

## DOES THE CITIZENSHIP PREMIUM VIOLATE EQUALITY OF OPPORTUNITY?<sup>1</sup>

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The previous chapter showed that the citizens of developed countries enjoy a significant *citizenship premium*: the mere fact of having citizenship status in a developed country exerts a significant positive effect on one's level of income and wealth. Conversely, citizens of developing countries suffer a significant *citizenship tax*. Being a citizen of a developing country – that simple fact alone – places substantial limits on the amount of income and wealth that the average person can expect to amass over her or his lifetime.

The existence of the citizenship premium is a fact about the world, or, more particularly, a fact about how income and wealth get distributed within the world. It's an interesting fact, but it can also seem to be a troubling fact. Should we accept it, from a moral point of view? We can divide this question into two. Are there good moral reasons to be troubled by the citizenship premium? And, if there are such reasons, are there any attractive policy measures – ones both feasible and desirable to implement – that we might use to reduce or eliminate it? The rest of this book will examine these questions, starting, in this chapter and the next, with the first.

Here is an apparently compelling line of thought that might have occurred to you while you were reading Chapter 1. One of the basic tenets of the liberal societies in which most developed country citizens are raised is a commitment to a principle of equality of opportunity. This principle states that all citizens who are similarly talented and similarly motivated ought to have an equal chance to attain favored positions in their society, regardless of factors such as their race, gender, religion, sexual orientation, or the social class of their parents. More positively, the principle can be interpreted as advocating a meritocratic ideal of justice, according to which it is your natural abilities that ought to determine your success in life, rather than socially constructed obstacles to your exercise of those abilities. This equality of opportunity requirement is weaker than the distinct claim that justice requires equality of outcome: it accepts that some will do better than others throughout their lives due to their superior talents or to the many surprises, good and bad, that life throws at us. What the equal opportunity principle claims, more minimally, is that justice requires equal starting points in life: a level playing field, a race that isn't rigged. After that, how people do in life is quite properly a matter left up to them.

This principle strikes most of us as eminently fair within domestic politics. Its popularity has historically been reflected in widespread endorsement, across the political spectrum, of both anti-discrimination laws and inheritance taxes designed to limit the transmission of wealth from rich parents to their children. While liberal societies may have a long way to go in ensuring genuine equality of opportunity within their borders, we might take some comfort in the fact that we are at least trying to reach the goal, and that we have made significant progress towards it. However, the appropriateness of this chorus of mild self-congratulation is placed into question when we shift our attention from the case of a single society to that of the world. For one apparent implication of the previous chapter is that our commitment to equality of opportunity is much

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<sup>1</sup> Draft of Chapter 2 of Helena de Bres & Branko Milanovic, *The Citizenship Premium*. Please do not circulate. Comments welcome: [hdebres@wellesley.edu](mailto:hdebres@wellesley.edu)

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more attenuated than we might have thought. If justice requires that all people have an equal start in life, how can the citizenship premium, which generates radically unequal starts, possibly be justified? Moreover, given the sheer size of the premium, should we not be *much more* outraged by the inequalities of opportunity that obtain between developed and developing country citizens than we are by the inequalities in starting points that we see across our fellow citizens? If we really cared about leveling the playing field, surely we would be focusing on flattening the giant mountains created by differences in citizenship, rather than tinkering with the relative molehills created by differences in social class within a single society. And yet, it turns out, most of us are not only not *more* outraged about differences in life prospects across countries than within them, but we are not very outraged, period, about the cross-country differences. Although many of us are concerned about global poverty, we don't worry much about global inequality *per se*. Something here looks amiss.

The above line of thought involves three key claims. One, the citizenship premium is morally unjustified. Two, the reason that it is unjustified is that it violates a global principle of equality of opportunity. Three, more implicitly, the failure of liberal citizens of developed countries to acknowledge these facts points to a form of moral hypocrisy: a lack of consistent follow-through on one's ethical convictions, particularly when they start to appear to demand too much of oneself and one's fellow citizens.

This chapter will cast doubt on the second and third of these claims. We will argue that, tempting though it is to think so, the equality of opportunity principle does not provide a secure foundation for criticizing the citizenship premium. And we will argue that this conclusion holds even for those who endorse equality of opportunity domestically: it is consistent and therefore not hypocritical to endorse "starting-gate equality" within societies while rejecting it across them. Does that mean that the first claim is also dubious, so that we affluent citizens of developed countries can enjoy our citizenship premium without moral qualms? Not necessarily. This is because there are reasons other than equality of opportunity why we might be concerned about citizenship-based advantages. Chapter 3 will examine those other reasons.

Before moving onto our arguments, it's worth briefly highlighting the distinction made above between a concern with global poverty and a concern with global inequality, in order to get clear on our key question. One of the most appalling moral crises facing the world today is the existence of billions of people facing hunger, homelessness, physical insecurity, preventable disease and premature mortality. Poverty in the developing world, in particular, produces such widespread extremes of suffering and constraints on human freedom that it is aptly described by some as a daily emergency. If global poverty were reduced, it would result in a simultaneous reduction in the citizenship premium, as the differences in living standards between the developed and developing world decreased. For this reason, a moral requirement to reduce poverty is connected to a moral requirement to reduce inequality. But that connection is a superficial one. At the foundational level, being concerned about poverty is clearly not the same as being concerned about inequality, as we can see by imagining a world in which global poverty were fully eradicated. Such a world would, other things being equal, be a great deal better than ours. But it might still feature a citizenship premium, and the question would still arise whether the existence of that premium was morally problematic. That is the question that we will be considering here.

Because many of those who experience a citizenship tax in our world are also desperately poor, it can be difficult to work out whether our sense of moral scandal at their situation derives from a concern with poverty or a concern with inequality (or both). Moreover, it may not seem especially important to work out what the answer to that question is, given that many of the

measures that we might use to reduce poverty would also reduce inequality, and *vice versa*. In such circumstances, philosophizing about ultimate principles can seem like a wasteful distraction. Shouldn't we get to work acting on our moral judgments, rather than worrying about the reasons underlying them? There are two reasons why we think that a moral assessment of the citizenship premium itself matters, even for those who believe that reducing global poverty should clearly be our key priority. For one, the distinction between taking action and worrying about reasons doesn't stand up well to scrutiny. People act on the basis of reasons, including moral reasons. And among the moral reasons that people find most compelling when deciding how to act are reasons of justice. Many people believe that our duty to assist the global poor is a humanitarian duty rather than a duty of justice, and that, as such, it imposes only weak or limited demands on us. An argument showing that a reduction in the citizenship premium is required by a principle of justice, such as equality of opportunity, might provide some of these people with what they consider to be a more convincing reason to assist the global poor than an argument based purely on humanitarianism. For those of us who already take our humanitarian duties very seriously, the justice-based reason would further reinforce our existing sense of the moral urgency of eliminating poverty. In this way, clarity about our reasons can alter or strengthen our tendencies to act. Second, we believe that reflecting on the ground of our duties towards others has value even when it doesn't lead to changes in our judgments about what ought to be done, as a practical matter, here and now. The question of whether or not the advantages that we gain through citizenship are justified is a question about the moral relation in which we stand to our fellow human beings. Reasoning about global morality is a way of showing respect towards the people with whom we share the planet, by taking their lives, and the effects of our own actions upon those lives, seriously. Moral reasoning doesn't always get you to a conclusion that you would like to end up with. But, when done properly, the journey comes with its own kind of value.

