

RESEARCH ARTICLE

Reading bedtime stories to compatriots: Reconciling global equality of opportunity and self-determination

Ayelet Banai^{1*} and Eszter Kollar²

¹School of Political Sciences, the University of Haifa and ²Institute of Philosophy, KU Leuven

*Corresponding author. Email: abanai@poli.haifa.ac.il

(Received 7 March 2018; revised 24 November 2018; accepted 24 November 2018; first published online 13 February 2019)

Abstract

In this article, we propose a reconciliation between global equality of opportunity and self-determination, two central and seemingly conflicting principles in the contemporary theory of global justice. Our conception of reconciliation draws on the family-people analogy, following the account of familial relationship goods, developed by Harry Brighouse and Adam Swift, on permissible parental partiality and domestic equality of opportunity. We argue, first, that a plausible conception of global equality of opportunity must be able to distinguish morally arbitrary aspects of nationality that require mitigation from morally permissible ones. Second, we argue that a plausible criterion for the distinction integrates a person's normative interests over a lifetime: (i) the interests of a child born into societal circumstances that impact her life prospects; and (ii) the interests of an adult citizen in collective self-determination. Third, we outline an account of 'people relationship goods', as a principled way to circumscribe the permissible scope of self-determination. Fair global equality of opportunity requires mitigating nationality-tracking inequalities, except those that fall within the permissible scope of collective self-determination.

Keywords: Global Equality of Opportunity; Self-Determination; Family-people Analogy; Relationship Goods; Reconciliation; Family Values; Legitimate Partiality

Introduction

This article proposes a reconciliation between two central and seemingly conflicting principles in the contemporary theory of international justice: global equality of opportunity, championed by global egalitarians, and self-determination, valued by statist. For the most part, proponents of each principle have argued for its primacy over the other. Theorists who value self-determination argue against global equality of opportunity on the grounds *inter alia* that it leaves no space for the meaningful exercise of self-determination.¹ Proponents of global equality of opportunity argue that self-determination ought to yield to the demands of global egalitarianism, if the equal moral status of individuals is to be respected. According to this view, prioritising special duties to compatriots is not justified. Only within the bounds of global equality is it legitimate to exercise self-determination and partiality towards one's compatriots.²

¹Michael Blake, 'Distributive justice, state coercion, and autonomy', *Philosophy and Public Affairs*, 30:3 (2001), pp. 257–96; David Miller, *National Responsibility and Global Justice* (Oxford: Oxford University Press, 2007); Andrew Altman and Christopher Wellman, *A Liberal Theory of International Justice* (Oxford: Oxford University Press, 2009), pp. 123–4.

²Gillian Brock, *Global Justice: A Cosmopolitan Account* (Oxford: Oxford University Press, 2009); Simon Caney, *Justice Beyond Borders: A Global Political Theory* (Oxford: Oxford University Press, 2005); Darrel Moellendorf, *Cosmopolitan Justice* (Boulder, CO: Westview Press, 2002); Thomas Pogge, 'The bounds of nationalism', *Canadian Journal of Philosophy*, 26:1 (1997), pp. 463–504; Thomas Pogge, *World Poverty and Human Rights* (Malden, MA: Polity Press, 2002).

Within the global egalitarian position, there are important nuances, with theories varying on how demanding the egalitarian duties are. Nonetheless, it remains the case that the egalitarian duties to individuals, irrespectively of their nationality, ought to have priority.³ For theories that value self-determination, this priority of global egalitarian duties, even when they vary in their scope, constitutes a failure to take self-determination seriously. From this perspective, it is a matter of principle (not just practicality) that rights and duties of justice differ domestically, between fellow-citizens, and internationally among all human beings. It is a constitutive element of the right to self-determination that political membership justifies a difference of this kind. Moreover, there arises a basic methodological disagreement. From a global egalitarian perspective, the problem of global justice concerns the rights and duties of individuals *qua* individuals on a global scope. From a statist point of view, by contrast, the problem of global justice is primarily about the rights and duties of peoples, represented by states, towards one another and of citizens of these states as citizens.

To move beyond a seemingly theoretical deadlock, Chris Armstrong argues, from an egalitarian perspective, in favour of carving out space for self-determination within an egalitarian theory of global justice.⁴ This proposition recognises the value of self-determination and argues for a nuanced conception of global egalitarian justice, which can be clearer about which nationality-tracking inequalities are indeed morally arbitrary and which are not. In other words, the argument goes beyond a trade-off between competing values – self-determination vs global equality – and identifies different versions of global egalitarianism, which vary depending on which nationality-tracking inequalities are thought to be morally arbitrary and the reasons for this. Armstrong concludes that egalitarian conceptions of global justice ‘in which space could be reserved for self-determination *without* requiring global egalitarians to modify or compromise on their egalitarian principles’⁵ are conceivable.

In this article, we *outline* one such conception of global egalitarian justice that *reconciles* fair equality of opportunity with self-determination.⁶ We do so by exploring an analogy between the self-determination of political communities and the autonomy of the family. Membership in a political community is accommodated in the proposed conception of global egalitarian justice by analogy to the way in which the value of the family and its autonomy are accommodated in theories of domestic egalitarian justice. We employ the family analogy, not because we think that relationships among fellow-citizens are similar to family ties, but because of morally relevant parallels between the two types of membership that are for the most part not chosen and yet significantly affects inequality in life chances. However, their obliteration or complete neutralisation for the purpose of equality is unjustified.

The family-people analogy: Relationship goods as methodology

The analogy between the family and the people draws on the observation that the tension between self-determination and global equality of opportunity presents a similar normative conundrum to the tension between fair equality of opportunity and legitimate family freedoms in the domestic context. Thus, the family-people analogy does not draw on similarities in the nature and content of the relationship: the state is not akin to a mother or a father and the relations among fellow-citizens do not involve family-like intimacy. There are salient differences between families and states, as well as discrepancies between the domestic and the international demands

³We use nation, people, and state interchangeably, and bracket for the time being the debate about the appropriate subject of self-determination. We will return to this issue below.

⁴Chris Armstrong, ‘National self-determination, global equality, and moral arbitrariness’, *Journal of Political Philosophy*, 18:3 (2010), pp. 313–34.

⁵*Ibid.*, p. 334.

⁶A brief sketch of this idea appears in Eszter Kollar, ‘Global equality of opportunity and self-determination in the context of immigration’, *Critical Review of International Social and Political Philosophy*, 20:6 (2017), pp. 726–35.

of fair equality of opportunity, which we will discuss. *However, the shape of the tension is sufficiently similar to guide our thinking towards a plausible solution.* Reasoning about the permissible advantages that families confer on children allows us to think through systematically what kind of advantages nations should be permitted to confer on their members.

In the following sections, we outline a theory of permissible compatriot partiality, by drawing an analogy with Harry Brighouse's and Adam Swift's approach to legitimate parental partiality.⁷ The gist of the analogy is the following: the value of familial relationships, of parenting in particular, permits a circumscribed partiality of parents towards their children, even when it confers unequal advantages to children of different parents. The partiality – and subsequently the unequal endowment that it confers on children – is permissible insofar as it is constitutive of the familial relationship; insofar as it is required for realising the distinctive value of parenting, properly understood. By analogy, if compatriots' relations or membership in a people have a distinctive value of sufficient importance, it will follow that circumscribed partiality among compatriots is permissible, even if unequal endowments are conferred, as a result, by different peoples on their members. Compatriot partiality, like parental partiality, is permissible if it is required for the relationship and for sustaining the distinctive relationship goods.

Brighouse and Swift consider the application of their method to the case of compatriot partiality, where they draw a distinction between two kinds of special relations, those between nationals and those between fellow-citizens of a polity. They examine the first kind, namely the significance of *national* relationship goods, to determine their value, and subsequently what weight they should have 'in all things considered judgements about what to do'.⁸ Brighouse and Swift focus their analysis on David Miller's account of national self-determination. Based on 'crucial dis-analogies' between families and nations, they reject Miller's view, as it affords too much weight to the value of national relationship goods and defines the scope of permissible compatriots' partiality too broadly.

