

REMEDIAL RESPONSIBILITIES BEYOND NATIONS

Thom Brooks

Durham University

Abstract. David Miller's theory of nationalism and national responsibility offers the leading alternative 'anticosmopolitan' theory of global justice. His theory claims that 'nations' may be held responsible for the benefits and harms resulting from their collective decisions. Nations may be held remedially responsible to help nations in need even where the former lack causal or moral responsibility, for example. This article critically examines Miller's position that remedial responsibilities—the responsibilities of nations to remedy others in need—can and should only be satisfied by nations. I argue that the characteristics that define and justify a particular understanding of nationalism extend to further constructions of identity, such as religious affiliation and other connections. The problem with Miller's position is that it is overly narrow by focusing solely on our national identities as the characteristic most relevant for determining remedial responsibilities. It is possible and desirable to widen our focus, enriching our understanding of global justice and remedial responsibility. Moreover, this wider perspective is an extension, and not a break from, Miller's position. Our shared identities should have significance for considerations of global justice and they can help us develop a more robust view of anticosmopolitanism.

1. Introduction

David Miller's theory of nationalism and national responsibility offers the leading alternative 'anticosmopolitan' theory of global justice.¹ His theory claims that 'nations' may be held responsible for the benefits and harms resulting from their collective decisions. Nations may be held remedially responsible to help nations in need even where the former lack causal or moral responsibility, for example. The argument is that there are persons requiring remedy and so there is a need to develop a theory that can help us determine how we can choose those nations that should provide assistance to those in need.

This article critically examines Miller's position that remedial responsibilities—the responsibilities of nations to remedy others in need—can and should only be satisfied by nations. I argue that the characteristics that define and justify a particular understanding of

¹ Miller describes his position as 'anticosmopolitan'. This view does not deny some minimal general duties to all human beings: for Miller, we are all cosmopolitans to the degree we accept such duties. But he rejects—as 'cosmopolitan'—more robust duties beyond securing basic needs. See David Miller, *National Responsibility and Global Justice* (Oxford: Oxford University Press, 2007), chapter 1.

nationalism extend to further constructions of identity, such as religious affiliation and other connections. The problem with Miller's position is that it is overly narrow by focusing solely on our national identities as the characteristic most relevant for determining remedial responsibilities. It is possible and desirable to widen our focus, enriching our understanding of global justice and remedial responsibility. Moreover, this wider perspective is an extension, and not a break from, Miller's position. Our shared identities should have significance for considerations of global justice and they can help us develop a more robust view of antic cosmopolitanism.

The article's structure is as follows. First, I identify Miller's theory of nationalism. My focus will be on the reasons for why he argues that our shared identity as co-nationals connects with his argument for a connection theory of remedial responsibilities. Secondly, I argue that these reasons can and should support other types of shared identity that should be included within his connection theory. Thirdly, I conclude with observations on the wider implications for cosmopolitan global justice theorists.

2. Miller's Theory of Nationalism

Miller argues for the importance of nationality: a person's nationality is not morally irrelevant in considerations of global justice.² The moral relevance of nationality arises from a shared relationship and identity that a person has with co-nationals. This distinction is perhaps best introduced with an illustrative example. Consider the *missing child case*: a child is missing and there are fears for her safety.³ We have at least a *prima facie* moral reason to

² Miller has argued for his theory of nationalism on several occasions, including David Miller, 'In Defence of Nationality', *Journal of Applied Philosophy* 10 (1993): 3—16; David Miller, *On Nationality* (Oxford: Oxford University Press, 1995): 49—80 reprinted in Thom Brooks (ed.), *The Global Justice Reader* (Oxford: Blackwell, 2008): 284—305; and Miller, *National Responsibility and Global Justice*, 17. Most references to Miller's work will be to his *National Responsibility and Global Justice* as his most recent and substantial statement on the relation of national identity to remedial responsibilities in global justice.

³ Miller, *National Responsibility and Global Justice*, 39 and David Miller, 'Cosmopolitanism: A Critique', *Critical Review of International Social and Political Philosophy* 5 (2002): 80—85. See Thom Brooks, 'Cosmopolitanism and Distributing Responsibilities', *Critical Review of International Social and Political*

help with search and rescue efforts. We need not have any special connection to this particular child in order to recognize that we have a moral reason to help where we can. Therefore, we do not need to have a relationship to the missing child in order to accept that we should help.