### ***Domestic Equality of Opportunity***

Our question in this chapter, then, is whether or not the existence of the citizenship premium represents a violation of our existing commitment to equality of opportunity. When we say "our" existing commitment here, we are assuming a certain kind of audience, one composed of what we will call "domestic liberal egalitarians". These are those who, like us, believe that justice within a society requires, at the very least, equality of opportunity of the kind sketched above (and elaborated below), along with protection of certain basic civil and political liberties, such as freedom of conscience, speech, association, movement and occupation. Many domestic liberal egalitarians believe that justice requires additional forms of equality, beyond equality of opportunity as it is traditionally understood. We will consider these more extensive, and more controversial, commitments in Chapter 3. For now we want to see how far we can get in criticizing the citizenship premium on the basis of a less demanding and more widely endorsed principle. Of course, even this more minimal principle has its detractors, but there are only so many arguments that one can address at once in a book of this size. We hope that those who disagree with our background assumptions can still learn something by seeing how their implications play out at the global level. We will also address some key objections to domestic liberal egalitarianism – objections that even our target audience may be secretly troubled by – in the course of our discussion.

The principle of equality of opportunity, although superficially simple, conceals a number of complexities on which we need to get a handle in order to assess the principle's application to the citizenship premium. We will restrict ourselves to three key points that will be important in the discussion to follow. First, equality of opportunity, as traditionally understood in liberal societies, has a fairly narrow scope: it is concerned with equalizing opportunities of only a certain sort. All modern societies involve a set of positions – chiefly jobs, public offices and places in

educational institutions – that confer special benefits and advantages, and that, for reasons of scarcity or efficiency, cannot be distributed to all who wish to occupy them. Instead, decisions must be made about who is to gain access to these positions, and the principle of equality of opportunity states the criteria on which such decisions should be made. This focus on advantaged social positions limits the principle's sphere of application in two ways. For one, the principle is designed to govern access to advantages in public rather than private life. It is no violation of equality of opportunity if the love of your life selects your best friend rather than you as a spouse, even though you are "the most talented and motivated candidate for the position". For another, the principle is intended to govern only *some* aspects of the public sphere. Domestic liberal egalitarians believe that some social goods – such as voting rights – ought to be distributed equally amongst citizens, and others – such as basic medical care – ought to be distributed on the basis of need, rather than competition.

Second, there is an important distinction to be made between formal and substantive conceptions of equality of opportunity. Both conceptions endorse the core principle described above, according to which all citizens who are similarly talented and similarly motivated ought to have an equal chance to attain favored positions in their society, regardless of factors such as their race, gender, religion and sexual orientation or the social class of their parents. But the two conceptions differ over which conditions they consider to count as securing an "equal chance". The formal conception (also known as "careers open to talents") holds that equality of opportunity is achieved as long as there exist well enforced anti-discrimination laws forbidding employers, schools and other public organizations from rejecting applicants for positions on the basis of the sorts of group-based characteristics listed above. The substantive conception of equality of opportunity requires the same anti-discrimination laws, but requires in addition that there be social assistance earlier down the line – chiefly publicly funded education and welfare programs - to help those who come from disadvantaged backgrounds to develop their talents and motivation. The rationale for the substantive conception can be seen via the following example. Imagine a society in which girls are told from a young age that they lack the talents required for employment outside the home and in which educational resources are exclusively channeled towards boys. Such a society might satisfy formal equality of opportunity, if employers and admissions boards did not discriminate against women in their hiring or acceptance decisions, instead simply selecting the candidates most qualified for positions. However, the society would be very unlikely to satisfy substantive equality of opportunity, given that most women would lack the relevant qualifications, due to lack of education and dampened ambition, and would therefore as a matter of fact systematically lose out to men. We favor the substantive conception. It does a better job of cashing out what we take to be the underlying idea of equality of opportunity: the claim that one's prospects in life should be a product of one's natural abilities, ambitions and efforts, unencumbered by the inegalitarian prejudices that happen to reign in one's society.

A final important point is that equality of opportunity, at least on the substantive conception, is a highly demanding requirement: much more demanding than it might seem to be at first glance. The extent to which infants born with the same natural potential develop their talents and motivations is affected by a variety of factors. One particularly important one is the family environment in which children grow up. Obviously children who have healthy, non-abusive parents and receive expensive after-school tutoring are likely to do better at school than children who don't. But studies show that even the seemingly minor fact of whether or not your parents regularly read you bedtime stories can have a significant impact on your later educational achievement.<sup>3</sup> The problem here is not just that it is difficult for societies to equalize such factors across children, but also that the attempt to do so seems morally problematic. Surely it would be

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<sup>3</sup> Cite.

a serious violation of family privacy for the government to either force or forbid you to read to your kids, as a means of evening out a bumpy social playing field. Ardent defenders of equality of opportunity might conclude that familiar family prerogatives should simply lose out in this contest. We should let the government into our nurseries, or perhaps raise children communally. But the more plausible position is to claim that equality of opportunity is only one of several distinct moral requirements and that, in practice, its demands need to be tempered to some extent by the demands of the others. The importance of acknowledging a plurality of moral principles and values will come up repeatedly below.

Why might equality of opportunity, understood in the above sense, matter morally? Why do we domestic liberal egalitarians care about it? Two broad types of (compatible) justification are available, one based on what we will call “instrumental” reasons, the other on justice. The instrumental argument claims that selecting candidates for positions exclusively on the basis of their ability to perform well in those positions is the best way to achieve a variety of valuable social goals. It might be argued, for instance, that pursuing substantive equality of opportunity is likely to improve economic growth (because the talented are superior at producing things), better develop citizens’ capabilities (understood as a valuable end in itself), increase job satisfaction (since people often enjoy doing things they are good at), and reduce the suffering and conflict created by stigmatization and domination. The justice-based argument has a quite different flavor. It claims that, even if equality of opportunity failed to achieve any of the previous (and similar) independently valuable goals, it would still be morally required, because it is what justice demands. In particular, it is *unfair* for less qualified candidates to be chosen over more qualified candidates, or for those of the same innate ability to experience differential obstacles in competing for favored positions. Whatever the results for the broader society, we do individual candidates themselves wrong when we deny them access to positions for reasons other than their native personal aptitude. We will focus in this chapter on the justice-based justification, which we suspect most people find the most compelling, and return to instrumental arguments for equality later in the book.

### ***Global Equality of Opportunity***

As noted earlier, the principle of equality of opportunity is generally only applied within societies, not to the world as a whole. But perhaps this tendency is mistaken. The justifications for the principle that we have just given seem at first glance to have a quite general reach. Does consistency require us to revise our habits and extend equality of opportunity outward to encompass the entire global population? Let’s start by thinking about what such a principle would look like. One possibility is to claim that all persons, the world over, who are similarly talented and similarly motivated ought to have an equal chance of attaining exactly the same set of favored positions: their opportunities should be identical. As one philosopher put this suggestion, a child born in Mozambique and a similarly skilled child born in Switzerland ought to have exactly the same chance of becoming a Swiss banker in later life.<sup>4</sup> This can’t be right, as the philosopher himself now admits. Citizens of one country will always have a better chance of attaining positions in that particular country than citizens of other countries, due to, among other things, greater familiarity with the cultural environment, possession of the national language(s) and the many advantages produced by local networking. We cannot eliminate these advantages unless we eliminate citizenship entirely. Perhaps we *should* eliminate citizenship, you may be thinking. We’ll discuss that possibility a little later. In the meantime, for the sake of generality, it is preferable to settle on a conception of global equality of opportunity that, although consistent with the elimination of citizenship, isn’t dependent on it. That conception, we suggest, is this:

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<sup>4</sup> Darrel Moellendorf, *Cosmopolitan Justice* (Boulder: Westview Press, 2002), p. 49.