The focus of this article is the second and unexplored path, namely the value of co-membership in a polity, which we shall call 'people relationship goods'. The question of similarities in the *content* of the relationship does not drive our analogy between family and people. Rather, as explained in more detail below, we use the relationship-goods method to explore the value of compatriot relationships and the permissible partiality they warrant in a theory of egalitarian global justice.

Accounts of the value of the family and its implications for social justice, as well as accounts of the value of self-determination and its implications for global justice are numerous. Therefore, four clarifications of the distinct features of the family-people analogy in this article are required. First, the Brighouse-Swift analysis of legitimate parental partiality speaks to the problem of priority between special associative duties and general duties of distributive justice. As explained in the previous section, this represents a significant blind spot in the debate among statist and global-egalitarians. Statists assume that self-determination takes priority; they argue that peoples, states, or nations have this right, but do not elaborate beyond this point. Global egalitarians, by contrast, insist that global equality of opportunity takes priority in an egalitarian theory of justice and functions as a constraint on the scope of self-determination.⁹ On the Brighouse-Swift account of family values, the practices that are constitutive of the distinct value of familial relationship goods, even if they confer unequal endowments, are permissible from the point of view of social justice. They fall in the realm of legitimate parenting, over which the demands of

⁷Harry Brighouse and Adam Swift, 'Legitimate parental partiality', *Philosophy & Public Affairs*, 37:1 (2009), pp. 43–80; Harry Brighouse and Adam Swift, 'Parents' rights and the value of the family', *Ethics*, 117:1 (2006), pp. 80–108; Harry Brighouse and Adam Swift, *Family Values* (Princeton, NJ: Princeton University Press, 2014).

⁸Harry Brighouse and Adam Swift, 'Legitimate partiality, parents, and patriots', in Axel Gosseries and Yannick Vanderborght, *Arguing About Justice: Essays for Philippe Van Parijs* (Presses universitaires de Louvain, 2011), pp. 115–38 (p. 118).

⁹Caney, *Justice Beyond Borders*, ch. 5; Thomas Pogge, 'The bounds of nationalism'.

equalising opportunity do not receive priority.¹⁰ Egalitarian social justice, in other words, does not require limiting the freedom of families to conduct those affairs that are constitutive of the distinctive value of familial relationship goods. We gain a conception of egalitarian social justice, which allows for parental partiality through a balancing act between fair equality of opportunity and permissible parental partiality.¹¹ In the context of egalitarian global justice, an account of ‘people relationship goods’ will enable us to work out the permissible scope of peoples’ self-determination.

Second, Brighouse and Swift’s reasoning includes two stages. First, they develop a conception of familial relationship goods that will circumscribe the scope of partiality – that is, those inequality-generating practices and interactions that egalitarian social justice should not prohibit. ‘We must accept some disruption of fair equality of opportunity if we are to allow parents and children to enjoy the goods of family life.’¹² Importantly, the scope of permissible parental partiality is developed in light of the theory’s egalitarian commitments. Familial relationship goods do not include some of the things that are commonly thought of as accepted family practices – for example, the bequeathing of wealth. While this eases the tension between family and fair equality of opportunity, Brighouse and Swift acknowledge the remaining conflict between the two values of familial relationship and fair equality of opportunity. Therefore, they require in the second step an act of a balancing. In the second move, they clarify the conflict of permissible parental partiality with fair equality of opportunity and ‘acknowledge that all things considered judgements are going to involve a balancing act and hence the incomplete realization of any on’.¹³

In our account of self-determination and global equality of opportunity, we follow the first move, but afterwards lean towards Ronald Dworkin’s model of reconciliation between liberty and equality.¹⁴ Following Brighouse and Swift, we approach the scope of permissible compatriot partiality based on an account of ‘people relationship goods’, developed in light of global egalitarian commitments, thereby easing the tension between self-determination and global equality of opportunity. Departing from Brighouse and Swift, we do not seek to balance the two values, but to reinterpret global equality of opportunity in light of the commitment to the value of self-determination. We thus follow Dworkin’s model, which allows ‘conflicts to shape the very way that we understand the conflicting elements themselves’.¹⁵ On this view, global equality of opportunity that takes into account self-determination is the kind we ought to value, and vice versa. This yields a conception of global equality of opportunity that allows for self-determination, and demands that only the non-permissible people-tracking inequalities be mitigated.

Third, an important challenge for a theory of the value of familial relations – and for the analogy to peoples’ self-determination – is the question of how idealised the family model is that informs it. Which kind of family comes to mind, when reflecting on the value of this relationship: an idealised family of constant harmony and happiness, or a family that belongs to the bleak but not uncommon reality of dysfunctional familial relationships, and even of abuse and violence? Which normative perspective is assumed on the complex realities of well-being in familial relations? Is it an affirmative perspective that indicates that the adult-couple-with-children family model is healthy for all humans, or a critical perspective that questions the authenticity and contests the dominance of this family model? An analogous conceptual challenge emerges for a theory of self-determination. Which model of the ‘people’ is to inform the theory? Ought we to have in mind a people that exercises self-determination in a free, egalitarian, and peaceful

¹⁰Brighouse and Swift, *Family Values*, pp. 27–41 (p. 86).

¹¹*Ibid.*, pp. 44–5.

¹²*Ibid.*, p. 36.

¹³*Ibid.*

¹⁴Ronald Dworkin, ‘What is equality? Part 3: the place of liberty’, *Iowa Law Review*, 73:1 (1987), pp. 1–54.

¹⁵Brighouse and Swift, *Family Values*, pp. 44–5.

democracy, where the sense of solidarity among compatriots inspires civic virtue and sustains just political institutions, or a people engulfed in repression, internal conflict, and violence?

Conceptual choices with regard to these questions are of consequence for the theory of justice on the family/people and their distinctive value. It is fair to suggest that Brighthouse and Swift take a view of cautious optimism on the nature of familial relations. While allowing space for the realistic possibility of parental failure and its harmful consequences,¹⁶ they generally presuppose reasonably functional and successful familial relations, which enable children's interests to be met, as well as adults' flourishing as parents – understood as a unique form of an intimate and fiduciary relationship.¹⁷ Importantly, the justification of the family does not invoke *optimal* parenting; parents' right to parent their children is conditional upon fulfilment of the vital and developmental needs and interests of their children.¹⁸ However, in distinction from child-centred justifications of the family, the complete vindication rests (on Brighthouse-Swift's account) also on the interest of *adults* in experiencing the unique relationship represented by bringing up children. Parents that fulfil their role *adequately* retain their right to parent their children, and the right of children to be parented is discharged if they have 'good enough' rather than optimal parents.¹⁹ We neither question nor defend this conceptual choice here. Instead, in the interest of consistency, we include it as a component of the family-people analogy. As detailed in the following sections, the 'people' invoked by our reflections on the value of self-determination is reasonably functional and fulfils adequately those interests of its members, which pertain to the justification of self-determination. As in the case of family values, we neither suppose an optimal people nor neglect the possibility of failure.

Fourth, two features specific to the Brighthouse-Swift account of the family and its value are pertinent to the analogy. (i) *Balancing the interests of children and adults*: children have a right to be parented because it is a reliable way (in comparison to the alternatives) to fulfil their essential and complex developmental needs; adults have a right to parent because the relationship to the child – a unique kind of intimate fiduciary relationship – makes a distinctive and non-substitutable contribution to the parent's thriving.²⁰ Importantly, all competent parents have the right to parent their children, not only the optimal or best available parents. The well-being interests of children do not override everything. Children's developmental needs come first and should be adequately met. However, the interest of parents in relationship to their children, and the importance of stability and continuity of a familial relationship preclude the distribution of children to the optimal or best available parents. (ii) *Recognising the well-being-interest and agency-interest of persons*. The former refers to that which contributes to a person's flourishing and improves her life – in light of a given conception of what constitutes a flourishing life.²¹ The latter denotes a person's interest in being respected – as having the moral status of an agent capable of judgement and choice, even when the choices do not improve that person's flourishing.²² Parenting is considered a well-being interest: parenting makes an important and non-substitutable contribution to a person's flourishing (even if it is not assumed necessarily good and

¹⁶Ibid., pp. 94–7; Brighthouse and Swift, 'Legitimate parental partiality', pp. 55–6.

