

A Liberal Defence of (Some) Duties to Compatriots

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ABSTRACT *This paper asks whether we can defend associative duties to our compatriots that are grounded solely in the relationship of liberal co-citizenship. The sort of duties that are especially salient to this relationship are duties of justice, duties to protect and improve the institutions that constitute that relationship, and a duty to favour the interests of compatriots over those of foreigners. Critics have argued that the liberal conception of citizenship is too insubstantial to sustain these duties — indeed, that it gives us little reason to treat compatriots any differently from how we treat foreigners, with all the practical consequences that this would entail. I suggest that on a specific conception of liberal citizenship we can, in fact, defend associative duties, but that these extend only to the duty to protect and improve the institutions that constitute that relationship. Duties of justice and favouritism, I maintain, cannot be particularised to one's compatriots.*

1.

This paper asks whether we can defend associative duties to our compatriots that are grounded solely in the relationship of liberal co-citizenship. The sort of duties that are especially salient to this relationship are duties of justice, duties to protect and improve the institutions that constitute that relationship, and a duty to favour the interests of compatriots over those of foreigners. Critics have argued that the liberal conception of citizenship is too insubstantial to sustain these duties — indeed, that it gives us little reason to treat compatriots any differently from how we treat foreigners, with all the practical consequences that this would entail.¹ I suggest that on a specific conception of liberal citizenship we can, in fact, defend associative duties, but that these extend only to the duty to protect and improve the institutions that constitute that relationship. Duties of justice and favouritism, I maintain, cannot be particularised to one's compatriots.

Whether associative duties can be justified at all is an open question, and in recent work Samuel Scheffler has pinpointed one fundamental objection to all associative duties, that they constitute an unacceptable constraint on the liberty of the duty bearer. I use Scheffler's response to this objection to develop a simple model for the justification of associative duties, then apply that model to the case of liberal co-citizens. Section 2 shows how this objection can be overcome and sets up the basic justificatory model; Section 3 explains what I mean by liberal citizenship; Section 4 makes the case for liberal co-citizenship being the sort of relationship that can justify associative duties; Section 5 identifies which duties it can ground.

Some terminological points should be established first. The paper distinguishes between duties and obligations. Duties are unchosen imperatives; obligations are voluntarily incurred.² General and special duties are also distinguished from one another:

general duties are owed in virtue of nothing but our status as persons; special duties are owed only to some subset of humanity, in virtue of some interaction or relationship. Associative duties, with which we are mainly concerned, are a subset of special duties; they are duties grounded in a particular relationship that we share with the beneficiary of the duties.

2.

The idea that we have associative duties to people with whom we share special relationships is a staple of commonsense morality, but it is notoriously difficult to provide our ordinary judgments with substantive theoretical foundations. Of the numerous objections to the very idea of associative duties, one is particularly telling, and by working out a response to it, we can develop a basic model for the justification of these duties. This is what Samuel Scheffler called the ‘voluntarist objection’ to associative duties — also discussed, in different terms, by Michael Hardimon.³ They argue that the principal concern with all unchosen duties, and especially associative duties, is that they constitute an involuntarily acquired burden on the bearer, thereby undermining his negative liberty — his freedom from constraints. Since negative liberty is one of the dominant values of contemporary political philosophy, it is unsurprising that associative duties are viewed with greater scepticism among philosophers, than they are in ordinary life.

There are two ways of challenging associative duties on the basis of their liberty costs. One approach makes a general objection to all duties, defined in contrast to obligations as unchosen imperatives, arguing that the only defensible imperatives are those to which we consent. This is a counterintuitive position, however, and Hart may have shown it to be logically incoherent, since the ability to constrain our liberty by undertaking obligations presupposes that we have a natural right to freedom, with correlative duties of non-interference.⁴ A more plausible, though less comprehensive, form of the voluntarist objection argues that specifically *associative* duties are indefensible. One could argue that, if we care about negative liberty above all else, then our general duties are requirements imposed on each by all to ensure everyone has the greatest liberty consistent with the same for all.⁵ They are distinguished, therefore, by a strict principle of reciprocity: I limit my freedom by acknowledging a general duty, only insofar as everyone else does identically. Since associative duties are by definition neither owed by each to all, nor voluntarily incurred, they constitute unacceptable constraints on our liberty. Note that since special *obligations* are incurred through our voluntary agency — think of promises, or reparatory obligations following wrongdoing — they are not vulnerable to the same attack.

In this form, the voluntarist objection is motivated by concern for our freedom from constraints.⁶ The defence of associative duties therefore begins with the obvious argument that negative liberty is not the only thing that matters. Hardimon, for example, argues that we need a broader conception of freedom as autonomy, according to which, roughly, we are autonomous when we act from reasons we should not mind acting on — that is, reasons that are ‘reflectively acceptable’.⁷ Since associative duties are crucial for some special relationships to exist, and those relationships play a crucial role in our wellbeing, the duties should be reflectively acceptable to us. More directly, Scheffler argues that we simply face an intrapersonal tradeoff here, between two values that play

an important, non-instrumental role in constituting our wellbeing: our negative liberty, and the deep personal relationships that these duties make possible.⁸ Obviously a stickler for negative liberty will reject any such tradeoffs, but given that, for most people, special relationships are what makes their lives worthwhile, if associative duties are genuinely crucial for the relationships to obtain, it seems unlikely that the duties will all be ruled out.