*Global Equality of Opportunity.* All persons, the world over, who are similarly talented and similarly motivated ought to have an equal chance of attaining an equivalent set of favored social positions.

It need be no problem, according to this principle, if a citizen of Mozambique has trouble becoming the CEO of Crédit Suisse, compared to an equally talented and motivated Swiss citizen. Provided that there exists an equivalent position (i.e. one of roughly equal value) as CEO of Crédit Mozambique, and provided that the Mozambiquean has an equal chance of getting that position as the Swiss citizen does of getting the Swiss position (and comparably for all other types of favored positions), the principle will be satisfied.

This seems like the correct way, if any, of extending the principle of equal opportunity, as traditionally understood, to the global case. The principle does, however, present a problem that has troubled some philosophers.<sup>5</sup> This is the difficulty of specifying what an “equivalent set” of favored social positions is supposed to mean. Opportunity sets differ along three chief dimensions: the quantity, range and quality of the positions they include. There is no difficulty in principle (although there may well be in practice) in comparing two people’s opportunity sets along the quantity dimension. We simply add up the number of positions to which each person has access. But comparisons along the other two dimensions become difficult when we move from the idea of identical opportunity sets to the idea of equivalent opportunity sets.

Consider first international comparisons of the quality of distinct opportunities (we will restrict ourselves, for the sake of simplicity, to jobs in particular). Say that you and I are born with equal native talents and equal levels of ambition, to caring and capable parents who are at about the mid-range of the income and wealth distribution of our respective countries. Assume that, given these conditions, you, a citizen of the United States, have a good chance of attaining a job as a lawyer, surgeon or college professor, provided that you dedicate yourself to putting your talents to use. I, a citizen of Bangladesh, have a good chance of working as a small business owner, elementary school teacher or manager of a shoe factory, if I work with the same degree of application as you. Our respective incomes in these careers would be in the range of \$50,000 – 300,000 (you) and \$10,000 - \$30,000 (me), adjusted for international purchasing power parity. Is my opportunity set of lesser, equal or greater value than yours? If we judge the quality of positions exclusively by the income that they generate, the answer is easy. But that is not a plausible way of measuring job quality, taken by itself. We all value our jobs (or disvalue them) for reasons other than the money that we gain from doing them. We care, for instance, about the personal development and enjoyment that they provide, the interpersonal relations that they enable, the social status or political power that they confer, and the way in which they allow us to contribute to the good of our community. While income does track these goods to some extent (people who perform more challenging, enjoyable, higher-status jobs are often paid more than those who don’t), the correlation is far from perfect. So we need to look at the entire package of benefits that jobs provide in order to gain a reliable picture of their quality for purposes of comparison. And here the following difficulty arises. The degree to which a given type of job provides non-monetary goods is influenced by the context (cultural, social, political and economic) of the society in which the job is situated. Some of this variation is due to cross-country differences in the nature of the job itself. For instance, being a teacher is more enjoyable and rewarding in a society with a well-functioning education system; working on an assembly

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<sup>5</sup> David Miller, “Against Global Egalitarianism”, *The Journal of Ethics* 9:1/2 (2005): 55-79, pp. 59-64; Gillian Brock, “The Difference Principle, Equality of Opportunity and Cosmopolitan Justice”, *Journal of Moral Philosophy* 2:3 (2005): 333-351, pp. 347-350.

line is more fulfilling and less stressful in countries with adequately enforced labor protections and some degree of worker democracy. The rest of the variation is due to cultural differences in the way that people value positions. For instance, being a traditional healer or a high-earning entrepreneur are high status occupations in some societies and not in others. These differences make it less than straightforward to compare the quality even of instances of the same general type of job across countries (e.g. a Canadian medical position vs. an Indian medical position). When we move to comparing the quality of distinct types of jobs across countries, the task of comparison becomes still more complicated.

A similar point applies to the “range” dimension along which opportunity sets may be evaluated. Jobs are not natural kinds, but human constructions that fit into economies in complex and varied ways. Individual jobs also comprise several different qualitative features, as we have just seen. These things together mean that judgments concerning how different one job is from another are harder to make than one might think. Although there are some clear cases – being a high school teacher is closer to being a college professor than is being a veterinarian – once we get down to (or above) a certain level of granularity, there is no non-controversial way of distinguishing jobs from each other such that we can say that one job is more similar to another job than is a third job. (Try this out for yourself: is being a software engineer more like being a high-end pastry chef or more like being a journalist?) Importantly, judgments of similarity and difference plausibly depend to a significant degree on the range of job options that are available in a given context. For a citizen of a country with a largely rural economy, the differences between various agricultural occupations will loom large. For a citizen of a modern industrialized nation, jobs in the farming sector are likely to seem much more similar, by comparison to jobs in high tech, for instance. This matters for current purposes if we think that the range of jobs in a person’s opportunity set is a determinant of the value of that set: that, for instance, your opportunities are (in one way) better than mine if you have 10 very different careers available to you and I only have 3. How can we make such comparisons across countries if it turns out that people in one society see 5 quite different careers in a given set of options whereas people in another society see only 1 career with a few minor variations in the exact same set?

Beyond these difficulties in making international comparisons across opportunity sets along the quality and range dimensions, taken individually, there is also an issue about how to merge measurements taken along both dimensions (and the third dimension of quantity noted earlier) into a single measure that allows us to say that one opportunity set, taken altogether, is worse than, equivalent to, or better than another. Would you rather have access across your lifetime to many quite similar reasonably attractive positions, or instead access to a smaller number of quite different attractive positions, or instead access to an even smaller number of similar very attractive positions, or some other combination? This again seems to be a matter on which people from different societies will disagree.

One response to all of this is to claim that, although the citizens of distinct countries may well disagree over their assessments of the value of opportunity sets, that in itself shouldn’t trouble us. There is always one true answer to the question of whether or not a pair of opportunity sets is equivalent in value: some people are just mistaken about what that answer is. But this response seems inadequate. The problem here is not the existence of disagreement *per se*, but instead the apparent phenomenon of *reasonable* disagreement: in many cases, there doesn’t appear to be an obviously true answer to the question of which of a pair of opportunity sets is better, such that people who disagree over the matter are being stupid, ignorant, disingenuous or confused. As a result, there would be something more than a little arrogant, and more than a little suspicious, about claiming (as most of us are inclined to do) that the ranking that lines up with the values common in our own culture is the only correct one to make.

Some philosophers have suggested that the problems outlined above doom the global application of the equality of opportunity principle. As one theorist puts it, the issue is not just a technical difficulty that we might hope to resolve in time, but instead a conceptual problem: that “of saying what equality of opportunity *means* in a culturally plural world in which different societies will construct goods in different ways and also rank them in different ways.”<sup>6</sup> Of course, if we can’t even make sense of the idea of global equality of opportunity, we can’t be morally required to pursue it. So, on this line, any attempt to criticize the citizenship premium on the ground of equal opportunity could only be misguided.

