

AUTONOMY AND DUTIES TO DISTANT STRANGERS

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Abstract. One way of arguing for the position that states may prioritize their own citizens over foreigners draws attention to the ways in which states limit their citizens' autonomy. States routinely coerce their citizens by enforcing a large set of laws. This is incompatible with paying due respect for individual autonomy, this way of thinking proceeds, and therefore governments should compensate for the restrictions they impose on their citizens' autonomy by showing special concern for their own citizens. This line of argument for governments' prioritizing their own citizens over foreigners has faced criticism in the recent philosophical literature. Richard J. Arneson (2005) argues that justified laws do not impose the kinds of limitations on citizen autonomy that would deserve compensation. Kok-Chor Tan (1993) maintains that the kind of coercion deserving of compensation is not limited to the national context, and that even national compensation cannot ignore the moral claims of foreigners. This paper examines these criticisms by Arneson and Tan.

Keywords: autonomy, citizen, coercion, foreigner, global justice duties, patriotic obligation, Arneson, Tan

1. Introduction

It is generally accepted that we have certain positive moral duties to other persons irrespective of whether they are our fellow citizens or citizens of even distant foreign countries. It is also widely believed that states may show more concern for their own citizens than to other persons. Granted that governments ought to pay attention to the moral duties all persons have to each other, it is morally acceptable that states prioritize their own citizens over foreigners.

One way of arguing for the position that states may prioritize their own citizens over others draws attention to the ways in which states limit their citizens' autonomy. States routinely coerce their citizens by enforcing a large set of laws by an apparatus of courts, prisons, and police. States tax their citizens, conscript their citizens for service in their armed forces, etc. This is incompatible with paying due respect for individual autonomy, this way of thinking proceeds, and therefore

governments should compensate for the restrictions they impose on their citizens' autonomy by showing special concern for their own citizens (see, e.g. Blake 2002, and also Miller 1998).

This line of argument for governments' prioritizing their own citizens over foreigners has faced criticism in the recent philosophical literature. On the one hand, it has been argued that the morally justified restrictions states impose on persons' actions do not limit reasonable and moral persons' autonomy, that other kinds of autonomy are not significantly valuable, and that, therefore, there is no such reason for states to prioritize their citizens over strangers as the argument maintains there to be (Arneson 2005). On the other hand, it has been argued that in the globalizing world the kind of coercion that deserves to be compensated is not limited to the national context and, consequently, there is no sufficient reason to prioritize compatriots over foreigners, and that, even if we accepted that states should prioritize their own citizens, we still need to ask why coercive schemes deserving of compensation are imposed on this particular group of persons and not on another (Tan 2003).

In this paper, I will assess the question of whether states' prioritizing their own citizens over foreigners is morally acceptable by examining these two criticisms. I concentrate on states' showing special concern for their citizens when the foreigners of socially or spatially distant countries are worse off than their own citizens. These cases are morally the most problematic, have drawn the most attention in the discussion on duties to distant strangers, and if states may show special concern for their own citizens when the relevant group of foreigners is worse off than the citizens, they plausibly may also prioritize their own citizens when the foreigners are faring equally well (or better than) the citizens of the country in question. My argument presupposes merely an ordinal ordering of the relevant groups of persons in terms of how well they are faring.

Someone might argue that we cannot assess whether states' compensating for the limitations of autonomy they impose on their citizens can be justified without first knowing exactly what kind of compensation we are talking about. I however believe that the discussion here can proceed with an abstract and intuitive understanding of the nature of that compensation. This issue is reminiscent of the philosophical discussion on the justification of legal punishment. Whether punishing those who violate the law can be justified is discussed with the rough understanding of the kind of punishment at issue that it should be proportionate to the crime committed. But, to my knowledge, so far nobody has presented a clear account of what that proportionality means. It is indeed plausible that sentencing a person to twenty years in prison for a minor traffic violation is not justified, and that in that sense what the punishment in each case would be is relevant to determining whether legal punishment is morally justified. However, that the punishment in the above example would clearly be inappropriate does not mean that punishing offenders could not be morally legitimate, but merely that the punishment in question does not fit the crime. Reminiscently of the case of legal punishment, I take it that we can reasonably discuss the moral legitimacy of states'

compensating for the limitations they impose on their citizens' autonomy without first presenting a precise account of how the nature of the compensation should be understood in concrete cases. What the appropriate compensation would be in each case can be determined after addressing the more fundamental question of whether such compensation can be legitimate at all.

