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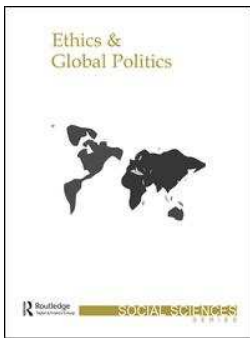
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Revising Sangiovanni's reciprocity-based internationalism: towards international egalitarian obligations

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Abstract

To whom do we owe obligations of socio-economic justice? How are such obligations generated? Internationalism denotes a range of approaches to these questions. This paper examines Andrea Sangiovanni's—an internationalist—response to these questions. Sangiovanni argues that we owe *egalitarian* obligations only to those in the state, and that egalitarian obligations are generated through relationships of 'reciprocity'. His is a 'reciprocity-based internationalism' (RBI). RBI has two components—one normative and another empirical. In this paper, I will assume the normative component, but reject its empirical component. My rejection of the empirical component has normative implications for RBI, which generate egalitarian obligations beyond the state. In other words, my revision of RBI is an argument in favour of *international egalitarian obligations* not generated through cosmopolitanism, but through internationalism.

Keywords: *Andrea Sangiovanni; internationalism; egalitarianism; Thomas Piketty; capital ownership; resource curse*

To whom do we owe obligations of socio-economic justice? How are such obligations generated? Internationalism denotes a range of approaches to these questions (Blake, 2002; Miller, 2000; Risse, 2006).¹ This paper examines Andrea Sangiovanni's—an internationalist—response to these questions. Sangiovanni argues that we owe *egalitarian* obligations only to those in the state, and that egalitarian obligations are generated through relationships of 'reciprocity'. His is a 'reciprocity-based internationalism' (RBI). RBI has two components: one normative and another empirical. In this paper, I will assume the normative component, but reject its empirical component. My rejection of the empirical component has normative implications for RBI, which may generate egalitarian obligations beyond the state. In other words, my

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revision of RBI is an argument in favour of *international egalitarian obligations* not generated through cosmopolitanism, but through internationalism. More specifically, these obligations are generated through the transactional flows of global capitalism, such as the processes and practices of international capital ownership and interstate trade. This paper will first introduce Sangiovanni's RBI, before making two arguments—the *capital-ownership argument* and the *interstate relations argument*—against the empirical component of Sangiovanni's RBI. I also consider and reject some objections to my arguments, pointing towards avenues for future research.

INTERNATIONALISM

To whom do we owe obligations of socio-economic justice? Internationalism is, first and foremost, an approach to this question which draws normative boundaries between the state and the global order such that the form and content of our obligations are greater at the former level and weaker at the latter. Internationalism is both anti-cosmopolitan and anti-statist. It is anti-cosmopolitan insofar as 'the state' and 'citizenship status' are normatively salient for internationalists, whereas for cosmopolitans, geographical distance, borders and citizenship status make little-to-no moral difference.² It is anti-statist insofar as the state is *not* treated as a 'moral boundary' for internationalists as it is for statist. For internationalists, obligations of justice *do* exist beyond borders, but they are weaker than between co-citizens.³

How are such obligations generated? Sangiovanni notes that internationalism's foundations are *relational*. Obligations, for internationalists, are generated through actually occurring social relations. Different accounts of internationalism take different 'types' of relationality to be normatively relevant here. Michael Blake, for example, picks out a *shared threat of state coercion* as the relevant relation which generates egalitarian obligations, whilst Sangiovanni isolates *reciprocity*. Internationalists take the following premise (IP):

(IP): Principles of socioeconomic justice have a relational basis. The content and scope of our social relations will generate and determine the content and scope of our socioeconomic obligations.

To underline this distinction, Sangiovanni notes how Simon Caney forwards a *non-relational* conception of justice. This is summed up by his question:

Does the demand for equality apply to persons *as such* or only to persons *who stand in some social relationship*? (I shall call views that defend the dependence of egalitarian justice on facts about social interaction *relational* and those that deny this dependence, *non-relational*).⁴

Having identified internationalism as an approach to socio-economic justice with a relational premise—though we can here qualify this with the proviso that relational approaches are not necessarily internationalist—I will now turn more specifically to Sangiovanni's specific approach, his 'RBI'.

Reciprocity-based internationalism

Sangiovanni identifies *reciprocity* as the normatively relevant type of relation that generates egalitarian obligations. For Sangiovanni, the actual occurrence of (his special type of) reciprocity between relational actors generates egalitarian obligations (my emphasis):

Equality as a demand of justice is a requirement of *reciprocity in the mutual provision of a central class of collective goods*, namely those goods necessary for *developing and acting on a plan of life*.⁵

Sangiovanni's internationalist premise (SIP) is that egalitarian obligations are generated when reciprocity is present, in which 'others are owed a fair return for what they have given you, just as you are owed a fair return for what you have given others'.⁶ Sangiovanni develops on IP in the following way:

(IP): Principles of socioeconomic justice have a relational basis. The content and scope of our social relations will generate and determine the content and scope of our socioeconomic obligations.

(SIP): Reciprocity (of a specific type) between relational actors generates *egalitarian obligations*.

There are two components to Sangiovanni's argument: the normative component, which argues for the normative salience of reciprocity, and the empirical component, which picks out reciprocity as actually occurring between relational actors within the state and as not existing internationally. Both of these components are necessary for Sangiovanni's RBI.⁷ I will now outline these.

The normative component of RBI

What is normatively salient about Sangiovanni's reciprocity? His reciprocity is one in which our ability to develop and act on a plan of life is made possible or enabled by the contribution others make to a central class of collective goods. This can be defined as:

(R): Reciprocity exists when there is a *joint contribution* made in the *maintenance and reproduction* of those classes of goods which are necessary for developing and acting on a plan of life.

