Political Theory

http://ptx.sagepub.com

Cosmopolitanism, Political Obligation, and the Welfare State George Klosko

Political Theory 2009; 37; 243 originally published online Dec 18, 2008; DOI: 10.1177/0090591708329644

The online version of this article can be found at: http://ptx.sagepub.com/cgi/content/abstract/37/2/243

Published by:

\$SAGE

http://www.sagepublications.com

Additional services and information for Political Theory can be found at:

Email Alerts: http://ptx.sagepub.com/cgi/alerts

Subscriptions: http://ptx.sagepub.com/subscriptions

Reprints: http://www.sagepub.com/journalsReprints.nav

Permissions: http://www.sagepub.com/journalsPermissions.nav

Citations http://ptx.sagepub.com/cgi/content/refs/37/2/243

Political Theory

Volume 37 Number 2 April 2009 243-265 © 2009 SAGE Publications 10.1177/0090591708329644 http://ptx.sagepub.com

hosted at http://online.sagepub.com

Cosmopolitanism, Political Obligation, and the Welfare State

George Klosko University of Virginia, Charlottesville

While we generally take it for granted that governments should provide social welfare and other benefits to their citizens, justification of these services depends on special moral requirements people owe to their compatriots, as opposed to inhabitants of other countries, who may be far more needy. While widely discussed defenses of compatriot preferences can be seen to be flawed, the latter may be justified through a public goods argument. Security and other public goods are not only necessary for acceptable lives but are provided through the cooperative activity of compatriots, coordinated and enforced by the state. Because the necessary public goods require general cooperation throughout society, all individuals who are required to comply should have rights to participate in decisions about the form in which they are provided. Because these political rights must be substantive rather than merely formal, they justify requirements of distributive justice and so compatriot preferences.

Keywords: cosmopolitanism; compatriot preferences; political obligation; public goods

A lthough special obligations owed to one's fellow citizens are supported by basic moral intuitions, there are powerful arguments against them. An immediate problem is the apparent arbitrariness of nationality. For the vast majority of people, this is an accident of birth. If justice requires elimination of morally arbitrary inequalities, it is difficult to

Author's Note: I am grateful to friends and colleagues for comments, criticisms, and suggestions on previous drafts. These include Talbot Brewer, Thomas Pogge, Jennifer Rubenstein, Leif Wenar, my anonymous readers, and, most of all, Ryan Pevnick. Previous versions of this essay were presented at Columbia and Brown Universities and to the Political Theory Colloquium at the University of Virginia. I wish to thank the audiences at these sessions for their questions and comments.

explain why it is wrong to assign advantages on grounds of differences in race, gender, ethnic background, and the like, but not wrong to do so on the basis of nationality.

The specific difficulty on which I focus is justifying redistribution within individual wealthy countries, as opposed to between rich and poor countries. If all lives count equally regardless of where people live, the problematic nature of preferences for wealthy compatriots is seen clearly against the backdrop of global poverty. At the present time, approximately 60% of the population of Rwanda lives on less than \$1.00 a day. The figure for Niger is 61%, for the Central African Republic 66%. In Nigeria, almost 71% of the population lives on less than \$1.00 a day. The figure for sub-Saharan Africa as whole is 41.1%.1 In 2006, per capita gross national income (GNI) in Rwanda was \$250 per person, in Niger \$260. The figure for the Central African Republic was \$360, for Nigeria \$640. In comparison, 2006 per capita GNI in Luxembourg was more than \$76,000. On this scale, the US ranked tenth, with per capita GNI of almost \$45,000. Sweden ranked twelfth, at approximately \$43,500.2 In spite of these enormous differences, much of the revenue from taxes in a given rich country, for example, Sweden is used to raise the standard of living of relatively unfortunate inhabitants of that country. However, as these figures strongly suggest, the same tax revenues would bring about vastly superior consequences if used to alleviate the more severe deprivation of inhabitants of desperately poor countries. Although significant redistribution is a prominent feature of all states we are likely to regard as legitimate, justifying this requires convincing defense against the above and other related cosmopolitan objections.³

Although much has been written on compatriot preferences, both for and against, at the present time, I do not believe they have received satisfactory defense. A suitable account must meet two main conditions (to which I will refer as the "two criteria"). First, it must identify specific, significant differences in relationships between people within and between individual countries that justify according moral precedence to the former. To use Simon Caney's term, a suitable account must establish a "disanalogy" property. While, as we will see in the following section, theorists have identified important differences, these do not satisfy a second condition: demonstrating clear connections between these differences and redistributive preferences. In particular, we will see that, in widely discussed articles, Michael Blake and Thomas Nagel do not satisfy this criterion and that this calls into question the particular disanalogy on which they focus.⁵

It seems obvious that a suitable case for preferences will turn on special relationships compatriots bear to one another. As relationships between

parents and children and husbands and wives generate special moral requirements, something similar may be true of relationships between fellow citizens. This essay presents a public goods argument. I focus on people's need for a range of public goods, bearing mainly on security in different forms from different threats, if they are to lead acceptable lives. 6 The special relationships I examine are between citizens as joint producers and consumers of essential public goods, with their activity in this regard coordinated and enforced by the state. Construed in this light, these compatriot preferences are the obverse of political obligations. Because of the special relationship she bears to state X, a given individual, Smith, is required to obey X's laws. But her obedience comes at a price. It is in exchange for benefits, especially security, the state provides, which are provided only to people who are required to obey. In Leviathan, Hobbes describes a "mutuall Relation between Obedience and Protection." On this, I believe, he is largely correct, and nothing comparable to domestic protection is provided in the interstate realm.8 Fellow citizens' collective role in providing essential public goods is a disanalogy property that satisfies the first criterion.

Once again, the second criterion concerns establishing requirements in regard to distributive justice. Because the essential public goods I have noted require general cooperation, all affected individuals should have rights to participate in decisions about the form in which the goods are provided. Because these political rights must be substantive rather than merely formal, they justify requirements of distributive justice and so compatriot preferences.

