

PATRIOTISM AND JUSTICE IN THE GLOBAL DIMENSION. A CONFLICT OF VIRTUES?

MARTA SONIEWICKA

Jagiellonian University, Department of Philosophy of Law and Legal Ethics
marta.soniewicka@gmail.com.

RESUMEN

Este artículo trata el problema de los enfoques pluralista y objetivo de la moral en el debate sobre la justicia global. El primero usualmente es defendido por la filosofía comunitarista y el nacionalismo liberal moderado que promueve el significado de las fronteras nacionales. Para este enfoque, el patriotismo es una virtud fundamental. El segundo es defendido por los partidarios del cosmopolitismo que basan en la noción de justicia desarrollada por Rawls, la cual se entiende como igualdad en el mundo en general. Estos últimos rechazan el significado moral de las fronteras nacionales y reclaman derechos y obligaciones en términos de igualdad para todos los seres humanos sin importar su origen y nacionalidad. Este enfoque de la justicia global concibe el patriotismo como un vicio. El objetivo principal de este ensayo es analizar si los conceptos de patriotismo y justicia global necesariamente entran en mutuo conflicto.

PALABRAS CLAVE

Comunitarismo, cosmopolitismo, patriotismo, justicia global, John Rawls, Alasdair MacIntyre.

ABSTRACT

This paper is concerned with the problem of particularistic and objective approach to morals in the debate on global justice. The former one is usually defended by the communitarian philosophy and moderate liberal nationalism that claim for moral significance of national borders. Within this approach, patriotism is a fundamental virtue. The latter approach is presented by the cosmopolitans who apply the Rawlsian justice as fairness to the world at large. They reject moral significance of national borders and claim for equal rights and obligations to all human beings regardless of their origin and nationality. This approach to global justice treats patriotism as a vice. The main aim of this essay is to analyse whether the concept of patriotism and the concept of global justice necessarily come into conflict with one other.

KEYWORDS

Communitarism, cosmopolitanism, patriotism, global justice, John Rawls, Alasdair MacIntyre.

INTRODUCTION

Alasdair MacIntyre, in his article “Is Patriotism a Virtue?” comes to the conclusion that an objective liberal approach to morals is deeply inconsistent with patriotic (i.e. particularistic) approach to morals (2004, p. 302). He claims that patriotism from the objective moral perspective can be seen only as *a vice*. It is from the particularistic moral perspective, on the contrary, that it is seen as *a fundamental virtue*.

By the term “patriotism” MacIntyre understands a special kind of loyalty towards one’s own nation because of its particular features, merits and achievements (*Ibid.*, p. 286)¹. Patriotism is the same kind of virtue, according to MacIntyre, as marital fidelity, love to one’s own family, friendship and all other kinds of loyalties that result from natural and social relations in which we are engaged. Patriotism such understood is also distinct from “constitutional patriotism” by which Jürgen Habermas means loyalty towards a constitution, a set of rights, instead of loyalty towards one’s own nation (1999, pp. 105-127; 2001, pp. 5-26). In my further consideration I use the term patriotism in its national meaning, defined by MacIntyre². However, such terms as patriotism and nationalism are distinct³. The meaning of patriotism given by MacIntyre is to be distinguished from

¹ This would be the so-called full-fledged kind of patriotism as described by Primorac (Primorac, 2004, pp. 87-88).

² Primorac defines patriotism differently to MacIntyre - as love of one’s own *patria* (country) which can be prepolitical, political or comprehensive (Primorac, 2004, p. 84). By nationalism Primorac understands, on the other hand, love towards one’s own *natio* (nation in rather an ethnic than a political sense). Since my considerations are aimed at polemics with MacIntyre’s position, I assume, for the sake of argument, his definition of patriotism which appeals to nation, but in its political, not ethnic sense that would be consistent with below considered position of moderate liberal nationalism.