What is normatively salient here is that persons participate in the reproduction of the socio-institutional order *together*.⁸ Legal institutions regulating property rights, economic institutions enabling transactional flows, and social institutions generating preferences and taste all constitute an institutional order which make any one citizen's relative success (or lack thereof) a contingent *effect* of these relations.⁹ For Sangiovanni, all persons ought to be given a fair return for their contribution to the sustaining and reproduction of the socio-institutional order *as such*.¹⁰ This is to say that it is not necessary that citizens make an 'equal' contribution to it in order for there to be relations of the type (R).¹¹ Or in other words, that although relationships of the type (R) generate egalitarian obligations, this does not mean that participants

in the socio-institutional order must make an equal contribution to it (however, this is cashed out) in order for there to be relationships of the type (R). Sangiovanni renders one's relative position of *success* a relational term, or a relational effect of one's position within a socio-economic order. One's position of success—which we can broadly define as the *ability to develop and act on a plan of life*—becomes relationally contingent upon the contributions that others (both successful and unsuccessful) make to the collective goods that enable you to develop and act on a plan of life. One of the crucial upshots of this account is that the successful thereby rely upon the contributions of the unsuccessful in the maintaining and sustaining of a socio-institutional order through which their ability to develop and act on a plan of life is made possible. The successful, therefore, owe the unsuccessful egalitarian obligations insofar as both the successful and the unsuccessful are involved in the joint maintenance and reproduction of those classes of goods which are necessary for developing and acting on a plan of life.

The empirical component of RBI

Sangiovanni argues that relationships of the type (R), empirically, only exist at the intrastate level. It might seem, at least initially, that a conception of reciprocity based on the *joint contribution* made in the *maintenance* and *reproduction* of those classes of goods necessary for developing and acting on a plan of life might be a narrow one, one which might leave out certain citizens who do not make a certain contribution, or which might not pertain to societies with 'looser' relations. However, Sangiovanni offers two examples which show that this is not the case in his version of reciprocity.

First, Sangiovanni notes that even in a nightwatchman state—a minimal state which does not engage in redistributive practices or provide state-subsidised schools or healthcare (etc.), only defensive and legal services such as courts, the police and the army—the actually occurring relations between citizens are such that they can rightly be called relationships of the type (R). Indeed, the nature and scope of relations within that community are such that wealthiest residents would *not* be providing a fair return by continuing to support the nightwatchman state, because the wealthy depend on the non-wealthy through their (the non-wealthy's) collective conformity to and participation in private law, tax, etc. The wealthy depend on the non-wealthy insofar as the very socio-institutional structures, which enable the wealthy to acquire, maintain, and increase their wealth, are structures which can only exist in virtue of the non-wealthy's conformance to and maintenance and reproduction of. In the nightwatchman state, relationships are of the type (R), that is, they are of the kind that must aim for an egalitarian distribution if they are to be just. The ongoing existence of the nightwatchman state is *itself* unjustified *insofar as* it is maintained through the wealthy *not* giving a fair return to the non-wealthy. What this example highlights is, under Sangiovanni's RBI, the seemingly weak intrastate relations present between co-citizens in the nightwatchman state—seemingly weak precisely because of the nightwatchman state's lack or absence of redistributive practices—are already strong or *thick* enough to be relationships of the type (R) and demand egalitarian obligations. Co-citizens of the nightwatchman state are engaged

in relationships of the type (R) insofar as those citizens are involved in the joint maintenance and reproduction of those central class of goods necessary for developing and acting on a plan of life; as I noted, the wealthy depend on the non-wealthy for developing and acting on a plan of life. Therefore, for Sangiovanni, these relationships generate egalitarian obligations.

Second, Sangiovanni considers the disability rights movement, noting how this movement can be understood through reciprocity. Citizens who are disabled, '[cooperate] and [contribute] to the joint provision of those basic goods and services necessary for [society] to function, [but are] denied the basic capabilities to engage others, on an equal footing, in a common social and political space'.¹² Disabled citizens *comply* with laws, *pay* taxes, *aid* in the mutual *provision* of a system of societal norms, etc., and yet face a range of obstacles. For example, social obstacles (negative attitudes and exclusion), physical obstacles (inaccessible architectural designs or inflexible working hours) and economic obstacles (extra financial costs due to the costs of coping with, say, physical impairment in a prohibitive architectural environment). Despite their contribution to the socio-political space, it is inaccessible to them. For Sangiovanni, their contribution is such that egalitarian obligations are owed to them, just as to anyone else, for their participation in relationships of the type (R). These obligations are *not* mitigative or remunerative; they are egalitarian.¹³ As I noted above, for Sangiovanni, persons ought to be given a fair return for their contribution to the sustaining and reproduction of the institutional order *as such*, it is not necessary that citizens make an 'equal' contribution to this institutional order in order for there to be relations of the type (R). A citizen who contributes *x units* to this institutional order is not owed *more* than a citizen who contributes *(x-1) units*.¹⁴ Again, the implication here is that, for RBI, what appear to be minimal or 'small' contributions (law compliance, tax paying, etc.) here are in fact sufficiently thick relationships of the type (R), which generate egalitarian obligations.