Before proceeding, I should address an important moral issue. A complete account of compatriot preferences must explain not only these requirements themselves but duties owed to the global poor. A complete argument would be in two stages. The first establishes the relevant moral requirements in regard to compatriots; the second balances these against duties to the global poor. In this essay, for reasons of space and scope, I address only the first step. Whatever we ultimately decide about requirements owed to the global poor, these must be weighed against the special duties to compatriots that are our primary concern. In the literature, many scholars hold that the global poor are owed duties of charity rather than of justice. We are required to meet their most pressing needs, to ensure their physical survival, but are not required, as with duties of justice, to raise them to some level of equality with inhabitants of wealthy countries.9 Although there are notorious problems in weighing competing moral requirements against one another, if this position is correct, then compatriot preferences in the form of requirements of justice will largely justify the present distributive practices of wealthy countries. However, according to an alternative view, the global

poor are owed duties of justice.¹⁰ This view requires far more toward alleviation of inequalities between countries, as opposed to merely within them. But again, this overall subject I must set aside. A clear explanation of compatriot preferences is sufficient for one essay.¹¹

Discussion is in six sections. In Section I, I review prominent arguments in the literature both for and against favoring compatriots in order to point out difficulties in satisfying the two criteria. In Section II, I present the public goods argument noted above. The first justification I present, the first "moral ground," is "the equal participation rule," discussed in Section III. This stems from requirements to support cooperative schemes that provide security and other essential public goods inside individual countries. As noted above, with all individuals required to cooperate in providing essential public goods, all should have equal rights to participate in decisions concerning their provision. Section IV extends the position developed so far, addressing the nature of these requirements, in terms of one particular theory of political obligation, based on the principle of fairness. As we will see, appeal to fairness establishes two additional moral grounds, which are presented in Section V. Section VI presents brief conclusions.

The arguments establishing the first moral ground and the second and third are obviously closely related. Since the second and third grounds depend on a particular theory of political obligation, if one does not accept this theory, implications for compatriot preferences do not follow. The argument for the first ground relies only on what I view as uncontroversial sociological facts. Since these do not require acceptance of a particular account of political obligation, they may be convincing to people who do not accept political obligations grounded in the principle of fairness. Thus, while the argument for the second and third grounds is dependent on that for the first, the reverse does not hold.

I. Disanalogy Properties and the Two Criteria

A review of recent discussions indicates difficulties scholars have had establishing compatriot preferences.¹² At the present time, the most prominent proponent of a non-cosmopolitan perspective is John Rawls.¹³ Very briefly, viewing society as a cooperative venture for mutual advantage, ¹⁴ Rawls argues that justice centers on fair distribution of the advantages and disadvantages that result from social cooperation. Rawls contrasts duties of justice, which are owed only to people with whom one stands in cooperative relationships, especially concerning society's major institutions or

basic structure, with other moral requirements that are owed to people generally. The latter, so-called natural duties of justice, include duties not to harm other people and of mutual aid. But Rawls does not believe the natural duties include requirements to redress distributive inequalities. Along similar lines, he believes the natural duties are limited by cost qualifiers. For example, the duty of mutual aid is a requirement to help "another when he is in need or jeopardy, provided that one can do so without excessive risk or loss to oneself." Thus, the natural duties fall short of demands for equality that are central to justice.

Rawls's approach may be criticized for failing to satisfy the first criterion noted above. Scholars argue that the interstate realm too is characterized by beneficial cooperative relationships. A classic statement of this view is advanced by Charles Beitz, according to whom, "States participate in complex international economic, political and cultural relationships that suggest the existence of a global scheme of social cooperation." ¹⁶ Beitz argues that similarity between intrastate and interstate cooperation is supported by the voluminous transactions that cross national borders. Examples include communications, travel, trade, foreign investment, and multinational corporations, while a network of global institutions has arisen, including the World Bank, World Trade Organization, and International Monetary Fund. Other considerations, both political and economic, could be noted. As a result of all these factors working in tandem, the economies of many countries are dependent on circumstances beyond their borders and beyond their control. Beitz recognizes that these similarities should not be pushed too far. They are lacking especially in the absence of effective decision making and enforcement agencies in the international realm.¹⁷ This is a point to which I will return. But even with this qualification noted, the significance of international cooperative relationships is beyond dispute—and has grown enormously since 1979, when Beitz's book was first published. Because of the existence of strong cooperation in the international realm analogous to that within states, Beitz argues for principles of economic justice, and so the difference principle, in that realm as well.

We may grant that considerations along these lines tell against focusing on differences between intrastate and interstate cooperation alone. However, the two realms clearly do differ in regard to a quality peculiar to the former. As Beitz notes, this is effective coercion. States are sovereign authorities, able to enforce their dictates against internal opposition. In much discourse in politics and sociology, the standard definition of the state is Max Weber's, which focuses on its claim to a monopoly of legitimate force.¹⁸

Whatever the degree of economic—and to some extent political—cooperation it possesses, the international arena is not characterized by institutions that either do or claim to monopolize legitimate force.

In their important articles, Nagel and Blake attribute intrastate requirements of justice to state coercion. Blake attributes the need for justice to the existence of coercive institutions within states. Beginning with liberalism's concern to promote autonomy, he argues that coercive measures are incompatible with autonomy. In limiting people's options, they reduce people's ability to make their own choices. 19 Coercion therefore requires justification. It could be legitimized if people subject to it consented or would consent under appropriate circumstances. Egalitarian distribution along the lines of Rawls's difference principle is required in order to bring about the necessary consent, especially from those individuals who fare most poorly. In Blake's words,

We have to give all individuals within the web of coercion, including those who do most poorly, reasons to consent to the principles grounding their situation by giving them reasons they could not reasonably reject—a process that will result in the material egalitarianism of the form expressed in the difference principle, since justifying our coercive scheme to those least favored by it will require that we demonstrate that no alternative principle could have made them any better off.20

According to Blake, it is the existence of a coercive scheme inside states and its nonexistence outside that grounds requirements of justice in the former but not the latter.²¹ He argues for less demanding requirements in the international realm, the need to address absolute deprivation, as opposed to requirements of justice, which concern relative deprivation.²²

This is obviously a brief and simplified account of Blake's position, but it should be adequate for our purposes. I believe his argument fails to satisfy either criterion. In regard to the first, if coercion triggers demands for distributive justice, then it is not clear why these are not also generated in the international realm. If we follow Blake in defining coercion broadly in reference to circumstances that reduce "the will of one person to the will of another,"23 then actions of many states, such as driving hard bargains in trade negotiations and their actions in international economic organizations such as the World Bank and International Monetary Fund, could well qualify as coercive in regard to people beyond their own borders. If this is true, duties of justice are owed to people in other countries as well.²⁴