Now consider the *our missing child case*: our child is missing and there remain fears for her safety. The difference here is that the missing child is our own. We have a moral reason to help with search and rescue efforts in both cases. However, we have a further moral reason to help in the second case on account of the fact that the missing child is our child: we have a special connection between us. We might deny that we should give any additional moral weight to one child over another where both are equally situated. Nevertheless, there is a difference between the situations of the missing children in these two cases. This difference lies in their shared relationships with others and this difference is not morally irrelevant.

These two illustrative examples bear on the moral importance of nationality. Miller argues that our relationship with co-nationals likewise may contribute further moral weight on similar grounds. We may have reason to assist in efforts to help another human being in need, but have an *additional* moral reason to assist those who are co-nationals. For Miller, the national identity is irreducible to state identification.⁴

This point is crucial. Miller defines a nation as ‘a body of people who share a common identity, involving cultural values, attachment to a territory, and so forth, and who *aspire* to institutions of political self-determination which they may or may not actually enjoy’.⁵ So we may claim a national identity with roots in shared values and territorial affiliation while lacking the full political institutions commonly found in the modern state. What matters is our shared identity: Miller places an importance on our shared ethical

Philosophy 5 (2002): 92—97, at 92—93. The labels (‘missing child case’, ‘our missing child case’, etc.) to identify examples used are mine, but the examples discussed are from Miller.

⁴ See Miller, *National Responsibility and Global Justice*, 112, 132.

⁵ Miller, *National Responsibility and Global Justice*, 143.

connections over wider institutional connections. Furthermore, our shared identity as co-nationals *can* provide an additional moral reason to assist other co-nationals arising from our shared identity.

Miller argues that are several conditions that, if satisfied, may support this position about identity and special duties.⁶ The first reason is that the relationship we enjoy amongst our co-nationals is intrinsically valuable.⁷ It is certainly true that many people find their identity within a political community of significant value, but there are many different potential identities that others may find importance in.⁸ The problem is determining which, if any, should count for considerations of global justice. Miller explains:

[P]eople who deny the significance of their national identity in circumstances where such an identity is available to them are missing out on the opportunity to place their individual lives in the context of a collective project that has been handed down from generation to generation, involving among other things the shaping of the physical environment in which they live, and whose future they could help to determine, by political participation and in other ways. The issue here is not whether this is the highest human good—for most people it is unlikely to be—but whether it is *one* of the human goods that have intrinsic value, alongside family life, creative work, and so forth.⁹

⁶ My aim is to identify Miller's three conditions and not critically consider their wider defensibility. This is because the goal of this section is to clarify the only kind of shared identity (*e.g.*, national identity) that Miller focuses on for considering questions about remedial responsibilities in global justice. I next argue that, if Miller is correct, this position can and should be expanded to include other forms of shared identity that can possess relevance for weighing possible remedial responsibilities in new ways.

⁷ Miller, *National Responsibility and Global Justice*, 37.

⁸ For an illuminating account, see Bhikhu Parekh, *A New Politics of Identity* (London: Palgrave 2008).

⁹ Miller, *National Responsibility and Global Justice*, 39.

National identity can be intrinsically valuable and, as such, our shared identity with co-nationals may give rise to new moral weight on account of the value that we place in our shared identity. Moreover, the continuity of the national community is also seen as valuable, not least for helping to sustain their shared identity.¹⁰

A second reason is that our duties to co-nationals should be integral to the relationship that we share with others. A political community exists as a community when its members can identify and recognize each other as fellow community members, such as where each adheres to and participates in a shared public culture. This recognition of shared identity helps make possible special duties to co-nationals.¹¹ We identify with one another within our mutually recognized value of our shared relationship. Our shared identity in a community of value for us can allow us to accept the view that co-nationals may deserve additional moral consideration over those deserved by non-nationals.

