



BRILL


Journal of Moral Philosophy 7 (2010) 54–73

JOURNAL OF
MORAL
PHILOSOPHY



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Associative Duties and Global Justice*

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Abstract

This article examines the conflict between people's associative duties and their wider obligations of global justice. After clarifying the nature of associative duties, it defends the view that such duties may be civic in nature: obtaining between citizens, not just friends and families. Samuel Scheffler's 'distributive objection' to civic associative duties is then presented in the context of global distributive injustice. Three solutions to the objection are considered. One is that the distributive objection is more a philosophical puzzle than a practical problem because of the means by which global justice would be achieved. This is only partially correct. The second reply is that associative duties are additional to citizens' more cosmopolitan duties. This reply loses its purchase if global justice is conceived of in comparative terms. The third reply claims that associative duties are justified by genuine values and do not disappear even when over-ridden by more weighty moral concerns. While in practice, our duties to engineer global justice are likely to over-ride our associative duties in the near future, in ideal circumstances the two kinds of duties can co-exist.

Keywords

associative duties, compatriots, global justice, impartiality, Scheffler

Associative duties are duties we owe to people with whom we are associated in some way, family members, friends, neighbours and, according to some, even compatriots. Political philosophers are fond of elaborating grand principles of justice or human rights, but associative duties make up most of the substance of everyday morality. Associative duties supply moral reasons why parents care for their children, neighbours look in on the old person next door, and compatriots pay taxes to provide each other with hospitals, schools and

* This paper has had a rather long gestation. For comments on previous versions I am grateful to John Horton, Peter Jones, Graham Long, Andrew Mason, Cillian McBride, Dorota Mokrosinska, Peter Seglow, Saul Smilansky, David Stevens, two anonymous referees for this Journal, and Thom Brooks.

universities. Associative duties are real, tangible and concrete in a way that abstract principles are not. In fact, for most people most of the time felt associative duties generally outweigh universal cosmopolitan duties to help strangers in need.¹ For anyone interested in the interests of people in the developing world, therefore, associative duties represent a severe obstacle. From a ‘common sense’ point of view, it is natural that we direct our energies into helping our own, but from a cosmopolitan perspective it appears an unjustifiable privilege. Cosmopolitan writers regard people’s local allegiance as a parochial obstacle that stands in the way of achieving global distributive justice. This puts them at odds with most citizens’ felt moral understanding. My aim here is to investigate various ways this conflict might be overcome.

I begin with some preliminary comments to clarify the nature of associative duties. The fact that we enjoy social relationships with certain people is what advocates of associative duties turn to for their moral justification.² Relationships supply a justifiable distinction between the worth of all persons to whom we owe (universal) duties and the worth of certain people—such as fellow citizens—to whom we owe associative duties. There are, however, other ways of making that distinction. In particular, associative duties are not the same as other kinds of special duties. All special duties only obtain between certain groups of people, but only associative duties are justified by the relationship those people share. That is the first clarificatory point. Other kinds of special duties are grounded in moral principles such as contribution, compensation or contract. The holders of these sorts of special non-associative duties may also share a prior social relationship, but that does not explain the moral force of their duty. For example, some writers have sought to justify national partiality on the grounds that compatriots have contributed to a cooperative enterprise and thus incur special rights against each other.³ The fact that the compatriots enjoyed a prior social relationship does not add to this argument.

¹ R. Goodin, *Protecting the Vulnerable* (Chicago: Chicago University Press, 1985), pp. 23–24.

² S. Scheffler, *Boundaries and Allegiances: Problems of Justice and Responsibility in Liberal Thought* (Oxford: Oxford University Press, 2001); M. Hardimon, ‘Role Obligations’, *The Journal of Philosophy* 91 (1994), pp. 333–63; I. Honohan, ‘Friends, Strangers or Countrymen? The Ties between Citizens as Colleagues’, *Political Studies* 49.1 (2001), pp. 51–69; D. Jeske, ‘Associative Obligations, Voluntarism and Equality’, *Pacific Philosophical Quarterly* 77 (1996), pp. 289–309; A. Mason, ‘Special Obligations to Compatriots’, *Ethics* 107 (1997), pp. 427–47; S. Reader, ‘Distance, Relationship and Moral Obligation’, *The Monist* 86.3 (2003), pp. 367–81.

³ See, for example, R. Dagger, *Civic Virtues: Rights, Citizenship and Republican Liberalism* (Oxford: Oxford University Press, 1997), pp. 46–48; cf. R. Goodin, ‘What’s So Special about our Fellow Countrymen?’ *Ethics* 98 (1988), pp. 663–86 at pp. 675–78.

Special associative duties, by contrast, are grounded in the relationship which duty-holders and duty-bearers share.

Second, I shall assume (a) that the relationships which ground associative duties are themselves valuable and (b) it is that moral value which serves to justify the duty. (a) need not imply (b).⁴ One could argue, for example, that the moral value of X and Y's relationship is a necessary condition of their owing duties to one another, but deny that it is that value which grounds their duties. But I shall stipulate that associative duties are justified by the moral value of the relationship which participants share. I distinguish this from what Wellman calls 'associativism', where 'the fact you are my sister, my colleague, or my compatriot is of moral moment independent of any more fundamental morally significant features of our relationship'.⁵ *Pace* Wellman, I believe that many relationships themselves are morally valuable just because they are constitutive of human flourishing.