What does it mean, however, to say that associative duties are crucial for special relationships? The standard view is that such duties should be *constitutive* of the relationship that justifies them.⁹ It is not always clear, however, what is meant by 'constitutive'. The term is often used quasi-metaphorically, to suggest that the duty is part of the meaning of the relationship — we cannot conceive of the relationship in the absence of recognition of the duty. The underlying construct seems to be this: a duty *x* is constitutive of a relationship *y* when there is no conceivable world in which *y* could obtain, were *x* not observed. Are we really interested in all hypothetically conceivable worlds, however? For example, in this world, people do not perfectly comply with the demands of morality. For a father's relationship with his daughter to obtain, he must protect her from wrongful harm by others.¹⁰ We can conceive of a world, however, where people are incapable of acting wrongly — acting rightly for them is as instinctive as breathing, as involuntary as complying with the laws of physics. In such a world, there is no threat of wrongful harm to anyone, nor could one arise. The father would no more need to protect his daughter against the threat of wrongful harm, than against the threat of her no longer being subject to the laws of physics. It is a stretch, then, to say that he has the duty to protect her against wrongful harm in this hypothetical world. Rather than requiring the duty to be constitutive of the relationship it seems better to stress that for a duty to be justified by the value of a relationship, it must be a necessary condition of the relationship obtaining in this world. Our being able to conceive of hypothetically possible but utterly implausible worlds where the duty is not required does not seem morally relevant.

Abstractly stated, Hardimon and Scheffler overcome the voluntarist objection in the same way: by arguing that the costs of associative duties to our negative liberty are justified by the non-instrumental value of the relationships that they make possible. This suggests a model for the justification of specific associative duties: first identify a relationship that is non-instrumentally valuable, then show that the recognition of a given duty is a necessary condition of that relationship obtaining. Undoubtedly there is more to be said about the justification of associative duties — in particular, whether it is important to link their value to the importance of the relationship for the duty-bearer's identity,¹¹ and whether there are problems with the implicitly teleological nature of the justification¹² — but if we can show that a relationship is non-instrumentally valuable, and that a given duty is a necessary condition of the relationship obtaining, then we have at least a good *prima facie* case.

3.

To show that associative duties can be grounded in the relationship of liberal co-citizenship, then, we need to first characterise that relationship, then explicate its value, then show how some duties have the relevant sort of connection with the relationship.

At first glance, one might divide the debate over the nature of citizenship into two broad camps: instrumentalist liberals on one side, and intrinsicalist republicans on the

other.¹³ For instrumentalist liberals,¹⁴ the state exists to protect each against the predations of others, and perhaps to provide some public goods, after the fashion of an insurance company. Our citizenship is merely, in Charles Taylor's words, a means 'to obtain benefits through common action that [we] could not secure individually'.¹⁵ The institutions of citizenship, and the practice of self-legislation, are no more than 'collective instruments', valuable only insofar as they yield various other benefits.¹⁶ Intrinsicist republicans,¹⁷ by contrast, argue that citizenship is not just a passive status that guarantees the satisfaction of certain interests, it is a role, the active performance of which has non-instrumental value.

These polarities, however, are not only rough caricatures of the positions most people hold, they are also clearly not jointly exhaustive of the conceptual terrain of citizenship. In fact, most contemporary liberal egalitarians would advocate an alternative position, which we can call substantive liberalism, according to which the purpose of liberal citizenship is to realise justice.

Substantive liberalism starts from the obvious premise that each person is of great, and equal, moral worth, and aims to establish, on this basis, what we owe to each other as a matter of justice — that is, what we can demand from one another, and coercively enforce.¹⁸ Liberal citizens are not, as instrumentalists think, moral strangers, since we start out with various duties, positive and negative, in virtue of this status. These are general duties of justice, owed equally to all. However, since they require the establishment of stable political institutions for their realisation, they are at present performed only within subsets of humanity.¹⁹ Liberal citizens, on this account, are those who sustain institutions to perform these duties of justice to one another. These institutions, then, are not merely a means for the realisation of our self-interest, nor indeed solely a project of collective self-legislation, but the realisation in this world of our duties of justice. The state is not an insurance company, of which we are clients; it is our corporate agent, through which we carry out our duties to one another.²⁰

Ironically, this conception of citizenship has always been implicit in one of the views commonly associated with instrumentalist liberalism — T. H. Marshall's thesis that citizenship is the status of possessing certain rights.²¹ It is a conceptual mistake to see this as grounding a purely instrumentalist picture of liberal citizenship, for the obvious, albeit overlooked, reason that rights entail duties, and I cannot claim my rights unless someone else performs the corresponding duties.²² This is a logical truth: for A to have a right to *x* is for some B to have a duty either not to interfere in A's enjoyment of *x*, or to provide A with *x*, or to punish some C who interferes with *x*, and so on. The status that I get as a right-bearer, then, is conditional on the existence of a community of people who perform the duties necessary for the realisation of my rights, thereby affirming my moral equality — in the modern world, that is the liberal democratic state, and the various institutions of liberal citizenship.