Finally, a third reason is that there need not be any intrinsic injustice caused to non-nationals even when we afford additional moral weight to the claims of co-nationals. This is because the view that co-nationals may be deserving of additional moral weight need not entail that we treat non-nationals to less than they deserve. Instead, we may claim no more than that we have reason to offer co-nationals a consideration beyond that which they might deserve otherwise. There is then no injustice to recognizing different treatment between co-nationals and non-nationals.

Together, these reasons offer support to the view that it may not be unjust for us to choose to help our co-nationals where they and non-nationals are similarly situated and we must make a choice between them. This is on account of our shared identity with co-nationals that satisfies three specific tests: our co-national relationship is intrinsically valuable, integral

¹⁰ See Miller, *National Responsibility and Global Justice*, 125.

¹¹ For a related discussion, see Derrick Darby, *Rights, Race, and Recognition* (Cambridge: Cambridge University Press, 2009).

to our relationship as co-nationals, and honouring this moral significance does not compel us to give less than what is deserved to non-nationals.

One result is that not all shared identities pass these tests. A person's identity with another within a white supremacist organization would fail the test of intrinsic value, for example. This is because such a shared identity lacks intrinsic value in virtue of its wrongfulness. Furthermore, our recognizing an additional moral reason in favour of co-nationals need not entail that we fail to treat non-nationals to less than they deserve. Let us suppose that a non-national was in need of assistance we could readily offer, but we decide instead to socialize with a co-national. This would be wrong on this view because the need of the non-national was greater, all things considered. Co-nationality matters where a co-national and non-national are similarly situated: where we must choose between them our shared identity may serve as an additional moral reason in favour of a conational, but co-nationality is not a trump card.¹²

Our shared nationality additionally entails national responsibility amongst co-nationals, provided our identity satisfies specific tests. Miller says: 'By virtue of identifying with compatriots, sharing their values, and receiving the benefits that national communities provide, we are also involved in collective responsibility for the things that nations do'.¹³ We receive benefits from our membership in a nation with a special relationship to our co-nationals. Together, we also share a collective voice in international affairs. On this view, we are rightly called to account when we contribute to harms affecting other nations. Similarly, we are also called to action when we may contribute to addressing problems of moral concern affecting other nations.

¹² See Robert E. Goodin, 'What is so Special about our Fellow Countrymen?' *Ethics* 98 (1988): 663—86 reprinted in Thom Brooks (ed.), *The Global Justice Reader* (Oxford: Blackwell, 2008): 263—83.

¹³ Miller, *National Responsibility and Global Justice*, 125. See David Miller, 'National Responsibility and Global Justice', *Critical Review of International Social and Political Philosophy* 11 (2008): 383—99.

The ties that bind us together generate both our national identity and our national responsibilities. Miller offers us a theory of remedial responsibility. This theory helps us determine which nation should contribute to remedying problems of global justice. A theory of remedial responsibility aims at addressing the question of which nation or nations should provide remedy to others in need.¹⁴ Miller argues:

What matters for remedial responsibility is that the situation is one that demands to be put right: it is morally unacceptable for people to be left in that deprived or needy condition . . . All that matters is that we find it morally unacceptable if the deprived person is simply left to suffer.¹⁵

We determine which nation or nations should provide remedy in weighing up any connections they may have with others in need in what Miller calls his ‘connection theory’ of remedial responsibility.¹⁶ These connections include considerations such as whether any nation possesses causal or moral responsibility for deprivations elsewhere. Other considerations include whether a nation has the capacity to help or has benefited from the deprivation suffered by others.¹⁷ No one connection is more weighty than another and ‘there is no algorithm’ that might resolve disputes between weighing up different considerations.¹⁸ Instead, ‘[w]e have to rely on our intuitions about the relative importance of different sources of connection’.¹⁹ Our result will be a determination of which nation or nations should provide remedial responsibilities to others based upon a consideration of possible connections.

¹⁴ For general discussion, see Thom Brooks, ‘Global Justice and Politics’ in Fred D’Agostino and Jerry Gaus (eds), *The Routledge Companion to Social and Political Philosophy* (London: Routledge, 2013): 517—25.

¹⁵ Miller, *National Responsibility and Global Justice*, 98.