Third, while associative duties may be both positive and negative, it is positive associative duties which seem the more important. This is consistent with maintaining that associates' negative duties towards one another may take precedence over their negative duties towards non-associates. In discussing negative associative duties, Goodin and Scheffler both cite as an example the fact that it would be less acceptable to harm one's child, in the course of rescuing a stranger, than it would be to harm another stranger.⁶ That may be true, but parents' central duties to their children are surely positive in nature; to nurture, care for them, and so on. As far as compatriots are concerned, Goodin has pointed out elsewhere that there are many ways that we are less obliged to avoid harming our fellow citizens than we are strangers, suggesting that negative duties can be weaker when they are of the associative sort.⁷ By contrast, in meeting their positive associative duties, people serve their important social relationships.

Finally, I assume that while associative duties may be perfect or imperfect, they are not supererogatory. Supererogatory acts are morally praiseworthy, but not morally required. Generosity is an example. Imperfect duties are those we have some scope in fulfilling (unlike perfect duties where we do not). We are

⁴ Cf. S. Caney, 'Individuals, Nations and Obligations', in S. Caney *et al.* (eds.), *National Rights, International Obligations* (Boulder, CO: Westview, 1996).

⁵ C.H. Wellman, 'Relational Facts in Liberal Political Theory: Is There Magic in the Pronoun "My"?' *Ethics* 110 (2000), pp. 537–62, at p. 539.

⁶ Goodin, *Protecting the Vulnerable*, pp. 23–24; Scheffler, *Boundaries and Allegiances*, p. 53.

⁷ Goodin, *Protecting the Vulnerable*, pp. 671–74.

required to meet them, but we can do so in our own way. One reason for this assumption is that the main associative duties (neighbourliness perhaps excluded) do not appear supererogatory to their bearers. We believe we ought to attend to the basic interests of our children, compatriots and so on. On the contrary, it is wider non-associative acts such as giving to overseas aid charities which seem supererogatory to many people. Another reason for resisting the supererogatory classification is that if associative duties were supererogatory, it might be hard to distinguish them from mere permissions. Common sense morality may over-inflate the scope and stringency of our associative duties, but I think it is right to assume that social relationships direct us to act in various ways.

Civic Associative Duties

Some writers have concluded from the conflict between civic associative duties and global justice that the former do not exist at all: associative duties, if they do exist, obtain only between friends, family members and other small groups. Let me briefly defend, therefore, the very idea of civic associative duties.

Friendship and family life are often thought to exemplify duties between associates because of the immediacy and concreteness they exhibit as relationships. However, it is the moral value of social relationships, not the relationships per se, which ground associative duties. We participate in many social relationships besides our families and friendship networks and if these also foster human flourishing it is natural to believe that associative duties can obtain in these relationships too. We participate in clubs, communities, associations, neighbourhoods, cities, armies, firms, churches, schools, universities, trade unions and other social forms. Most of these are median groups; we typically know some of our fellow members but not all of them. The associative duties which obtain there, however (assuming they do obtain), extend to all members qua members, not just those we know. Social relationships of these larger kinds are embedded in institutions which through the interconnected roles they give members enable them to enjoy mutual relations which are real and tangible though nonetheless not immediate. Institutional rules and roles enable members to do things together, engaging in common activities, without necessarily sharing personal relationships. Thus colleagues engage in work projects together, associations work towards common goals, neighbourhoods campaign on issues and so on. Engagement in common activities means that those brought together in a certain social relation are not arbitrarily set apart from outsiders; they do things together, and through this cooperative activity

realize certain goods—community for example—as well as reproducing their institution over time. Indeed, it is worth pointing out that families are institutions too. They give their members definite roles which have a certain independence from their purely personal relationships, and the existence of the family—like many other institutions—continues beyond the lives of any of its members.⁸

In political society we engage with other citizens through institutionally defined common activities. Citizens debate issues, scrutinize their government, vote, run for office, work in public service, pay taxes, claim benefits, have civil marriages, apply for passports and permits and licences, give information to public authorities, recycle their rubbish, call on the police, serve on juries, serve in the armed forces, and so on. In doing so, citizens enact their roles as citizens and maintain them over time. The institutional embeddedness of roles and the duties attached to them publicize our activities; in this case our activities as citizens. Thus even a fairly private act, like a civil marriage ceremony, is one that can be communicated to and understood by one's fellow citizens; and there would be some point in communicating it since they too might have a civil marriage. Institutional embeddedness enables us to participate in more proximate social relationships with larger numbers of people, not simply those with whom we have direct contact. Institutions are the medium for larger, more complex forms of common activity.

There is not the space here properly to defend the moral value of median social relationships. That would require an extended discussion of modes of human flourishing and the values constitutive of and in conflict with them. What we can say is that if *ex hypothesi* more proximate relationships can embody moral value, then it seems somewhat arbitrary to rule out citizenship as a relationship too large to do so too. (Opponents of civic associative duties sometimes point to Benedict Anderson's study *Imagined Communities* to make the point that nations are fictitious entities in contrast to the dense reality of families and friendship networks. But Anderson stressed that all communities besides face-to-face ones are imagined and his point was that an imagined community is one *manufactured* by its members, not a community which is not real).⁹

To be sure, civic relationships are more slender than the close connections we enjoy among friends and in families. But that does not mean their allied associative duties do not exist at all. It may only mean that these associative

⁸ Hardimon, 'Role Obligations'.