Blake's problems with the second criterion are as follows. Presumably because of his deep concern with justification and consent, he focuses more attention on means through which subjects could be induced to consent to coercive systems than on the nature of such systems and what they are intended to achieve. Blake notes that the coercion that interests him is manifested in institutions such as criminal law, which no one could reasonably reject. What he does not provide is a clear account of why such institutions cannot be reasonably rejected. In spite of his concern with autonomy, Blake does not sufficiently explore the fact that complex and interlocking coercive systems are necessary if people are to lead autonomous lives.²⁵ The state's contribution to autonomy comes into his discussion mainly as a paradox: "Since we cannot eliminate the state given the (paradoxical) importance of government for the protection of autonomy, we seek instead a means by which the content of that legal system might be justified by hypothetical consent."26 I believe this is somewhat backward. Central to the nature of the state and so its role in limiting autonomy is that it creates conditions in which alone autonomy can be achieved. Its contribution in this area is not only why the state cannot be eliminated but also why there is little difficulty justifying it. There is no paradox here. Because of its contribution to autonomy, coercion can be successfully justified to even the poorest members of society, without having to appeal to concerns of economic equality.²⁷

If we accept the points in the previous paragraph, we can identify a gap between coercion and distributive justice in Blake's argument. Because of his concern to secure the consent of people subject to coercion, Blake invokes distributive justice. But why is this step necessary? In Blake's discussion, distributive justice functions almost as a bribe. It is intended to induce people to consent; no other reason for its invocation is provided.²⁸ I believe the gap here can be filled through invocation of political rights. What I mean by these is the familiar list of democratic rights. These include rights to free speech and association, to participation in choosing political officials, and ability fairly to compete for positions. Introducing these into Blake's argument would begin to make the relevant connections clear.²⁹ In order to get people to consent to coercive systems, it should only be necessary for them to understand the essential purposes such systems fulfill. Granted such knowledge, people would voluntarily impose such schemes upon themselves, while voluntary imposition would largely eliminate the conflict between coercion and autonomy with which Blake is concerned. As Rousseau says in the Social Contract, "At Genoa, the word Liberty may be read over the front of the prisons and on the chains of the galley-slaves."30 However, even if Blake recognized the need for self-imposed coercion, his argument would still require an account of how political rights necessitate distributive justice, and so distributive preferences. We will return to this additional step below.

Similar problems are seen in Nagel's argument. He follows Rawls in arguing that requirements of justice exist only within sovereign states; only natural duties of assistance are required outside of states.³¹ Like Rawls, Nagel argues that justice is a requirement of society's basic institutions, but not any institutions. As with Blake, the institutions in question are coercive.³² Nagel argues that the state, unlike other forms of association, is non-voluntary. Ordinarily, we do not have a choice whether to join it, while an "institution that one has no choice about joining must offer terms of membership" that meet high standards³³—higher than those provided by natural duties. An additional factor is the peculiar nature of coercion in democratic societies. In democracies, individuals are not only subject to state coercion, but through representative institutions, are also its authors. According to Nagel, it is the double-sided nature of state coercion that triggers requirements of justice:

A sovereign state is not just a cooperative enterprise for mutual advantage. The societal rules determining its basic structure are coercively imposed: it is not a voluntary association. I submit that it is this complex fact—that we are both putative joint authors of the coercively imposed system, and subject to its norms, i.e., expected to accept their authority even when the collective decision diverges from our personal preferences—that creates the special presumption against arbitrary inequalities in our treatment by the system.³⁴

I agree with Nagel that the factors he identifies are central to compatriot preferences. However, as indicated above, I do not believe his account satisfies the second criterion. Once again, exactly how does coercion trigger demands of justice? It is not self-evident that the complex fact Nagel presents entails distributive justice, and he does not explain the connection. I believe a solution can be supplied. As with Blake, the gap between coercion and distributive justice may be bridged through introduction of political rights. The need for these is especially clear in Nagel's case. The fact that the state acts in our name obviously generates requirements that people be able to participate in the decisions to which they lend their names. But once again, even adding this step leaves us without clear connections to distributive justice. I believe these are readily supplied. Whether this requires economic equality, distribution according to the difference principle, or some other standard is a question I will avoid. But once the need for political rights is accepted, an argument along these lines will justify distributive priority to compatriots.

The above discussion indicates the limitations of both cooperation and coercion alone in accounting for compatriot preferences. Modern states exist in complex webs of economic and other relationships with other countries.

If cooperation alone is to justify compatriot preferences, then the nature of cooperation within states must be sharply distinguished from that between them. Blake's and Nagel's appeals to coercion appear to take us part of the way to an acceptable solution. But once again, they do not provide clear accounts of exactly how coercion requires distributive justice. As I have indicated, this gap may be filled in two steps. First is appeal to political rights. As we will see in the following section, in modern nation-states, effective coercive institutions require the cooperation of many millions of people, of the citizenry as a whole. In addition to focusing on citizens as subjects of coercion, we must move beyond Blake and Nagel and recognize their role in providing it, and so, as argued below, also recognize the need for general rights to participate in determining the form in which coercion is provided. The second step, moving from political rights to compatriot preferences, involves conditions that must be fulfilled in order to make sure the requisite political rights are not only formal but effective.

II. Security and Other Essential Public Goods

Not only do states possess distinctive coercive institutions, but their proper functioning is bound up with a kind of cooperation essentially absent from the international realm. As indicated above, the key connections center on provision of security. Nagel and Blake make relatively little of the fact that the coercive institutions on which they focus are intended largely to provide security, while it is only through a form of cooperation peculiar to state institutions that security is possible.³⁵ Focusing on provision of security within individual states allows us to satisfy the first of the two criteria.

Connections between security and the need for the state are famously drawn by Hobbes. As Nagel points out, Hobbes was a pioneer in distinguishing morality inside and outside the state.³⁶ Contending that requirements of justice depend on the existence of law, Hobbes claimed that the power of the sovereign was necessary to trigger requirements of justice, while the absence of sovereign power in the international realm left it a state of nature, in which the "notions of Right and Wrong, Justice and Injustice have there no place."³⁷ As indicated above, Hobbes believed that obligations to obey the sovereign can be traced back to the protection he provides.