Recall that in the nightwatchman state, the state does not engage in redistributive practices and the only state services which *are* provided are defensive and legal services. These seemingly thin relationships are rendered normatively thick by Sangiovanni insofar as the institutional order which *does* pertain enables (some) citizens to develop and act on a plan of life. As such, these are nonetheless relations of the type (R) and generate egalitarian obligations. This is added to by the second example. Despite contributing to the socio-political space, it is regularly the case that disabled citizens face a range of social, physical, and economic obstacles. Their contribution is rendered, again, by Sangiovanni, as normatively thick insofar as disabled citizens comply with laws, pay taxes, and aid in the mutual provision of a system of societal norms; that is, their contribution enables other citizens to develop and act on a plan of life. In both cases, the relations between (1) non-wealthy and wealthy and (2) disabled and non-disabled citizens are of the type (R); they give rise to egalitarian obligations. In both cases, further, egalitarian obligations are not positioned as a supererogatory demand, but as a normative demand which grows immanently from the relationships which pertain between citizens. These seemingly

thin relationships at the intrastate level are in fact substantive relationships of reciprocity, which generate obligations of reciprocity under RBI:

[Those who] comply with the laws [and pay taxes] are participating and contributing to the maintenance of the state according to RBI, hence aiding in the mutual provision of a system of societal norms which allows me, along with others, to develop and make use of my talents and abilities. They are, therefore, rightful beneficiaries of equality as a demand of justice.¹⁵

Furthermore, for Sangiovanni, the global order is empirically distinct from intrastate relations in two key ways.¹⁶ First, the range of its authority is comparatively minute. Second, the global order depends on the existence of states. Relations at the global level, for Sangiovanni, presuppose and require states to exist in the first place in order for global relations to take place at all:

[F]undamentally, the global order does not have the financial, legal, administrative, or sociological means to provide and guarantee the goods and services necessary to sustain and reproduce a stable market and legal system, indeed to sustain (on its own) any kind of society at all.¹⁷

Section conclusion

Under RBI, what we might call *thick* obligations are generated in intrastate relations, with a gradually *thinning* of these obligations as the empirical knotting of these relations are loosened.¹⁸ This forms a slackening continuum of moral obligation: at the domestic level, (R) is present, as are egalitarian obligations; at the level of the regional institution (e.g. the EU), there will be *some* distributive obligations generated through the participation in this shared institutional structure, though not of the strength of (R); finally, at the hypothetical level in the absence of relationality, egalitarian obligations would not be generated.¹⁹

It will be useful for us to recap Sangiovanni's argument thus far: (1)–(3) refers to the normative component; (4) and (5) the empirical:

1. Principles of socio-economic justice have a relational basis. The content and scope of our social relations will generate and determine the content and scope of our socio-economic obligations (IP).
2. Reciprocity (of a specific type) is the relevant type of relation that generates *egalitarian* obligations (SIP).
3. Thus, egalitarian obligations are generated to the extent that there is reciprocity present between relational actors ((1)–(2)).
4. Reciprocity is *only* present in intrastate relations.
5. Since reciprocity is not present beyond intrastate relations, interstate obligations are less demanding than intrastate (egalitarian) obligations ((1)–(4)).

In what follows, I will deny (4) and argue that relationships of the type (R) are exhibited beyond intrastate relations. In other words, for the purposes of this paper, I will be *assuming* the normative component of RBI, but will be *rejecting* its empirical component. The empirical identification of relationships of reciprocity beyond the

state *is* the rejection of the empirical component of Sangiovanni's RBI. Such empirical identification, further, has normative implications for RBI: the empirical identification of relationships of the type (R) generates egalitarian obligations in *those specific* instances via RBI's normative component (1)–(3).

So, while Sangiovanni's RBI limits the identification of egalitarian obligations to within the state, my argument will isolate certain types of relations beyond the state (specifically, that of international capital ownership and types of inter-state trade) which, I argue, exhibit relationships of the type (R). That is, they are relations which generate *international egalitarian obligations*. Admittedly, the scope of the two types of relations I identify are more specific and narrow than broad and all-encompassing. More extensive research than I can conduct within the confines of this paper would be required in order to further examine and flesh out how far my augmentation of Sangiovanni's RBI may be able to go (or not, as the case may be) in potentially arguing for how international egalitarian obligations might be generated. Nonetheless, what I do claim to forward is an argument, grounded in Sangiovanni's internationalism, which goes beyond its own putative (and narrow) statist scope. For now though, let me turn to my two arguments to this effect.

RECIPROCITY BEYOND THE STATE, EGALITARIAN OBLIGATIONS BEYOND THE STATE

I will now make two arguments *pace* the empirical component of RBI: the *capital-ownership argument* and the *interstate relations argument*.

The capital-ownership argument

Recall Sangiovanni's argument against the maintenance of the nightwatchman state. Wealthy residents there do not fulfil their obligations to co-citizens; they capitalise on the non-wealthy's contribution to the socio-institutional order and do not provide just returns. Such domestic inequalities are condemned on RBI. However, relationships defined by such capitalisation are by no means confined to the domestic realm. Consider the following.

Take Alan, a wealthy resident of state A (a wealthy state) who owns capital in state B (a poor state). State A guarantees and secures Alan's ownership of capital. Alan receives a positive flow of income from state B via returns on that capital. Alan uses this income to contribute to the development and acting on his plan of life. Furthermore, Alan is a taxpaying citizen who fulfils his obligations of reciprocity within state A. The taxes he pays in state A are part of his contribution to the joint maintenance and reproduction of that socio-institutional order. The income Alan receives via his ownership of international capital, in other words, contributes to his *and* his fellow citizens' ability to develop and act on a plan of life.