2. Arneson's argument

Richard J. Arneson's conception of autonomy, coercion, and their mutual compatibility is of the following kind. An autonomous person lives her life in conformity with values and desires she affirms after critical reflection. Autonomy requires an environment that cooperates with self-rule by allowing scope for choice of any of a variety of plans of life that would seek different valuable aims. Autonomy is averse to coercion; the more an individual's important life choices are influenced by coercion, the less autonomous the person is. A person is coerced in the relevant sense when she is threatened by another person and the threatened person complies with the threat, choosing the act that complies in order to avoid the threatened penalty for noncompliance. Threats posing even severe penalties do not coerce an individual who complies if the compliance does not result from the desire to avoid the threatened penalty. When persons obey morally justified laws because they see good moral reasons for doing it, their autonomy is not diminished; laws do not coerce fully reasonable and moral persons (Arneson 2005: 146–148).

Laws enforced by criminal law sanctions can limit a person's freedom, but not every limitation of freedom significantly reduces the opportunity to be autonomous. A grievous loss of autonomy is suffered only if a person has innocent life aims and state coercion wrongfully and coercively prevents her from pursuing them. The rule of law blocks her from doing certain things, but opens other possible courses of action that would not otherwise be available, and if the state coercion that prevents a person from effective pursuit of her innocent aims is non-wrongful – because the cost to oneself is outweighed by gains to others assessed by fair principle, – the loss to personal autonomy is morally of less significance. The case of persons who comply with laws only for the deterrence set in place by the system of criminal justice is different from that of the fully reasonable and moral persons; the former suffer significant coercion and significant loss of autonomy. But this merely shows that autonomy does not have constant value across all of the settings in which people's actions might expand or contract it. The autonomy that is lost in cases in which persons obey laws only out of fear of punishment is not significantly valuable. Thus, the reasonable and moral are not coerced and the unreasonable and immoral are not deserving of compensation to offset the harm coercion causes to them. Therefore, a state's limiting its citizens' autonomy cannot be a sufficient reason for its prioritizing its own citizens over foreigners (Arneson 2005:148–149).

3. Problems with Arneson's argument

This argument by Arneson is problematic for at least four reasons. Firstly, Arneson accepts that autonomy needs an environment that allows scope for choice and that laws can limit one's freedom. He however maintains that when laws prevent a person from doing certain things but open up possibilities that would not otherwise be available, and the state coercion is non-wrongful, the loss to one's autonomy is less significant than the loss of autonomy resulting from wrongful prevention of pursuit of innocent aims. In his view, laws can thus after all limit the autonomy of even reasonable and moral persons, but this is morally relatively insignificant – or at least less significant than the restrictions of autonomy resulting from wrongful limitation of pursuit of innocent aims – when the coercion is non-wrongful and the limitation is compensated by benefits to one's fellow citizens and by gaining access to possibilities not otherwise available. In other words, we can accept the limitations of autonomy laws impose when they are compensated by benefiting the persons whose autonomy is limited and their fellow citizens. Now the question arises what is the relevant difference between this view and the one Arneson aims to reject with his argument.