Although I do not follow Hobbes otherwise, I believe that it is in this territory that morally significant differences between the intra and interstate realms are found. Like Hobbes, I assume that decent lives in society require provision of such benefits as law and order, protection from external

aggressors, and also basic public health and environmental protections. It is unfortunately the case in recent years that protection from terrorist organizations, especially ones that seek weapons of mass destruction, is an especially pressing need, probably greater than protection from hostile nation-states. Cumulatively, protection from terrorism and the other benefits I have noted make for a secure overall environment. The baseline from which my argument proceeds is that, in the absence of such an environment, life would not be supportable. It is not necessary to go as far as Hobbes in envisioning the horrors of a stateless condition, but along with the mainstream of traditional liberal political theory, I assume the necessity of the state.³⁸ Although we are able to imagine other means through which a secure environment could be achieved, self-help, market based, or other, essentially anarchistic arrangements could not provide the necessary public goods.³⁹

The connections between security and compatriot preferences turn on a particular view of the state, as a cooperative scheme that provides necessary public goods. It is important to recognize that many of the necessary goods are public in two senses. They conform to the traditional definition of public goods, in that benefits such as law and order, national defense, and public health provisions are characterized by non-excludability and nonrival consumption. More than this, their existence requires mandatory patterns of activity throughout society that affect virtually all citizens. Citizens do not have the option of not participating. In keeping with Blake's and Nagel's discussions, submission to the relevant institutions is not voluntary but, rather, constitutes the centerpiece of citizens' political obligations. Insofar as the necessary cooperation is coordinated by law, citizens are required to obey the law. It is only through general adherence to the law that an environment of law and order is able to exist. Similarly, defense from external aggression requires cooperation of large numbers of citizens in military organizations, working in defense establishments, and supporting defense through tax revenues. Circumstances are similar with other essential public goods. Production of all these goods requires mandatory schemes, supported by state coercion. Citizens are jointly organized in cooperative enterprises, which all require for acceptable lives. The fundamental well-being of each inhabitant of the relevant territories depends on the cooperation of his or her fellow inhabitants.

Focusing on provision of essential public goods in the intrastate realm appears to leave open an obvious objection: public goods are provided in the international realm as well. But to this objection there are also obvious responses. To begin with, international arrangements such as those listed on page 247, are as a rule voluntary. States benefit by joining them, which of

course differs from the pattern of benefit associated with public goods. Still, certain products of international cooperation could be viewed as public goods. For instance, although trade and currency agreements directly affect only their participants, they contribute to an overall environment conducive to commerce, which could be viewed as a public good. However, while the public goods noted in regard to the intrastate realm are necessary for acceptable lives, such interstate public goods are not similarly necessary. 40 Their benefits are primarily economic, while, if rich countries that benefited from them were as a result required significantly to redistribute their wealth to members of participating poor countries, it is not clear that participation would still have net benefits for them. A second important difference is that international public goods along these lines involve direct cooperation by states rather than by their individual members. Individual participation is mediated by states, and so, as a rule, individuals in country A do not interact directly with those in B.⁴¹ Without direct joint interaction, it is not clear why all individuals should have rights to participate in joint decision-making procedures of the kind discussed below. The decision procedures relevant to each individual in regard to the global public goods under discussion are those of his or her own political system. Accordingly, while it will be seen below how production of essential public goods by individual states gives rise to requirements for redistribution inside them, it seems unlikely that anything similar follows from global public goods.⁴²

This account of global public goods should, however, be qualified in an important respect. Changing conditions, especially in regard to the world environment, may well give rise to global public goods that are essential to acceptable lives and require general cooperation throughout the world. The clearest example concerns the threat of global warming and the possibility of severe, general restrictions on energy consumption necessary to combat it. Given the magnitude of the threat to people in all countries and the general nature of the steps that it may require, this or similar threats could significantly alter the situation in regard to global public goods and, as a result, give rise to significant redistributive requirements across national borders. Something similar could be true of measures necessary to combat various diseases or perhaps threats from nuclear proliferation or global terrorism. However, the argument of this essay is predicated on circumstances that presently exist, and so on the belief that, however likely such threats are to emerge, they are not currently sufficiently severe to generate the relevant global public goods. An argument for compatriot preferences, as with many topics in political philosophy, presupposes a certain background of general facts and conditions. Should these elements change, then the special moral requirements owed to compatriots may change as well.⁴³

A final point in regard to essential public goods produced in the intrastate realm concerns connections between the cooperative schemes under discussion and existing states. It is a central fact of the modern world—since the rise of recognizable nation-states in the sixteenth century⁴⁴—that these public goods have been provided by the state, while this has probably constituted the state's main justification. In view of the state's monopolizing force within particular territories, for many centuries there has been rough correspondence between national boundaries and the areas that are covered by state-provided protection. Accordingly, the cooperative schemes under discussion in this essay are governments. While I do not believe anarchistic means could provide the necessary public goods, I do not rule out their supply by other political forms. The assumption of responsibilities now generally borne by states by such entities would require a transfer of moral requirements to these entities. Accordingly, the compatriot preferences that interest us are owed to fellow citizens, not qua fellow citizens but as fellow participants in cooperative schemes that provide public goods without which we could not lead acceptable lives. In the wake of a reordered political landscape, compatriot preferences could be based on goods received from different institutional structures and so owed to different populations.

III. The First Moral Ground

Returning to our main question, exactly how does the need for particular public goods justify compatriot preferences? As indicated in the preceding discussion, the relevant connections proceed through political rights. 45 The first moral ground centers upon rights to participate in central decisions about the workings of necessary cooperative schemes. Although the need for essential public goods bearing on defense, law and order, and other requirements is clear, we must recognize that these requirements may be satisfied in myriad different ways, which are subject to dispute. Different people, with different political opinions and overall views of the world, are likely to disagree on preferred means. Rawls refers to the cognitive factors underlying such disagreements as "burdens of judgment," 46 but existence of this circumstance does not rest on his authority. I assume it is too obvious to require detailed discussion. In regard to defense, for example, is the best policy to have an all volunteer army or a draft? Should the country invest in attack helicopters, long range bombers, or a space-based missile system? Questions like these do not have clear answers, and so whose opinions should prevail? What is true of defense also holds for law and order, the

means through which threats to public health should be combated, and the environment protected. Because reasonable disagreements about these issues are not only possible but inevitable, it is necessary that acceptable means be established to settle them. Because free and open discussion is unlikely to resolve any of these issues, let alone all of them, it is necessary that fair decision procedures be instituted, so they can be settled by vote. All individuals who are required to obey should receive equal rights to participate in decisions about how the goods are provided.⁴⁷ The relevant procedures may take different forms. But equal rights of participation are necessitated by our general belief in the moral equality of persons—which of course provides theoretical underpinning for basic cosmopolitan objections. For some participants to have vastly greater say than others would be a significant injustice to the latter. These considerations ground what we may refer to as the "equal participation rule." Somewhat schematically,

Equal participation rule: All individuals who are required to contribute to the provision of essential public goods should have equal rights to participate in decisions concerning the production and enjoyment of the goods.