⁹ Benedict Anderson, *Imagined Communities* (London: Verso 1983), p. 14.

duties can be outweighed by other more compelling duties. My suspicion is that much of the hostility associative duties attract from more cosmopolitan-minded philosophers stems from the fact that felt associative duties can easily be used as a cloak to disguise the self-interest of richer states. But associative duties are duties, not self-interest, and if we have them that means only that they have some weight when we decide what, on balance, citizens have most reason to do. It does not mean that we do not have other duties besides these, duties which in certain circumstances may be more powerful.

The Distributive Objection to Associative Duties

I shall now say a little more about global justice, and how precisely its achievement comes into conflict with citizens' associative duties. Suppose, then, that the rationale for distributive justice is to provide every person with a decent life, some of which requires a fair measure of wealth, resources, opportunities, freedom and so on. Plainly, many millions of citizens across the globe lack the amounts of these goods necessary to lead decent lives.¹⁰ The idea of living a decent life, however, the basic metric by which we compare people for purposes of distributive justice, may be glossed in a number of ways. A strong egalitarian view would have it that A and B cannot both live decent lives unless there is a roughly equal division of the constituents of decency between them. Even if that view were rejected, almost all proponents of social justice would maintain that if A has less than B we should give priority to A's basic interests. At the very least A's life should contain sufficient constituents of decency (where sufficiency is defined by reference to an ideal standard and not what B holds). Such abstract thoughts animate theorists of global justice. Some maintain that the current distribution of global wealth is arbitrary from a moral point of view, and hence justice demands a large measure of redistribution.¹¹ Others argue that richer states' wealth is the result of theft from what was once owned in common by all humankind, and hence richer states owe reparative duties to poorer ones.¹² Another suggestion is that citizens in rich

¹⁰ For the sake of simplicity, I assume throughout that rich states consist of fairly rich (i.e. not poor) people and that poor states are home to poor (i.e. not rich) people. Though false, I do not believe this assumption affects the central argument.

¹¹ C. Beitz, *Political Theory and International Relations* (Princeton: Princeton University Press, 2nd edn, 1999).

¹² T. Pogge, *World Poverty and Human Rights* (Cambridge: Polity, 2002), pp. 203–204.

states are complicit in maintaining a global institutional order which harms the interests of the global poor, preventing them from living decent lives.¹³

It is also worth bearing in mind that associative duties grounded in social relationships are not the only means by which sceptics of global distributive justice have sought to draw a justifiable distinction between duties owed universally and duties owed to one's fellow citizens alone. Some argue that only citizens experience the degree of economic interdependence which brings principles of distributive justice into play. For example, it could be argued that citizens are vulnerable to one another's actions in a way that strangers are not, or that the state is a scheme for the mutual advantage of its members. I am sceptical of such arguments because it seems to me that economic interdependence, whether conceived of as vulnerability, advantage or whatever, is a matter of degree, and if that is so it's not clear that the scope of justice can be so sharply limited to the state. Along related lines, Nagel and Blake have separately argued that it is citizens' shared subjection to coercive laws—laws of which they are nonetheless co-authors—which makes justice applicable at the state level alone.¹⁴ Again, while there is not the space to consider it in full here, this argument too is problematic. It is plausible that the poor overseas are subject to coercive measures—indeed that is the thrust of the global institutional order argument mentioned above. If, on the other hand, it is citizens' authorship of the laws which govern them which is important, the argument is in danger of being circular unless some way is found of identifying authorship independent of the citizenship of a state. In any case, as I said in the first clarificatory point at the start of this paper, it is duties grounded in the moral value of social relationships which are my focus here.

Nagel and Blake both distinguish between global justice, and measures to alleviate the absolute deprivation to which so many of the world's people remain subject, and both stress the important of alleviating the latter.¹⁵ This highlights the important distinction between comparative and non-comparative global distributive justice.¹⁶ On a comparative interpretation, person A's life is less decent in part because person B enjoys more resources, opportunities and freedom. The strong egalitarian view mentioned above is one comparative account.

¹³ Pogge, *World Poverty and Human Rights*, pp. 112–16, 198–205.

¹⁴ T. Nagel, 'The Problem of Global Justice', *Philosophy and Public Affairs* 33 (2005), pp. 113–47; M. Blake, 'Distributive Justice, State Coercion and Autonomy', *Philosophy and Public Affairs* 30 (2001), pp. 257–96.

¹⁵ Nagel, 'The Problem of Global Justice', pp. 118–19; Blake, 'Distributive Justice, State Coercion and Autonomy'.

¹⁶ J. Feinberg, 'Non-Comparative Justice', *Philosophical Review* 83.3 (1974), pp. 297–358.

On a non-comparative interpretation we don't make direct comparisons between the parties to justice: those goods necessary for a decent life are defined by reference to an abstract standard of decency. (I leave aside the problem of how that abstract standard is arrived at.) This distinction has crucial implications for how we understand global justice. On a non-comparative interpretation, the point of justice is simply to secure citizens' basic needs. Usually this is interpreted as alleviating global poverty. Laudable though this is, it falls short of the ideal of comparative global justice where citizens' interests in living a decent life are defined by reference to one another. Here the aim is to narrow the gap between rich and poor since the size of that gap is relevant for justice. (We shall return to this distinction later.)