We agree that working out what global equality of opportunity would mean in practice is extraordinarily difficult. Nonetheless, we have found that, even after the above problems of cross-country comparison are mentioned, many people are left with a strong suspicion that the citizenship premium is problematic on equal opportunity grounds. And we think they are right to keep worrying about it. Let’s restate the underlying intuition that is moving them in this way. Imagine that you are a Summer intern at the United Nations, charged with the task of selecting a newborn infant as the United Nations Face of 2013. A representative from each U.N. member country has emailed you a photo of their national candidate, selected randomly from the set of children born in the past 6 months. And you have now posted the photos (but not the countries of origin) of these adorable babies up on a public website to allow for a global vote. Set aside your concerns about the tackiness, or perhaps offensiveness, of this schmaltzy imaginary competition. For many of us, the following fact is much more disturbing. Thanks to the data discussed in Chapter 1, if we were to raid your U.N. laptop and find the spreadsheet on which you had listed the candidates’ citizenship status for future reference, we could briskly establish a pretty reliable estimate of the income and wealth strata that each infant would reach in 25 years or so. We could also, with some assistance from our friends in the social sciences, make some reasonably accurate guesses about the broad range of job opportunities that each would face at that same point. This, without any further information about these infants, and before any of them had uttered their first word.

For many of us, conceptual concerns about how exactly we might rank distinct opportunity sets internationally fail to dislodge the thought that this fact is very unfair. The reason is probably this. Even if income and wealth are not the same thing as wellbeing, up to a certain level at least, and other things being equal, having more income and wealth does tend to make your life better. Similarly, even if there is room for reasonable disagreement over whether some particular jobs or educational slots are better or worse than others, there nonetheless remains broad basis for universal agreement on the relative desirability of many pairs of opportunity sets, especially those at the extremes. No one without an ideological axe to grind would seriously question the claim that the education and employment opportunities available to a middle-class American are superior in value to those available to a similarly talented Congolese of almost any class. This is because we plausibly believe that there are certain kinds of needs, vulnerabilities, capacities and sources of enjoyment that are common to all humans, and certain kinds of general goods and bads (including money and the lack of it) that contribute to each of those things in fairly standard ways, regardless of cultural or socio-economic context. If this is true, we do have at least a rough idea of what equality of opportunity means, even if we don’t know how exactly we would apply it. And we can be pretty sure that the existence of the citizenship premium, especially in its current extreme form, is not compatible with it.

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<sup>6</sup> Miller, “Against Global Egalitarianism”, p. 64.



In light of this, we suggest the following. The fundamental challenge facing defenders of a global principle of equality of opportunity is not one of determining what the principle means, either in theory or in practice. The key task is not conceptual in nature, but purely normative. It is, quite simply, that of showing that the principle is morally compelling in the global case. In the remainder of this chapter, we will argue that there is room for serious doubt on that front, even for those of us who believe that the domestic version of equality of opportunity is fully justified. The upshot is that the path from domestic equality of opportunity to the moral unacceptability of the citizenship premium is not as straightforward as it might at first seem.

### ***The Irrelevance of Choice***

To see the real problem facing those who wish to criticize the citizenship premium on the basis of equal opportunity, we need to dig a little deeper than we have so far, and consider what exactly it is that is unjust about standard violations of domestic equality of opportunity. The most general answer to that question – true, albeit vague – is this. Selecting people for socially favored positions on the basis of race, gender, religion, sexual orientation, or social class, rather than on the basis of talent and motivation, involves conferring advantages on *morally arbitrary* grounds. It involves, in other words, treating as relevant to the selection process factors that morally ought to be of no relevance to it whatsoever. For instance, although you might be able to give a *personal* reason for not hiring African Americans to work at your plant nursery (you don't like black people), or for not allowing lesbians to take your Statistics class (you believe that homosexuality is a mortal sin), you can give no *morally defensible* reason for doing so. And you ought to be able to give morally defensible reasons for decisions with this degree of import for people's lives. By treating as relevant to your decision factors that are clearly morally irrelevant to it, you do the person against whom you discriminate an injustice.

This answer to the question of what is unjust about unequal opportunity clearly requires us to distinguish between those factors that are morally relevant grounds for deciding between candidates for positions and those factors that are not. How do we go about doing this? One initially promising suggestion starts with the following thought. A person does not choose her race, gender, sexual orientation and social class. And these things are also central examples of factors that, according to domestic liberal egalitarians, should not affect people's chances of attaining favored social positions. It is natural to think that this is no coincidence: perhaps these unchosen factors shouldn't determine differences in opportunities precisely *because* they are unchosen. Not only does this suggestion provide an easy way to explain what is problematic about some standard violations of domestic equality of opportunity, but the moral principle underlying it has some independent force. It seems reasonable to hold people responsible for their choices: indeed, doing so is often thought to be a way of respecting them, of treating them as autonomous agents with their own lives to lead. But holding people responsible for the consequences of unchosen factors can seem quite unfair. If you could have done nothing whatsoever to avoid the situation in which you find yourself – if it happened to you rather than you happening to it, so to speak – isn't it inappropriate for us to simply accept the result?

Call this the "choice-based explanation" of what is unjust about inequality of opportunity. It claims that any feature of a person that is unchosen constitutes a morally arbitrary, and hence unjust, reason for denying that person access to a favored social position. Note that, if this were correct, we would have a swift and straightforward argument against the citizenship premium on equal opportunity grounds. No one has any control whatsoever over the two key determinants of citizenship in the modern world: the nationality of one's parents and the place of one's birth. Yet, as Chapter 1 showed, the citizenship status that one is simply handed has a massive effect on the position that one ends up in later in life.

Unfortunately for us, matters are not this simple. Although the choice-based explanation described above is tempting, it should be resisted as an interpretation of our standard understanding of equality of opportunity, because it fails to adequately track what we generally take that ideal to require. To see this, notice that, even if we achieved perfect domestic equality of opportunity, as that ideal is traditionally understood, unchosen factors would still exert a major influence on individuals' life chances within our society. The meritocratic ideal, as stated earlier, doesn't simply allow, but rather *requires* one's access to socially advantageous positions to be determined by one's natural talents, rather than one's group-based characteristics. But natural talents are unchosen. We have as little control over the latent levels of intelligence, creativity, physical force, manual dexterity, mathematical aptitude, social skill, leadership ability, beauty, wit and so forth with which we are born as we do over the race or class of our parents. This fact halts the easy equation of unjust determinants of opportunity with unchosen ones.

We need to consider an important objection here. Some are likely to argue that there is a key difference, with respect to choice, between factors such as race and class on the one hand and natural talents on the other. Although you may not choose your natural talents, you *can* choose whether or not to develop and exercise those talents, and how much effort to put in when doing so. In contrast, you *really* can't choose the race or class of your parents. This means that there is actually, on reflection, a significant element of choice involved in determining the degree of natural ability with which one ends up as an adult. And that means that our tendency to accept the influence of natural talents on life prospects may be consistent with a choice-based explanation of the principle of equality of opportunity. Perhaps we can make the distinction between unjust inequalities (as those based on unchosen factors) and just inequalities (as those based on choice) after all.

We have two responses to this objection, one likely to be too radical for some people's tastes, the other likely to have broader appeal. The radical response goes like this. True, you can choose whether or not and to what extent you develop and exercise your native talents. But your ability to make such choices, and to make them well, is itself determined by unchosen factors: a combination of genes, parental influences and your broader socio-cultural environment. Some people, as we all know, are much more confident, ambitious, hard-working, persistent and psychologically resilient than others. Many of these enviable people come from families of people with such characteristics. And many have grown up under just the conditions (e.g. material abundance, supportive relations) that we would expect to foster such attributes. There is no iron law here: some individuals manage to maintain high levels of ambition and effort even under very trying circumstances. But, as a general rule, whether or not you make good choices and stick to them is in large part a reflection of the unchosen circumstances that the universe hands you. If it is true that your degree of motivation and application is as unchosen as your race or sex, the choice-based explanation for our traditional understanding of equality of opportunity remains undermined.