Given our basic moral beliefs, decision procedures required by equal participation should be democratic. Because of the size of the political institutions under consideration, it is likely that representative democracy is called for.⁴⁸ But then again, how do we move from these points to compatriot preferences?

The answer centers on the distinction between purely formal and substantive rights. It is not enough that the inhabitants of rich countries simply possess rights to participate in the relevant decision processes. These rights must be able to be exercised in an effective manner. Circumstances in which political rights are purely formal and so without real import are familiar. Standard examples since the early days of the industrial revolution concern workers who must work fourteen or sixteen hours a day and so have no time to enjoy or make use of the rights they have. Along similar lines, rights to freedom of contract mean little when workers have no alternative but to accept employers' harsh terms. In regard to the issue at hand, if citizens lack basic education or have no time or resources to become informed, politically active citizens, whatever political rights they have cannot be effectively exercised. The equal participation rule entails rights of effective participation. It is important for our purposes that this requires, at minimum, that citizens have a certain level of material resources. Bare subsistence is not enough. Citizens require what we may call an adequate level of income⁴⁹—adequate to allow them leisure to become informed about political affairs—along with sufficient education to make it possible for them to do this and to participate actively.⁵⁰

In addition to resources to make participation possible, effective political rights require some level of equality throughout society. Obviously there must be political equality, as expressed in familiar maxims, such as "one man one vote," and "all votes should be counted equally." Citizens also require access to necessary means of effective participation, for example, freedom of speech and association, and must be able to engage in political activities safely and without harassment. These points go almost without saying.

In addition to requirements of political equality is a related need for some measure of economic equality. Because of complexities of actual as opposed to ideal politics, I assume that complete equality is not necessary. A certain measure of inequality is acceptable and to be expected—along the lines of the standard of tolerable injustice that Rawls invokes in A Theory of Justice.⁵¹ Effective equality of political rights may be ensured through means other than equality of income. Most obvious are measures to reduce the influence of money in political processes, for example, limits on campaign contributions, campaign spending limits, or public financing of political campaigns. If properly instituted, such measures are an adequate substitute for equality of income, and so I will not insist on the latter here.

The implication of this line of argument is that compatriots not only may be but must be favored in redistributive situations. Unless all citizens have resources necessary for effective participation, they will be treated unfairly in the schemes of cooperation to which they are required to contribute. The gaps between coercion and distributive justice seen in both Nagel's and Blake's articles are bridged by the need for political rights implicit in both their arguments, while, once again, a strong element of distributive justice is necessary to make sure these rights can be effectively exercised and are not merely formal.

IV. The Principle of Fairness

The argument to this point can be developed further, if we pursue the implications of one particular account of political obligation. Section III discusses citizens' requirements to cooperate in the provision of essential public goods, without fully explaining the specific grounds for their requirements. A fuller defense of compatriot preferences will result from filling this gap, which I will do by appeal to the principle of fairness. This view of political obligations requires satisfaction of specific conditions, which, as we will see, provide additional support for compatriot preferences.

It should of course be clear that if we do not accept this account of political obligation, the connections developed in this section may not obtain. This essay is not the proper context for a full defense of political obligations on the principle of fairness. For our purposes, then, it is necessary to stipulate the essential adequacy of this position. I believe this assumption is justified by the favorable attention the principle of fairness has received from recent scholars. At the present time, it is probably the dominant account of political obligation in the literature.⁵² The literature includes discussion of many objections to a theory based on this principle and possible responses. These matters can only be touched on in this context. I must refer the reader to my other work on this subject.⁵³

The logic of the principle of fairness is as follows. As I have noted, if essential public goods are to be provided, large numbers of people must cooperate. However, because what is in fact necessary is general cooperation, not universal cooperation, production of benefits is compatible with noncooperation by significant percentages of the population. Of course, if noncooperation becomes general, the goods will not be produced, with the result that all people will be unable to lead acceptable lives. Because only general cooperation is necessary, the incentive structure of the resulting situation conforms to an *N*-person prisoner's dilemma. In such a situation, according to prisoner's dilemma logic, individuals have strong incentives not to cooperate, and so government coercion is necessary, to ensure general compliance. As famously expressed by Garret Hardin, what is needed is "mutual coercion, mutually agreed upon." 54

Because indispensable public goods require general compliance, all individuals who receive the goods and need them in order to lead acceptable lives have obligations to cooperate—political obligations based on the principle of fairness. In order to illustrate the strength of this position, one objection I will consider briefly is the contention that the principle is unable to generate obligations to cooperate unless recipients accept the benefits in question.⁵⁵ Very briefly, I believe the objection can be defused. The benefits that concern us are public goods that are unavoidable as well as non-excludable. Because of their nature, benefits such as national defense cannot be accepted; individuals cannot take steps in order to attain them and will receive them whatever they do, as long as they do not leave the protected geographical area. However, because defense and other similar benefits are necessary for acceptable lives, individuals *would* pursue them, if this were possible and necessary for their receipt, under almost all circumstances. However, moral requirements to cooperate in the provision of defense and other similar public goods

do not rest on hypothetical consent, that individuals would consent to receive them under specified circumstances, but on the fact that they actually receive them.⁵⁶

Accordingly, I believe that moral requirements to cooperate in providing essential public goods are incurred, if three basic conditions are satisfied. The goods in question must be (1) worth their costs, (2) indispensable to satisfactory lives, and (3) fairly distributed.⁵⁷ Exceptions are justified if there are morally relevant differences between particular recipients and other people. For instance, if Grey is a pacifist, this may absolve him of duties he would otherwise have to contribute to defense. Or, more fancifully, if he were physically invulnerable and so did not require the services that constitute defense or law and order, these services would not benefit him, and he may not have requirements to contribute to them. But when people receive benefits that are ordinarily viewed as essential to acceptable lives, the facts that they actually receive them and may be presumed to need them generates a requirement on their part to demonstrate the existence of morally relevant differences between themselves and other people, if they wish to be freed from their requirements to contribute.⁵⁸

V. The Second and Third Moral Grounds

If we accept this brief justification of obligations under the principle of fairness, then compatriot preferences follow from provision 3, the fair distribution requirement. This provision gives rise to two distinct moral grounds. In a modern, pluralistic society, it is inevitable that people will disagree about proper standards of fair distribution and whether any given set of circumstances satisfies whatever standard is invoked. As with the equal protection rule, I believe the only practicable way to resolve these issues is through fair political procedures. Because the public goods in question are necessary for satisfactory lives, they must be provided, and so the populations of the relevant territories required to contribute. And so once again, all individuals required to contribute should have equal say in deciding what the standard of fair distribution should be and, reflexively, the nature of the decision procedures themselves, through which such decisions should be made.⁵⁹ In order for people's political obligations to be morally defensible, they must have rights to participate in decisions about the standards of justice the relevant institutions embody. Once again, this demand is most readily satisfied through fair democratic procedures.