Several writers have explored the way that civic associative duties stand in the way of achieving global distributive justice. However, in the essays in his book *Boundaries and Allegiances*, Samuel Scheffler has explored the conflict in an especially clear and perspicuous way. For that reason, and because the essays have attracted interesting critical comment, I draw on his discussion here.¹⁷ Scheffler imagines two individuals, A and B, who on entering a relationship of some kind, come to owe associative duties to one another as a consequence.¹⁸ This works to the detriment of a third party C who is outside the relationship and is not the beneficiary of any associative duties. The priority which A and B, by virtue of their social relationship, give to each other's interests, works systematically to C's disadvantage. What Scheffler calls the distributive objection sees C's omission from A and B's duty-generating relationship as a morally arbitrary exclusion. The proper grounds of distributive justice are the interests of the affected parties, and by virtue of the relationship they share A and B do not give C's interests the moral weight they deserve. The distributive objection thus appeals to the value of impartiality.¹⁹

The problem is that associative duties are constitutive of social relationships (though at the same time justified by them), and hence we cannot claim that

¹⁷ Scheffler, *Boundaries and Allegiances*; and see E. Ashford, 'Individual Responsibility and Global Consequences', *Philosophical Books* 44.2 (2003), pp. 100-110; Jeske, 'Associative Obligations, Voluntarism and Equality'; J. Kane, 'Who is my Neighbor? A Response to Scheffler', in I. Shapiro and L. Brilmayer (eds.), *Global Justice* (New York: New York University Press, 1999); N. Kolodny, 'Do Associative Duties Matter?' *Journal of Political Philosophy* 10.3 (2002), pp. 250-66; D. Miller, 'Liberalism, Desert and Special Responsibilities', *Philosophical Books* 44.2 (2003), pp. 111-17.

¹⁸ Scheffler, *Boundaries and Allegiances*, pp. 56-58.

¹⁹ Jeske, 'Associative Obligations, Voluntarism and Equality', p. 299.

A and B share a relationship, as compatriots for example, without at the same time conceding that they owe duties to one another on that account.²⁰ Of course, a poorer citizen such as C will also have a compatriot, D, on whom she too can make claims. But the distributive objection points not to the lesser stringency of C's claim on D compared to A's claim on B but to the more limited wealth to which C and D have access, compared with that which A and B can command.

While associative duties obtain in different kinds of social relationships, Scheffler suggests (correctly, I believe) that the distributive objection is most acute at the global level.²¹ His view is that the moral claims arising from associative duties can never finally be reconciled with the impartial concern required by global distributive justice. The plausibility of this conclusion depends in part on whether global justice is conceived of in comparative or non-comparative terms. While the distributive objection could be directed at non-comparative justice, it is credible to claim that poorer people's basic needs could be met while at the same time richer citizens fulfilled their associative duties to one another. Only if the latter were relatively weighty and/or if the normative threshold of a decent life was set fairly high would the distributive objection become apposite. But if global justice is conceived of in comparative terms, it is not obvious how the distributive objection could be avoided. Comparative global justice grounded in impartial concern for all the world's people means that citizens' universal duties to strangers overseas are demanding indeed, and it is difficult to see how they could owe further associative duties to one another without jeopardizing the former. This seems to be Scheffler's main concern too because of his interest in how C loses out just because A and B are fellow citizens.

Achieving Global Justice

How might we best respond to the distributive objection to civic associative duties in the face of global injustice? The first response I shall consider questions how far that objection affects the reality of how global justice would be achieved. Scheffler's spare illustrative methodology may encourage us to think that the only way for rich states A and B to avoid liability to the distributive objection is to transfer resources to poor state C, their mutual associative

²⁰ Scheffler, *Boundaries and Allegiances*, pp. 59, 92–93, 100.

²¹ Scheffler, *Boundaries and Allegiances*, p. 58.

duties notwithstanding.²² But two considerations complicate this simple view of how poor states such as B could become better off. The first is that states engage in significant economic interchange and by implication individuals in rich states A and B will very often have an economic (though not an associative) relationship with individuals in poor state C. Second and relatedly, the most effective way for individuals in C to become richer is through their own economic efforts, including economic trade with other states such as A and B.

What makes some states rich and others poor is a difficult question, much discussed in the global justice literature. Some combination of resource-holdings, economic growth, the functioning of global markets, climate, geographical location, education and productivity of the workforce, stable property rights, the rule of law, bureaucratic capacity, good governance and social cohesiveness and trust all seem to play a part, and different factors may well be predominant in different states.²³ For global wealth inequalities to be a distributive injustice we need only assume that some salient causes of those inequalities are to some degree beyond the control of poorer states and to some degree within the control of richer ones.²⁴ But how that injustice is, morally and practically speaking, best addressed is not an easy question. (For one thing, what is morally desirable may at times conflict with what is practically most efficacious.) Writers and activists call for a variety of concrete measures to alleviate global injustice. For example, they urge the abolition of export subsidies, tariffs and import quotas to promote fair trade. They want to see debt cancellation, and the democratic reform of the international financial institutions which impose them. They call for good governance for its own sake and as a vital pre-requisite for economic prosperity (it would also increase foreign direct investment). Universal free education, it is argued, would better enable future generations to compete in world markets. Besides ending a human tragedy, human capital would also be improved through the eradication of diseases such as AIDS and malaria. Challenging social norms such as those that prefer male children or restrict women to a child-bearing role would

²² This assumption is also made by some cosmopolitan writers. See, for example, Beitz, *Political Theory and International Relations*; Kolodny, 'Do Associative Duties Matter?'; H. Shue, *Basic Rights: Subsistence, Affluence and U.S. Foreign Policy* (Princeton: Princeton University Press, 2nd edn, 1996).