Some people will find this first response unappealing. It paints a picture of ourselves as pervasively buffeted about by factors outside our control, and many of us want to believe that we have more free will than that picture would seem to allow. If you are one of those people, we hope that you will consider this second response more persuasive. Our first response to the choice-based explanation claimed that the factors that traditional equality of opportunity allows to influence life chances - natural talent and motivation - are unchosen. Our second response undermines the choice-based explanation from the other end, claiming that some of the factors that traditional equality of opportunity *prohibits* from influencing life chances are matters of choice. In particular, people have always been capable of changing their religion across the

course of their lives, and - thanks to the wonders of modern medicine – we are now capable of changing our sex too. The thing to notice here is that the realization that religion and sex are within a person's control does not make most of us want to revise our views about the inappropriateness of hiring or accepting someone for a position on the basis of these factors. Refusing to hire Ricardo as an interior designer because he is a Catholic is unjust, regardless of whether or not he was baptized soon after birth or baptized last week. Again, this suggests that the question of whether or not a feature of a person is unchosen is simply irrelevant to the question of whether or not that feature is a permissible determinant of access to favored social positions.

### ***The Significance of Context***

If domestic discrimination on grounds of race, gender, religion, sexual orientation, or social class isn't unjust because those factors are unchosen, then why *is* it unjust? What is it that makes a feature of a person a morally arbitrary determinant of access to socially favored positions? According to the "contextual" approach to this question that we endorse, in contrast to the choice-based explanation, there is no general answer to this question. Instead relevant and irrelevant grounds for discrimination must be determined for each individual case, by reference to the nature of the position being offered and the social purpose that the position (or the broader activity of which it is a part) is designed to serve. Where the standard domestic cases of jobs and educational slots are concerned, candidates should be selected by means of an open competition designed to pick out the best qualified people – where being "best qualified" means possessing the characteristics relevant to the position at hand to the highest degree.

Determining which factors are relevant qualifications for a given position is not an easy task, and it is rendered still trickier by the fact that some factors may be morally arbitrary grounds for discrimination in one context, but morally relevant grounds for discrimination in another. To give an example, the status of being Latina is clearly of no moral relevance whatsoever to the merits of a person's candidacy for a software engineering position. The characteristics that should matter in determining access to that position are such things as technical know-how, creativity and ability to meet deadlines and work well in a team. These characteristics are relevant because they are directly related to the ability to perform the job well, and a central social purpose of the labor market is to fill jobs with people who can perform them effectively. By contrast, the status of being Latina *is* arguably relevant to evaluating a person's candidacy for President of the Latina Students' Association, assuming that the experience of being Latina oneself is a key determinant of effectiveness in that role. The question of whether or not the status of being Latina is relevant to college admissions decisions is less clear, as is evidenced by ongoing debates over the appropriateness of affirmative action in higher education. Those who reject affirmative action tend to argue that the only appropriate qualification for college admission is academic ability and that preferential treatment for members of certain racial groups therefore involves a noxious form of "reverse discrimination" that is unfair to those who receive no such advantage. One key issue here is the question of what the social purpose of higher education ought to be. Is it solely a matter of finding and fostering the best minds? Or is it (also) a matter of ensuring that young citizens interact with classmates of a diverse range of backgrounds and experiences, and that educational resources - and access to the jobs and offices that those resources enable - do not remain the preserve of an already privileged few? To the extent that we consider these additional goals important, racial identity will seem like a morally relevant criterion for admission, and affirmative action policies will seem permitted (or required) by equality of opportunity.

Note that this “contextual” interpretation of domestic equality of opportunity does a much better job than the choice-based explanation of lining up with our standard understanding of what is and what isn’t a permissible ground for discrimination. To refer to the example given earlier, the reason that it is wrong to deny Ricardo an interior design job on the basis of his Catholicism, regardless of whether he was baptized at birth or voluntarily converted last week, is that one’s religion, *per se*, has no plausible bearing on one’s ability to design a stylish room, and is therefore a morally irrelevant ground for selection.

Suppose that we accept this superior explanation of the injustice of inequality of opportunity. What are its implications for the question of whether or not the citizenship premium is justified? Let us step back for a moment, to get clear on where we are in the argument. We claimed above that the crucial question in determining whether or not the citizenship premium is inconsistent with our commitment to equality of opportunity is this: *Is citizenship a morally arbitrary basis for differences in opportunities or is it not?* If citizenship status *is* morally arbitrary for the purpose of distributing access to favored social positions – if it is more like race than natural talent in the standard domestic examples – then the equal opportunity argument against the citizenship premium will go through. The very same reason that underlies standard criticisms of domestic inequality of opportunity – a ban on conferring advantages on morally arbitrary grounds – will be equally applicable to the citizenship premium. However, if citizenship status is *not* a morally arbitrary determinant of socio-economic advantage, there will be nothing inconsistent about domestic liberal egalitarians failing to criticize the citizenship premium. They will not be committed, by virtue of their endorsement of domestic equality of opportunity, to the principle of global equality of opportunity stated earlier.

Which is it, then? Is citizenship a morally arbitrary basis for differences in opportunities or is it not? As noted earlier, if the choice-based explanation that we rejected above were correct, we would have a swift answer to this question. Citizenship would be morally arbitrary for the purpose at issue simply because it is generally unchosen. However, once we have rejected the choice-based explanation in favor of the contextual approach, as we should, answering our question becomes a lengthier and more difficult task. What we have to do, in effect, is go through the range of moral reasons that might be offered for allowing citizenship to affect levels of income and wealth, and assess whether or not any of them succeeds.

Doing this takes patience, and some won’t consider it worth the bother. Some people see citizenship status as just *obviously* a morally arbitrary determinant of differences in life prospects. The international relations theorist E.H. Carr writes, for instance, that “our normal attitude to foreigners is a complete negation of that absence of discrimination on irrelevant grounds which we have recognized as the principle of equality”.<sup>7</sup> This opinion might be based on endorsement of the choice-based explanation that we have criticized. Or it might instead be based on a broader appeal to the equal moral worth of all humans. Most people in liberal societies are committed to a principle of basic moral equality, according to which every person possesses the same dignity, and deserves the same respect, as any other. And such people are sometimes inclined to suggest, at least in the throes of moral argument, that this principle of basic moral equality directly implies a principle of equal treatment. Favoring our fellow citizens over foreigners – for instance, restricting our social insurance schemes to our co-nationals or preventing outsiders from crossing our borders – is *necessarily* wrong, because it involves conferring different rights to people who, at the fundamental level, are morally equal. But this line of thought can’t be right, as a moment’s reflection reveals. Your children and our children are of equal moral worth, but that doesn’t

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<sup>7</sup> E.H. Carr, *The Twenty Years Crisis 1919-1939: An Introduction to the Study of International Relations* (London: Macmillan), p.149.

mean that we're required to treat yours exactly as we treat our own: giving them presents on their birthdays, attending their school plays, paying for their college education, *etc.* As one philosopher famously explained, what moral equality requires is that we treat persons as equals (that is, with equal concern and respect), not that we always treat them equally.<sup>8</sup> Because treating people as equals is compatible in many circumstances with treating them very unequally, the principle of moral equality alone does not get us very far in determining whether or not citizenship status is a morally arbitrary ground for differential opportunities.