Secondly, Arneson assumes that persons obey laws because they see good moral reasons for doing it, or out of fear of being punished, and then maintains that neither of these two cases deserves compensation. We should however distinguish between two different senses of obeying laws because one sees good moral reasons for compliance. Consider, for example, a law that prohibits voluntary euthanasia. A person can obey that law, or act compliance with it, because she believes that voluntary euthanasia is morally wrong and would never want to request it. In this case, if we take it that compensation is in this context due when a person refrains from doing something she would autonomously want to do, it is reasonable that the person is not deserving of any compensation for obeying the law that prohibits voluntary euthanasia. But there can also be cases in which persons consider voluntary euthanasia morally permissible, or are undecided about its moral status, and would be willing to request it from persons they know to be willing to assist them, but refrain from doing that because they want to obey the existing laws. These persons' reason for obeying the law is that they want to respect the laws of their society, or perhaps ultimately that of wanting to respect their fellow citizens; it need not involve any fear of being punished were they to violate the law. Assuming that compensation is here due when one refrains from doing something one would autonomously want to do; it is arguable that these persons deserve some kind of compensation for obeying the law that prohibits voluntary euthanasia. Saying that persons who would not request voluntary euthanasia merely out of respect for law would ultimately not want voluntary euthanasia after all is intuitively implausible. This objection would also seem to be committed to the general thesis that only those desires that lead to action are real desires. Accepting that would make akrasia and self-sacrifice conceptually impossible.

Cases relevantly similar to the voluntary euthanasia case described above can arise, for example, with abortion, and the decisions whether or not to request euthanasia, abortion, etc. are surely significant ones. In addition to that kinds of choices, there are also several normally less important decisions that are relevantly similar to them. For example, a person's reason for not cheating on her taxes when she would not be willing to pay the whole sum demanded from her can well be that she wants to obey the respective laws, not any fear of being punished were she to violate the laws in question nor her total acceptance of the ways the tax money are gathered and spent. There can thus be several cases in which it is arguable that states should compensate their citizens for limiting the citizens' autonomy.

Thirdly, and related to what was just said above, Arneson's contention that justified laws do not limit the autonomy of fully reasonable and moral persons presupposes that morality and reasonableness determine a single uncontroversial system of law. There indeed are certain requirements that all plausible theories of rationality or reasonableness and morality arguably should fulfil. These include requirements like those of logical consistency and, in the case of moral theories at least, avoidance of intuitively highly implausible views such as that torturing babies for fun is morally acceptable, etc. But the conceptions concerning what is reasonable and what is morally right and wrong of even informed persons often differ from each other significantly. If, for example, we ask a Kantian, a utilitarian, and a virtue theorist to formulate laws for our society, we can expect the results to be similar to each other only to a certain extent and significantly different from each other after that (ff. Sterba 2005, see also Kelly 2005). This holds even if the laws were formulated by proponents of egalitarian theories of justice (see, e.g., Arneson 1999, Cohen 1989, and Vallentyne 2002). In other words, after we have subjected our system of law to criticism by all uncontroversial considerations of reasonableness and morality, we will end up with the result that there often are several optional laws that are equally acceptable in terms of these considerations. Our laws may either prohibit or allow abortion and voluntary euthanasia; our inheritance taxes could be a bit lower or higher, our traffic can be either left-sided or right-sided, etc. Within the limits determined by commonly shared considerations of reasonableness and morality there can thus be several different optional systems of law, and there would not seem to be any reason why autonomous persons could not favour some of them instead of the others, nor for why some of these options could not be more beneficial to some autonomous persons than to others.

If then autonomous persons out of respect for law obey laws that are not the most favourable for them among the reasonably and morally permissible options, there can be reason for compensating them for the limitation of autonomy the laws impose in their case. Even if their reasons for obeying the laws were moral reasons in the sense that they ultimately would want to comply with the laws out of respect for their fellow citizens, it would arguably be too demanding to require them to ignore their own interests in a significant number of cases in order to benefit others if that is what accepting the system of law would happen to imply. Of course, as Arneson points out, a system of law can also open options for persons

they would not otherwise have, but it is not clear that these options would always provide sufficient compensation for the limitations of their autonomy. In any case, if that is what these new options are considered to be, we have accepted the reasoning from interference with autonomy to compensations in the form of a state's prioritizing its own citizens over foreigners that Arneson wants to reject.