³ Not every nationalist could be seen as a patriot and not every patriot could be seen as a nationalist (Audi, 2009, pp. 365-381; Primorac, 2004, p. 84).

an attitude which consists of favouritism of one's own nation among others (assuming an existing hierarchy of nations) and a conviction of a kind of a special mission that one nation has among the others (assuming that a particular nation, usually one's own nation, possesses a kind of an ideal that is to be realized in the world). Such an attitude which is called a particularistic nationalism brings about racism, chauvinism and all of the kinds of evil that we faced in the 20th century⁴. Patriotism, on the other hand, does not mean that one's own nation is to be treated as a better. It requires a special kind of loyalty towards one's own nation, assuming the moral significance of national identity and national community.

MacIntyre argues that the conflict between particularistic and objective approaches to morals is unavoidable, especially in two dimensions: the distribution of goods (conflict results from the scarcity of natural resources) and doctrines and beliefs concerning the good life (conflict results from the pluralism of values) (2004, pp. 288-289). But actually, conflicts in these two dimensions are unsolvable only from the particularistic perspective which MacIntyre seems to assume in his essay, though he claims the neutral position of a moral philosopher. The dispute over such conflicts and the tension between particularistic and objective approaches to morals gains special concern in the matter of global justice. By global justice I mean the distribution of rights and duties applied to the world at large, i.e. distribution that goes beyond state borders and which is understood as a virtue of social institutions (i.e. justice understood in the Rawlsian manner). The main aim of this essay is to analyse whether the concept of patriotism and the concept of global justice necessarily come

⁴ A distinction between particularistic and universalized or generalized nationalism is found in Pogge (2005, p. 119) and Miller (2005, p. 9). Only the latter is worth considering and is consistent with the meaning of patriotism provided in the article. For more elaborate distinctions concerning nationalism and cosmopolitanism in their positional and attitudinal meaning see (2009, pp. 365-381).

into conflict with one other. To answer this question, I present differences in both the particularistic and objective approaches to justice. I argue that both concepts –patriotism and justice– can be reconciled and that there is a common middle way that respects both patriotism and some of the global requirements of justice.

JUSTICE AS IMPARTIALITY AND ITS DISCONTENTS

One of the most meaningful theories of justice based on an objective approach to morals is the so-called justice as impartiality. The central point of justice as impartiality is that it seeks to find a justification that is acceptable not only from my point of view (regarding my self-interest only) but from all points of view. *Nonparticipation* and *noninvolvement* are the conditions *sine qua non* of impartial moral judgments since only the spectator who occupies a standpoint outside of the game is able to see the whole and to decide about unconditioned, impartial, universal principles of justice. This way of judging morals that must be open to inspection of all sides is rooted in Kant's critical thinking⁵. Impartiality does not have to be identified with Thomas Nagel's "looking from nowhere" or with taking some higher point of view (e.g. God's point of view). The truth about what is just and unjust is not revealed only to the best who, in the company of Pythagoras, are hunting for truth, who are able to leave the Platonic Cave or join in Parmenides' journey to the heavens. On the contrary, *each ordinary person, like you and I, can evaluate judgments with the same force and each of them should come to the same evident conclusions*. Translating this into Kantian terminology: fundamental moral norms are to be set before the tribunal of reason. There are some special methods that can be used to accept reasonable principles of justice, like the ideas of

⁵ See an interesting passage about this in Hannah Arendt's lectures (Arendt & Beiner 1992, p. 42 ff).

the original position and the veil of ignorance invented by John Rawls. The criteria of justice justified within such a theory are neutral from competing interests and competing doctrines or beliefs that people have. This way of justification is not free from arbitrariness since it assumes a conception of a moral person and some basic moral intuitions that are the basis of further moral evaluations⁶. They are as Barry argues: “substantive ethical premises [...] of a rather high-level kind, taking the form of principles or even meta-principles” (Barry, 1989, p. 282) A moral nature of man means, according to Rawls, that each person (an individual) is a self-originating source of moral claims. He describes a moral person as endowed with two moral powers: (i) capacity for a sense of justice (reasonableness); (ii) capacity for a conception of the good (rationality)⁷. Impartiality is obtained only by taking the viewpoints of others into consideration and reaching a general outlook that is convincing to all. It does not mean that to be impartial one has to become an everyman. Each of us has to think by ourselves but should enlarge his or her thinking by taking the standpoints of others into account, by verifying one’s own statements by putting oneself in the standpoint of the others. Impartial just decisions can be characterised as general and publicly defensible when they cannot be reasonably rejected by anyone. Impartiality is uncompromising and excludes any kind of compulsion and favour (also it excludes favouritism based on kinship, love, friendship, common membership in any kind of