Our answer to the crucial question italicized above won't be quick, then, but we'll try to make it quicker than it might be. In the remainder of the chapter, rather than making an exhaustive survey, we will consider what we believe to be the strongest argument for the claim that citizenship status is a non-arbitrary basis for differences in opportunities, and hence that the citizenship premium cannot be criticized on the basis of equal opportunity. We will argue that this argument is sufficiently compelling to halt an easy victory for critics of the citizenship premium on equal opportunity grounds.

***Does the value of political autonomy provide a morally defensible reason for restricting access to opportunities?***

The strongest argument for the claim that citizenship status is a morally defensible basis for differences in opportunities appeals to the value of what philosophers call "political autonomy".<sup>9</sup> This term refers to the ability of a political community to set its own (reasonable) social, political, economic or cultural agenda without excessive interference from other parties, and to follow through on that agenda with some (adequate) chance of success. The best explanation of the value of political autonomy reduces it to the value of individual freedom. Your ability to cooperate with the other members of your political community in determining the shape and direction that that community will take is arguably an important, perhaps even a necessary, element of a fully free life for you. Because we domestic liberal egalitarians value freedom – either intrinsically or as a means to other goals – political autonomy is something that ought to matter to us. But why should it be thought to provide a basis for defending international differences in opportunities? The simple yet compelling answer is this: fully abolishing the citizenship premium would make political autonomy impossible. Although the truth of this claim may not be obvious at first sight, it becomes clear when we consider the two options that we might use to eliminate the premium.

The first option is to simply abolish citizenship as we know it, perhaps by allowing totally free migration and according identical civil and social rights to all persons, under a single set of universally shared political institutions. By transforming the global population into a single political community, this move would reduce the global equality of opportunity principle to its familiar domestic counterpart, which we could then pursue in familiar ways. Such a policy clearly implies the evisceration of political communities as we know them. But does it also imply the evisceration of what we value in political autonomy? Since all we would be doing, on this option, is substituting the current system of a plurality of political communities with a system involving a single political community, the answer is not immediately clear. Perhaps we could collectively pursue our individual freedom within the context of one global autonomous polity. However, this prospect seems highly unlikely. An argument for the value of political autonomy is usually at the same time an argument for separate political communities of roughly the general

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<sup>8</sup> Ronald Dworkin, *Taking Rights Seriously* (Cambridge, MA: Harvard University Press, 1977), p.370.

<sup>9</sup> For a compact presentation of this argument, put in terms of "national self-determination" see Miller, "Against Global Egalitarianism", pp. 71-3.

form that we see today. The operating assumption is that it is in the context of a system of plural communities that individual freedom can be best and most fully realized: that a move towards a fully global political community would endanger rather than advance personal autonomy. Although arguing fully for that claim would lead us far astray here, we think that it's sufficiently plausible on its face to suggest an alternative policy approach.

The less radical and more attractive way of achieving global equality of opportunity, then, would be to retain a global order based on a plurality of political communities, but implement a system of international income redistribution aimed at improving the quality of opportunity sets in less advantaged nations. Although this proposal does not summon the specter of a potentially tyrannical world government, it does pose a distinct threat to political autonomy that may be no less worrying in practice. We can introduce the threat in this way. If a political community is to be politically autonomous, it needs to satisfy two conditions. First, it must possess the ability to form and pursue collective goals: an ability that depends on its possessing well-functioning political, social and economic institutions. Some income distribution from rich to poor countries may be needed to support the development of institutions of this sort and - from the perspective of political autonomy, anyway - there is nothing problematic about that.<sup>10</sup> However, after this first condition is satisfied, a second condition on political autonomy - call it the "liability condition" - must also be fulfilled. This condition states that, once a political community has attained the ability to form and pursue collective goals, it must be held responsible (within certain limits) for the outcomes of its choices. It is this second condition that makes *continual* international income redistribution for the purpose of eliminating the citizenship premium problematic.

To clarify this point, let us tell you a little story.<sup>11</sup> Imagine two countries, which, for reasons that will become clear in a moment, we can call "Industria" and "Pastoralia". Both countries have satisfied our first condition for the achievement of political autonomy: their institutions function sufficiently well for them to be able to form and pursue their own collective goals. We will also throw in, for good measure, the stipulation that both countries are fairly prosperous and just: none of their citizens are suffering, deprived or oppressed. Industria, however, is considerably wealthier than Pastoralia. This is because, although both countries initially started at the same level of wealth, Industria chose to - guess what! - industrialize, whereas Pastoralia chose instead to pursue a more rural and slow-paced way of life. As a result, Industrians enjoy a citizenship premium: baby Industrians end up doing much better in income terms in later life than do baby Pastoralians. Now, say that we decide that we need to eliminate the citizenship premium enjoyed by Industrians, on grounds of global equality of opportunity. This means in practice that Industria will be required to transfer a significant part of its economic surplus to Pastoralia, on an ongoing basis. We claim that this policy would seriously compromise the political autonomy of both countries.

Take first Pastoralia. The Pastoralians had planned a leisurely rural life, in full knowledge (we can assume) that this would result in limits on the extent of wealth that they could hope to attain. If we implement the global equal opportunity principle, however, we disrupt those expectations.

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<sup>10</sup> It is unclear how much income redistribution is required for this purpose. The best way to promote political autonomy in developing countries would be to promote sustainable, broad-based development, and the relationship between income transfers and that goal is a highly contested question. Many development experts argue that what really matters is a range of other policies tailored to the case at hand, including integration into the global economy, promotion of human rights, increased migration, technical assistance and resolution of violent conflict.

<sup>11</sup> This example is drawn from Rawls, *Law of Peoples* (Cambridge, MA: Harvard University Press, 1999), pp. 117-118.

Whatever their past choices, the Pastoralians are now to be showered with the resources that the Industrians are taxed to give them, and this on an ongoing basis, into the indefinite future. As a result, the Pastoralians' decisions concerning the trade-off between social values and economic goals will cease to be appropriately consequential or meaningful for them. Whereas previously they could expect to see at least a significant causal relationship between their choice of economic policy and their later circumstances, that relationship will now be substantially severed. At least as long as Industria continues its boom, they can expect the economic outcome of their decisions to be the same regardless of what they decide: they are assured, like Tawney's aristocrats, that "if they fall, they fall on cushions".<sup>12</sup> While this state of affairs might sound attractive at first sight, it comes at a serious cost: that of having one's path in life substantially determined by the goals and actions of others. Collective decisions on economic policy, rather than being valued as an expression of shared priorities, may be seen as nothing more than a formality; Industrian redistribution may be experienced as undignified or insulting; citizens may be concerned about the ramifying effects of economic nonchalance on other aspects of the collective life or character. As a result, it is plausible that, while the Pastoralians will now be wealthier than before, they will also be less autonomous, and that, on balance, this is a loss.