²³ M. Risse, 'How Does the Global Order Harm the Poor?', *Philosophy and Public Affairs* 33.4 (2005), pp. 349-76 at pp. 355-56.

²⁴ Here I leave aside the problem of democracy: how far the actions of—especially poorer—states' leaders reflect their citizens' choices.

likely have a positive impact on developing states' prosperity. So too would development and increased private charitable donations.

There are naturally complex interdependencies between these different factors, varying local situations across developing countries, and debates among academics, activists and politicians about how precisely to achieve global justice. All this serves to establish an important general point: we will not achieve global distributive justice in a non-comparative or, in the long term, a comparative sense simply through richer states channelling an ever greater proportion of their public spending overseas. Poor countries are not made richer by rich countries getting poorer. We will achieve it through some combination of fair trade, debt cancellation, global democracy, good governance in developing states, improved education, eradication of serious diseases and so on, together with some measure of tax-financed official development aid. This empirical conclusion shows that, insofar as the distributive objection assumes that the way to make poorer people richer is through wealth redistribution from rich to poor the objection is misplaced. In consequence, it may not be unjust for developed states to spend more per capita on their own citizens than people overseas provided they undertake the other sorts of measures outlined above to help developing states help themselves. They will likely still need to augment their foreign aid budgets, but that is only one part of achieving global justice. For all the factors above are concerned with strengthening the ability of members of poorer states to generate their own wealth and opportunity. This may seem to erode some of the moral force of the distributive objection.

These considerations do not, however, show that the distributive objection is merely a theoretical problem. On one interpretation of it, the objection does assume that wealth redistribution is the main way to achieve global justice. But it also can be recast to include some of the factors canvassed above. To begin with, there are still financial implications involved in better-off states abolishing subsidies, tariffs and import quotas, cancelling debts, promoting health and education overseas, and so on. Further, since the wealth held by individuals and institutions is finite, there are also financial implications in any transfers made overseas by them: loans, investment or charitable donations may mean less is available for domestic goals. Importantly, many of the measures listed above, while not primarily redistributive in nature, still demand substantial effort on the part of richer states' citizens to achieve. Reforming supranational institutions, negotiating fairer global trade, encouraging good governance overseas, promoting a liberal culture in illiberal states and so on, all require time, energy, effort and attention, not least because of the coordination necessary among the actors involved. We do not need to have to hand a common metric to measure the comparative burdensomeness of different sorts

of positive duties, to realize that these non-distributive duties too may threaten the fulfilment of compatriots' associative duties. Reversing the point, if political leaders devote most of their time and energy to their own citizens' interests, they will have little left to attend to the interests of the global poor. Provided we assume that poorer states cannot develop their own economies without substantial external assistance, comparative global justice will remain a far-off aspiration. In sum, the practicalities of achieving global justice reveal that a conflict remains between fulfilling associative and universal duties. The distributive objection thus remains largely intact.

The Additional Duties Defence of Associative Duties

The second reply to the distributive objection is more philosophical. It says that associative duties do not compete with the duties we owe to strangers, but rather supplement them. Pogge, for example, contends that associative duties that arise from particular relationships are permissible provided that we do not, on their account, owe less to non-associates than we would have owed them in the absence of the relationship. '[S]pecial relationships can increase what we owe to our associates', he writes, 'but they cannot decrease what we owe to everyone else'.²⁵ Similarly, Jeske, imagining a situation in which I must attend to the interests of Henry (a stranger) and Emma (to whom I owe special obligations), argues that 'I must continue to give Henry's needs the same weight in deliberations as I would have given to those needs if I did not have special obligations to Emma'.²⁶ On this view, then, we first arrive at a notion of those positive duties we justifiably owe to others, and then augment what we owe to associates on the grounds that we share relationships only with them. I shall call this the additional duties defence of associative duties.

Scheffler himself sees a problem with the additional duties defence.²⁷ According to him, the defence concedes that the moral claims of associates are greater than those of strangers which is just what the distributive objection takes issue with. The distributive objection attacks the idea that we have greater

²⁵ T. Pogge, 'Cosmopolitanism: A Defence', *Critical Review of Social and Political Philosophy* 5.3 (2002), pp. 86-91 at 90-91; cf. Pogge, *World Poverty and Human Rights*, pp. 78-79; cf. K.-C. Tan, *Justice Without Borders: Cosmopolitanism, Nationalism and Patriotism* (Cambridge: Cambridge University Press, 2004), pp. 163-79.

²⁶ Jeske, 'Associative Obligations, Voluntarism and Equality', p. 300.

²⁷ Scheffler, *Boundaries and Allegiances*, pp. 86-87; cf. S. Scheffler, 'Replies to Ashford, Miller and Rosen', *Philosophical Books* 44.2 (2003), pp. 125-34 at pp. 128-29.

responsibilities to associates than non-associates. Hence, he argues, if the additional duties defence were correct, it would rebut the distributive objection, but in doing so ‘it would nevertheless grant the conclusion that objection seeks to establish’.²⁸ On this view, the additional duties defence is self-defeating because it concedes our duty to give greater weight to associates’ interests than non-associates’ interests, and that is unjust. But how convincing is Scheffler’s reply? If we deliver to strangers the substantial duties that justice requires need there be a wrong involved in giving greater weight still to the interests of associates? The distributive objection to associative duties is triggered if A and B, by virtue of their associative relationship, do not give stranger C’s interests the moral weight they deserve. But provided that A and B take care to give C’s interests the same substantial weight in their moral deliberations about what each of them owes C that they would absent their own duty-generating relationship, there is no obvious distributive objection if A and B can make an extra claim on each other in addition. Further, this reply seems consistent with the empirical reply to the distributive objection discussed above. Suppose state A devoted the time, effort, money and so on which is its proper moral share of the work needed to achieve global justice. Is any injustice *necessarily* involved if A’s citizens owed associative duties to one another in addition?