⁶ Although Rawls claims that his theory of justice is political and not meta-physical, in fact, his reasoning is based on previously assumed moral intuitions that cannot be generated simply by a social contract, from the formal requirements of fair original position, as Rawls wants to (Barry, 1989, par. 34, pp. 271-282; see also Sadurski, 1988, pp. 32-33; Scanlon, 2000, p. 147 ff.).

⁷ Reasonable agents recognize the validity of the claims of others and they are ready to accept principles and standards as fair terms of cooperation under the condition that the others will likewise do so. Rational agents have their own ends that they want to pursue and advance by cooperation (Rawls, 1993, pp. 48-54).

association, common religion or convictions, similarity of race or class etc.).

Justice as impartiality with its constructivist method of justification is frequently objected as an abstract arbitrary theoretical conception inconsistent with a real world image. This line of criticism comes from communitarians and is mainly directed against Rawlsian justice as fairness. Michael Walzer argues that people who accept principles of justice behind the veil of ignorance, as soon as this veil falls, would feel not obliged to follow these rules any more. Such a veil of ignorance can be a useful instrument when people meet somewhere in the cosmos and have to develop rules governing their conduct. Following such rules in the real world (at home) would be like preferring to spend your whole life living in a hotel (Walzer 2002, p. 21). He also criticizes the Rawlsian idea of impartiality: "Even if they are committed to impartiality, the question most likely to arise in the minds of the members of a political community is not, What would rational individuals choose under universalizing conditions of such-and-such a sort? But rather, What would individuals like us choose, who are situated as we are, who share a culture and are determined to go on sharing it? And this is a question that is readily transformed into, What choices have we already made in the course of our common life? What understanding do we (really) share?" (Walzer, 1985, p. 5).

Justice, so the argument goes, should be understood as relative to a particular community like a nation since it depends on particular, not universal, values and shared understandings. The truth about what is just or unjust exists only in a Platonic world of ideas and is not available in our real world. Therefore, there is no point in discussing universally acceptable criteria of justice. One should discuss only such criteria that are acceptable in a particular society and for some particular people (not for each person, like you and I, but for persons who live here and now). The idea of goods has strictly social, not a universal, meaning. What is more, a moral person can be understood as moral only in reference to her social

relations. Only in a society one can understand herself as a moral being. Each person plays different roles in her life e.g., one can be a daughter, a sister, a wife, a mother, someone else friend, a lawyer, a citizen, etc. All these roles constitute a person's personality, tell us who one actually is and what responsibilities one bears. Thus, to be a moral person, firstly we have to be persons that belong somewhere (to particular communities), so the argument goes. MacIntyre claims on these grounds that patriotism is a precondition to morality (2004, p. 294). It brings about a conclusion that justice as impartiality is impossible and that justice must be always partial, i.e. relative to a community (to national context) and our social relations that put on us special moral obligations. Going one step further with this argument, global justice is impossible unless there is a global community of shared values and understandings.

Patriotism being partial by definition and treated as a moral virtue is in opposition to traditional liberal morality, as MacIntyre writes (*Ibid.*, p. 287 ff.). A moral standpoint of an uninvolved spectator is incompatible with a standpoint of an involved actor (a patriot). Before I try to challenge this statement, I will analyse how these two different approaches to justice affect a conception of global justice.

GLOBAL JUSTICE: BETWEEN PARTICULARISTIC AND UNIVERSALISTIC POINT OF VIEW

As far as global justice is concerned, one usually distinguishes between two main views: the first one regards community - communitarianism (or liberal nationalism) which claims for special duties within national state borders and the second one regards *cosmo-polis* - cosmopolitanism which claims for universal duties beyond state and national borders (O'Neill, 2003, p. 115; ff, Moellendorf, 2002, p. 3). Of course, these two views do not exhaust the whole spectrum of global justice conceptions. Nevertheless, they are the most discussed ones. As far as the former view is concerned, the main conception of global justice

is presented within moderate liberal nationalism (defended by such philosophers as David Miller or Yael Tamir). As far as the latter view is concerned, the main conception of global justice is presented within a cosmopolitan project that can be called *globalized justice as fairness* (i.e. extending the Rawlsian two principles of justice to the world at large that is claimed by such philosophers as Thomas Pogge)⁸. Let me introduce these propositions briefly.