¹⁶ See Miller, *National Responsibility and Global Justice*, 99. This theory was first developed in David Miller, ‘Distributing Responsibilities’, *Journal of Political Philosophy* 9 (2001): 453—71.

¹⁷ Miller’s list of considerations and discussion is found in *National Responsibility and Global Justice*, 100—109.

¹⁸ Miller, *National Responsibility and Global Justice*, 107.

¹⁹ Miller, *National Responsibility and Global Justice*, 107.

I believe that this picture is incomplete. National identities are not the only shared identities that can meet Miller's criteria of morally significant shared identities and give rise to communities that may participate in a consideration of remedial responsibilities. I will next defend this position.

3. Beyond Nationalism

We have now seen how a shared identity that passes three tests may have moral importance on Miller's account. This shared identity gives rise to a shared responsibility: national identity grounds national responsibility, including remedial responsibilities to help others in need. One problem that has gone largely unnoticed is that Miller's theory of nationalism and national identity apply to *additional* shared identities.²⁰ We can accept his understanding of nationalism beyond (and even without) nations. I explain why this is the case in this section and offer a limited defence.

Consider the tests for the moral significance of shared co-national identity: our shared identity is intrinsically valuable, integral to our relationship, and honouring this moral significance does not compel us to give less than what is deserved to non-nationals. But it should also be clear that a shared co-national identity is not the only identity that can meet the standard of these three tests.

One such example is a shared identity with others within an organized religion.²¹ Organized religions are structured communities of believers joined in a shared identity and communal project. Religious organizations have an identifiable public culture and often cross national boundaries. These religious believers place great value in both their faith, as well as

²⁰ See Margaret Moore, 'Miller's Ode to National Homogeneity', *Nations and Nationalism* 2 (1996): 422—29 and Andrew Vincent, 'Liberal Nationalism: An Irresponsible Compound?' *Political Studies* 45 (1997): 275—95.

²¹ I do not want to suggest that a shared identity in a non-organized religion would always fail this standard. I will focus on the Roman Catholic Church as one specific example, but other examples abound that work equally well: it is then one of many possibilities, not the only nor best possibility.

their membership in a religious community. There is reason to claim that shared religious identity can possess intrinsic value and entail a reciprocally recognized responsibility amongst members not unlike persons sharing a national identity. Moreover, organized religions—again, often transnational in size and scope—may also play a role in global affairs.

The Roman Catholic Church is an illustration of this. The Church has its own public culture as well as other public goods, not unlike a nation in these respects.²² Church members enjoy a shared identity that has value for each member, as well as creating specific responsibilities between them. Not unlike other organized religions, the Church is highly active in shaping its public culture in a variety of ways even beyond worship practices. This may include maintaining pastoral support groups, administering schools and universities, missionary work, and publishing. Together, these activities support a shared identity amongst Catholics that is not without significant value for them.

While it is undeniable that there are significant differences between national identity and religious identity, it remains the case that both *may* satisfy the same tests.²³ It is not unjust to give additional moral weight to those with whom I have a shared national *or* religious identity provided that I do not give those lacking these shared identities *less* than what they may already deserve independently of these considerations. Therefore, just as my shared national identity may offer additional weight, then so too does my shared religious identity *and for the same kinds of reasons*.

Communities of believers with a shared religious identity may be agents of global justice. Organized religions, such as the Catholic Church, may both benefit from their interactions with other international bodies just as they may be held to account when they

²² Recall that Miller argues that nations support a public culture and public goods. See Miller, *National Responsibility and Global Justice*, 131.