This returns us to Pogge’s and Jeske’s view that associative duties are legitimate if and only if they are additional to those we have towards non-associates. There is another objection to this view, however, which can be presented via a dilemma. On the one hand, if we first discharge the duties to strangers which global justice requires, it is not clear that we really do owe associates substantial duties in addition. On the other hand, if we do owe associates significant duties, then, as Scheffler recognizes, there seems good reason to think we will fall short of what our global justice duties morally require. Take the first horn of the dilemma first. We noted the fairly obvious point that achieving global justice is a colossal task that requires substantial time, effort, energy and (not least) money on the part of rich states and their citizens. It requires continual work, over a substantial period, until such time as citizens in what are now poorer states have increased their wealth and opportunity to such a degree that the demands of some global comparative principle are satisfied. Plainly, since the world is marked by such huge wealth disparities, citizens in better-off states would need to increase the moral weight they accord to strangers’ interests by several orders of magnitude in order to diminish the current comparative gap.

²⁸ Scheffler, *Boundaries and Allegiances*, p. 86.

If this is the case, however, it is not certain whether there are significant extra associative duties that citizens in rich states would owe one another in addition. I stipulated earlier that (consistent with common usage) associative duties are not merely permissions: they are positive actions that citizens ought to perform for one another. But under comparative justice the duties owed to strangers are weighty indeed, for they are grounded in some notion of impartiality across borders. Thus while, as I have maintained, it is not in principle unjust for a rich state's citizens to owe one another additional associative duties if they meet their global justice duties, the demands of justice towards the global poor may not leave very much to be owed. There would be a strong argument that any substantial associative duties that richer citizens owed each other, any surplus, as it were, at their command, ought first to be redirected towards worse-off strangers.

On the second horn of the dilemma, global justice is defined in non-comparative terms, for example by reference to people's basic needs. The corresponding duties of citizens in richer states are consequently less demanding. They involve ensuring that all the world's people enjoy lives above a certain threshold of decency. Consistent with this, richer states' citizens might owe each other something extra: the value of their citizenship could plausibly involve civic associative duties denied to those outside the relevant duty-generating relationships. The additional duties defence could, on this interpretation, succeed. In the grossly unjust world in which we live we should not under-estimate how much of an achievement it would be if every person could live a decent life. But such measures would still fall foul of the distributive objection which questions whether citizens in the rich world can enjoy so much more than the poor for morally arbitrary reasons. Global justice, as most of its advocates understand it, would not have been achieved. Either for this reason, therefore, or because, as maintained above, more impartially-minded citizens could not owe one another significant duties if they owed substantial duties to strangers, the additional duties defence does not seem likely to succeed.

Defending Associative Duties

In this section I outline a third—and, I believe, more promising—strategy to defend associative duties and defuse the distributive objection. To begin with, consider briefly what civic associative duties might consist in and why that might be thought valuable. Thus many people believe that citizens have duties to their fellow citizens to maintain an effective welfare state on the grounds

that through the domestic social justice the welfare state helps secure, better-off citizens foster the citizenship they share with their poorer compatriots. Associative duties, in other words, are grounded in their common membership of a civic community.²⁹ Specifically, citizens have duties to maintain institutions such as a properly functioning health service, an education system which prepares young people for their society's labour market and for citizenship, and to underwrite reasonable state-financed provision for the poor, the old, the disabled and other vulnerable groups. Performing these sorts of duties strengthens the bonds that exist between citizens and helps each citizen feel, with justification, that she is a member in full standing of a larger civic community. Citizenship, on this view, is a collective political project, and it is made so, in large part, because of the positive duties of justice that citizens deliver to one another. Moreover, in a liberal democratic state, citizens have also an input into determining the nature of their socio-economic provision. Besides helping realize civic community, citizenship is also valuable because through it citizens have an input in co-determining the conditions of their collective life with each other.³⁰ Most valuable relationships are valuable in part because participants in them are able to negotiate their terms, and the claims and demands they can make on one another, and the goods they co-produce. Citizenship is no exception. Thus through their more political civic associative duties—duties to take an interest in public affairs, to scrutinize their government, to vote—they also realize the value of democracy.³¹

Certainly, this sketch could be contested. It may seem, for example, to assume a rather republican understanding of citizenship. But it is not, I hope, implausible. My aim here is not to spell out precisely what civic associative duties involve but to show, in general terms, how they might survive the distributive objection.

One feature of this account is that it does not at base involve the notion of priority. Citizens have no duty to put each other's interests ahead of non-citizens; their basic duties are simply to realize the values of civic community and democracy.³² Those basic duties are realized by more specific duties such as

²⁹ Cf. D. Harris, *Justifying State Welfare* (Oxford: Blackwell, 1987); Miller, 'Liberalism, Desert and Special Responsibilities', pp. 115–17.

³⁰ Mason, 'Special Obligations to Compatriots', p. 442.

³¹ Cf. Honohan, 'Friends, Strangers or Countrymen?', pp. 59–64.