MODERATE LIBERAL NATIONALISM

Moderate nationalism is based on two main assumptions: (a) a nation-state⁹ has an intrinsic moral value, (b) the nation-state is the best available form of government for societies that reflects the political will of their members (nation-states are not natural

⁸ Pogge (1989, pp. 211-280). See also Buchanan (2004, p. 132 ff) and Beitz, (1979, pp. 129-184) (however Charles Beitz is not cosmopolitan but remains statist in his project of globalized justice as fairness in the international realm). The other cosmopolitan project of global justice could be presented within global utilitarian ethics, but I leave this position aside since it does not appeal to justice as impartiality.

⁹ A nation does not have an ethnic character. It can be defined as *community of the spirit*. David Miller (Miller, 2004, pp. 323-325) names the following features as essential to all national communities that are to be distinguished from any other communities and collective identities: (1) conviction of the existence of a nation; (2) feeling of common identity ('the possession of a national history, and consequent community of recollections; collective pride and humiliation, pleasure and regret, connected with the same incidents in the past'); (3) common active identity (members of a nation do some things together); (4) defined place; (5) characteristic features that allow to single out inhabitants of one community from the others. The most important condition that must be met by each nation is a *common mutual recognition* of a group of people that constitutes a nation –these people must feel part of a nation and must recognise themselves as members of a nation (this partly mysterious national identity constitutes 'common sympathies', (Mill, 1991, p. 546 ff); this feeling of national identity has a pre-reflective character, i.e. the feeling of national identity and affiliation precedes reflection on it (Miller, 2004, p. 329). Nationality means that a group of people define themselves by their national membership, i.e.: 'the characters of individuals who compose the group are shaped by, and cannot be understood apart from, those of the group', as Isaiah Berlin writes (Berlin, 1979, p. 341).

facts but a result of conscious action and people's common will) (Miller, 2004, pp. 321-350). From these normative assumptions they derive a conclusion that moral obligations towards co-nationals have priority over moral obligations towards foreigners. Nation-states are understood as necessary conditions of guaranteeing personal identity, the realisation of each person's interests and of meeting her basic needs. Thus, if nation-states are morally valuable, we owe them special loyalty, we ought to respect and preserve them. To guarantee one's own survival and well-being one has to care about the survival and well-being of his or her nation-state. And since our nation-state is necessary to create our own identity and to guarantee our flourishing, we ought to, so the argument goes, care about our community and all who share it with us and give them priority over all others. This all can be expressed in patriotism which is a justified moral virtue within this doctrine.

Of course, nationality is not a criterion which excludes moral obligations towards foreigners at all. It would be impossible to maintain that all moral obligations stop with national-borders. Nevertheless, it is possible and sometimes even necessary to distinguish between ones within borders and those beyond as moderate nationalists argue. Therefore, one distinguishes between much stronger requirements of domestic justice (the so-called thick ethics) and the much weaker requirements of global justice (the so-called thin ethics) (Walzer, 1996, *passim*; Held, 2005, pp. 151-153). The latter, which Miller terms non-comparative principles of justice, consist of basic rights liberties and are attributed to everyone (universal requirements that are expressed in such general slogans as freedom or tolerance that are only invitations to fulfilment and specification) (Miller, 1998, p. 171). The former, which Miller calls comparative, consist of all these rights that have a comparative nature such as economic and social rights and are limited to fellow nationals who recognise themselves as a member of a particular nation. These rights are aimed at reducing inequalities among individuals and distributing wealth and resources and may be applied within national boun-

daries, by contrast, to non-comparative basic rights that may be applied beyond them. Therefore, no redistributive claims (without small exceptions) beyond national borders are justified. There is no obligation of assistance to the poor, no obligation aimed at reducing global extreme poverty, just charity.