²³ Miller says that a nation is bound by people joined by a common national identity and ‘who *aspire* to institutions of political self-determination’. This condition may also hold for organized religions in terms of seeking at least some sphere of political autonomy on certain matters, but also in terms of seeking statehood: the Vatican City is an example of the latter. (See Miller, *National Responsibility and Global Justice*, 143.)

may spread harm. More importantly, *why should we rely on nations alone to remedy the suffering of the world's poor?* Miller's theory of remedial responsibility makes the error of considering nations alone.²⁴ Our world is composed of more than nations. Nor are nations the only global actors that may benefit or be held to account for their decisions. Problems of global justice are created and caused by more actors than nations alone, but also organized religions. In fact, organized religions have often played a not insignificant role in helping the global poor living below 'a global minimum'.²⁵ Religious organizations assist in remedial efforts *today*. It is a mistake that they should be altogether absent from our considerations of global justice, including questions concerning the distribution of remedial responsibilities. Miller's claim that a shared identity as co-nationals may have significance for considering remedial responsibilities is a claim that is not exclusive of other kinds of shared identities individuals can and do possess.²⁶

Nor should a shared religious identity be the only non-national identity that has moral significance in this regard. One possibility is our shared identity within a profession. We can have a shared identity through our work, an idea argued for by Hegel: he called work 'a *second family*' where we join together with others in a common project and recognize special responsibilities towards one another.²⁷ An example may be academic philosophers.

²⁴ There is a further problem with the weighting given to each principle. See Thom Brooks, 'Miller et «Distributing Responsibilities», *Archives de Philosophie du Droit* 52 (2009): 381—86 and Thom Brooks, 'Rethinking Remedial Responsibilities', *Ethics and Global Justice* 4 (2011): 195—202.

²⁵ See Miller, *National Responsibility and Global Justice*, 180-85.

²⁶ My argument is that Miller's claims about shared national identity *may* extend to other kinds of shared identities, such as a shared religious identity, that he has overlooked. This has importance because it expands the possible range and depth of shared groupings that any view of remedial responsibilities might have to include. Note that my argument is *not* that *any* shared religious identity should count. (Nor, for Miller, does any kind of shared national identity count.) For example, a shared religious view that only members of a particular religion have sufficient moral significance for remedial relief is not consistent—or justified—by the account here. This is because the kinds of shared religious identities that may count are those that might exist as special duties to co-members, as our co-members, in addition to any general duties that may be owed to all irrespective of any shared identities. The claim that only co-members count at all would deny general duties to all and so fall outside the kinds of shared identities considered here. Many thanks to Eric Palmer for pushing me to clarify this important distinction.

²⁷ See G. W. F. Hegel, *Elements of the Philosophy of Right*, ed. A. W. Wood, trans. H. B. Nisbet (Cambridge: Cambridge University Press, 1991): 270—72 [§§252—53]. See also Thom Brooks, 'Reciprocity as Mutual Recognition', *The Good Society* 21 (2012): 21—35 and, more generally, Thom Brooks, *Hegel's Political*

Philosophers often work in universities where they earn far less than they might earn in the private sector. Philosophers often perform unpaid work for the benefit of fellow and new members, such as refereeing journal articles, editing journals, and producing articles, as well as participating in academic conferences. The primary motivation is then not entirely instrumental, but a vocation for many with a recognition of the intrinsic value of academic philosophy and the special relationship that we share with others in the profession.²⁸ In addition, philosophers most often identify with each other rather than with the academic institutions where they work. Professional identities are not limited to academic philosophers by any means and they can easily be extended to other occupations. Just as national identity may entail national responsibility, likewise professional identity may entail some form of professional responsibility where shared duties are integral to their relationship as academic philosophers. The future of philosophy may be affected by many factors, but contemporary philosophers may be expected to promote their profession where they can.

The question to raise here concerns the significance of these non-national forms of shared identities to considerations of global justice. Generally speaking, I would readily concede that shared professional identities may play a much more limited role and be more difficult to capture satisfactorily. However, I would not believe that it is obvious that nations always take priority even if they are often the best, if still clumsy, vehicles by which remedial responsibilities may be determined.²⁹ It may be the case often enough that a religious or professional organization built upon a morally significant, but non-national form of shared identity is best placed to organize a relief effort than a nation. Moreover, even if nations were always or usually best placed instead, non-national organizations *may* meaningfully

Philosophy: A Systematic Reading of the Philosophy of Right, 2nd edition (Edinburgh: Edinburgh University Press, 2013).

²⁸ See Academics Stand Against Poverty, url: <http://academicsstand.org/>.

²⁹ The priority that Miller gives to nationality is perhaps evident in his silence about the other relevant forms of shared identity considered here.

contribute to these efforts. A theory of global justice should aspire to capture this important contribution: it is a mistake to allow them no space for meaningful participation.