Take Bernardo, a poor resident of state B. Bernardo works in Alan's mineral mine. Bernardo's workplace is part of a portfolio of international capital owned by Alan. This mill is consistently profitable for Alan in part because of low costs (state B has no

minimum wage laws, little health and safety regulations, and low corporation tax). Bernardo is poorly paid and struggles to develop and act on a plan of life. State B has weak institutional capacities. The institutional conditions are such that the institutions of state B prohibit Bernardo from developing and acting on a plan of life.²⁰

This is the context of the capital-ownership argument. Thomas Piketty notes how countries with the highest per-capita output are more likely to own capital in foreign countries and receive income from comparatively poorer states. Relations such as those between Alan, the citizens of state A, and Bernardo, are not uncommon. Non-Africans own approximately 20% of African capital; and it is estimated that around 50% of African manufacturing capital is owned by non-Africans.²¹ These relations empirically display an *international inequality in capital ownership*. Through such capital ownership, Bernardo contributes to the maintenance and reproduction of the class of goods necessary for Alan (and other citizens of state A) to develop and act on a plan of life. Returns on international capital ownership, then, foreseeably contribute to the ability of those wealthy residents and to that state's ability to maintain and reproduce those class of goods necessary for all its citizens to develop and act on a plan of life.²²

This relation is—*mutatis mutandis*—analogous to the relations between wealthy and non-wealthy citizens in the nightwatchman state. How so? In the nightwatchman state, wealthy residents depended upon the non-wealthy in order that they (the wealthy) could develop and act on a plan of life. The less wealthy contributed to the joint production of the socio-institutional order that enabled wealthy citizens to make use of their talents and abilities, but received no fair return. The ongoing existence of the nightwatchman state was unjustified under RBI. As the *capital-ownership argument* highlights, owners of international capital depend upon the non-wealthy in other states in order that they (the wealthy) can develop and act on a plan of life. Bernardo contributes to the joint production of the central class of goods that enables Alan to make use of his talents and abilities (and other citizens of state A via Alan's taxes) but receives no fair return. The ongoing existence of this relationship is unjustified under RBI, as it is maintained through wealthy owners of international capital not giving a fair return to those that enable them to develop and act on a plan of life.

In short, the capital-ownership argument is this: through international capital ownership, citizens of less wealthy countries regularly form part of the joint contribution to the maintenance and reproduction of those class of goods which are necessary for the developing and acting on a plan of life in wealthier states. In these cases, a relationship of the type (R) is present and egalitarian obligations are generated under RBI's normative component. This is an empirical argument *pace* Sangiovanni's empirical claim that such relations are only exhibited in intrastate relations.

Objections

I will now consider three objections to the *capital-ownership argument*.

(O1) The type of relation identified in the capital-ownership argument is merely economic; relationships of the type (R) are much richer, they have political, historical and cultural components.

RBI identifies rich, thick relationships within the state that are—as well as economic and material—cultural, political, socio-institutional, and so forth. If the *capital-ownership argument* identified only economic relations, then the claim that this argument identified relationships of the type (R) beyond the state would be much weaker. However, it does *not* only identify economic relations. As Piketty notes, countries that are effectively owned by foreign countries are much less likely in the long-term to develop strong institutional capacities, since being owned by non-domestic agents encourages political instability (we saw this in Bernardo's case).²³ Alan's capital ownership is relevant to spheres beyond the economic. Consider the following.

In owning foreign capital and accruing returns, Alan helps shape the *political-institutional* conditions of state B (by which Bernardo's possibilities of political participation are presently frustrated). Recall that state B has weak institutional capacities; the institutional conditions are such that the institutions of state B prohibit Bernardo from developing and acting on a plan of life. The coupling of natural resources and such weak institutional capacities—as has been much discussed in the 'resource curse' literature primarily by Leif Wenar and Thomas Pogge—is correlated strongly with unstable, violent, and oppressive political environments.²⁴ As Shmuel Nili notes: 'Dictators and civil warriors get richer, more powerful and often more brutal by selling these goods to foreign governments and corporations without any form of consent from the people, formally recognized as the legitimate owners'.²⁵ Natural resources help cultivate an environment of instability in part due to the fact that competition is generated for the ownership of these resources both within the state (for example: among vying competitors for political control of the state territory) and beyond the state (for example: among wealthy capital owners competing against each other for the profit opportunities such resources proffer). Such competition encourages a weakening of state institutions, and especially so if those institutions are already precarious. For the purposes of our example, state B need not be dictatorial. Alan helps shape the *political-institutional* conditions of state B insofar as he utilises his relative capabilities (access to wealth and capital which forms part of the international inequality in capital ownership) to purchase and run a mineral mine in state B. The purchasing and running of the mineral mine is political insofar as it *capitalises* on the presence of natural resources and the weak institutional *capacities* of state B. This capitalisation on the presence of natural resources is a capitalisation on a profit opportunity in part available due to the international inequality of capital ownership. The capitalisation on the weak institutional capacities is a capitalisation on the possibility for extracting further surplus value from the natural resources insofar as weak institutions are empirically less likely to have (and practically less able to enforce) health and safety regulations, minimum wage laws, redistributive capacities and practices, and so on. Alan helps shape the political-institutional conditions of state B insofar as he enacts these capitalisations; Alan contributes to the competitive atmosphere which exacerbates state B's institutional weakness. However, simultaneously, Bernardo's labour *enhances* Alan's position and ability to develop and act on a plan of life. Bernardo's labour *enhances* Alan's position of hierarchy within the

international inequality of capital ownership. Bernardo's labour *enhances* state A's institutional *stability* insofar as the return Alan receives from the mineral mine is partially used to pay taxes in state A (recall that Alan is a taxpaying citizen who fulfils his obligations of reciprocity within state A).

Relatedly, and by extension, through this international inequality in capital ownership, Alan acquires *social status* and *meaningful socio-cultural life choices*. This is in-part afforded to him via his relative position of hierarchy in the international inequality in capital ownership, via the competitive atmosphere around state B's natural resources (which present him with an 'opportunity'), and via Bernardo's labour. Bernardo, however, has little ability to make meaningful socio-cultural life choice as his material and social conditions (via low wages, weak institutions, and the disempowering psychic impact of this context) disempowers him from doing so. Alan's relationship to Bernardo cannot simply be reduced to an economic one, it is one infused with political, historical, and cultural components.

The *capital-ownership argument*, in other words, identifies relations which have rich components beyond the economic. International ownership of capital, as well as putting Alan into an economic relationship with Bernardo, puts him into a relationship which impacts upon his ability to develop and act on a plan of life as such.