Take now Industria. Again, the operation of the global egalitarian principle arguably undermines the capacity of Industrians to establish the kind of reasonably reliable connection between collective decisions and outcomes on which political autonomy depends. While previously Industrians were able to expect that the decision over whether or not to implement a given industrial policy would have determinate effects on, say, their post-tax per capita income, they will now find that, however their policy turns out, they will be required to redistribute a considerable portion of their surplus to the worse-off Pastoralians. The institution of the egalitarian scheme puts in place significant constraints on the range of goals that the Industrians are able to achieve, and the degree of control that they are able to exert over their domestic social and economic policy. As much as the Pastoralians, the Industrians will not be held liable for their economic decisions, the only difference being that the failure is one of absorption of benefits rather than of costs.<sup>13</sup>

If the above example is compelling – and we think that it is – it looks like the price of fully eradicating the citizenship premium is taking political autonomy down with it. How should critics of the citizenship premium respond to this fact? One option is to simply reject the value of political autonomy. Although giving up on individual liberty is not something that our target audience of domestic liberal egalitarians will want to do, they might deny the connection that we have assumed between individual liberty and political autonomy. One argument here points to the fact that many currently existing political communities are highly oppressive, more agents for the repression of individual liberty than its promotion. But we could accommodate this undeniable truth by restricting the scope of our argument: claiming that political autonomy is only valuable in the case of democratic societies (or, less ambitiously, societies satisfying minimal conditions of political representation), yet still very valuable in those cases and to that extent a real challenge to the unbridled pursuit of global equality of opportunity.

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<sup>12</sup> Richard Henry Tawney, *Equality* (Unwin Books, 1964), p. 37.

<sup>13</sup> Caveat: This imaginary example should not be interpreted to tell against all cross-country redistribution (especially that aimed at reducing poverty) in the real world in which we find ourselves. As noted earlier, when a political community lacks the material or technical means to attain well-functioning institutions, some degree of resource redistribution from outsiders might promote rather than compromise political autonomy. It is only the extensive and continual redistribution required to maintain global equality of opportunity amongst political communities, each of which would be perfectly capable of political autonomy without that redistribution, that is problematic on political autonomy grounds.

Another option is to claim that, although political autonomy is genuinely valuable, eliminating the citizenship premium in fact poses no real threat to it. The most promising move here involves placing pressure on the liability condition: the idea that political communities must be held responsible for their policies if they are to be truly self-governing. What this condition ultimately breaks down to is the claim that the *individuals* who make up those communities must be held responsible for their society's policies if those individuals are to be genuinely free. Now, the liability condition is very plausible in the case of individual agency: when one person continually picks up the bill for another person's reckless mistakes, the autonomy of the second person is seriously undermined. But holding individuals responsible for the outcomes of *collective* agency can seem much less attractive, because of the lack of connection in many cases between individual preferences and the collective course of action. For instance, if I, a Pastoralian, would have much preferred that my country take an industrial rather than a pastoral route – if, in fact, I positively agitated for the former in the period at which the decision came up – it is not the case that my receiving Industrian funds constitutes a failure to hold me responsible for *my* choice. Indeed, given that redistribution in this case will involve my receiving the benefits of another country's industrial success, it might be said to better approximate the results of the decision that I would have made had I been in a position to determine my country's economic policy than the alternative, in which I am left at just above subsistence level due to what I regard as the misguided priorities of my fellow Pastoralians. *Via* reflection on this sort of example, it might be argued that the liability condition just doesn't make sense in the case of collective agency, and hence that elimination of the citizenship premium represents no threat to political autonomy.

The appropriate response here is to note that it is a necessary condition of participating in collective decision-making that one accept the possibility that one's preferences will in some cases be overridden by those of others and that, in such cases, the preferences of others will count as legitimately determining the community's collective decision. To insist instead that your community's policy only genuinely counts as such if it lines up with your own preferences is to set yourself up as a wannabe dictator, not as a member of a free and equal society. Assuming that you want to be a member of a free and equal society, you must accept that sometimes you will be held liable for decisions with which you disagree. This assignment of liability may sometimes seem unfair, but the aura of unfairness dissipates once we understand such liability as an essential part of the best system available for securing individual freedom. As domestic liberal egalitarians, we are persuaded by this response, and hence believe that the liability condition and the conflict to which it leads both hold.<sup>14</sup>

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<sup>14</sup> An issue does remain with respect to those who do not have a genuine chance for even minimal input into collective decisions, such as highly marginalized members of society and newborn infants. The justification for holding infants liable in later life for policy decisions to which they were not able to contribute must appeal to the benefits that they will later enjoy as citizens of a self-governing community. The justification for holding highly marginalized individuals liable is trickier. As noted earlier, in cases where the marginalization is extreme and widespread (as in highly oppressive societies), the justification simply vanishes, taking the value of political autonomy – in those particular cases – with it. In the case of marginalized sub-groups within societies that are otherwise broadly democratic, we should say two things. It is unfair for fellow citizens to allow the costs of domestic policy to fall on the effectively disenfranchised: this fact simply reinforces the already weighty arguments for greater inclusion. But it is not obviously unfair for foreigners to hold the society in question, as a whole, liable for its choices. The fault lies in the internal distribution of burdens within the other country. Not only do foreigners generally have little control over that, but (other than in extreme cases) it is not clear that they ought to.



We suggest, on the basis of the above, that the conflict between ongoing global egalitarian redistribution and the value of political autonomy is both genuine and troubling.<sup>15</sup> But what does this conflict ultimately imply for the moral assessment of the citizenship premium? It turns out that two conflicting interpretations of the proper conclusion of the above discussion are possible. The first, “non-violation”, interpretation claims that the citizenship premium does not conflict with our existing commitment to equality of opportunity. Because political autonomy is valuable, and because eliminating the citizenship premium would destroy it, we have one good moral reason to allow people’s opportunities in life to partly depend on the country in which they happen to be born. If this is so, citizenship status is not a morally arbitrary determinant of life prospects: it affects those prospects for a morally defensible reason. As a result, the principle of global equality of opportunity stated earlier is entirely unconvincing: the principle of equal opportunity applies solely within, not without, single political communities. The second, “trade-off”, interpretation claims that, although the principle of global equality of opportunity is morally compelling, we should not pursue it wholeheartedly. Instead, we should impose limits on its realization, in order to leave room for the additional important value of political autonomy (and *vice versa*). Note that this is what we tend to say in the face of the similar conflict between domestic equality of opportunity and parental prerogatives in the raising of children. Although domestic liberal egalitarians have instituted a number of relatively successful policies aimed at reducing inequality of opportunity within the state, there remains a considerable “class premium”, partly as a result of our unwillingness to allow the state to eliminate all of the differences in social advantage that are generated by the raising of children in distinct, private families enjoying significant freedom of action.

These two interpretations provide quite different answers to the question that heads this chapter. The non-violation option generates a clear and simple response: there is nothing problematic whatsoever on equal opportunity grounds about the citizenship premium (although it may be troubling for other reasons). The implications of the trade-off interpretation are more nuanced. On that line, that the existence of a citizenship premium *per se* cannot properly be regarded as morally problematic. Instead, a citizenship premium in some form or other should be seen as a fully defensible compromise between the competing demands of two distinct moral values. Another implication, however, is that not *all* possible forms of the citizenship premium are justified. If we assume that global equality of opportunity is a genuine and compelling principle, it cannot simply be set aside whenever a conflict with the demands of political autonomy becomes apparent. Since both sides of the value conflict must be given their due, very large citizenship-generated differences in income and wealth may be unjustified, even if reducing them would come at a significant cost to political autonomy. In short: if we treat both global equality of opportunity and political self-determination as important values, there will be nothing inherently morally troubling about the citizenship premium, but there may be something very moral troubling about some particular versions of it.