Now consider another example of shared identities formed through professional relationships. Corporate affiliations in the business sector could be another possibility.³⁰ One illustration of this is the case of Wael Ghonim, a marketing executive at Google who went missing in Egypt during the 2011 Arab Spring.³¹ This case is an example of the shared fellowship at Google, their sense of their influence on political possibilities as telecom and software engineers (and so their sense of mutual responsibilities arising from their shared identity) and their efforts aided Ghonim's release bringing both corporate affiliation and ethical reasoning into play.

But while this example may seem compelling, it is unclear whether it passes Miller's three tests. For example, occupations can be intrinsically valuable. I already argued academic philosophy is one such profession. Perhaps even marketing in the online search engine industry might also make this standard. Nonetheless, it is clear not all occupations are so and we would require some further account of why these other professions pass the first of three tests, that the association is intrinsically valuable to its members. It is further unclear whether the mutual duties to others shared in a profession satisfy the test of being integral to that relationship: it is unlikely to be true in every case and so some further account is required. Additionally, academic philosophers share an identity across institutions and national boundaries, but it is uncertain how many other professions have this vocational character. To be clear: I am *not* arguing that there is something unique about academic philosophy that is different or more important than other professions. This is not my claim or my view. Instead, the argument is academic philosophy—as presented here—is one example of how a shared identity amongst those in a profession might possibly satisfy Miller's three tests. The

³⁰ I am grateful to Eric Palmer for suggesting these illustrations considered in the next couple paragraphs.

³¹ See John Letzing, 'Google Employee in Egypt Protests Released', *Market Watch* (url: <http://www.marketwatch.com/story/google-employee-in-egypt-released-2011-02-07>).

example is at least arguable and it would seem plausibly no less arguable for other more vocational professions amongst many others.³²

To summarise my argument thus far. Miller's theory of nationality and national responsibility rests upon a view of shared identity. Not all shared identities should be imbued with moral significance, but only those that satisfy certain tests. A shared national identity that meets these tests can count, on his view, as a nation with national responsibilities and serve as an agent in global affairs. The problem is that this view is too narrow. There may be other shared identities that can also meet these tests, such as a shared religious or professional identity. These shared identities themselves also give rise to communities which may also meaningfully participate in international affairs. Nations may often play a leading role in satisfying remedial responsibilities, but it is a mistake to argue that nations should serve this role alone. Other communities based upon shared identities passing the same tests can also serve in this role.

The satisfaction of remedial responsibilities is then more complex than Miller claims insofar as it is an arena of more than nations. However, this more complex picture better fits the world as we find it. Religious and other organizations play a supporting role in relief efforts now. Any plausible theory of global justice can and should include them in some way. This realization is not a rejection of Miller's position as it is an amendment to it. Moreover, my amendment has the benefits for his theory that it is clearly compatible with and it better accounts for a wider range of global agents that may meaningfully participate in remedial efforts.

This revision of Miller's position does not entail we give all shared identities the same priority. The fact that multiple shared identities can pass Miller's three tests and so have relevance for considering remedial responsibilities should not lead us to conclude that shared

³² For example, lawyers, police officers, school teachers and others may satisfy Miller's three tests as well—and perhaps even better—than academic philosophers.

identities of co-nationalism need have equality with identities of fellow believers or professional colleagues. National identities retain a certain priority over other forms of shared identity if only because nations are more readily amenable to acting in global affairs. Perhaps this is regrettable or even undesirable.³³ It is beyond the scope of what I want to argue here *how* we might weigh the different shared identities we possess that can have relevance for determining remedial responsibilities. Instead, it is my more limited goal to argue that other shared identities can and should count—and for the same reasons that Miller claims our shared identity as co-nationals can and should count.

4. Remedial Responsibilities beyond Nations?

I have argued that Miller's theory of nationality and national responsibility extends from his arguments pertaining to morally significant identities. These are identities that are shared and satisfy specific tests: our co-national relationship is intrinsically valuable, integral to our relationship, and honouring this moral significance does not compel us to give less than what is deserved to non-nationals. Only those forms of shared national identity that meet these tests may serve as morally significant. Those national identities that meet these tests underpin a view of national responsibilities to remedy others in global affairs. This complies with Miller's self-understanding.