From the considerations in the last paragraph, we are able to posit a second ground, the "fairness rule":

Fairness rule: In order to ensure fair distribution of the benefits and burdens of cooperative schemes that provide essential public goods, all individuals who have political obligations to contribute under the principle of fairness should have equal rights to participate in fair decision procedures that address questions concerning the nature of fair distribution.

The equal participation and fairness rules drive in similar directions and have similar implications. Like the rights discussed in reference to equal participation, those required by fairness must be substantive, with implications along the lines of those discussed above. Thus, the equal participation and fairness rules work in tandem to require that poorer compatriots be raised to an economic level that affords them effective participation and satisfaction of other requisites discussed above. If this line of reasoning is accepted, then, it further supports compatriot preferences. Redistributive policies in accordance with the fairness rule are not only acceptable but necessary as matters of justice.

An additional moral ground is not bound up with rights of participation. This is the second ground required by the principle of fairness. The third requirement for political obligations under the principle of fairness, the fair distribution requirement, entails more than general effective rights of participation. In addition to providing citizens voice in choosing the relevant standard of distributive justice, overall benefits and burdens of the cooperative scheme must be in accord with the standard. For ease of discussion, we may refer to this as the fair distribution rule (FDR):

Fair distribution rule (FDR): The benefits and burdens of a mandatory cooperative scheme must be distributed fairly to all participants, in accordance with a principle of distributive justice chosen by fair procedures.

To a large extent, the requirements of this rule may be readily satisfied. Because central benefits of the schemes under discussion are public goods, their distribution is inherently fair.⁶⁰ Reasonable equality in burdens is also possible to achieve through obvious means. Key measures include ensuring equality before the law and fair enforcement of whatever tax system is deemed compatible with the standard of distributive justice.

In two different respects, the implications of FDR may be more far reaching than those of the equal participation and fairness rules. First, satisfying FDR may require that compatriots be raised to economic levels

above what is required to participate in democratic decisions. While the other two grounds require only redistribution to ensure substantive political rights, FDR requires that a stronger standard, fair distribution in general, be satisfied. Once again, I have not specified what the eventual standard of fair distribution must be, but argued that this question must be settled procedurally. 61 However, it is not unlikely that this will be a demanding standard, with redistributive implications that exceed those of the first two moral grounds.

The second respect in which FDR goes beyond the other two grounds also to some extent tells against extensive distributive requirements. There are two points here. First, although FDR is of course generated by requirements to contribute to cooperative schemes, it applies to more than the immediate products of cooperative activity.⁶² In addition to the essential public goods that cooperative activity directly produces, the infrastructure that these goods constitute contributes generally to economic activity in the relevant territory. An effective infrastructure includes protection of property, essential transportation and communication facilities, commercial law, a functioning judicial system, and much more. Without such provisions in place, the level of economic activity in society would be vastly lower. And so in addition to direct results of mandated cooperation to which FDR applies is further economic activity that cooperation makes possible. 63 The second point is that FDR does not require fair distribution of society's entire output. While it is forbiddingly difficult to draw clear distinctions between portions of Rich Country's (RC's) gross national product that can be attributed to general cooperation and those that cannot, I assume that through careful examination of RC's economy, such a distinction can be made—although details may be subject to disagreement. Distinction between what we may call the "cooperation-based" and "non-cooperation-based" aspects of RC's economy has significant theoretical implications.

If we contend that *everything* produced in RC is cooperation-based, then FDR requires fair distribution throughout the overall economy. Such an assumption would bridge the gap between requirements of general cooperative activity and overall distributive fairness. However, I do not believe it is possible to maintain that cooperative provision of public goods is responsible for everything, and so that individual efforts and initiative should be entirely subordinated to it.⁶⁴ The implication is that FDR runs only so far. It requires fair distribution only of what is cooperation-based but is without effect on what is not. This is not to say that goods and services that are noncooperation based are entirely immune from distributive justice. Other principles may apply, for example, consequentialist principles or natural duties of justice, though I will not explore this possibility in this essay. At any rate, while we may respond to cosmopolitan objections noted at the beginning of this essay

by invoking the three moral grounds, we should recognize that these may not overcome these objections in reference to the entire economy. ⁶⁵

VI. Conclusions

In conclusion, we have seen that the two criteria noted at the beginning of this essay are satisfied by requirements to contribute to cooperative schemes that supply essential public goods, especially public goods necessary for a secure environment. As we have seen in regard to the contributions of Blake and Nagel, such cooperative schemes are peculiar to the intrastate realm, although neither of these scholars explains exactly how these schemes necessitate distributive justice. Moving beyond their positions, we have seen that it is because individuals are required to cooperate in these institutions that they are entitled to special treatment by their governments. Compatriot preferences can be justified as requirements of distributive justice that flow from these political obligations.

The compatriot preferences we have discussed proceed through requirements to support cooperative schemes. The first moral ground, "the equal participation rule," demands that people required to cooperate in providing essential public goods have equal say in how the benefits and burdens of their activity are distributed. Once again, distributive justice is necessary to make sure their rights of participation are not merely formal. The second and third grounds follow from a theory of political obligation based on the principle of fairness. According to the second ground, "the fairness rule," in order for political obligations based on this principle to be defensible, all obligees should have equal rights to participate in determining the standards of fair distribution applied to their cooperative activity. The third ground, "the fairness rule," requires that the products of cooperative activity be distributed fairly to all contributors.

Notes

- 1. http://earthtrends.wri.org/text/economics-business/variable-359.html (March 2008); the figures are for 1989 to 2004.
- $2. \ http://siteresources.worldbank.org/DATASTATISTICS/Resources/GNIPC.pdf \ (March 2008).$
- 3. Cosmopolitan objections raise similar problems for other forms of government spending in rich countries. But I will set this issue aside. I owe this point to Jennifer Rubenstein.
 - 4. S. Caney, Justice Beyond Borders (Oxford, UK: Oxford University Press, 2005), 270-79.