(O2) Granted, the capital-ownership argument may pick out relations that generate certain obligations, however, these relations do not generate egalitarian obligations, but lesser ones (e.g. remunerative).

Recall what I noted above: RBI implies a slackening continuum of moral obligations, with *thick* obligations domestically, and a gradually *thinning* of these obligations outside the domestic. (O2) relates to this point, and in effect claims that the *capital-ownership argument* does not pick out relationships of the type (R), but something looser. In order to make this objection, however, it seems to me that the burden is upon defenders of the empirical component of RBI to suggest why the relationship between Alan and Bernardo are not relations of the type (R). Defenders of the empirical component of RBI could explore this slackening continuum and empirically situate the *capital-ownership argument* in relation to this continuum. In order to do this, however, defenders of the empirical component of RBI would also have to consider the relations between wealthy and non-wealthy residents in the nightwatchman state. As I argued above, the relationship between Alan and Bernardo is (*mutatis mutandis*) analogous to the relationship between wealthy and non-wealthy residents in the nightwatchman state. In other words, it is analogous in the normatively relevant senses, according to Sangiovanni's RBI. Just as non-wealthy residents (1) enable wealthy residents to develop and act on a plan of life and (2) form part of the joint reproduction of the socio-institutional order; so too does Bernardo (1) enable Alan to develop and act on a plan of life and (2) form part of the joint reproduction of the socio-institutional order in state A (via Alan's taxes).

There is a broader question, which is of the *scope* of the *capital-ownership argument*. My argument here is that the relationship between Alan and Bernardo is analogous—in the normatively relevant senses identified by Sangiovanni's RBI—to the relationship

pertaining between wealthy and non-wealthy residents in the nightwatchman state. The 'broad scope' strategy of the *capital-ownership* argument would, as an extension of what I have argued here, look to international conventions on investment law, international regulations pertaining to private property, treaty regimes, and so forth, which make possible Alan's investment in the first place. Further, such an extension would consider in more detail the international entanglement of citizens of states A and B, respectively, and whether or not this argument could be pursued on the question of whether there might be a normative demand, under RBI, to equalise the *prospects* of both Alan (and other, similar, wealthy shareholders) and Bernardo (and other, similar, citizens in state B). I do not claim to have argued this here. The scope of the *capital-ownership* argument I have so far pursued is narrower than this. The most I can claim to have argued for here is that Alan (and other wealthy foreign shareholders like him) owes egalitarian obligations to whom he owes the development and acting upon his plan of life to. In this case, Bernardo (and other similar citizens in state B). Thus, the argument goes, Alan must be subject to taxation for this international investment, the proceeds of which ought to be utilised for securing egalitarian relations.²⁶

Taken in its broad sense, the *capital-ownership* argument could serve as a springboard to the application of RBI in international law and as a left-egalitarianism. I have not pursued the 'broad scope' here, though it would be demanded by a further research project. My narrower and more preliminary claim is that the *capital-ownership* argument picks out relationships of the type (R) beyond intrastate relations, which generates egalitarian obligations in those particular, empirical, cases. Defenders of the empirical component of RBI are left, then, with three choices:

1. They could give up the claim that there are no egalitarian obligations beyond the state (the position of this paper).
2. They could give up the claim that there are egalitarian obligations in the nightwatchman state (which would constitute a substantial revision of Sangiovanni's RBI insofar as it would mean the rejection of egalitarian obligations to non-wealthy citizens in the nightwatchman state).
3. They could deny that the Bernardo–Alan relationship is analogous in the normatively relevant senses to the wealthy resident–non-wealthy resident relationship in the nightwatchman state as I have argued (though this would require new, independent argumentation).

(O3) Strong international obligations such as those my argument points towards may make Bernardo worse off. If such obligations were institutionalised, Alan (and others like him) would be disincentivised from entering into such international capital ownership. Such obligations may, then, dry up these types of trade and ultimately worsen Bernardo's (and others like him) ability to develop and act on a plan of life.

This argument is a counterfactual and consequentialist argument, which positions the effects of the potential institutional implementation of international egalitarian

obligations (most obviously, say, through an international tax on capital ownership) as deleterious to Bernardo's present inability to develop and act on a plan of life. In other words, this objection in effect argues that the *capital-ownership argument* works against itself, that Bernardo's has more ability to develop and act on a plan of life *now* than he would if international egalitarian obligations were institutionalised.

We can offer two responses to this objection. First, RBI does not itself consider how we may 'maximise' how many 'plans of life' we can develop and act upon; it does not have these consequentialist underpinnings. Rather, *from* its relational foundations, it asks what relations must pertain in order for egalitarian obligations to be generated, and considers if and where such relations actually, empirically, occur. (O3) misses this point. Indeed, the comparative merits or demerits of internationalism versus some brand of consequentialism are a much larger question, one that I cannot consider within the confines of this paper. Second, this objection need not necessarily solely be aimed at the *capital-ownership argument*. Indeed, one could posit the same objection between wealthy and non-wealthy residents in the nightwatchman state. That is, one could argue that if egalitarian obligations were institutionalised in the nightwatchman state, wealthy residents would be disincentivised from economic activity which generated such obligations. The fact that one occurs *within* a state and the other *between* states makes no normative difference from the perspective of RBI insofar as RBI is normatively concerned with the types of relations which enable the developing and acting upon a plan of life, and not on the state *as such*. Defenders of the empirical component of RBI, similar to my response to (O2), are left with two options: jettison the claim that egalitarian obligations are not generated beyond the state (the position of this paper) or jettison the claim that egalitarian obligations are present in the nightwatchman state (a radical revision of Sangiovanni's RBI).

Implications of the capital-ownership argument

The *capital-ownership argument* has two potential implications.