Fourthly, Arneson maintains that wrongful coercion results in loss of autonomy. If we accept that such coercion deserves compensation, as Arneson (2005:148–149) would appear to accept, and agree that laws formulated to prioritize their own citizens over foreigners are not morally acceptable, we end up with the conclusion that all governments that have enforced such laws are obligated to show special concern for their own citizens. That is clearly an undesirable conclusion for those who want to reject the view that governments can have special obligations to their own citizens.¹ For these reasons, Arneson's argument against the view that states' limiting their citizens' autonomy justifies states' showing special concern for the citizens is not plausible.

It could be objected that the last three of the above criticisms of Arneson's view are based on the fact that we do not know, or have not known, what is reasonable or rational and what is morally right and wrong with sufficient precision, whereas Arneson concentrates on the case of fully reasonable and moral persons. Therefore, this possible objection could proceed, although Arneson's view was not applicable to the actual world, it is still plausible as an ideal theory.

However, as long as the relevant kind of pluralism about value has not been shown to be implausible, it can well be that there are no single right answers to questions of reasonableness or rationality and morality even in the ideal world of fully reasonable and moral persons. As things are, that there could be optional justified systems of law some of which can be more in the interest of certain fully reasonable and moral citizens than the other options should thus be considered possible even in the ideal case. Then it is also possible that some ideal persons could out of respect for law be willing to obey laws that are not favourable to them, so that they would deserve some kind of compensation for their obedience. In other words, my criticism of Arneson's argument applies even if we concentrate on the ideal world of fully reasonable and moral persons. Furthermore, it is arguable that in connection with as important problems as those concerning our duties to foreigners, some of whom live in severe conditions, philosophers should not limit their work to questions of theoretical interest only. This indeed would seem to be Arneson's view too (see Arneson 2005:130–131).

A critic might also maintain that although there can be optional equally reasonable and morally acceptable systems of law usually the laws that have been adopted in a country benefit the majority of its citizens. And, the critic could continue, the existence of the marginal cases who are not best served by the existing laws is not sufficient to ground any claims to special treatment for own

¹ I thank Professor Eerik Lagerspetz for pointing this out.

citizens over foreigners above that resulting as a direct consequence of the laws for those who do benefit from them.

However, putting now aside the fact that the benefit that results from the laws to the majority of citizens can be seen as compensation provided for limitations of their autonomy, a small group is not without significance, and it is not clear that the groups of persons who are not in the best possible way served by the existing laws actually are small. Furthermore, even if the number of persons who would rather opt for a different system of law than the one adopted within a country were not very big, that they exist suffices to show that states' prioritizing their own citizens can, for the above mentioned reasons, be legitimate in certain circumstances. It would not be enough to justify the contention that states are always justified in prioritizing their own citizens over more needy foreigners, but – *pace* nihilists, extreme libertarians, and proponents of other similar views – no sensible person would defend such view.

In addition to the one examined above, Arneson considers an argument from state coercion to compensation in the form of a state's prioritizing its own citizens that does not explicitly refer to autonomy. He maintains, roughly, that when states justifiably coerce their citizens from acting wrongfully towards each other, the limitations on citizen autonomy do not deserve compensation in the form of special treatment (see Arneson 2005:145–146). But in practice, states do not coerce their citizens only from acting wrongfully towards each other (see also Blake 2002:276 ff.), but also impose laws whose aim is that of benefiting all or some of the citizens in ways that it would not necessarily be morally wrongful not to engage in. When, for example, a state uses tax money to build an opera house, it is arguable that it is not preventing any moral wrong against its citizens, at least when other things are being equal. But all taxpayers need not benefit from these kinds of uses of tax money and, therefore, contrary to what Arneson maintains, the imposition of even justified laws may deserve compensation, in addition to that the opera house provides for friends of opera.