We are uncertain about which of these conflicting interpretations to select (although the discussion to come in Chapter 3 pushes us in the direction of “non-violation”). The important point for current purposes is that, whichever of the above routes one takes, the path from commitment to domestic equality of opportunity to condemnation of the citizenship premium is much less secure than it might at first have seemed.

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<sup>15</sup> An additional facet of that conflict, not discussed above, is the fact that many political communities would reject the validity of the global equal opportunity principle (perhaps due to a rejection of the validity of domestic equality of opportunity), and hence any attempt to impose it would run counter to their freely chosen policy agendas. Responding to this concern raises a number of additional difficult issues that are not essential to our argument.

***Postscript: Do nations have a right to pass on advantages to their members' descendants?***

In the previous section, we argued as follows. Political autonomy - as instantiated in adequately functioning, minimally inclusive political communities - is an important value, by virtue of its connection to individual liberty. If political autonomy in this sense is to be preserved, the political communities that exercise it will need to be held substantially liable for the outcomes of their policy choices. Full pursuit of global equality of opportunity would violate this requirement, since it would nullify the outcomes of some countries' policies. As a result, there are limits to the extent to which we should attempt to equalize opportunity sets internationally, and there are also limits to the extent to which we can criticize the citizenship premium on the basis of equal opportunity. The citizenship premium *per se* is not unjust on equal opportunity grounds, because citizenship represents a morally defensible basis for differences in opportunities, founded on the value of individual freedom. Since this value is a central part of the moral outlook of domestic liberal egalitarians, their acceptance of the citizenship premium in some form is not just consistent with, but arguably required by, their views on domestic justice.

This argument, in our view, places a significant obstacle in the path of those who want to show that the citizenship premium is unjustified on equal opportunity grounds. Before concluding, we want to very briefly consider a second argument that we don't think succeeds but that we suspect may drive much of the support for the citizenship premium that some people feel. This last argument does not sit well with the commitments of domestic liberal egalitarians: if it works against the citizenship premium, it also works against domestic equality of opportunity. But if it is best seen as a challenge external to our main audience, it is nonetheless one that exerts considerable force outside it and for that reason merits attention.

Let us go back to the *Industria / Pastoralia* example once again. We argued above that one reason to resist the global application of the equal opportunity principle is that its operation would interfere with the political autonomy of both countries in the example. But there is another reason that we might resist redistribution aimed at producing equal opportunity: a reason that we can imagine coming from the mouths of the *Industrians* in particular. Why should *Industrians* be obliged to give the fruits of their talents and hard work to others who have played no role whatsoever in their production? Surely the *Industrians* have a *right* to keep the goods that they have made: a right that the equality of opportunity principle simply ignores. This argument is reminiscent of one commonly made in debates on domestic equality of opportunity: that parents have a right to pass on the advantages that they have earned to their children, whatever the results for social mobility and economic fairness.

In the domestic case, liberal egalitarians respond that the fact of having produced something by application of your talent and effort does not plausibly give you a right to do anything that you wish with that thing (for instance, in this case, to pass it on unimpeded to your children). This is partly because your talent and effort were not the sole factors in the production of the good. In any modern society, whatever goods you manage to produce are largely a product of the socio-economic context in which you exercise your talents and effort, and hence depend on the concerted actions of many other people beside yourself. For this reason, any desert-based claim that you make to the pre-tax income and wealth that you have gained in the market can hardly extend to *all* of it. This means that there is no desert-based barrier to taxing at least some of your wealth and redistributing it to other members of your society. Another reason why the application of talent and effort does not generate an exclusive and unlimited claim to the goods thus produced is that property rights are not the full extent, but only one small part, of a broader account of social justice. Determining the proper scope of property rights – including the

question of whether and to what extent parents ought to have a right to transmit advantages to their children – requires weighing up the effects of stronger and weaker schemes of rights on the full range of social values that we care about. Liberal egalitarians believe that amongst these values is a concern to limit the extent to which socio-economic class reproduces itself across generations. They therefore advocate limits on the intergenerational transfer of property designed to foster social mobility. This is not best seen as a case of violating property rights in order to produce equal opportunity, although some critics like to put it that way. Instead it should be interpreted as *defining* property rights in such a way that they are defensible in light of our most compelling moral reasons.

We find these responses fully persuasive in the domestic case. And we believe that analogs of them extend well to the global version of the argument that we are considering. The data that we discussed in Chapter 1 provide a particularly striking demonstration of the extent to which your income and wealth are determined by social factors, rather than purely your own efforts (although those too, of course, come into the equation). As the billionaire investor Warren Buffett once put the key point: “if you stick me down in the middle of Bangladesh or Peru, you’ll find out how much this talent is going to produce in the wrong kind of soil.”<sup>16</sup> But if, as suggested above, the fact of the joint social production of income and wealth obstructs a desert-based argument against inheritance taxation, it also obstructs a similar desert-based argument against international redistribution for purposes of equalizing opportunities globally. A very large part of what you earn in the market is a giant gift of luck (the fact of having been born somewhere rather than someplace else). So, although you might find *other* reasons to resist sending your earnings overseas to those worse off than you, the claim that your gains are all a result of your own talents and effort can’t be one of them. This is the one *immediate* moral implication of the data that we presented in Chapter 1. That data provides for a straightforward refutation of the argument that the citizens of developed countries have a desert-based right to retain all of their income and wealth advantages, whether or not they have such a right based on other considerations.

The second response given by defenders of domestic inheritance taxation also extends to the global case. A nation’s moral right to retain (all of) the resources that it has produced cannot simply be asserted, but must be shown to fit into a broader conception of global justice that takes into account all morally relevant considerations. Amongst the considerations that must be assessed when determining whether or not a nation has such a right is the question of whether or not global justice requires us to pursue global equality of opportunity, at least to some extent. If there is such a requirement, national rights to resources must be construed so as to accommodate it. We argued in the previous section that the answer to this question remains unclear. As a result, any argument for unlimited rights over national wealth is currently incomplete.

### ***Conclusion***

This chapter has considered the question of whether or not the existence of the citizenship premium violates the commitment of “domestic liberal egalitarians” to equality of opportunity. Finding a clear answer to that question has turned out to be a much more complicated task than might at first have been expected. Although our discussion has not resulted in a definitive verdict on whether or not the citizenship premium, in its current form, violates equality of opportunity, we have reached a number of significant conclusions along the way. The most important of these is the denial of the claim that the citizenship premium would be unfair in any form (for instance,

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<sup>16</sup> Quoted in Janet C. Lowe, *Warren Buffett Speaks: Wit and Wisdom from the World’s Greatest Investor* (New York: Wiley, 1997), p. 165.

even if it were quite small). The only way to get to that conclusion is to endorse the choice-based justification of domestic equality of opportunity and/or to claim that no practical conflict exists between the joint pursuit of global equality of opportunity and political autonomy. Since, as we argued above, we don't find either of those routes appealing, we don't think that a blanket condemnation of the citizenship premium on equal opportunity grounds is plausible. Because many people do have a strong suspicion that the citizenship premium, as such, does violate equality of opportunity, this is an interesting and important result.

A related conclusion is that those who endorse equality of opportunity domestically yet appear unperturbed by the citizenship premium are not (necessarily) being hypocritical. Domestic liberal egalitarians can consistently restrict their enthusiasm for global equality of opportunity without doing violence to their deeper commitments. Does that mean that they can enjoy their citizenship-based advantages with a good conscience overall? The answer depends in part on whether or not there are compelling reasons other than equal opportunity to object to the citizenship premium. That is where we are heading next.