First, if we *retain* the normative component of RBI, the *capital-ownership argument* suggests that empirical relations of the type (R) exist beyond the state. This has normative implications in this specific instance via RBI's normative component. Specifically, it suggests that wealthy owners of international capital—recall from above that Piketty noted that non-Africans own approximately 20% of African capital and an estimated 50% of African manufacturing capital—have egalitarian obligations to those whom they enter into those relations with. That is, this argument potentially identifies *international egalitarian obligations*. If the *capital-ownership argument* is right that Alan and Bernardo are in a relationship of the type (R), then Alan owes Bernardo egalitarian obligations; non-African owners of African capital, further, owe egalitarian obligations to the Africans implicated in this relationship. The burden of proof is upon defenders of RBI to show otherwise.

Second, the *capital-ownership argument* could motivate the *rejection* of the normative component of RBI and therefore the rejection of RBI *tout court* (i.e. both normative

and empirical components). However, since I have assumed the normative component of RBI, I do not claim to have motivated this.

The Interstate relations argument

Sangiovanni highlights the role of the state in terms of socio-economic justice domestically ('internally'). In the nightwatchman state, the state must aim for an egalitarian distribution in order to be just. Intrastate relations are Sangiovanni's focus. Sangiovanni does not discuss interstate relations—that is, relations 'external' to the state. This is peculiar, as the state ensures the joint production of the goods necessary for citizens to develop and act on a plan of life *both* through intrastate relations (taxes, employment) and interstate relations (e.g., acquiring resources and providing security from threats). Whereas the *capital ownership argument* targeted the private ownership of international capital (which, in Alan's case, filtered into the tax system), the *interstate relations argument* targets the relations the state *itself* enters into *in* the direct provision of the central class of collective goods.

How do states often provide such goods? Democracies, for example, regularly trade with resource-rich, oppressive, and institutionally weak regimes—gaining accesses to that state's resources—so that that democracy can provide this central class of collective goods. That such regimes are usually oppressive/institutionally weak is relevant as such factors are supported and exacerbated by that democracy's trading with that regime. As Nili notes:

[O]ur elected governments purchase [...] some of the world's most valuable goods from autocracies that do not allow their populations to exert anything like democratic control over national property.²⁷

In such cases, citizens of the democratic state D (Demokratia) gain access to the resources of the autocratic state A (Autocratistan), who are rich in minerals, in order that the citizens of state D can develop and act on a plan of life. The resources state D acquire from state A are what enable state D to reproduce those goods for their citizens to develop and act on a plan of life. These resources enable state D to provide the central class of goods for its citizens.²⁸

The citizens of state A—working, for example, in a mineral mine or an oil refinery—aid in the joint reproduction of state D's central class of goods. However, state A's citizens are prevented from developing and acting on a plan of life themselves. They face *obstacles* against it: social obstacles (institutional weaknesses, lack of citizen empowerment) and economic obstacles (oppressive/weak states do not provide those central class of goods necessary for citizens to develop and act on a plan of life).

Recall the example of disabled citizens. There it was noted that disabled citizens contribute to society but face obstacles whereby the socio-political space is inaccessible to them. In effect, despite their contribution to the socio-institutional order, citizens who are disabled face prohibitive difficulties in developing and acting on their own plan of life. The relation between disabled and non-disabled citizens in such cases is—*mutatis mutandis*—analogous to the relationship between citizens of

the democratic state D and citizens of the autocratic state A. How so? Disabled citizens submit themselves to a system of laws and social rules, which forms part of the joint reproduction of those goods so other citizens can develop and act on a plan of life. As the *interstate relations argument* highlights, citizens of states like state A submit themselves to a system of laws and social rules in such a way that enables citizens of state like state D to develop and act on a plan of life (my addition, my emphasis):

Those who have submitted themselves to a system of laws and social rules in ways necessary to sustain *our* life [sic] as citizens, producers, and biological beings are owed a fair return [i.e. egalitarian obligations] for what those who have benefited from their submission have received.²⁹

Both disabled citizens and citizens of state A enable others to develop and act on a plan of life but face obstacles to developing and acting on their own plans of life. The ongoing existence of this relationship is unjustified under RBI. It is maintained through the citizens of state D becoming able to develop and act on a plan of life via the contribution of the citizens of state A, and *through which* state D supports and exacerbates state A's oppressiveness and institutional weakness. Just as disabled citizens face obstacles to develop and act on a plan of life, citizens of state A face obstacles to develop and act on a plan of life (in-part through state D's support and exacerbating of state A's institutional context). It is akin to a state—in which disabled citizens were part of the joint reproduction and maintenance of the central class of collective goods that enabled non-disabled citizens to develop and act on a plan of life—building only physically inaccessible architecture and transport systems.

Succinctly put, the interstate relations argument is this: given the prevalence and interconnectedness of global trade between states, citizens of certain states often rely upon trading other (often oppressive/weak) regimes in order to access resources (our operative example was that of mineral mines or oil refineries). These resources are precisely what states use to reproduce those goods which are necessary for their citizens being able to develop and act on a plan of life, and these contracts disable citizens of oppressive states from being able to do the same themselves. In these cases, relations are of the type (R) and egalitarian obligations are generated under RBI. Again, this is an empirical argument *pace* Sangiovanni's empirical claim that such relations are only exhibited in intrastate relations.

Objections

(O4) Citizens of state A do not rely on citizens of state C to maintain and provide that central class of goods tout court. They depend on them for acting on a 'more ambitious' plan of life. These goods are not necessary for A's citizens developing and acting on a plan of life. Therefore those relationships are not of the type (R) and egalitarian obligations are not generated.

(O4) notes how interstate relations may often not be of the type (R) because certain relations may not be necessary for agents being able to develop and act on a

plan of life, but rather are in some sense 'beyond' what is necessary. In other words, whilst the interactions between citizens of states D and A improve the situation of D's citizens, the relationships are not of the type (R) because D's citizens already have the necessary goods for developing and acting on a plan of life. This raises a key ambiguity in RBI: it does not specify what is meant by a 'plan of life' or what is 'necessary' to attain it.