¹⁷Brighthouse and Swift, 'Legitimate parental partiality', pp. 58–61 (p. 70); Brighthouse and Swift, *Family Values*, pp. 70–4, 88–93.

¹⁸Brighthouse and Swift, *Family Values*, pp. 4, 71–3, 93–4.

¹⁹We shall not specify a standard of how good is good enough or an account of competent parenting, see discussion in Brighthouse and Swift, *Family Values*, ch. 4.

²⁰Brighthouse and Swift, 'Legitimate parental partiality', pp. 52–5; Brighthouse and Swift, *Family Values*, pp. 87–93.

²¹For current purpose, we take no stand on whether well-being is objective or not. We presuppose that a conception of human needs or interests is available, which is sufficiently broadly acceptable to serve as a notion of the well-being interest that self-determining peoples and families ought to fulfil respectively.

²²Brighthouse and Swift, *Family Values*, p. 52.

right everyone).²³ These two features of the account of familial relationship goods that pertain to the realm of permissible parental partiality are also included in the family-people analogy.

The final objective of this inquiry is to work out a more precise content for global equality of opportunity and legitimate self-determination of peoples using the family-people analogy as method. A successful reconciliation of these fundamental principles of international political morality requires that we rethink each of them in light of the other's core value. First, we analyse the elements of a conception of global equality of opportunity, arguing for a moderate view that takes seriously and incorporates in a principled way justified claims to self-determination, and we show how it departs from existing accounts. Second, we begin to explore the value of self-determination, and what is special about 'people relationship goods', laying out the groundwork for the specification of permissible partiality among co-members.

Global equality of opportunity and the moral arbitrariness of citizenship

Equality of opportunity is a normative political ideal, which assumes that some inequalities and the corresponding social rewards are justifiable. The normative core of the idea is that persons with similar capacities should have similar chances to obtain important goods.²⁴ In Thomas Scanlon's negative formulation, the principle 'requires that certain factors *not* be determinants of who receives advantageous positions'.²⁵ Which are the morally relevant and irrelevant determinants, and how to understand the benefit or advantage are some of the contested ideas between different conceptions of equal opportunity. There are certain things, typically internal capacities of persons or personal endowments that are thought to provide a legitimate basis for unequal chances of success: talent, ability, effort, and motivation are examples of these. Other things, such as race, gender, or socioeconomic family background are arbitrary sources of disadvantage that should not affect chances of success. Very compelling reasons should be offered for allowing them to influence a person's life prospects.

The global extension of the idea of equality of opportunity relies on the intuition that it is unfair for persons to be worse off simply because of the country into which they were born. The idea morally condemns inequalities among persons, which are due to the citizenship that they happen to hold. In short, they are concerned with *nationality-tracking inequalities*.²⁶ Most theories rely on a domestic analogy: If we think it unfair for a person to be worse off due to circumstances beyond her control (such as race, gender, or socioeconomic family background), we should also think it unfair for her to be worse off simply because she was born in a poor country.²⁷ However, it is disputed whether citizenship is genuinely analogous to race and gender. Critics have pointed out that the argument of moral arbitrariness may be too hasty and has not paid enough attention to the morally salient differences between race (or gender) and nationality as determinants of life chances.²⁸

In order to understand properly the nature of the tension between global equality of opportunity and self-determination, it is important to take a closer look at the problem of the moral arbitrariness of citizenship. A deep controversy is whether, or to what extent, one's country of birth should be considered a morally arbitrary determinant of life chances. Global egalitarians take the perspective of the individual child: from this normative point of view, the

²³Ibid., pp. 93–4.

²⁴Darrel Moellendorf, *Global Inequality Matters* (Basingstoke: Palgrave Macmillan, 2009), p. 69.

²⁵Thomas Scanlon, *When Does Equality Matter?* (Cambridge, MA: Harvard University Press, 2005), p. 20.

²⁶Armstrong, 'National self-determination', p. 314.

²⁷Charles Beitz, *Political Theory and International Relations*, 2nd edn (Princeton, NJ: Princeton University Press, 1999); Joseph Carens, 'Aliens and citizens: the case for open borders', *Review of Politics*, 49:2 (1987), pp. 251–73; Simon Caney, 'Cosmopolitan justice and equalizing opportunities', *Metaphilosophy*, 32:1–2 (2001), pp. 113–34 (p. 115); Kok-Chor Tan, 'Liberal nationalism and cosmopolitan justice', *Ethical Theory and Moral Practice*, 5:4 (2002), pp. 431–61 (p. 448).

²⁸See, for example, Armstrong, 'National self-determination', pp. 327–8.

passport one holds seems no less arbitrary in hindering or advancing one's life chances than the family into which he happens to be born. Nevertheless, the question of the domain and scope of the principle yields important nuances. According to monist global egalitarian views, nationality is an arbitrary determinant of one's life prospects, analogous to feudal, class, or racial privileges, and, *as such*, its effects on life chances should be minimised *tout court*.²⁹

However, according to the domain-pluralist global egalitarian account, when making judgments of moral arbitrariness, we always need to ask ourselves the question: arbitrary *with respect to what*? When we are equalising opportunities for wealth, health, life expectancy, or global economic positions, the determinants that matter morally and those that are arbitrary will differ. As Darrel Moellendorf writes, 'different forms of equal opportunity assume different equal endowments for which social arrangements are to equalize opportunities'.³⁰ On this account, the relevant domain of the *global* principle of equality of opportunity is the *global* economic association. An individual's citizenship privilege should be minimised with respect to the relevant goods of the global economic association; namely, 'income, wealth, meaningful productive activity, positions of power and leisure time', and the more basic goods their enjoyment relies on, such as health, education, and housing.³¹ To summarise, global egalitarians are concerned with the influence of country of birth on how people fare, and may advocate minimising its effect with respect to a person's overall share or position; or they may take the scope and content of a principle of equality of opportunity to apply more narrowly to positions in the global economy.

Oponents of global equality of opportunity do not think that nationality-tracking inequalities are morally arbitrary; on the contrary, they hold that there is something morally relevant about a bounded political community (a people, a nation, or a state) and its influence on how people fare. If, as they argue, there is something normatively salient about 'the people' that justifies conferring advantages on its members, it would be wrong to correct the resulting differences. The normative salience is supported in a variety of ways: the state-centred views locate it in particular features of political institutions, for instance coercion.³² Here we focus on self-determination-centred arguments³³ in defence of the moral significance of political membership. From this perspective, equalising life chances globally is seen as showing disrespect for the collective freedom of peoples.

It is important to notice that these are not merely different substantive accounts of moral arbitrariness. Proponents and opponents of global equality of opportunity adopt two different *normative standpoints* to assess what is or is not morally arbitrary. The former assumes the normative standpoint of an infant born into one country rather than another; whereas the latter adopts the normative standpoint of 'the people', drawing on the interest of its adult members in collective freedom. This difference in normative standpoints deserves more attention in accounting for the tension between global equality of opportunity and self-determination. In our view, a plausible theory of justice that looks at the individual's life over time should integrate both concerns. The family-analogy may help clarify this: family-tracking inequalities are morally arbitrary from the point of view of children's opportunities. From the normative point of view of parents some of these inequalities may be the result of legitimate parental choices that should be free from the demands of equality. A plausible account of domestic justice should consider children's equal chances *and* parental freedom as morally salient, and aim to integrate these two normative standpoints into a coherent view, capable of differentiating between the legitimate scope of parental freedom and the legitimate scope of equalising children's opportunities.³⁴

²⁹Carens, 'Aliens and citizens'; Caney, 'Cosmopolitan justice and equalizing opportunities'.

³⁰Moellendorf, *Global Inequality Matters*, p. 75.

³¹Ibid.

³²Blake, 'Distributive justice'.

³³See, for example, Miller, *National Responsibility and Global Justice*.

³⁴Brighouse and Swift, *Family Values*, ch. 3.