³² A more apposite problem might appear to be that civic associative duties, while grounded in the values of civic community and democracy, also serve those values: it is by meeting their associative duties that community and democracy are promoted. This seems circular since the grounds of duties are also the effects of meeting them. However, citizenship involves more than simply the duties that citizens owe one another (Mason, 'Special Obligations to Compatriots',

paying taxes and debating issues, and through meeting these duties they help achieve these values. But, as a group of individuals who engage in (duty-generating) common activities, citizens have no duty to rank each other's interests ahead of outsiders. Their duties simply involve meeting each other's interests. The grounds of their duties—civic community and democracy—are values in and of themselves; they do not direct participants to rank each other's interests before those of strangers. After all, citizens in poorer states also have associative duties, and they too may be able to realize the values of civic community and democracy without putting each other's interests ahead of rich outsiders. This may seem, however, disingenuous. While the root justification of these civic associative duties may not be prioritarian, their practical effect certainly is. Welfarist associative duties involve money, and in a world where wealth is so hugely unevenly distributed the effect of rich states meeting these duties will be that the interests of poorer peoples in living a decent life are not adequately met. Even realizing the democratic values in better-off states, insofar as they involve citizens' time and energy, may well prejudice the interests of the global poor. In practice if not in theory, then, meeting our global justice duties will slip down the political agenda if associative duties are sufficiently strong.

There are two replies to this practical objection. The first points out that just because associative duties are outweighed by other duties does not mean they are not duties. The second is to outline circumstances in which they are not outweighed.

Civic community and democracy in richer states would not collapse if politicians and citizens in those states spent the time, energy and money necessary to deliver their global justice duties. What is true is they may not be realized as much as they might if the latter kinds of duties were adequately fulfilled. A more basic welfarist system might foster less of a civic communitarian ethos than a more comprehensive one. If, counterfactually, richer states' citizens devoted more time, effort and energy to the needs of the global poor then by implication they would devote less to democracy and civic life in their own society. The latter values would then not be realized to the degree that they might. Short of spelling out in more detail what our civic associative and global justice duties involve, we do not know precisely what the comparative gains and losses would be. We do, however, know that constructing a world which is just (in comparative terms) is a hugely demanding task. It involves increased

pp. 439–47; cf. J. Raz, 'Liberating Duties', *Law and Philosophy* 8 [1999], pp. 3–21 at p. 21). Citizenship is a value, a shared sentiment, a legal status, a symbol of belonging and part of the meaning of a state: these things also are fostered by civic associative duties, but they are not directly the object of them. We thus avoid the problem of citizenship being justified by just what it is that citizens qua citizens have a duty to do.

development aid; creating conditions in which poorer states can enjoy economic growth: fair international trade and effective supra-international institutions to regulate it, as well as measures to promote democracy and social capital in developing states, and so on. The likelihood is that this would have a negative impact on the fulfilment of our civic associative duties, and hence on the achievement of their constitutive values.

However, claiming that a duty is eroded, or even over-ridden, by the performance of another duty is quite different from claiming that it disappears, even if in practice the two situations look the same from the outside. The values which associative duties serve—civic community and democracy—are universal ones and remain significant whatever the situation in other states and the world as a whole. Civic community and democracy do not suddenly lose their importance just because there are other duties that are more urgent and compelling. We quite often face conflicts of duties, but when we decide that meeting one duty is more morally urgent than another, we still feel the pull of the less compelling duty. Saving ten people from drowning does not mean the duty to save one person elsewhere from drowning suddenly goes away. In fact, situations in which attending to an important harm or wrong get in the way of meeting our associative duties are not uncommon in everyday life. You might be called upon to give first aid to victims of a road accident on your way home, for example, or you might take up Oxfam's invitation and buy a goat for an African village instead of giving your friend a birthday present. Duties do not magically disappear when other more powerful duties intrude. What is true is that very few, if any, duties, are of such moral power that they take priority across the board, in every situation. Civic associative duties give citizens a strong *prima facie* reason to engage in certain activities. I have claimed that that reason can be articulated through the values that associative duties serve.

Having said that, civic associative duties would be an odd kind of duty if they were *always* outweighed. To make credible the claim that they exist, it will therefore help to outline the circumstances in which they may be substantially fulfilled. Again, it is difficult to do this without a full specification of what associative (and non-associative) duties involve, but the following sketch, I hope, gives an idea.

My suggestion is that associative duties can be performed alongside universal duties in ideal circumstances.³³ I use the phrase ideal circumstances rather

³³ For a similar idea, though not developed, see Jocelyne Couture and Kai Nielsen, 'Cosmopolitanism and the Compatriot Priority Principle', in Gillian Brock and Harry Brighouse (eds), *The Political Philosophy of Cosmopolitanism* (Cambridge: Cambridge University Press, 2005).