However, as Sangiovanni notes, under RBI, persons ought to be given a fair return for their contribution to the sustaining and reproduction of the institutional order as such; it is not necessary for citizens to make 'equal' contributions, and citizens are not 'owed more' if they contribute more. As I noted above, we owe egalitarian obligations to those who submit themselves to a system of laws and social rules, which enable us to develop and act on a plan of life (my addition, my emphasis):

Those who have submitted themselves to a system of laws and social rules in ways necessary to sustain *our* life [sic] as citizens, producers, and biological beings are owed a fair return [i.e. egalitarian obligations] for what those who have benefited from their submission have received.³⁰

Citizens of state A participate and contribute to state D's central class of collective goods, which are necessary to develop and act on a plan of life, although they face barriers from developing and acting on their own plans of life. Insofar as citizens of state A are part of this joint contribution, they help sustain the citizens of state D's lives as citizens, producers, and biological beings, and are owed a fair return. These are relationships of the type (R); under RBI's normative component, egalitarian obligations are generated.

Defenders of the empirical component of RBI may instead explore what I noted in above, namely, that RBI implies a slackening continuum of moral obligation, and empirically situate the *interstate relations argument* in relation to this continuum. Similar to what I noted in above, however, this avenue would require the consideration of the position of disabled citizens. If the relationship between citizens of state D and citizens of state A is 'less' than (R), then so is the relationship between non-disabled and disabled citizens. (Further, this objection applied to disabled citizens would in effect claim that non-disabled citizens simply have a 'more ambitious' plan of life than disabled citizens, rather than focusing on the socio-political and structural conditions in which these plans of life are made accessible or inaccessible.) Again, defenders of the empirical component of RBI are left with two choices: they could either give up the claim that there are no egalitarian obligations beyond the state or give up the claim that there are egalitarian obligations owed to disabled citizens. The latter would be a substantial revision of Sangiovanni's RBI, as it would mean the rejection of egalitarian obligations to citizens who are disabled and contribute to the joint production of the central class of goods.

(O5) It is not the case that the relationship between disabled and non-disabled citizens in a state is analogous to the relationship between the citizens of state D and the citizens of state A. In the case of disabled citizens, they are submitting to the same system of laws and social rules that non-disabled citizens are. In the

‘analogous’ case, the citizens of state A have submitted to a different system of laws and social rules than what the citizens of state D have submitted to. A key implication of this is that in the case of disabled and non-disabled citizens within the same state, non-disabled citizens create those obstacles that disabled citizens face. In the ‘analogous’ case, the citizens of state D cannot be said to create the obstacles that citizens of state A face.

This objection highlights the fact that one key distinction between the relationship between disabled and non-disabled citizens and the citizens of state D and the citizens of state A is the fact that one set of relationships is internal to *a* state, and therefore internal to *one* system of laws and social rules, and the other is between states, and therefore between two systems of laws and social rules *external* to each other. (O5) cashes this out in terms of the ‘internal’ case being one wherein non-disabled citizens *create* the obstacles disabled citizens face, and the ‘external’ case being one wherein the citizens of state D do *not* create the obstacles citizens of state A face. This is important as part of the focus of RBI is the system of laws and social rules, which enable citizens to develop and act on a plan of life.

Once again, however, we can respond by noting that the normative force of RBI comes not from the institution of the state, but from the extent of the relations that pertain in a given socio-political context. RBI is *not* statist. Sangiovanni’s invocation of the submission to a system of ‘laws and social rules’ is an invocation which pertains to the extent that such submission is a participation in the joint production of the goods necessary for citizens to develop and act on a plan of life. As Sangiovanni notes:

On [RBI], demands of social justice are understood as demands for fairness in the distribution of the benefits and burdens generated by our joint production of collective goods. By contributing to the generation of such goods, we gain a stake in a fair share of the benefits made possible by them and an obligation to shoulder a fair share of the associated burdens.³¹

In other words, from the perspective of RBI, what is normatively salient is not the system of laws and social rules submitted as such, but rather how such laws and social rules will often tie in with how collective goods are produced and distributed. In the case of the interstate relations argument, the argument does not hinge upon citizens of states D and A submitting to the *exact same* system of laws and social rules, but hinges rather upon the manner in which collective goods are produced and distributed in this context. As I argued, just as disabled citizens co-produce the collective goods which enable non-disabled citizens to develop and act on a plan of life, citizens of state A co-produce the collective goods which enable citizens of state D to develop and act on a plan of life. The relations between citizens of states A and D (respectively) are analogous in the normatively relevant senses to the relations between disabled and non-disabled citizens. What is normatively relevant in the latter case is that disabled citizens contribute to the collective goods, which enable non-disabled citizens to develop and act on a plan of life but face prohibitive (*disabling*) difficulties in developing and acting on their own plans of life. Citizens of

state A, likewise, contribute to the collective goods which enable citizens of state D to develop and act on a plan of life but face prohibitive difficulties in developing and acting on their own plans of life.

Here, as in my response to (O2), it is a question of scope. A *broad scope strategy* of the *interstate relations argument* would expand upon what the fulfilment of the egalitarian obligations generated between the citizens of states A and D, respectively, might look like. For example, might it be possible to argue that the relations are such that they trigger substantive egalitarianism between the states in question so much so that the two states merge into one? Although this might be an argumentative strategy worth pursuing, once again, my scope is narrower than this. In this paper, I have argued that the relations are such between the citizens of states A and D so as to trigger obligations on the part of state D to remunerate the citizens of state A for the manner in which state D's use of their borrowing privileges and comparably more substantive socio-political resources disable the citizens of state A from developing and acting their own plans of life. The obligations triggered, in other words, are such that the citizens of state A are given a fair return for *their* contribution to the citizens' of state D ability to develop and act on a plan of life.³²

Implications of the interstate relations argument

The *interstate relations argument* is a rejection of the empirical component of RBI. It, like the *capital-ownership argument*, has two potential implications.