4. Tan's argument

Kok-Chor Tan addresses the argument that because of the coercive nature of shared citizenship, citizens are required to show one another special concern. He interprets this argument to refer to the kind of reciprocity in which the potentially coercive and involuntary nature of social institutions grounds the requirement that we should only impose the kinds of institutions on people that they can be reasonably expected to endorse, and continues that one way of acquiring this endorsement is through the adoption of special obligations among fellow citizens. Tan then maintains that if reasonable endorsement of a potentially coercive relationship or state of affairs is what generates special obligations among compatriots, it would also generate similar duties across state boundaries (Tan 2003:441, see also Arneson 2005:150). Therefore, there is no reason why compatriots should be

favoured when special treatment is taken to be owed as compensation for limiting personal autonomy.

Furthermore, Tan maintains that even if we granted that the above described kind of ideal of reciprocity is restricted to our fellow citizens on account of our shared coercive scheme, we would still need to ask why we are imposing that scheme on this particular group of individuals and not on another. According to him, saying that sharing a social scheme justifies favouring fellow members is question-begging in a context of global inequality, for the very act of sharing a social scheme is already an act of favouritism that needs to be accounted for. The expression of partial concern, Tan continues, cannot be considered in isolation from the background conditions of justice; before we can know what one may rightly give to one's fellow members, we must first agree on what is rightly one's to give, and to establish that we need to take into account the claims of not just the fellow members but the claims of non-members as well. So, Tan concludes, instead of presenting us with an account of special obligation that may resist the demands of global justice, this argument from the value of autonomy can support patriotic obligation only if this favouritism is compatible with the demands of justice in the larger global context (Tan 2003:442–443).

5. Problems with Tan's argument

I assume that the fundamental problem Tan's second criticism refers to is whether or not the benefits we are distributing are rightly ours. In terms of the question of why we should impose our coercive scheme on some particular group of persons instead of others, it can be maintained that that is merely a way of assigning the moral community's general duties to particular agents or agencies. Tan finds this kind of view of state implausible because he thinks that it does not provide a satisfactory account of patriotic ties and obligations as it sees them as merely instrumental (Tan 2003:442). However, it is possible to give intrinsic value to patriotic ties and obligations while maintaining that the ultimate source of special obligations to fellow citizens is their participation in a shared coercive scheme (Goodin 1988:682).

Contrary to what Tan maintains, even if we accepted that before we can distribute benefits among the participants of our coercive scheme in a justified way, we must ask whether what we are distributing is rightly ours and that in determining this we need to take into account the claims of those who are not members in our scheme, special obligations to compatriots can give us good reasons for resisting the demands of global justice. That the claims of foreigners are acknowledged does not mean that we could not legitimately prioritize our compatriots in ways incompatible with the demands of global justice.

I now put aside cases in which the distant needy are beyond help, responsible for their own plight, or could be helped at an extremely high cost only (cf., e.g., Kekes 2002, Horton 2004, and Kekes 2004). Consider then the (hypothetical) case

in which we know that what we are planning to distribute among our fellow citizens is justly ours. In determining that we have taken into account the claims of others than the members of our coercive scheme too, but when we start distributing the goods we can be justified in allocating them in ways partial to the members of our coercive scheme even if we accept that we have certain moral obligations to foreigners. In deciding how the benefits should be distributed, we should take into account the obligations we have to persons as persons both in the case of foreigners and in that of the fellow members of our coercive scheme (see also Blake 2002:271) plus the compensation the latter deserve for the limitations the coercive scheme imposes on their autonomy.

When the foreigners' plight is worse than that of the badly off members of our coercive scheme to some such extent that is outweighed by the compensation due for the coercion our state imposes on its citizens' autonomy, we are morally justified in prioritizing the fellow members of our coercive scheme over more needy foreigners. In other words, even if we first secured that what we are distributing among the members of our coercive scheme is justly ours and took the moral obligations we have to foreigners into account; special obligations to our compatriots can give us good reasons for resisting the demands of global justice.