COSMOPOLITANISM

According to Thomas Pogge's definition, as cosmopolitanism I mean an approach that concerns directly only with individual human beings as the ultimate units and that assumes a kind of universality of morals (the moral equality of all human beings that implies universal moral obligations) and generality (global force, i.e. equal status of all human beings is respected by everyone, there are moral obligations binding all human beings) (Pogge, 2005, p. 169). Working on an assumption of global interdependence and cooperation, cosmopolitans argue for the global application of the two Rawlsian principles of justice. First of all, cosmopolitans argue that if we assume that all people are free and equal human beings, we have to construct a global original position where representatives of individuals (of all inhabitants of the world) meet to discuss the principles of global justice. All people are treated due to liberal conceptions as individuals who are free and equal, and as reasonable and rational, regardless of their society and culture. In such a constructed global original position, representatives of individuals will choose, due to maximin rule, such criteria of justice that will guarantee *the best possible position of the globally least advantaged*. In the cosmopolitan conception, nationality is seen as another deep contingency that is as sex or race morally arbitrary and therefore the criteria of justice cannot be limited by them. Arbitrary inequalities that are determined by such contingences are unjust and ought to be reduced by our institutions. Hence, representatives of individuals in the global original position would choose exactly the same two principles of justice that Rawls developed for domestic cases, and they would do it from the same reasons given by Rawls.

Cosmopolitans argue for a global justice that is *impartial, universal, individualistic and egalitarian* (Jones, 1999, p. 15). On the grounds of cosmopolitanism, patriotism as a loyalty towards one's own nation that gives moral priority to one's own national fellows and which limits or even excludes distributional requirements of justice beyond national borders would be seen not as a virtue but as a vice (or at least as a non-virtue, an arbitrary obstacle of realization of requirements of justice).

ARGUING FOR SPLIT-LEVEL GLOBAL JUSTICE CONSISTENT WITH PATRIOTIC VIRTUES

Both of the positions above described, if put to extremes, bring about serious difficulties and controversies. Moderate nationalism brings about a problem of the justification of moral priority given to co-nationals and a problem of demarcation between universal and particular moral norms and principles of justice (a problem of whether such a demarcation justifies the complete exclusion of global distributive justice). Cosmopolitanism, on the other hand, fails to recognize the significant difference between domestic cooperation within common social institutions and global cooperation between “disconnected actors”. It fails to recognize the significant role of states as primary agents of justice¹⁰. It also seems not to understand the nature of our relationships and the role of our social affiliations that constitute our deepest moral allegiances. Its universalistic approach can also be criticised as paternalistic in the global dimension.

I think that moderate nationalists stop too early, yet cosmopolitans go too far but I would not discuss both these conceptions of global justice here. I concentrate only on considering if there is a possibility of a conception of global justice that recognizes the

¹⁰ Jon Mandle argues: “we do not have stronger obligations of justice toward our co-nationals (as such) as toward anyone else. But [...] citizenship –that is, political membership in a state (rather than a nation)– can make a fundamental difference from the point of view of justice” (Mandle, 2006, p. 43).

differences between co-nationals and foreigners on the one hand, but which guarantees some distributive claims beyond national borders on the other. I claim that this conception of global justice is not only possible but necessary. This conception would be consistent with a patriotic virtue but such patriotism would be constrained by some universal objective moral norms. Let me now present how this limitation can be argued.