than ideal theory partly because ideal theory is defined in different ways by different writers—sometimes as full compliance with our moral duties,³⁴ sometimes as the claim that normative truths are independent of empirical ones³⁵ and sometimes as moral theory that does not offer guidance on real world problems³⁶—but also because my concern is not so much with the nature of normative theory as in a situation in which global justice, defined in comparative terms, finally obtains. We have to imagine a world in which the distribution of wealth and opportunities satisfied some recognized principle of social justice, however far removed that is from our present reality. To simplify matters, we might imagine a world of two states, A and B, neither of which is much wealthier than the other. A and B trade with each other. A sells B goods in which it specializes, and B does the same. Suppose there is perfect free trade with no tariffs or quotas, and goods are bought and sold at the market rate. Such a situation should be advantageous to both states so that their economies grow. Now both A's and B's citizens are concerned with civic community and democracy in their own societies. Each therefore finances an effective welfare state and each ensures that their citizens' public standing—in part a function of their material well-being—is such that they can have a genuine input into public deliberation on the direction of their society. The two states' citizens have duties to realize the values of civic community and democracy, and this sees them devoting more time, energy and money to each other's interests, than to the interests of citizens in the other state. That is the practical sense in which associative duties involve the idea of priority. It is also the only sense. As explained above, the grounds of associative duties are just to realize certain values where one lives; this does not involve winning a race, as it were, against the other state. We can make sense of associative duties through the claim that A's and B's citizens, through their common civic activities, can enjoy a certain sort of collective flourishing. There is no need to stipulate that associative duties are only satisfied if A is better off than B, or vice versa.

Now this happy situation may not obtain forever. Perhaps B's government make less than wise economic decisions, and its economy stalls, or A's citizens work harder and its economy grows at a faster rate. A's citizens' global justice

³⁴ Liam Murphy, *Moral Demands in Non-Ideal Theory* (New York: Oxford University Press, 2000).

³⁵ G.A. Cohen, 'Facts and Principles', *Philosophy and Public Affairs* 31 (2003), pp. 211-45; Andrew Mason, 'Just Constraints', *British Journal of Political Science* 34 (2004), pp. 251-68.

³⁶ Colin Farrelly, 'Justice in Ideal Theory: A Refutation', *Political Studies* 55.4 (2007), pp. 844-64.

duties might therefore for a time become more substantial, as it seeks to assist B, and this would likely have a negative impact on welfarist spending in A, as well as limiting its democratic freedom to determine its future. But this would not cause its civic associative duties to disappear. They would simply be trumped for a time until global justice once again obtained.

For an example closer to home and to current realities, consider the distribution of wealth and income in contemporary liberal democracies, and the duties between family members. The latter (it is plausible to think) are justified by the values of love, care and intimate association. Familial associative duties need not direct family members to make themselves better off than strangers. They do naturally involve family members being more committed to fulfilling each other's needs than strangers': through such commitment the distinctive familial modes of flourishing—constituted by values such as love, care and intimate association—are realized. I don't think it's unrealistic to believe that such flourishing may be consistent with achieving a just distribution of wealth and income in society.

What would Scheffler make of the defence of associative duties outlined above? He might interpret it through the claim that the scope and stringency of associative duties may seem, on this account, to be limited by what global justice duties require. A counter-argument would then be that this gives global justice priority over associative duties in which case the distinctive nature, as well as appeal, of the latter is eroded. Now this is a convincing objection to what I called the additional duties defence of associative duties. For on that defence we do first determine what non-associative duties of justice we owe strangers, and I suggested that if these were demanding enough they would not leave citizens with significant duties to one another (though they would be permitted to act within just bounds). But the defence above does not understand priority in this way. It distinguishes between the grounds of duties—the values which justify them and which they serve—and their concrete practical demands. Civic community and democracy are instances of the former. They have intrinsic value for the citizens of a particular state independent of the position of citizens of other states. The practical demands they make as duties, by contrast, do vary with context. In our present context the demands of global justice do take priority but that need not always be the case. Which duty gives us the strongest reason to do something depends upon the situation we face. If associative duties *always* took priority over non-associative duties they would be a strange sort of duty because duties are justified by values and one normally compelling value can be over-ridden by considerations of greater moral importance in certain circumstances. I have suggested by contrast that associative duties behave much like other kinds of duties. They are more than

simply permissions; they give us reasons to do things, they serve important values and they are not absolute.

Conclusion

Associative duties owed to compatriots are firmly embedded in the common moral consciousness. That does not mean they are correct, but it seems to me a more fruitful strategy to see if we can re-interpret the intuitions of common sense morality, channelling them in a more progressive direction so as to reconcile them with our considered moral principles, rather than abandoning them altogether just because they do conflict. Proponents of associative duties tend to defend them by claiming that the interests they serve are of such value that they outweigh the performance of our global justice duties, at least if the latter are interpreted in a more demanding comparative sense.³⁷ The problem with this sort of defence is that given the grievous wrong that global inequality represents, we would have to attach inordinate value to those interests and it seems unlikely that citizens' interests can have that extraordinary importance. Cosmopolitan critics of associative duties tend to claim that because they come into conflict with global justice duties, they probably don't exist at all, especially as states seem just too large for their members to owe one another associative duties compared to groups of friends and families. The first plank of a defence of civic associative duties consists in showing how political institutions enable relatively stable and enduring mediated relationships where, by virtue of their collective institutional membership, citizens can engage in common activities. The second plank is the claim that such common activities realized certain values, and I suggested civic community and democracy were one plausible interpretation of those values. The third plank maintained that those values did not go away if citizens' activities were redirected (in large part) towards outsiders' interests. Finally, we can at least imagine a situation where people's interests as citizens are met largely by their own compatriots, enabling civic community and democracy to flourish in the world more than they currently do. In the end, most people's intuition that they owe their compatriots a peculiar form of duty is correct; where ordinary thinking goes wrong is simply in over-estimating that duty's potency and power.

³⁷ See Wellman, 'Relational Facts in Liberal Political Theory'; and David Miller, 'Reasonable Partiality towards Compatriots', *Ethical Theory in Moral Practice* 8.1 (2005), pp. 63-81.