Furthermore, but more speculatively, globalization admittedly has made several countries even more dependent on other countries than they were before and there are some striking examples, both historical and contemporary, of affluent Western countries' activities limiting the autonomy of persons in the Third World. But there are also several rich Western countries, such as those of Scandinavia, that have many arrangements that need not significantly affect the autonomy of at least those foreigners that reside outside their borders. Consequently, even if we accepted that compensation for limiting personal autonomy is deserved irrespective of whether the restriction concerns the autonomy of a fellow citizen or that of a foreigner, and took it that the arrangements that affect foreigners' autonomy affect it in relevantly similar ways that they affect the autonomy of compatriots (cf. Blake 2002:265, 292–293 and Miller 1998:213), states' prioritizing their own citizens over foreigners would often be acceptable.

It could be taken that as their relevant kinds of effects are limited to the national context, these arrangements simply do not raise any questions of global justice. This brings us to a further problem. It is arguable that global justice demands, among other things, the affluent countries to help the badly off people in the Third World even if their arrangements did not affect these persons' autonomy. Of course, the nature of global justice can be understood in several different ways, but if we think that global justice requires that all persons have access to basic health care and education and a decent level of nutrition, actions relevant to compensating for the loss of autonomy the national arrangements of affluent countries cause would concern merely some features of global justice.

Tan (2003:434) says that the ideal of global justice takes distance, spatial or social, to be morally irrelevant, and so it is not clear whether he would accept this common understanding of the nature of global justice. He could perhaps maintain

that the problems of basic health care, education, and nutrition to all are problems of development ethics, not those of global justice. They have however been discussed under the rubric of global justice and even those who acknowledge a distinction between global justice and development ethics have questioned what difference, if any, exists between these two domains (Hellsten 2005:379). This confusion reflects, I believe, the present state of discussion on questions of global justice more widely. Although philosophers have paid attention to questions now discussed in connection with global justice earlier (e.g., Singer 1972), to quote Nagel (2005:113), “concepts and theories of global justice are in the early stages of formation, and it is not clear what the main questions are, let alone the main possible answers.” In any case, if Tan’s argument were accepted, it would in several cases allow us to resist the demands of global justice in the commonly accepted sense of that term. At most, it would require us to fulfil only some of the demands of global justice understood in that way.

Several possible objections to my above argument suggest themselves. Firstly, it could be maintained that the conditions of the needy of the Third World and the badly off persons in the affluent societies are so strikingly different from each other that even if we took into account the compensations our citizens deserve for the limitations of autonomy the states impose on them, prioritizing them could not be acceptable. Secondly, it could be argued that when the conditions of the badly off persons in foreign countries are worse than those of the ill-faring persons in our country to some such extent that would make prioritizing our fellow citizens legitimate in the way that I maintained that it can sometimes be, the ill-faring persons in our country are in fact worse off than badly off foreigners. This is, the possible objection could proceed, because the conditions of these two groups of persons have to be relatively similar to each other except for the fact that the former are being coerced by our state, and the fact that they are thus coerced must ultimately make them worse off than the badly off foreigners are. Then, even if it under these conditions were acceptable to show special concern to fellow citizens, it would actually be shown to the most badly off persons after all. Thirdly, it could be objected that there is enough affluence in the world to account for the needs of all persons and for the compensations citizens deserve for the limitations the states impose on their autonomy and, therefore, there is never reason to resist the demands of global justice. Fourthly, someone could argue that the affluence of the Western world is ultimately based on massive exploitation of the Third World countries and that, therefore, taking into account considerations pertaining to who justly owns the goods we are distributing could never lead to a situation in which prioritizing our fellow citizens over the needy of the Third World is legitimate.

