to notice its compatibility with endorsement of patriotic norms as instruments for bringing about fulfillment of patriotism-eschewing fundamental principles.

Should we expect patriotism to elicit this indirect endorsement? Perhaps a simple Yes or No answer is unlikely. The answer depends on circumstances. When patriotic sentiment rallies people to struggle against colonial oppression of their homeland, it likely does good. When patriotic sentiment rallies people to support unjust wars of conquest for national glory or unjust trampling on rights of inhabitants of the land who do not belong to the national community, it likely does harm.

One might object that in these examples, the pro-patriotism norms assumed to be in play are too coarse-grained. For any coarse-grained pro-patriotism norm that might look defensible, there will always be available a more nuanced norm that

gives support only to patriotism when it is instrumentally beneficial according to cosmopolitan values and denies support when it is not instrumentally beneficial in this way. But the general considerations that justify putting in place multilevel morality undercut this objection. Norms that humans are to be trained to obey must be coarse-grained to some extent.

That said, one might suspect that inculcating gung ho patriotism is never instrumentally justified even if it promises short-term gains in fulfillment of impartial principles. One should inculcate local solidarity only along with the understanding that the true fundamental solidarity principle has the widest possible scope, encompassing all persons and equal consideration for all. When opposition to national oppression is spurred by nationalism of the oppressed, the tables are often turned and former oppressed become new oppressors. Hindu opposition to British colonial rule of India becomes support for Hindu domination of Muslims.

If that suspicion of the merits of inculcating gung ho patriotism should prove correct, then invoking the possibility of instrumental justification would not do much to rehabilitate the assessment of patriotism from the standpoint of extreme cosmopolitan principles. Patriotism, regarded as a possibly useful sled dog, would always be on a tight harness. Given that a complete set of fundamental moral principles has been identified and found to imply that patriotic partiality could not be intrinsically morally desirable, it becomes an empirical question to what degree patriotic partiality might be instrumentally advantageous or disadvantageous in given circumstances for fulfillment of impartial principles. This chapter's discussion stops here and does not hazard guesses as to what the answer to this empirical question might be in one or another set of circumstances.

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## Summary and Future Directions

This chapter argues against the justifiability of patriotism and national partiality. That is to say, the chapter urges that there are no sound moral duties of patriotism or national partiality. The argument appeals to a claim, which many deny, that cosmopolitanism is morally required, and that the most plausible version of cosmopolitanism leaves no room for justifiable moral duties of patriotism or national partiality. To confirm or disconfirm the claim, further inquiry into the varieties of cosmopolitanism and their moral grounding might prove fruitful. Cosmopolitanism in its extreme versions opposes popular common sense convictions deeply rooted in people's motivations. Common sense convictions are inconsistent, so opposition to common sense does not tend to show that a proposed moral position is incorrect. But the huge gap between cosmopolitan demands and people's motivations suggests the doctrine is impracticably utopian. But this is not so: even if we humans are never going to conform fully with cosmopolitan demands, conformity varies by degree, and more is better than less.

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