- 5. M. Blake, "Distributive Justice, State Coercion, and Autonomy," Philosophy and Public Affairs, 30 (2001); T. Nagel, "The Problem of Global Justice," Philosophy and Public Affairs, 33 (2005).
- 6. For discussion of these goods and that they require the state, see G. Klosko, *Political* Obligations (Oxford, UK: Oxford University Press, 2005), chap. 2; for acceptable lives, see
- 7. T. Hobbes, Leviathan, "A Review and Conclusion," ed. R. Tuck (Cambridge, UK: Cambridge University Press, 1991), 491.
 - 8. See below, section II.
- 9. For example, Nagel, "Global Justice," 118-19; Blake, "Distributive Justice," 258-60; A. Sangiovanni, "Global Justice, Reciprocity, and the State," Philosophy and Public Affairs, 35 (2007) 4n5; similarly, J. Rawls, The Law of Peoples (Cambridge, MA: Harvard University Press, 1999), 105-12, 116-20.
- 10. Different versions of this view are advanced by Thomas Pogge, World Poverty and Human Rights (Cambridge, UK: Polity, 2002); Henry Shue, Basic Rights: Subsistence, Affluence, and U.S. Foreign Policy, 2nd ed. (Princeton, NJ: Princeton University Press, 1996); and Caney, Justice Beyond Borders.
- 11. Cosmopolitan objections raise additional complex issues, for example, concerning the applicability of single principles of distributive justice across different contexts and the "locus" of distributive justice. But these too I must set aside; see G. A. Cohen, "Where the Action Is: On the Site of Distributive Justice," Philosophy and Public Affairs, 27 (1998); L. Murphy, "Institutions and the Demands of Justice," Philosophy and Public Affairs, 27 (1998); Nagel, "Global Justice."
- 12. Although I cannot rule out all justifications on grounds different from those discussed in this essay and so establish that the conditions I note are necessary as well as sufficient, three discussions bear brief comment. First, the important article of Sangiovanni, "Global Justice," which anticipates elements of this essay, appeared after the first draft of this essay was completed. As in the argument developed below, Sangiovanni argues from reciprocity within states. My main differences with his position concern what I view as his lack of clarity in regard to the movement from cooperative activity to requirements for redistribution. I believe his position is vulnerable to the line of argument directed at Blake (see below, note 27). Other differences with his position are pointed out as I proceed. For an attempt to base compatriot preferences on grounds of efficiency, see R. Goodin, "What is So Special about Our Fellow Countrymen?" Ethics, 98 (1988). Very briefly, because of enormous disparities in needs to be addressed in wealthy and poor countries, it is unlikely that the increased efficiency of confining what Goodin calls "distributed general duties" to particular countries would produce greater good than would general requirements to help the most poor. M. Risse's "What to Say About the State," Social Theory and Practice, 32, no. 4 (October 2006), is basically a variant of the views of Blake and Nagel, discussed below. Although it improves on their positions in various ways, it falls before similar criticisms. See below, note 27.
 - 13. Rawls, Law of Peoples.
 - 14. Rawls, A Theory of Justice (Cambridge, MA: Harvard University Press, 1971), 4.
- 15. Ibid., 114. For the implications of cost qualifiers, see G. Klosko, "Political Obligation and the Natural Duties of Justice," Philosophy and Public Affairs, 23 (1994).
- 16. C. Beitz, Political Theory and International Relations (Princeton, NJ: Princeton University Press, 1999), 144; see 143-53. Similar points are made by other critics of a statist perspective; e.g., J. Cohen and C. Sabel, "Extra Rempublicam Nulla Justicia," Philosophy and Public Affairs, 34 (2006): 164-65.

- 17. Ibid., 154.
- 18. M. Weber, "Politics as a Vocation," in *From Max Weber: Essays in Sociology*, ed. and trans. H. Gerth and C. W. Mills (Oxford, UK: Oxford University Press, 1946), 78.
 - 19. Blake, "Distributive Justice," 267-73.
 - 20. Ibid., 283.
- 21. "Only in this search for the justification of state coercion, I argue, does egalitarian distributive justice become relevant." Ibid., 265.
 - 22. Ibid., 258-60.
 - 23. Ibid., 268.
- 24. R. Pevnick, "Political Coercion and the Scope of Equality," *Political Studies*, 56 (2008). Also, see below, Note 27. This criticism of Blake should be qualified, in view of points he makes on "Distributive Justice," 265, although the basic point remains.
- 25. For Blake's discussion of how various institutions, especially criminal and civil law, contribute to autonomy, see ibid., 273-85.
 - 26. Ibid., 282.
- 27. This argument too follows Pevnick, "Political Coercion." An argument along these lines also applies clearly to Sangiovanni, "Global Justice." In his case, in regard to the gap between reciprocity and distributive claims, the relevant non sequitur is clear in 28n45. A similar objection also applies to Risse, "What to Say," 687-89; also see Risse, "What We Owe the Global Poor," *Journal of Ethics*, 9 (2005): 105.
- 28. Blake addresses the tenuousness of the connection between coercion and autonomy on the one hand and distributive justice on the other in "Distributive Justice," 282n32.
- 29. At one point, Blake notes connections along these lines, though only in passing, without developing the implications; see ibid., 284.
- 30. J.-J. Rousseau, *Social Contract*, Book IV, chap. 2, in *The Social Contract and Discourses*, trans. G. D. H. Cole (New York: Dutton, 1950), 106n2.
 - 31. Nagel, "Global Justice."
- 32. Nagel argues that significant coercion is present in the international realm, but this is "filtered" through actions of sovereign states. Ibid., 138-40. Blake too recognizes international coercion, but also in ways that differ from the coercion within states; see "Distributive Justice," 265.
 - 33. Nagel, "Global Justice," 133.
 - 34. Ibid., 128-29.
- 35. The significance of security is overlooked by other theorists as well. For instance, in an extended discussion of contrasts between inter- and intrastate realms, Beitz does not note differences in provision of security. Beitz, *Political Theory*, 154-61.
 - 36. Nagel, "Global Justice," 115-17.
 - 37. Hobbes, Leviathan, chap. 14, 90.
- 38. As Blake says, the existence of the state is a "pre-theoretical given." Blake, "Distributive Justice," 286. I should note that a political order based on different institutions may be imagined and could well lead to increased justice and prosperity throughout the world. For one possible arrangement, see Pogge, "Cosmopolitanism and Sovereignty," *Ethics* 103 (1992). However, in this essay, I concentrate on institutions that currently exist.
 - 39. Klosko, Political Obligations, chap. 2.
- 40. On differences in importance between contributions of one's own state and by the international sphere, see Sangiovanni, "Global Justice," 29; similarly, S. Freeman, "Distributive Justice and *The Law of Peoples*," in *Rawls's Law of Peoples: A Realistic Utopia?* ed. R. Martin and D. Reidy (Malden, MA: Blackwell, 2006), 245-48.