First, and again, if we *retain* the normative component of RBI, the *interstate relations argument* suggests that relations of the type (R) are generated through relations of the type identified in that argument. This has normative implications in this *specific instance* via RBI's normative component: citizens of state D would owe egalitarian obligations to citizens of state A. A further empirical examination of empirical cases, such as those identified by Nili and Wenar, where interstate relations of this type take place, would identify specific instances where citizens of democracies would owe egalitarian obligations to citizens of those states whom they rely upon to develop and act on a plan of life.

Second, the *interstate relations argument* could motivate the rejection of normative components of RBI for the same reasons given in relation to the *capital-ownership argument*.

CONCLUSION

In this paper, I have examined RBI. I have not questioned its normative component. Sangiovanni argues that, empirically, reciprocal relationships *only* exist at the state level. I have rejected this (and so, RBI's empirical component) through two empirical arguments: the *capital-ownership argument* and *interstate relations argument*. Relationships of the type (R) are present in these specific instances. I have *not* made the claim that relationships of the type (R) exist between all persons (or states), but rather the claim that there *are* relationships of the type (R) beyond the state, of which I have

identified two examples. The burden of proof is on defenders of Sangiovanni's RBI to identify whether these examples do not pick out relationships of the type (R).

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NOTES

1. See: Michael Blake, 'Distributive Justice, State Coercion, and Autonomy', *Philosophy & Public Affairs* 30, no. 3 (2001): 257–96; David Miller, *Citizenship and National Identity* (Cambridge: Polity Press, 2000); and Mathias Riise, 'What to Say about the State', *Social Theory and Practice* 32, no. 4 (2006): 671–98, as examples.
2. For Peter Singer, for example, geographical distance only makes an *instrumental* difference in terms of how it impacts our ability to alleviate suffering. See: Peter Singer, 'Famine, Affluence and Morality', *Philosophy and Public Affairs* 1, no. 3 (1972): 229–43.
3. Andrea Sangiovanni, 'Global Justice, Reciprocity, and the State', *Philosophy & Public Affairs* 35, no. 1 (2007): 4.
4. Andrea Sangiovanni, 'Global Justice and the Moral Arbitrariness of Birth', *The Monist* 94, no. 4 (2011): 572.
5. Sangiovanni, 'Global Justice', 4.
6. *Ibid.*, 26.
7. *Ibid.*, 20. Also, for my purposes, I use 'intrastate relations' to refer to relations between citizens of a state.
8. Sangiovanni (*Ibid.*, 20) mentions 'participation in various forms of political activity', but no specific mention is made of whether these must be democratic.
9. *Ibid.*, 20.
10. *Ibid.*, 20; 26–7.
11. *Ibid.*, 23–8.
12. *Ibid.*, 30.
13. Sangiovanni (*Ibid.*, 31) qualifies this, noting that those who 'cannot contribute or cooperate in any way' in relationships of the type (R) are not owed egalitarian obligations generated by reciprocity, but rather, they are owed other types of obligations of justice through their moral worth as humans.
14. *Ibid.*, 26–7.
15. *Ibid.*, 28.
16. *Ibid.*, 21.
17. *Ibid.*, 21.
18. By 'thick' I simply mean 'substantive'.
19. *Ibid.*, 27. Further, I will not be discussing the differing types of obligations generated by differing types of relationality.
20. It is worth noting here that while Bernardo's conditions here may or may not be at a level where it is required that he be raised to a 'minimum threshold' this is, strictly speaking,

- besides the point, as the focus *here* is on focusing on whether these relations generate *egalitarian* obligations.
21. Thomas Picketty, *Capital in the Twenty-First Century*, trans. by Arthur Goldhammer (London: Belknap Press, 2014), 69.
 22. Having said this, the assumption that taxes on such capital are always paid is a large one. See: Gillian Brock and Thomas Pogge, 'Global Tax Justice and Global Justice', *Moral Philosophy and Politics* 1, no. 1 (2014): 1–15; and Miriam Ronzoni, 'Global Tax Governance: The Bullets Internationalists Must Bite—And Those They Must Not', *Moral Philosophy and Politics* 1, no. 1 (2014): 37–59.
 23. Picketty, *Capital in the Twenty-First Century*, 70–1.
 24. See: Leif Wenar, 'Property Rights and the Resource Curse', *Philosophy and Public Affairs* 36, no. 1 (2008): 2–32; Thomas Pogge, 'Achieving Democracy', *Ethics and International Affairs* 15, no. 1 (2001): 3–23; and Thomas Pogge, *World Poverty and Human Rights* (Cambridge: Polity, 2002).
 25. Shmuel Nili, 'Conceptualizing the Curse: Two Views on our Responsibility for the 'Resource Curse'', *Ethics & Global Politics* 4, (2011): 103.
 26. I thank both anonymous peer reviewers for pointing out this point on the potential scope of the *capital-ownership argument*.
 27. *Ibid.*, 110.
 28. By this I am not claiming that state A has *no other option* but to trade with state C in order to provide the central class of collective goods for its citizens. This separate case does, of course, require a separate elaboration, though I will not be conducting such an elaboration in this paper.
 29. Sangiovanni, Global Justice, Reciprocity, and the State, 26–7.
 30. *Ibid.*, 26–7.
 31. Andrea Sangiovanni, 'Solidarity in the European Union', *Oxford Journal of Legal Studies* 33, no. 2 (2013): 220.
 32. I thank one of the anonymous peer reviewers for again pointing out this useful distinction on scope.