First of all, I agree that the nation state has its own intrinsic value, but I do not agree that it has the greatest value, greater than the idea of humankind. Survival (and also the well-being) of a nation does not necessarily entail realising national interests at the price of the interests of foreigners. The argument of survival (well-being) of my nation cannot exclude moral obligations towards foreigners. All would agree that aid given by affluent countries to the LDCs does not affect the existence (and even well-being) of the affluent nations. The problem of redistributing goods to the least advantaged is not a problem of one's own sacrifice and survival. Hence, no one says that we should turn everything upside down and always give priority to the dying people in Africa than to dying people in our own country in front of our windows. Such an odd attitude towards justice could be sarcastically named using Dickens's words: *telescopic philanthropy*¹¹. Within the argument of the nation's survival (and well-being) it seems unjustified to give priority of my co-nationals' luxurious preferences over the basic needs of the inhabitants of the LDCs. Moreover, we can point out a more general problem - the survival (well-being) of mankind which is at stake when we consider some problems regarding global justice such as environmental threats, terrorism, atomic weapons, etc. Since all individuals and communities such

¹¹ Mrs Jellyby is the heroine of the story *Bleak House* written by Charles Dickens. She is completely devoted to the subject of Africa, forgetting about caring for her own children and house. Hence, somebody who cares more about poverty in the least developed countries than in her own country seems to be as ridiculous as Mrs. Jellyby whose *eyes could see nothing nearer than Africa!*

as nations belong to one humankind that shares one planet, it is evident that we cannot detach our nation from the others and consider our survival (well-being) separately or in opposition to the survival of others. In fact, the survival (well-being) of our communities is usually tightly connected with survival (and well-being) of the others as well as with keeping balance and peaceful coexistence between them. Of course the community of all humans (the idea of humanity) is quite abstract and much more distant to us than our close communities such as family or even a nation. But since the existence and survival of these particular communities depends on the existence of this general one, there are, in my opinion, some general duties that we owe to each other and that should take priority over our particular duties generated by common life or common membership.

Secondly, of course one has to admit that people are social beings morally determined by the communities in which they live. As Walzer writes, we can never meet people as such (individuals), but only persons in a society (Walzer, 2004, p. 145). *Persons* are real, concrete people considered within their social context and having their own personality (self-conception) which is determined by their social affiliation. *Individuals*, on the other hand, are universal, sophisticated products of liberal thinking that have no identity, no affiliations, no real life. The word “person” that comes from ancient Greek *prosopan* which translated into Latin as *persona* means “a mask”. It was the term originally reserved for masks used by actors in ancient Greek theatre. These masks referred to the roles that the actors were actually playing and, furthermore, the word *persona* comes from the verb *per-sonare* which means: “to re-sound through something”, as Hannah Arendt reminds us¹². It means, in Arendt’s interesting

¹² A mask used by an actor in ancient Greek theatre was called ‘persona’ (from the word ‘personare’) since such masks had big opening for mouth through which an actor could speak or sing. I owe this attractive comments that shed more light on communitarian thesis to Hannah Arendt (Arendt *et al.*, 2003, pp. 46-47).

interpretation, that in the world we are recognised by the roles we play and accepted as persons defined by these roles (as members of particular groups). These roles are our masks that are assigned to us and that are necessary if we want to perform on the world stage. But we can change these masks since they are not an essential part of ourselves. Behind these masks we are all human beings, whose voice resounds through the masks. Our social roles affect ourselves (our own image) for sure, but we are not the mere sum of our roles¹³. In other words, there must be something what Richard Rorty calls “a ground of ends”,¹⁴ even if we all admit that these ends are created in a social process. Our roles and values that we inherit in our community are not an unchangeable part of ourselves but rather something that we can and should put under our reflection and transform (however it is possible only to a certain degree). If we accept this possibility of transformation and reflection over our social status, there would be no dispute about the subjects of justice (individuals or persons) between communitarians and Kantian liberals as Rawls¹⁵. Kantian liberals do not claim that people live in a social and political void and do not undermine a statement that people realise themselves in their social roles. They admit that people need their roles but claim that they do not need any particular ones. It means that man’s flourishing is connected with some kind of community, but not any particular one. We have to distinguish here between two separate terms: moral acting and moral reasoning. *Moral acting* is always particularistic - it refers to concrete agents that are involved in action and concrete place of action, circumstances,

¹³ Such situations in which a person is totally absorbed by his or her social roles have been observed by anthropologists in New Guinea and Bali. Members of these communities actually lost their own self for the sake of a social function they had (Rorty & Wong 2001, p. 391).

¹⁴ I appeal to Rorty’s expression after Kymlicka (2004, p. 162).