Our proposal is that such an idea can be plausibly exported to the problem of equal individual life chances and the interest in peoples' self-determination. From the point of view of each child born into a poor country, their nationality-tracking inequalities are morally arbitrary. However, when considering the normative standpoint of 'the people', nationality-tracking inequalities are not always morally arbitrary; some are morally significant for the interests of its individual members, which collective freedom supports. Proponents of self-determination argue that these inequalities are justifiable because they track *some* normative feature of 'the people' that make it intrinsically or instrumentally valuable.

This, then, is a source of the current stalemate of the debate. Each side claims the primacy to their preferred normative standpoint. Global egalitarians argue that the relevant moral unit is the individual; hence, the relevant normative standpoint for justice beyond states is of that of the individual and her life chances. Proponents of self-determination, by contrast, hold that the relevant kind of morality beyond borders should be examined from the standpoint of political collectives (nations, states, or peoples).

To gain more conceptual clarity on the role of moral arbitrariness in an account of equal opportunity, we start from the Rawlsian foundation of fair equality of opportunity, often invoked by global egalitarians. We think that it is hasty to infer, simply from the existence of a deep contingency in life, that its effects should be eliminated from life chances. It is important to distinguish between:

- i. observing a deep *contingency* in society;
- ii. deeming it a *morally arbitrary* determinant of distributive outcomes;
- iii. demanding that its effect be *eliminated*.

John Rawls's justification of unequal rewards for unequal talents in a market economy is an example of why we need not necessarily infer moral arbitrariness from a deep contingency. Some initially morally arbitrary inequalities may be justified by the function they serve in realising the purpose of a social practice. The distribution of talents among individuals is indeed a deep contingency, a morally arbitrary fact at birth. However, attaching differential rewards to different talents can be justified by showing how they serve the overall purpose of a social system: the social goods produced by the system benefit everyone, including those with an initial reason for complaint. In Scanlon's terms, this is a *top-down justification* for selection by merit: it is justified by appealing to an institutional purpose. In other words, justifying differential rewards for different talents builds on a higher-level systemic justification of an institutional purpose that the inequality in question is supposed to serve.³⁵ On this account, a meritocratic social system should not necessarily be seen as tracking a morally arbitrary factor (talent by natural lottery). It may serve a morally justified purpose, which will benefit everyone, including the least advantaged.

Instead of demanding that contingencies be eliminated or minimised due to moral arbitrariness, Rawls argues that distributive shares should not be '*improperly* influenced by these factors so arbitrary from a moral point of view'.³⁶ The moral reasoning centres on the question of what should count as a proper or permissible influence of a determinant. The permissible influence of natural or social contingencies is subject to justification among equals. When reasoning about justice, the lottery of birth perspective needs to be complemented with considerations about the social practice as a whole, and the goods it realises for its members. Some contingencies will be unjustifiable, that is, morally arbitrary, while others be justifiable, that is, not arbitrary from a moral point of view.

³⁵Thomas Scanlon, 'Equality of Opportunity: A Normative Anatomy', in Annual Uheiro Lectures, Oxford (December 2013).

³⁶John Rawls, *Theory of Justice* (Cambridge, MA: Harvard University Press, 1999), p. 61, emphasis added.

Equating moral arbitrariness with factors beyond one's control is too hasty. A plausible argument for moral arbitrariness should include three components: (i) morally arbitrary with respect to what; (ii) from which normative perspective (institutional or individual); and (iii) why that perspective matters morally?

The demands of global equality of opportunity

A further nuance in theories of global equality of opportunity requires attention, to clarify the tension with self-determination, and the possibility of reconciliation of the two. In principle, theories of global equality of opportunity agree that the effects of nationality-tracking inequalities should be eliminated from life chances. This important requirement is typically relaxed in theories of global equality of opportunity in one of three ways: (i) application; (ii) domain-pluralism; and (iii) value-pluralism. As a result, the nature of the tension between global equality of opportunity and self-determination varies.

However, the *in principle radical stance itself* is unwarranted and needs a more convincing argument on the part of global egalitarians. The problem with the radical equalising proposition is that it does not necessarily follow from the initial premise of moral arbitrariness. It is one thing to argue that it is unfair for morally arbitrary factors to affect one's prospects in life, and it is quite another to argue that these influences should *therefore* be completely *eliminated* from global distribution. As we argued above (following Rawls), between the premise of moral arbitrariness, and the demand of equality, there is an argument to be made regarding the justifiable influence of these otherwise morally arbitrary factors. Various strategies are available for global egalitarians to argue that nationality-tracking inequalities need to be mitigated and not eliminated. First, domain-pluralists may argue that equalisation only applies to those nationality-tracking inequalities pertinent to the relevant domain;³⁷ namely those unfairly generated by global institutions or transactions. Some nationality-tracking inequalities do not need to be eliminated from an individual's life chances. Second, global egalitarians may argue that there are other important values to incorporate into the conception of global justice, and may relax the equalising requirement as a trade-off with other values (we come back to this point below). Thus, the strong version of the proposition that inequalities should be eliminated or radically minimised on a global scale is not a necessary feature of the idea of global equality of opportunity.

Finally, it must be noted that 'mitigating' is a somewhat misleading term leaving too much room for interpretation. The influence of nationality can be mitigated with a *threshold* in mind, or it can be mitigated by reducing its influence with a view to closing the gap. Advocates of the threshold view understand morally relevant global opportunities to be a set of opportunities that enables individuals to be human agents, which includes meeting their basic needs, or protecting their human rights.³⁸ An essential feature of a principle of equality of opportunity is that it aims to block or reduce the effect of determinants that are deemed morally arbitrary. Construed in this way, the accounts advanced by Gillian Brock and David Miller are of a different kind, and despite their use of the words 'decent opportunities', these are structurally different conceptions. They are not merely applying a less demanding principle to the permissible effects of nationality. Their moral concern lies elsewhere: with a minimum or a decent range of options, better understood as a requirement of *distributive sufficiency*. Although their principles mitigate the influence of nationality on unequal life prospects to some degree, their reasons for mitigation are independent from the morally arbitrary factor and its (im)permissible influence on global shares. Instead, the sufficiency threshold is grounded in the basic needs or basic rights of persons as human beings. In short, their ground for mitigating the influence of nationality is *recipient-oriented* and not

³⁷Moellendorf may argue this way, but takes a different stance.

³⁸Brock, *Global Justice*, p. 62; Miller, *National Responsibility and Global Justice*.

determinant-oriented, and the site of intervention is the distributive outcome and not the mechanisms through which nationality exerts its influence on distribution.³⁹

In summary, a problematic feature of the global equality of opportunity theories is that country of birth is taken (not argued), to be a morally arbitrary determinant of life chances. Radical theories maintain that its effect, therefore, at least in principle, should be neutralised from distribution. Sufficientarian theories, instead, mitigate the influence of nationality, but only by implication and due to its contingency in determining poverty. We argue that a more plausible conception of global equality of opportunity would have to overcome both kinds of problems: (i) The development of a plausible account of what, if anything, makes nationality as a contingent feature also morally arbitrary? (ii) How, and according to which principle, should international society deal with its effect? We need to take a closer look at nationality-tracking inequalities to understand properly on what ground, and to what extent they may permissibly influence life chances, and which aspects should be seen as morally arbitrary. Global equal opportunity accounts that overlook this step and fail to place nationality under scrutiny, and to investigate its potential moral value and its function in a broader social practice, ‘present a conclusion in the guise of an argument’,⁴⁰ to use Armstrong’s phrase.

Self-determination and global equality of opportunity: Trade-off, accommodation, or reconciliation?

How should we understand the relationship between global equality of opportunity and self-determination? Some argue that the two ideas are incompatible. On the global end of this claim, there is, in principle, no room for self-determination, but the role of states may be instrumentally relevant. Robert E. Goodin has argued that in principle, there is no reason for partiality towards compatriots, but we need to allocate the general duty to ensure that individual needs are met.⁴¹ On the statist end of the incompatibility claim, theorists hold that if we take self-determination seriously, there is no room for equalising differences in opportunities. At most, there may be some room for global sufficiency.⁴²

Most proponents of global equality of opportunity, however, do not take such an extreme position. They acknowledge the value of collective self-determination and give *some* weight to it. There are two argumentative strategies for taking national self-determination into consideration: (i) the argument from *trade-off*; and (ii) the argument from *accommodation*.