- 41. For implications of mediated as opposed to direct interaction in regard to coercive relationships, see Risse, "What to Say," 684-85.
- 42. It could be objected that, because international institutions affect people throughout the globe, all people should have the ability to participate in democratic processes that shape the institutions—which would have implications in regard to substantive rights similar to those developed below. However, as the arguments of Sangiovanni, "Global Justice," Risse, "What to Say," and Freeman, "Distributive Justice," demonstrate, there are enormous differences—differences of kind—between domestic and global institutions and their effects on people's lives. While, as Rawls says, contributing to the spread of democracy—and so to democracy in regard to global institutions—is a natural duty (Rawls, *Theory of Justice*, 115, 334), because co-nationals are directly compelled to comply with domestic institutions, compatriots' moral requirements to provide democratic rights to them are far stronger. For references in regard to cost-qualifiers on natural duties, see above, note 15. For raising the point this note addresses, I am indebted to one of my anonymous readers.
- 43. Along similar lines, I should note my assumption that essential security provisions, as discussed below, are supplied by nation-states and do not require aid from extra-national sources. I believe this is clearly true in regard to the United States, while many other countries also provide for their own security. Although NATO and similar organizations may assist U.S. security, they do not provide anything essential. Along the lines of what has just been said, if, counterfactually, NATO were in fact essential, then the range of compatriot preferences would be extended. Additional moral requirements to cooperate in providing it would exist among NATO members. Although the United States may be regarded as self-sufficient in regard to security, for other countries this may not be the case, and so their moral circumstances may be more complex. This important subject can receive only brief attention in this context. Very roughly, to the extent that particular sources external to state X provide essential protection, citizens of X may have additional moral requirements in regard to these other sources. Also see note 38, above.
- 44. Q. Skinner, *The Foundations of Modern Political* Thought, vol. 2 (Cambridge, UK: Cambridge University Press, 1978), 349-58.
- 45. For important, initial suggestions concerning the importance of political participation, I am indebted to Talbot Brewer.
 - 46. Rawls, *Political Liberalism* (New York: Columbia University Press, 1993), 54-58.
- 47. The principle discussed here does not establish substantive rights for all members of society, but only for those who contribute to the relevant public goods. However, while some individuals will not be included, because of the general compliance that the goods require, the numbers excluded should be quite small—smaller than the class who could be excluded under some other principle, for example, that they do not contribute to the economy, or for some other similar reason. It is also possible that distributive rights for the individuals not included under this moral ground could be justified by some other moral principle.
- 48. Other fair decision procedures could be imagined, for example, lottery systems. If implemented fairly, these do not appear to be obviously objectionable, although we would be unlikely to accept a pure lottery, unless it were accompanied by other radically democratic institutions, for example, an assembly open to all citizens, the implications of which are similar to those discussed below—as the ancient Athenians recognized.
- 49. In discussion here, I do not address complexities concerned with differences between income and wealth.
- 50. In appealing to the need to ensure that political rights are substantively effective, I am indebted to Rawls's discussions of the equal worth of the political liberties. Rawls, *Theory of*

Justice, 224-26; Rawls, *Justice as Fairness: A Restatement* (Cambridge, MA: Harvard University Press, 2002), 148-50. However, I should note that, as indicated above, because of his focus on cooperation, Rawls's own defense of compatriot preferences fails to satisfy the first of the two criteria (see above, pp. 247-248).

- 51. Rawls, Theory of Justice, 351.
- 52. For instance, Leslie Green characterizes fairness as "perhaps the most influential contemporary theory of obligation." Green, "Law and Obligations," in *The Oxford Handbook of Jurisprudence and the Philosophy of Law*, ed. J. Coleman and S. Shapiro (Oxford, UK: Oxford University Press, 2002), 530); similarly, P. Soper, *The Ethics of Deference* (Cambridge, UK: Cambridge University Press, 2002), 103, see chap. 6; W. Edmundson, *Three Anarchical Fallacies* (Cambridge, UK: Cambridge University Press, 1998), 31.
- 53. Especially Klosko, *The Principle of Fairness and Political Obligation* (Savage, MD: Rowman and Littlefield, 1992; new edition, 2004); and Klosko, *Political Obligations*. Also see the list of my articles in the bibliography of the latter.
 - 54. G. Hardin, "The Tragedy of the Commons," Science 162 (1968): 1247.
- 55. For discussion, see A. J. Simmons, *Moral Principles and Political Obligations* (Princeton, NJ: Princeton University Press, 1979), chap. 5; Klosko, *Principle of Fairness*, chap. 2.
 - 56. For discussion, see ibid., chap. 2.
 - 57. For these conditions, see ibid., chap. 2.
- 58. For how citizens may be freed of specific requirements, see Klosko, *Political Obligations*, 61.
- 59. For discussion of the unfairness involved in the need to address these questions through preexisting decision procedures, which may advantage some individuals over others, and how this can be justified, see Klosko, *Principle of Fairness*, chap. 3.
 - 60. For discussion, see ibid., chap. 4.
- 61. cf. Sangiovanni, "Global Justice," who assumes that reciprocity requires satisfying a strong standard of distributive justice.
- 62. For defense of the claim that the relevant infrastructure, cooperation with which may be required under the principle of fairness, extends beyond public goods that are themselves indispensable, see the "indirect argument," in Klosko, *Principle of Fairness*, 87-101.
 - 63. For excellent discussion, see Sangiovanni, "Global Justice," 20-29.
 - 64. This appears to be the position of Sangiovanni, in ibid., esp. 35.
- 65. For a recent criticism of possible compatriot preferences based on the principle of fairness, see R. Arneson, "Do Patriotic Ties Limit Global Justice Duties?" *Journal of Ethics*, 9 (2005). Briefly, in response, I do not believe Arneson's argument holds because of the triviality of the example he uses, based on a potluck supper. The public goods discussed in this essay are necessary for satisfactory lives. Because they must be supplied, they generate far more weighty moral requirements (although, once again, how these should be weighed against requirements to aid the global poor is a subject I have set aside).

George Klosko is Henry L. and Grace Doherty Professor of Politics at the University of Virginia. He works on issues in normative political theory and the history of political thought. His recent books include *Political Obligations* (2005) and a second edition of *The Development of Plato's Political Theory* (2006). He is currently editing *The Oxford Handbook of the History of Political Philosophy*.