¹⁵ Kymlicka says that the difference between these two positions in this matter is a deception (*Ibid.*, p. 168).

etc. *Moral reasoning*, on the contrary, belongs to a spectator that is not involved since only such a spectator may see the whole and be objective in her judgements. And even if our national communities teach us moral language and understanding of morals, it does not allow us to reject thinking and judging that remain always individual business.

Thirdly, I also can agree that a nation-state is something that makes people *morally engaged* and sensitive to moral obligations that we owe to others. Of course, more direct assistance is always more natural than indirect. The individualised aid towards people who are known or can be identified (and with who we can identify as well) is stronger motivated since we can easily imagine ourselves in the place of our suffering neighbours than in a place of completely unknown people who we cannot identify with. It is easier to say “what if it were me?” looking at our neighbours and co-nationals who are unemployed or seriously ill, than to say the same watching people dying of hunger or of HIV in distant Africa on TV. The problem of the directness of our relations with others and the directness of our compassion and sensitivity to other people’s needs is an important issue but inadequate to the subject of justice. Principles of justice regard anonymous, rather possible than factual relations between people. Even in a society, people pay taxes not because of compassion or individualised empathy with the worst off, but because they are coerced into it by a legal system that they recognise as just and, therefore, legitimate. Nation-states are not face-to-face communities and assistance to the poor based on direct relations would only work within small local communities. Social aid and individual engagement with our neighbours’ needs is of course praiseworthy as one of the greatest civic virtues, but this is not justice. Justice is not a kind of altruism but a set of strictly defined principles that are found as both reasonable and rational. Justice knows no mercy, it does not look at people’s faces and nor distinguish between a Pole and an African. Acts of morality such as care (individual, natural aid to those who are bound by special relations with us and who depend on us) or *caritas* (individual, natural aid to needy ones

that comes from heart) require direct individual relation that define our responsibilities and determine our common interests. One may claim that charity or care are more valuable than justice but in an unjust world it can be extremely difficult to realise even the most deeply rooted moral virtues and carrying duties. The indirectness of relations is not an argument in favour of limiting our moral judgements. We cannot use double standards to our moral actions depending on towards who or by what means we act. If people who have never hit a child take part in a regime whose decision brings about the death of thousands of children or throw bombs at civil objects, killing hundreds of them, there is no justification in making a distinction between these situations.

I accept and value the great importance of a nation-state in our lives but the nation-state is not the only nor the most important community to which we belong. These affiliations are like circles around us - there is a circle of family, of our friends and acquaintance, a circle of our job fellows, a circle of our religious affiliation, etc¹⁶. All of them are identity-creating groups, more or less important and close to us. These circles specify our special obligations, responsibilities and loyalties and may cross each other or some of them may be equally distant or equally close to us. It is true that the more extended scope of responsibility, the weaker it is. But the problem is how to reconcile all these loyalties and responsibilities, especially when they stay in conflict to each other. We can say that a mother has a special responsibility for her own children and should care for them more than for the children of her neighbours or children in Africa¹⁷. But this mother is also a citizen of a country in which she is obliged to pay taxes. It means that one membership does not exclude other memberships and obligations and if one belongs to a family which is responsible for her care it does not exclude care of the government, especially,

¹⁶ Concerning "circles of membership" see Blake (2005, p. 13).

¹⁷ Not like the already invoked Mrs. Jellyby, see footnote 11.

if one's own family fails to care or if one has no family at all. We can go with this argument one step further and say that if one is a member of a particular nation-state, she also belongs to humankind.

Of course, local communities such as nation-states are more responsive to the needs of their inhabitants¹⁸. No world community, which is a completely abstract notion, would be responsive to the needs of all its inhabitants but the problem is that there can be some people that are placed in empty circles or even beyond all circles of affiliation at all (without membership of any responsive community) - these are the most deprived ones. Michael Ignatieff gets to the heart of the matter:

Famine and ethnic war pulverize huge numbers of different individuals into exactly equal units of pure humanity [...] In this process of fission, each individual is severed from the social relations that, in normal times, would have saved their lives. Each individual in the Ethiopian camps was a son, a daughter, a father, a mother, a tribesman, a citizen, a believer, a neighbor. But none of these social relations will sustain an appeal for help in a time of distress. [...] Obligations, it is always said, are social, contextual, relational, and historical. But what, then, is to be done for those whose social and historical relations have been utterly pulverized? (Ignatieff, 1994, pp. 19-20)