Although it is plausible that, as the first possible criticism maintains, a significant number of people in the Third World are much worse off than the badly off persons of the affluent societies, this is not incompatible with there also being cases in which for the above presented reason prioritization of fellow citizens in the affluent countries is justified. When we do not focus on the most desperate areas of the Third World, the conditions of, for example, the unemployed and

marginalized persons in the ghettos of affluent Western countries are not always significantly worse than those of the distant needy. Accordingly, it has been suggested that global poverty studies do not pay sufficient attention to the poverty in the advanced economies (see, e.g., St.Clair 2006). That the conditions of some persons in the affluent countries are quite severe allows for the possibility that the affluent countries may sometimes legitimately prioritize their own citizens over more needy foreigners.

In terms of the second possible objection, although in cases in which prioritizing fellow citizens is legitimate the differences between the conditions of the badly off persons in our country and those of the more needy foreigners plausibly cannot be dramatic, the state coercion the former are subjected to need not make them ultimately worse off than the latter. The empirical issues relevant to this question cannot be settled here, but there are also theoretical considerations that support this conclusion. When, for example, the badly off persons of an affluent country commit themselves to defend their country against foreign aggression and engage in the pertinent military duties, it is arguable that they deserve compensation for the limitations of autonomy that imposes upon them even if they are lucky enough to never have to take part in actual warfare. Here the most significant form of coercion can thus be only potential, but those subjected to it would arguably still deserve compensation for committing themselves to obedience in the case of war. Cases like these make it possible that states can in certain circumstances legitimately prioritize their own citizens over more needy foreigners.

In terms of the third possible criticism, although there was enough affluence in the World to account for the needs of all persons and the compensations due for limiting citizens' autonomy that wealth is not distributed equally among the affluent countries and may not be distributable by the governments of those countries. When the benefits governments are distributing are limited so that not all legitimate claims can be fully met, states' prioritizing their own citizens over the distant needy can for the above-described reasons be justified.

The fourth possible objection is undermined by the fact that, although it is credible that there are nations whose affluence to a significant degree results from exploitation of the Third World countries, not all of the affluent Western countries who are willing to prioritize their own citizens over the distant needy belong to that group of states. The colonial powers of both past and present have undoubtedly gained wealth by morally questionable means, but there are several countries whose current affluence would not seem to result from their taking, or having taken, advantage of the Third World countries. For these reasons, the possible criticisms of my argument should not be accepted; Tan's argument to the effect that prioritization of fellow citizens can be legitimate only if it is compatible with the demands of global justice is not plausible.

6. Conclusion

The argument that states may prioritize their own citizens over foreigners because the states limit their citizens' autonomy appears more plausible than the arguments that ground this kind of special treatment on the mutual benefits achievable within states or on emotional ties between citizens. At least, that argument is not equally vulnerable to criticisms to the effect that there could always be more beneficial aggregations of persons than states for certain citizens and that there often are stronger emotional ties between the members of other groups than the citizens of a state (see, e.g., Green 2005). Therefore, the argument drawing attention to citizen autonomy can be taken as an appealing argument for special obligations to compatriots. In this paper, I have considered the question of whether it is morally legitimate for states to show special concern for their own citizens by assessing Arneson's (2005) and Tan's (2003) criticisms of that argument. I maintained that these criticisms do not succeed in showing that states' prioritizing their own citizens over more needy foreigners cannot be morally legitimate. This, of course, is not to deny that the affluent states have positive moral obligations to the needy foreigners; indeed, it is plausible that the wealthy Western countries should do more to help the desperately badly off persons in the Third World than they are now doing (but perhaps in somewhat different ways than those currently in use (see, e.g., Jamieson 2005)). However, although considering the view that states can never prioritize their own citizens over more needy foreigners, or the view that they may show special concern for their own citizens only after they have met the demands of egalitarian global justice, as a *reductio ad absurdum* of global egalitarianism would be going too far, considering the burdens the states can impose on their citizens, these two views appear quite implausible. And as in practice advocating such extreme views can result in more harm than benefit to the cause of helping the needy in the Third World, even inconclusive arguments to the effect that states can sometimes prioritize their own citizens over more needy foreigners may ultimately work to the benefit of all.

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