Trade-off approach: Moellendorf, for example, holds that if we take a political association view of the relevant collective for self-determination, which aims to ensure social justice and democratic procedures, it is compatible with a norm governed by global economic association. His view of the relationship, however, is not a global background justice view whereby background global justice is a constraint on the scope and content of self-determination. He argues, rather, that the values realised by a just political association and a just global economic association cannot be jointly fully achieved, but need to be balanced against each other. Moellendorf reasons by drawing a domestic analogy, arguing that the relationship between equality of opportunity and national self-determination presents a similar dilemma to the family as an *obstacle to* equality of opportunity. He writes, echoing Rawls, that as long as the family exists, equality of opportunity cannot be fully realised. Similarly, as long as nation-states exist, and are a valued form of human association, global equality of opportunity cannot be fully realised. We have to

³⁹Both Brock and Miller are likely to accept this characterisation of their position as not, strictly speaking, equality of opportunity views. However, since they use the language of equal vs sufficient opportunity, we thought it is important to clarify the differences in the normative structure.

⁴⁰Armstrong, ‘National self-determination’, p. 328.

⁴¹Robert Goodin, ‘What is so special about our fellow countrymen?’, *Ethics*, 98:4 (1988), pp. 663–86.

⁴²Miller, *National Responsibility and Global Justice*; Altman and Wellman, *A Liberal Theory of International Justice*, ch. 4; Blake, ‘Distributive justice’.

acknowledge that the two ideals are in tension and that there is a necessary trade-off between them.⁴³

We are not persuaded by Moellendorf's trade-off solution. Our disagreement concerns practical deliberation about conflicting values and the distinction we draw above between two different ways of making all things considered judgements: balancing vs reconciliation. Moellendorf's solution for global justice is similar to the balancing act Brighthouse and Swift propose between legitimate parental rights and children's fair equality of opportunity. We prefer Dworkin's approach, which reinterprets the two conflicting values in light of each other's core commitments. It is important to work out the legitimate space of self-determination in light of global egalitarian commitments. Also, there may be something morally salient about the internal autonomy of political communities that should not be traded-off, but *built-into* an account of *really fair* global equality of opportunity. If, as we think, there is something morally significant about adults' (and children's future) interest in collective self-determination, which results in some permissible nationality-tracking inequalities, we should adopt a holistic perspective on children's and adults' interests and rethink the kind of global equality of opportunity that we should value.

Accommodation approaches, by contrast, carve out space for self-determination. Armstrong calls this the 'clearing space approach'; that is, making room for the demands of self-determination within the demands of global equality. Accommodation theories differ from one another in two important respects: (i) the scope of self-determination; and (ii) the reason why it is afforded. First, the scope of self-determination depends on the strength of the principle expressing the demands of global equality. The more equality is emphasised the less scope there is for state-level policies to permissibly affect individuals life prospects. Second, there is disagreement concerning the moral ground on which self-determination should count as valuable and be accommodated in global equality of opportunity.

Kok-Chor Tan's approach to accommodation allows for self-determination by differentiating domains. First, on Tan's view the domain of global justice is political; namely, the principle of global equality of opportunity applies to the distributive effects of global rules and institutions. National boundaries are arbitrary determinants of global distribution, and should not be taken into account in the impartial adjudication of the permissible effects. Global rules should work to minimise the distributive effects of citizenship. Second, global justice should be realised a limited domain to safeguard and promote the conditions of personal pursuits, which incorporate a rich diversity of human ends. Within the global institutional constraints of global equality provision needs to be made for persons to enjoy the freedom to pursue diverse individual and collective projects.⁴⁴

On Armstrong's account, by contrast, space is cleared for self-determination not by differentiating domains in which principles of global justice apply, but by differentiating between the morally valuable and less valuable aspects of nationality. He acknowledges the value of self-determination and argues for nuanced conception of global egalitarian justice, which specifies which nationality-tracking inequalities are arbitrary and which are not. Armstrong concludes that this strategy is fully compatible with egalitarian conceptions of global justice 'in which space could be reserved for self-determination *without* requiring global egalitarians to modify or compromise on their egalitarian principles'.⁴⁵

Both Tan and Armstrong provide us with valuable normative insights and useful methodological tools. However, we wish to proceed from accommodation to *reconciliation* – to an account that takes both principles to be equally important and rethinks each in light of the other's demands. We adopt neither the ground on which Tan defends self-determination

⁴³Moellendorf, *Global Inequality Matters*, p. 85.

⁴⁴Tan, 'Liberal nationalism and cosmopolitan justice'.

⁴⁵Armstrong, 'National self-determination', p. 334.

(the value of human diversity), nor the priority he assigns to global equality. Arguing for collective freedom on the grounds of human diversity is insufficient, in that it does not provide a principled answer to the limits of self-determination.

We fully agree with Armstrong and his methodological requirement to differentiate between morally arbitrary and justifiable aspects of nationality. The problem is that his account does not proceed to developing a plausible substantive answer to this challenge. Our article sets out to do just that: we defend a principle that teases out nationality tracking (dis)advantages that are morally arbitrary from the morally relevant ones. Once we have a principled answer to what should count as permissible nationality-tracking inequality, an answer to the appropriate demands of global equality of opportunity will also become clear; that is, which and how much of the nationality-tracking inequality should be confronted.

The value of self-determination and well-being interest

The value of self-determination in contemporary debates about global justice is not self-evident. Some global egalitarian theories view the principle with suspicion, associating it with aggressive nationalism, ethnic tribalism, and secessionist wars. Proponents of global equality of opportunity claim that they are not altogether opposed to self-determination – an idea associated with anti-colonial struggles, popular sovereignty, and struggles for international equality. Global egalitarians accept and even value self-determination but only within the bounds of the duties of global equality. For proponents of self-determination, this priority of global equality of opportunity amounts to not taking self-determination seriously. To follow our family-people analogy, which focuses on relationship goods as methodology, our next step is to sketch what is valuable about self-determination. This lays the groundwork for identifying the distinctive relationship goods (of membership of a self-determining people), and the scope of partiality that they permit.

We need to take a closer look at current theories of self-determination. We do not endorse a particular account, but specify those values that theories of self-determination defend and that are relevant for relationship goods. As previously stated, the value of the family in the Brighouse-Swift account rests on the following interests: the significant well-being interest of adults in parenting; the well-being interest of children in developing their physical, cognitive, emotional, and moral capacities, and their agency interest in becoming autonomous adults.⁴⁶ The family – as an intimate, loving, stable, and paternalistic arrangement – is better suited to fulfil these interests than the alternatives child-rearing arrangements (for example, state-run institutions or communes). The adequate fulfilment of the child's interest is a necessary condition for the parenting right of parents. Yet, the well-being interest of adults in being parents is sufficient to justify parenting, even where this fulfilment adequate but suboptimal.

The value of self-determination also rests on well-being and agency interests, but their respective weight and role are different.⁴⁷ Neo-Lockean and neo-Kantian theories (known as 'functionalist')⁴⁸ invoke the well-being of the members to justify the value of self-determination in the form of territorial autonomy (for example, a regional government or a state). Adequate fulfilment of the members' interests is a condition for self-determination; but there are other interests at stake (discussed in the following section), which justify self-determination, even where the fulfilment is adequate but suboptimal. The Locke-inspired theory draws on the interest in the fulfilment of human needs required for survival and flourishing. These needs range from physical security and access to means of subsistence to healthy human relationships and the

⁴⁶Brighouse and Swift, *Family Values*, pp. 61–4.

⁴⁷We thank an anonymous reviewer for pushing us to clarify our view, and its departure from the family.