Therefore, I claim that it is possible and necessary to create a community of communities (some kind of global institutions) that would be responsive to the needs of particular communities and to the needs of those who are deprived of a real responsive community - a global community of some basic shared common values. Creating global institutions on this basis is the only way to reconcile conflicts between different communities and

¹⁸ Such a line of argumentation is taken by Amitai Etzioni, see Etzioni (2004, pp. 181-203). See also the argument from efficiency claimed by Goodin (1988, p. 681).

multidimensional loyalties (such as conflict between loyalty toward one's own religion, ethnic affiliation and citizenship)¹⁹.

Nevertheless, it is more efficient to realize obligations that are assigned to smaller communities and to particular, strictly defined institutions. Although all human beings have the same fundamental rights merely because they are humans, their claims should be realised by particular legal systems and particular social institutions of a state to which an individual belongs. First of all, social and local institutions can have more detailed information about the needs that the citizens may have. Secondly, the closer to individual obligations an institution is, the better and easier it can realise individual claim-rights. We should distinguish here between distribution within some units such as states and between these units. Claiming that distribution within these units is more important and effective for individuals than between them does not imply that the former excludes the latter. Such a conception that I argue for would not resign from particular responsibilities but it would make them stronger with the support of a system of universal obligations working in accordance with the principle of subsidiarity²⁰. Appealing to Kant's distinction between domestic law (*ius civitas*), the law of nations (*ius gentium*) and law regarding all human beings (*ius cosmopoliticum*), I agree with Kant that the full-fledged conception of justice has to include all these three dimensions: domestic, international and above-national (cosmopolitan). These are the three pillars on which global justice should be built and none should be neglected.


¹⁹ For instance a person who is a Polish highlander and a Catholic living in the USA and having US citizenship has multidimensional loyalties that may be in conflict. These are: loyalty towards Poland as her country of origin and towards national fellows, towards the southern region of Poland and its inhabitants (highlanders), towards the Catholic Church (its hierarchy and religious norms or traditions and other Catholics), and finally loyalty towards the USA and other Americans.

²⁰ About the subsidiary principle and its role for justice see Gosepath (2005, pp. 157-170).

CONCLUSIONS

To sum up, I argue that national borders can limit the requirements of global justice but they cannot exclude them. What kind of consequences does it have for the virtue of patriotism? I claim that being a national patriot, giving loyalty and priority to one's own national community and one's own national fellows, can be consistent with basic moral requirements that are universal. This kind of loyalty can be neither unlimited nor unreflective. Both its intensity and its content should always be judged from the universal moral point of view. It means that patriotism should be defined not as an opposition to universal morality and not as a prerequisite of morality itself but rather defined within the frames of basic universal moral judgments. Being a good citizen (having loyalty to one's own nation) cannot be inconsistent with being a human (with universal moral obligations, including some requirements of justice, to all human beings). Of course it would be difficult to reject the fact that common identity and cooperation can constitute a special attitude among people and special interactions. The only problem is how can this kind of togetherness affect the defining criteria of justice. We definitely owe each other more when we share common values and identities and traditions, as well as common institutions and practices but it does not mean that we do not owe anything to each other in the global dimension.

MacIntyre's idea of patriotism is tightly connected with his conception of virtues and the worldview which holds its tragic unsolvable dilemmas. MacIntyre's patriot is like a tragic hero, who *ex hypothesi* cannot make a right choice since he lives in a monistic world of values, in which one cannot choose between different understanding of values and different ways of life (MacIntyre, 1996, p. 399-400). The liberal patriot, on the other hand, lives in a different world, where the fact of the pluralism of values gives the opportunity to make choices and search

for compromises. A tragic patriot and a liberal patriot have no right to meet each other in one world since their worlds exclude themselves. This is perhaps one of the reasons why the problem of global justice is so intricate and seems unsolvable. 

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