Additionally, I have argued that Miller's position is too limited. This is because his arguments for the moral significance of shared identities that meet specific tests extend the range of morally significant shared identities beyond nationality. If other shared identities may have this moral significance, then they may give rise to bodies that may contribute to addressing remedial responsibilities. This is an attractive departure from Miller's stated position, although it is easily compatible with it. It is attractive because it is a mistake to

³³ See Onora O'Neill, 'Agents of Justice', *Metaphilosophy* 32 (2001): 180—95.

leave remedial responsibilities to nations alone: other organizations, such as religious organizations, may meaningfully contribute to these issues as well. We can accept the tests for moral significance his theory of nationalism offers us while rejecting that only nations may have this significance: we can accept remedial responsibilities beyond (or even without) nations.

This brings up an important final issue worth considering in conclusion. While Miller's theory of nationality has been often held as perhaps the best representative of 'anticosmopolitan' thought, the idea that any defensible theory of global justice must take account of 'justice for a world of difference' is not unique to nationalism.³⁴ Consider the *our missing child case* stated above. Cosmopolitans, such as Thomas Pogge, agree that we have a greater reason to assist rescue efforts where the missing child is ours. He says: 'we do not all have equal responsibilities to everyone'.³⁵ Pogge argues that it is not unjust to recognize that some persons have a greater moral weight than others on account of any shared relationship with us on the condition that we do not offer persons lacking a relationship with us less than they deserve. For example, he says:

Miller is right that persons may, by living together in a political community, *increase* what they owe one another, well above what they owe to human beings in general . . .

But I add this qualification: Persons can *not*, by living together in a political community, *decrease* what they owe foreigners.³⁶

While other significant differences may remain between the views of Miller and Pogge, they both accept this important qualification. They agree that we may give additional moral

³⁴ Miller, *National Responsibility and Global Justice*, 21.

³⁵ Thomas Pogge, 'Cosmopolitanism: A Defence', *Critical Review of International Social and Political Philosophy* 5 (2002): 86-91, at 87. See also F. M. Kamm, 'The New Problem of Distance in Morality' in her *Intricate Ethics* (Cambridge: Harvard University Press, 2007): 368-97.

³⁶ Pogge, 'Cosmopolitanism', 91.

consideration to some over others on account of our having a shared national identity as long as we do not give non-nationals less than they might deserve. There is agreement on this substantial point which blurs the degree to which Miller's theory of nationalism can serve as an *anticosmopolitan* theory of global justice.

There is also substantial agreement between Miller's position and Martha Nussbaum's cosmopolitanism on this position.³⁷ Nussbaum accepts that our shared identities as co-nationals have an important value for us. However, our co-national identity ought not deny the possibility of our identification of humanity more generally. We should consider ourselves human beings first and co-nationals second.³⁸ Nussbaum recognizes that our identification as human beings first is not our most immediate form of identity. Instead, she refers to a conception of identity as a series of concentric circles with roots in Stoicism. The first circle is our self-identity. A second circle includes the first and expands to incorporate our identity as members of our immediate family with a third expanding further still encircling our extended family. The fourth and succeeding circles include each previous circle and encompass our identity with neighbours, local groups, and fellow nationals before concluding with the largest circle of all, namely, the whole of humanity. Our project should be to draw these circles closer together so that they overlap and no one circle of identity has a priority over any other. Nussbaum says:

We need not give up our special affections and identifications, whether ethnic or gender-based or religious. We need not think of them as superficial, and we may think of our identity as constituted partly by them . . . we should also work to make all human beings part of our community of dialogue and concern, base our political

³⁷ See Martha C. Nussbaum, 'Patriotism and Cosmopolitanism', in Joshua Cohen (ed.), *For Love of Country? Debating the Limits of Patriotism* (Boston: Beacon Press, 2002): 2-17, 145 reprinted in Thom Brooks (ed.), *The Global Justice Reader* (Oxford: Blackwell, 2008): 306-14.