⁴⁸Chris Armstrong, 'Against "permanent sovereignty" over natural resources', *Politics, Philosophy & Economics*, 14:2 (2015), pp. 129–51 (pp. 139–41); Margaret Moore, *A Political Theory of Territory* (Oxford: Oxford University Press, 2015), pp. 90–110.

possibility to influence one's circumstances through political participation.⁴⁹ The Kant-inspired account identifies the value of self-determination in an individual's interest in a public authority, capable of establishing a system of rights (especially property rights) and justice, and of protecting basic individual rights within a territory. Importantly, functionalist theories hold that territorial autonomy is better suited to protecting these interests than other public arrangements (for example, a global state or a neo-medieval non-territorial authority).⁵⁰ The protection of these well-being interests is an important component of the justification of self-determination, and their adequate fulfilment a necessary condition of this right – analogous to the justificatory role of the interest of children in the family. Nonetheless, there are other important interests at stake: in the case of the family this is the important well-being interest of *adults* in parenting. In the case of the people, they are well-being interests that we shall call political goods,⁵¹ and agency interests. Unlike the family, people's self-determination does not warrant paternalistic relationships⁵² and it stands to reason that the agency interest shall carry more weight.

The value of self-determination, political well-being, and agency interest

This section outlines those interests relevant to a self-determination theory, which are broadly analogous to the important well-being interest of adults in parenting. They are analogous because they play a similar justificatory role. These interests do for members of peoples what parenting does for parents: they help explain the distinctiveness of their relationship and to 'isolate the reasons for permitting partiality' towards members of the people. The analogy, however, is not complete because (i) peoples' self-determination appeals to agency interests unlike those of adults in parenting; (ii) self-determination theory holds that the interests *are* sufficiently important to presume that they will have implications for global justice – but we do not yet know exactly *how significant* they are.⁵³

Interests that draw on political goods are prominent across theories of self-determination, from liberal national self-determination, which emphasises the value of nationality, to democratic conceptions of self-determination. National self-determination, according to its proponents enables nations to maintain their distinct public cultures and govern themselves autonomously.⁵⁴ Why is this valuable? *Liberal*-nationalism emphasises the importance of nations for: (i) the individual welfare that membership in a nation and a sense of national identity confer;⁵⁵ (ii) the benefits of the liberal-democratic order. Nationality fosters social trust among fellow-nationals, and a sense of extended and indirect reciprocity, which is instrumental to social justice.⁵⁶ For

⁴⁹Cara Nine, *Global Justice and Territory* (Oxford: Oxford University Press, 2012), pp. 116–22; Cara Nine, 'A Lockean theory of territory', *Political Studies*, 56:1 (2008), pp. 148–65. We bracket here the question of whether interests in political participation and the protection of basic rights are well-being, agency interests, or both. We do not seek to defend a particular account of self-determination, but to draw the main values, which serve as promising candidates to explain what is special and important about 'people relationship goods'.

⁵⁰Anna Stilz, 'Nations, states and territory', *Ethics*, 121:3 (2011), pp. 572–601 (pp. 580–4); Anna Stilz, 'Why do states have territorial rights?', *International Theory*, 1:2 (2009), pp. 198–206. We are aware that the view that territorial autonomy is preferable requires more discussion than outlined here.

⁵¹In their criticism of Miller's national self-determination, Brighouse and Swift suggest a notion of political goods similar to ours: 'Legitimate partiality, parents, and patriots', p. 120.

⁵²Brighouse and Swift, *Family Values*, p. 67.

⁵³We do not discuss the question of which interests are indeed agency interests although this is relevant for specifying the scope of permissible partiality. Agency interest arguably opens the door to a broader scope of self-determination than can be reconciled with global egalitarianism. The framework outlined here proposes ways to resist this, as illustrated below.

⁵⁴David Miller, *On Nationality* (Oxford: Oxford University Press, 1995), ch. 4.

⁵⁵Will Kymlicka, *Multicultural Citizenship* (Oxford: Oxford University Press, 1996).

⁵⁶David Miller, 'National self-determination and global justice', in *Citizenship and National Identity* (Cambridge, UK: Polity Press, 2000), pp. 161–79.

reasons beyond the scope of this article, we reserve judgement as to whether the nation is the appropriate unit of self-determination, and we therefore omit proposition (i) about the value of nationality. We acknowledge the importance of the political goods of democratic self-government in proposition (ii), and accept theories of *peoples'* self-determination, that associate these goods with a people (not a nation).⁵⁷

Analogous to parents' well-being interest in parenting (the uniquely loving, intimate, and fiduciary relationship with their child) is the interest in political goods, emphasised in democratic theories of self-determination, which draw the value of self-determination from the value of democracy.⁵⁸ They emphasise the value of participation by individuals in authoring their lives through participation in collective political and legal decisions. Daniel Philpott describes the right of self-determination as the 'democratic intuition in international relations'.⁵⁹ Margaret Moore connects the moral value of self-determination to participation of the people in shaping their life's circumstances:

the process of making the rules that govern a people's collective existence is itself morally valuable. People who exercise collective self-government have the institutional mechanisms to shape the conditions of their existence, and their future together, and are thereby more autonomous – or experience a different (collective) dimension of autonomy – compared to the strict individual (private sphere) protection of autonomy model.⁶⁰

The well-being interest in individual freedom is also discernible in theories of self-determination. Neo-Kantian accounts of self-determination bridge the conceptual gap between justifying territorial-self-governing polities in general and justifying particular polities, which hold jurisdiction over specific geographical domains. Accordingly, they object to the allocation of territories and populations to the 'best available' states, in terms of fulfilling the functions that serve to justify self-determination.⁶¹ Self-determination contains an affirmation and a sense of affiliation of members to their polity. This affirmation has a specific moral worth for those participants who do not feel alienated from the polity to which they belong. According to Anna Stilz, this relationship of affirmation between participants and their polity enables a special kind of political freedom – of 'making' and being co-author of the political institutions under which one lives – which is valuable beyond the functional benefits thereof.⁶²

Finally, theories of self-determination identify the value of the freedom to express shared political identities and develop shared projects through the exercise of self-determination. Moore describes political institutions of peoples that exercise self-determination as 'spaces in which members co-create their own political projects'. She notes:

Institutions of political self-determination give expression to the communities in which people live; they express people's identities; they are an important forum in which collective autonomy can be expressed, and people can shape the context in which they live, and realize their political aspirations, free of external domination.⁶³

⁵⁷For critiques of liberal-nationalism on this point and 'people'-based account of self-determination, as alternative to nation, see Margaret Moore, 'Which people and what land? Territorial right-holders and attachment to territory', *International Theory*, 6:1 (2014), pp. 121–40 and Stilz, 'Nations, states and territory'.

⁵⁸Margaret Moore, 'Natural resources, territorial right, and global distributive justice', *Political Theory*, 40 (2012), pp. 84–107; Daniel Philpott, 'In defense of self-determination', *Ethics*, 105:2 (1995), pp. 352–85.

⁵⁹Philpott, 'In defense of self-determination', p. 352.

⁶⁰Moore, 'Which people and what land?', p. 133.

⁶¹Ibid.

⁶²Anna Stilz, 'The value of self-determination', in David Sobel, Peter Vallentyne, and Steven Wall (eds), *Oxford Studies in Political Philosophy*, 2 (2016), pp. 115–20.

⁶³Moore, 'Which people and what land?'.

The notion of a political identity refers to a sense of affiliation to a specific polity or a people. This sense of affiliation recognises particular features of the polity or the people – for example, a language, or a political history of shared political institutions.⁶⁴ These can differ also among polities with comparable political and economic systems. It is not assumed that political identities in this sense are fixed or monolithic, or that they attach only to existing states. Secessionist groups and national liberation movements mobilise on a sense of political affiliation to a polity to which they aspire. Political identities are connected with the political institutions and public life of the polity. They do not encompass the full range of cultural distinctiveness of national identities.⁶⁵

Furthermore, the particularities that form political identities ought to be non-ascriptive; namely, that individuals should be able to acquire them. Therefore, they are potentially open to newcomers. Ethnicity, in distinction, is not something that an individual can, as a rule, change. Political identities are distinct from national identities, even if some of the elements that compose them may overlap. For example, a language can be both a feature of political institutions and of a national identity. The political and national perspectives differ on the meaning, status, terms of inclusion, and other public policies concerning language. Political and national identities are distinguishable: not all political identities are national and not all national identities are political.⁶⁶ Self-determination enables the expression and protection of political identities and, therefore, appeals to agency interest.⁶⁷ Resembling parenthood in this respect, it is noteworthy that many individuals value political goods of self-determination, and the sense of affiliation to a specific polity or a people, which contributes to the meaning and flourishing of their lives in special and important ways.