³⁸ See Nussbaum, 'Patriotism and Cosmopolitanism', 309.

deliberations on that interlocking commonality, and give the circle that defines our humanity special attention and respect.³⁹

The shared identity that forms the ties that bind us together commands a space in our considerations of justice on this picture as well. Nussbaum is also aware of the potential utopianism of her position in noting that cosmopolitans may ‘have a hard time gripping the imagination’ because our common humanity by itself may fail to excite the ‘intensity and passion’ that more local identities of community and co-nationality may arouse.⁴⁰ The way to bridge this gap is to build up from our more immediate shared identities, such as our identity within a family, toward our more universally shared identities. Thus, the route to Nussbaum’s cosmopolitanism is through a recognition of how our different identities may build and develop off of each other. The direct relevance for our discussion is that Nussbaum’s cosmopolitanism may also take seriously our relationship with co-nationals as an identity with moral significance.⁴¹

5. Conclusion

In conclusion, the substantive claims behind Miller’s defence of the moral significance of nationalism is a position that is central to his larger theory of global justice. It is also a defence that many cosmopolitans may accept. For example, Gillian Brock argues persuasively:

³⁹ Nussbaum, ‘Patriotism and Cosmopolitanism’, 309.

⁴⁰ Nussbaum, ‘Patriotism and Cosmopolitanism’, 312-13. See Andrew Dobson, ‘Thick Cosmopolitanism’, *Political Studies* 54 (2006): 165-84.

⁴¹ It is worth noting that my aims here are only to highlight a certain thread in Nussbaum’s argument that is not unimportant and meaningfully links with a key argument in Miller’s position. My aim is not to offer anything like a complete account of Nussbaum’s (nor Pogge’s) theories of global justice. See Martha C. Nussbaum, *Women and Human Development: The Capabilities Approach* (Cambridge: Cambridge University Press, 2000); Martha C. Nussbaum, *Frontiers of Justice: Disability, Nationality, Species Membership* (Cambridge: Harvard University Press, 2006); Martha C. Nussbaum, *Creating Capabilities: The Human Development Approach* (Cambridge: Harvard University Press, 2011): 92-93; and Thomas Pogge, *World Poverty and Human Rights, 2nd edition* (Cambridge: Polity Press, 2008).

A common misconception about cosmopolitanism concerns how a cosmopolitan must view her relations to those in local or particular communities . . . most cosmopolitans recognize that for many people some of their most meaningful attachments in life derive from their allegiances to particular communities, be they national, ethnic, religious, or cultural . . . Cosmopolitan justice provides the basic framework or structure and thereby the constraints within which legitimate patriotism may operate.⁴²

Is then Miller's position genuinely *anticosmopolitan* if it shares so much with its cosmopolitan opponents? This is a difficult question to answer as it may be that his opponents are perhaps less cosmopolitan than they may believe.⁴³ If there is something to this view, then Miller's theory of nationalism and national responsibility has done much to change the philosophical landscape. My argument in this essay is that this landscape should be extended further to consider morally significant shared identities beyond nationality we may share.

Our shared identities have significance for global justice beyond any identities as co-nationals. This is no less true for nationalists like Miller.⁴⁴

⁴² Gillian Brock, *Global Justice: A Cosmopolitan Account* (Oxford: Oxford University Press, 2009): 14-15. See also Gillian Brock, 'What Do We Owe Others as a Matter of Global Justice and Does National membership Matter?' *Critical Review of International Social and Political Philosophy* 11 (2008): 433-48.

⁴³ See Thom Brooks, 'Between Statism and Cosmopolitanism: Hegel and the Possibility of Global Justice' in Andrew Buchwalter (ed.), *Hegel and Global Justice* (Dordrecht: Springer, 2012): 65—83.

⁴⁴ My sincere thanks to an audience at the Ethical Responsibility in Relations Between Communities and States conference hosted by the Centre for the Study of Mind in Nature (CSMN) at the University of Nature and, most especially, David Miller, Chris Armstrong, Jakob Elster, Christel Fricke, Kasper Lippert-Rasmussen, Eric Palmer, Andrew Williams and two anonymous referees for comments on earlier drafts.