In summary, self-determination is valuable, according to prominent theories thereof, because it uniquely protects and enables the fulfilment of interests – well-being and agency interests – that other institutions and relationships do not reliably fulfil. These interests are: collective freedom (as experienced by individuals), ‘maker’s’ freedom, a sense of authorship and affiliation to a polity, and development and expression of political identities. In the family-people analogy, these interests play a similar role to the well-being interest of parents in parenting their children. They are sufficiently important to grant distinct relationship goods, and subsequently circumscribe permissible partiality (though we do not know yet whether the value of self-determination is as important as that of parenting). As in the case of the family, which takes into account the interests of children *and* parents, there are two types of relevant interests in self-determination: the well-being interest of the members, which require adequate fulfilment (analogous to children’s interests) and the interest in political goods and agency interests, which account for the special goods of a people relationship.

As in the case of the family, interests of the first kind (well-being interests and their adequate fulfilment) are a condition for justifying self-determination, but they are not a complete justification. There are other interests at stake – the second kind: political goods and agency interests. These account for why adequate (not optimal) fulfilment of interests of the first kind is the

⁶⁴As often argued in the literature, individuals do not choose their identities in a vacuum, but are socialised into them. Nevertheless, identities are not immutable and they are subject to reflection and occasionally to revision. Their value and implications for theories of self-determination rest on their value to the individuals that hold them. See Ayelet Banai, ‘Political self-determination and global egalitarianism: Towards an intermediate position’, *Social Theory and Practice*, 39:1 (2013), pp. 45–69.

⁶⁵On national identity and cultural distinctiveness, see, for example, Kymlicka, *Multicultural Citizenship*, pp. 11, 79–80; Miller, *On Nationality*, pp. 25–31.

⁶⁶Consider, for example, Kurdish, German, and Italian nationalities and the interesting ways in which they do not overlap with political affiliations. As noted above, affiliation to a polity is not necessarily status quo-biased. Political identity may attach to a polity that a group aspires to, for example in the case of secessionist movements, those among the citizens of member states of the European Union consider themselves primarily Europeans.

⁶⁷Banai, ‘Political self-determination’, pp. 56–63.

condition for self-determination. The interests of the members overall are fulfilled better in a self-determining polity with adequate fulfilment of well-being interests, than without self-determination and better than adequate fulfilment of these interests. The following section begins to explore what follows from the values and interests that justify self-determination for relationship goods and permissible partiality.

People relationship goods and the scope of permissible partiality

To take the next step in the analogy to the Brighouse-Swift account of family values and permissible parental partiality, we begin to examine people relationship goods. This is in order to grasp the kinds of partiality and their permissible scope among members of a people, due to their necessity in sustaining the relationship goods. Following the discussion in the previous section, people relationship goods are political goods of being a member of a polity that one has a sense of affiliation to and that enable a sense of participation in and co-authorship of public life. The section above draws on accounts of the value of self-determination from prominent theories thereof, in light of the family-people analogy. They indicate that the following goods are specific and unique to the people relationship:

- (i) Reliable and adequate fulfilment of well-being interests pertaining to life chances of the members.
- (ii) A sense of collective autonomy: the possibility to participate in shaping and to co-author the political and social circumstances of one's life, and to give expression to collective projects and identities.⁶⁸ This is a special kind of political freedom, 'maker's freedom'.
- (iii) The possibility to formulate and express one's political identity and shared projects in the design and operation of public and political institutions.
- (iv) A sense of solidarity ('we are in this together') among the members, against the background of an overlapping political common good, which contributes to joint social and political action.⁶⁹

These important goods are specific to the relationship among members of peoples that exercise self-determination.⁷⁰ Individuals share valuable experiences that do not exist in other relationships, and these pertain to other important goods in their lives – such as living in a decent polity. In the family-people analogy, the relationship-specific goods justify partiality among members – insofar as the partiality is required for sustaining the relationship and the goods specific to it.

The issue of what precisely follows from the relationship-specific goods for the permissible exercise of self-determination is complex. As Brighouse and Swift argue with respect to the family, this also depends on context-specific considerations, and need to be carefully formulated accordingly. We have stipulated a conceptual criterion to address this question, a principle to examine cases in various contexts. We hold that partiality is permissible only insofar as it is required for maintaining people's relationship goods. Contemporary theories of self-determination defend self-government in the form of territorial autonomy (autonomous political institutions with jurisdiction over a territory). We do not yet know whether this model is indeed preferable, in light of the distinctive relationship goods, and which specific practices it

⁶⁸As noted above, we understand both personal and collective autonomy to be valuable because they are valuable for individuals, but they are different. Collective autonomy does not assume a collective metaphysical entity that is valuable independently from value to the members, but it differs in its content from personal autonomy.

⁶⁹It is not assumed that the 'people' are internally harmonious and conflict-free. In a fairly functional people, there is a sense of a common good that prevents political and social rivalries from becoming violent conflicts.

⁷⁰These goods are promising candidates for distinctive 'people relationship goods'. A full analysis of which are indeed distinctive and why remains for future inquiry.

involves. For example, the adequate fulfilment of the members' interest (i and ii) requires a certain level of resources. Arguably, maintaining those resources falls within the scope of permissible exercise of self-determination, whereas efforts to accumulate the largest amounts of wealth possible are unjustified. Territorial autonomy contains a prerogative to exclude individuals from the territory, but the grounds for exclusion in our view are narrower than states have defended. A people can absorb large numbers of newcomers without losing or diminishing their people relationship goods.

Finally, our aim is to reconcile global equality of opportunity and self-determination. Therefore, in our considerations of the permissible conferring of advantages by better-off polities on their members, we also need to take into account the moral perspective of the child born in an opportunity-poor country. We believe that the global egalitarian intuition that the child is owed a justification is valid even while endorsing the self-determination-based notion that domestic principles of egalitarian justice do not obtain globally. This is so even if one holds that the grounds of justice that require equal opportunity among fellow-citizens do not hold among individuals worldwide. We challenge the global egalitarian claim that citizenship-tracking inequalities are unjustified *simply by virtue of the arbitrariness of citizenship*. We use people relationship goods as a promising criterion to work out *circumscribed* permissible partiality. Following the family-people analogy, we argue for the permissibility of some nationality-tracking inequalities, insofar as they are necessary to enjoy the relationship goods. The scope of the permissible conferring of advantages, justified by self-determination, is narrower in our view in comparison with self-determination-based accounts of global justice, which hold a sufficiency principle with regard to the demands of international distributive justice.⁷¹

The scope of permissible partiality and global equality of opportunity

The family-people analogy yields a criterion for a principled account of permissible partiality among fellow-members of a polity, compatible with global equality of opportunity. The conferral of an advantage is permissible if it is necessary to sustain people relationship goods. This criterion is still open to interpretations since the type of advantage and how much of it is necessary for, and constitutive of, the relationship good is yet to be determined. This section clarifies the criterion through a couple of examples. The reconciliation view precludes the subset of interpretations of people relationship goods, which render fair equality opportunity across borders meaningless. Akin to the account of family autonomy in a theory of domestic egalitarian justice, self-determination does not simply assume priority over global equality of opportunity. In the reconciliation view, the interpretations of the relationship goods have two prerequisites. First, compliance with accepted interpretations of collective freedom. Conceptions of global equality of opportunity that relegate self-determination to group decisions on matters of marginal importance are not compatible with the reconciliation view. Second, conceptions of self-determination that disregard comparative international disadvantage altogether are also incompatible with the reconciliation view. Any conception of fair global equality of opportunity requires an acknowledgement that comparative international disadvantage is potentially unfair. It may turn out, in a theory that carves out space for self-determination that *some* such comparative disadvantage does not violate global equality of opportunity.

Let us consider three examples: (i) Do relationship goods of self-determination permit practices of gender inequality? (ii) Does our account of people relationship goods permit that wealthy polities hold on to their wealth? (iii) Is conferral of advantage in education policy permissible? (i) Self-determination and gender equality: Imagine a people whose norms privilege boys over girls. Public institutions and norms also value girls as deserving of opportunities to health, education, income, public office, and personal autonomy. However, boys are privileged

⁷¹Miller, *National Responsibility and Global Justice*; Altman and Wellman, *A Liberal Theory of International Justice*.

and fare better with respect to their life chances as adults. This domestic relative disadvantage of girls evidently impacts on their relative international position, where (insofar as domestic and international metrics overlap) they are disadvantaged in comparison with their male compatriots. Equality of opportunity *prima facie* objects to gender-based inequality, but does self-determination render it permissible to some degree, on our reconciliation view? Our conception of global equality of opportunity neither permits nor rejects *a priori* the nationality-tracking inequality in this example. It needs to be examined on a case by case basis. We expect it would usually rule out the partiality that disadvantages girls, but would possibly require us to ‘bite the bullet’ and accept it as a permissible exercise of collective self-determination in some cases. To be permissible, the gender-related nationality-tracking inequality must be shown to be necessary to sustain a people relationship good and to count as a legitimate exercise of self-determination when adjudicated from the standpoint of both the girls’ life chances and adult women’s interest in self-determination. The following considerations and constraints follow from our reconciliation view.

It can be argued that public norms of gender inequality are not a relationship-constitutive good of self-determination: a people can exercise collective autonomy while treating men and women equally. This reasoning is susceptible to the objection of failing to take self-determination seriously: *if* the public norm in question results from the *genuine* participation of the people in designing its collective life and public affairs, and if it is considered by the participants to be a relevant part of their collective political projects, then self-determination means that the said norms fall within permissible partiality. However, permissible partiality and justified disadvantage are two different things. The justified level of unequal outcome is significantly restricted by two constraints. First, the demands of adequate fulfilment of the well-being interests of all members. Second, the reconciliation view allows for unequal outcomes only insofar as they result from the exercise of *real* self-determination. The co-members of a people need to co-author policies, institutions, and norms under standard autonomy conditions, and have a fair opportunity to shape and alter them. Self-determination, therefore, does not support prohibitions and obstacles on women’s participation in the name of gender norms. Inequality of outcome, and the comparative disadvantage of women in the society, must be limited to leave women a fair opportunity to alter the currently prevailing norms in order to improve their relative position. In our current world, the overwhelming majority of women do not enjoy an opportunity of this kind, including in societies that are formally committed to equality between women and men.

(ii) *The benefits of self-determination in the economic domain*: economic self-determination is likely to result in unequal outcomes of wealth distribution across borders. Making collective decisions on economic matters is plausibly interpreted as constitutive of the relationship among members of a self-determining people. On our reconciliation view, do these unequal outcome generating practices fall, then, within the realm of permissible nationality-tracking inequality? The reconciliation view neither accepts nor rejects *a priori* unequal outcomes that result from economic self-determination, but it allows for evaluation of concrete cases and it constrains legitimate international inequality. First, the relationship goods of self-determination, on our account, include adequate fulfilment of well-being interests of members of the polity. The claim that wealthy polities are justified in their quest to become ever wealthier in order to fulfil the needs of their members is false. Second, in the family, caring for children’s material needs and securing their well-being is an important role of this institution. Nevertheless, familial relationship goods yield a strong constraint on conferral of economic advantage as permissible partiality. The people relationship goods are analogous on this point. Third, the meaningful freedom to make decisions in the economic realm is not contingent upon a right to hold on to all the benefits and bear all the burdens resulting from the decision. It may require to keep a portion of such benefits and burdens. If economic decisions have no consequences for the material well-being of the decision-makers, it may well be argued that their freedom to decide is compromised.

However, it does not follow that the freedom to decide requires an exclusive and non-mitigated bearing of benefits and burdens by the decision-makers.

Before concluding, let us briefly consider (iii) education policy, as an analogy to the metaphor of reading bedtimes stories to children in the title of this article. Bedtime stories are constitutive of a familial relationship good, of intimacy between parents and children. They are also an example of how this kind of interaction with parents confers unequal advantages on children and affects their life chances. For a people, education policies (for example, school curricula and the public funding of education) are plausibly constitutive of self-determination. They are important for a society's ability to shape itself over time. Education also clearly confers advantages on children that affect their life chances and opportunities. One of the purposes of schooling is to prepare children for a successful life as adults. These advantages differ significantly within and across countries, in available recourses, capacity, and policy preferences – all of which may undermine global equality of opportunity. We need to determine what kind of, and how much, inequality is permissibly generated through self-determination and what kind of, and how much, should be mitigated by global equality of opportunity. In the reconciliation view, a people's autonomy to design its education policies is important, while the permissible realm of unequal advantage conferred on children through education is limited in the following ways. First, as noted above, on our account of relationship goods, self-determination is conducive to domestic egalitarianism. Closing educational gaps within wealthy and well-to-do polities would contribute to lessening global inequality of opportunity. Second, as in the case of the transfer of wealth, self-determination supports the conferral of economic advantage only to the extent of adequate fulfilment of well-being interests, but not beyond that point.

Our brief consideration of gender norms, economic policies, and education illustrated how our relationship goods account of self-determination progresses towards a principle that reconciles fair global equality of opportunity and self-determination. The reconciliation takes self-determination seriously and provides a principle that limits permissible inequalities in a meaningful way, in the interest of fair global equality of opportunity. A case-by-case examination is required to determine what follows from this principle in concrete situations. The result is unlikely to satisfy radical global egalitarians. Nevertheless, on our account the scope of permissible global inequalities is significantly narrower than self-determination based theories of global justice have defended to date.

Conclusion

In this article, we outlined a reconciliation view of the relationship between global equality of opportunity and self-determination. We argued, first, that a plausible conception of global equality of opportunity cannot merely assume the moral arbitrariness of nationality-tracking inequalities but must argue its case. It must be able to identify arbitrary aspects of nationality that require mitigation, and distinguish them from the justifiable ones, free from the demands of global equality. Second, we argued that a plausible criterion for what should count as morally arbitrary includes a dual perspective, integrating a person's normative interests over a lifetime: (i) a child born into societal circumstances and a country of her nationality, which impact her life prospects, and (ii) the adult member of the peoples and her well-being and agency interests in collective self-determination. Third, we have argued that a principled way to circumscribe self-determination is to focus on the value of compatriot relations, and to outline the goods constitutive of such relations. This allows us to specify the permissible scope of self-determination, which then serves as an account of permissible nationality-tracking inequality in a reconciliation account of fair global equality of opportunity. What the latter principle requires is to mitigate nationality-tracking inequalities with the exception of those that fall within the legitimate scope of collective self-determination.

Acknowledgements. For valuable comments and insights on previous versions of this article, we are grateful to the editors and anonymous reviews of the *Review of International Studies*, Julian Culp, Anca Gheaus, David Miller, Darrel Moellendorf, Margaret Moore, Mertern Reglitz, Miriam Ronzoni, Laura Valentini, and the participants of the conference Philosophy of Borders, convened at the Central European University, Budapest in February 2017. For support of our research and the co-authorship, Eszter Kollar is grateful to the Excellence Cluster, The Formation of Normative Orders (DFG), Goethe University, Frankfurt am Main. Ayelet Banai is grateful to the Israel Science Foundation research grant (no. 1127/16) and to a visiting fellowship from the Chair of International Political Theory, Goethe University Frankfurt am Main.

Ayelet Banai is Lecturer of Politics in the Division of Government and Political Theory, School of Political Sciences at the University of Haifa. Author's email: abanai@poli.haifa.ac.il

Eszter Kollar is Assistant Professor of Philosophy and Ethics of Economics in the Centre for Ethics, Social and Political Philosophy at the Institute of Philosophy, KU Leuven. Author's email: eszter.kollar@kuleuven.be