One might argue that these duties are just the costs of receiving the objects of our rights: just as its clients must pay the insurance company, so must we pay for our rights to be fulfilled by the state. This ignores, however, the fact that the taxes through payment of which most people perform their duties are inescapably redistributive. While an aspirationally just state would self-consciously aim at distributive justice, some redistribution is a necessary corollary of the existence of *any* state, however libertarian, because the goods of domestic and international security — minimum conditions, I take it, for the existence of a state — are non-excludable, so if we are to respect the libertarian rights

of those who cannot/will not contribute to the minimalist state, and allow them to remain within the territory, taxation to sustain these public goods will inevitably have a redistributive element, so manifest recognition, albeit begrudging, of our fundamental equality. This is evident even in the arch-libertarian work of Robert Nozick: forcing would-be independents to accept the state's authority, and then demanding that they pay in full for benefits that they do not choose to receive, would be a flagrant violation of their libertarian rights — hence the need for at least partially redistributive 'compensation' in the form of subsidised provision of security.²³ This point also tells against the republican complaint that liberal conceptions of citizenship are purely passive and recipient-oriented.²⁴ It is consistent with liberal pluralism that the ways in which we contribute to the realisation of justice should be through other means than just political participation.

A liberal citizen, then, is a person who does justice to his fellow citizens, and to whom justice is done by them. If the relationship between us is nothing other than the performance of duties of justice, and if those duties are actualised through the institutions of the liberal state, then those institutions are the actualisation of the relationship between us. Specific instances of liberal citizenship may contingently involve other elements besides the doing of justice, but the fact that you and I share stable institutions for the realisation of justice between us is a sufficient condition of saying we are liberal co-citizens.

4.

Since liberal citizenship consists in the performance of our duties of justice to one another, by looking more closely at different aspects of justice — in particular, political, distributive, and criminal — we can better understand what would be lost if the associative duties grounded in this relationship were not performed. I look first at citizenship as a package, then at its separate components.

Charles Taylor, Axel Honneth, and others have argued that recognition of one's identity is an important component in every person's wellbeing, and that to misrecognise a person is to harm him.²⁵ While these accounts depend on contentious conceptions of what is fundamental to our identity — specifically, cultural affiliation — it seems clear that we are harmed when our moral equality is disregarded, since it is integral to every person's identity to believe he is no less valuable than others. This sense of self-respect is crucial to wellbeing, and yet at least partly depends on being respected by others. If others persistently disregard our sense of equal status, either our self-respect diminishes, and we internalise their judgments of us, or we are locked in bitter resentment. Both alternatives plainly undermine our wellbeing. Conversely, when others' estimation of our worth mirrors our own, we benefit from what Feinberg calls a sense of human dignity, which 'enables us to "stand up like men", to look others in the eye, and to feel in some fundamental way the equal of anyone'.²⁶

Consider, next, political justice, which presumably unpacks as some form of democracy. In a democracy, I respect other people's reasonable opinions, and accept the possibility of being led by them. As such, I provide them with the great good of respect not just for their abstract equality, but also for their status as responsible agents, able to contribute to, and make, substantive decisions about the conditions of our collective existence. The value of this respect can be seen if we suppose that it were denied, and,

for example, a guardian elite made all our decisions for us. In such a context we would either internalise this assessment of our moral incompetence, or, which is more likely, live in perpetual resentment. Both alternatives would undermine our wellbeing.

Next consider distributive justice. Evidently, since the purpose of distributive justice is to achieve a just distribution of socially-influenceable wellbeing, there is no obvious reason why it would make its own independent non-instrumentally valuable component of my wellbeing. Moreover, it is commonly assumed that relational facts about how my wellbeing compares with others' should not be considered aspects of my own wellbeing.²⁷ Now, while I think that assumption may be wrong, there is a more straightforward reason for thinking that being a subject of distributive justice is non-instrumentally valuable.²⁸ However the favoured conception of justice pans out, as a liberal citizen I know that my co-citizens manifest some degree of concern that my life should go well. Where my political equality contributes to the sense that I am a responsible adult whose opinions matter, my distributive equality secures a sense that my wellbeing matters, that my co-citizens recognise that this is the only life I have to lead, and want me to be able to make the most of it. We can — albeit tentatively — compare this with the sense that one is loved, since the basic idea is the sense that some other or others care about how my life goes. Of course, this is a much-attenuated form of the other-regarding impulse, but it is nonetheless a significant contributor to my wellbeing to know that I am not alone in life's struggles.

Finally, consider criminal justice. It is initially not obvious that this should be non-instrumentally valuable: after all, it is intended to subtract from the wellbeing of the punished, and it is difficult to see how this harm to the criminal can be cashed out as a benefit to the victim. Nonetheless there is a clear sense in which criminal justice makes a non-instrumental contribution to our wellbeing. Where political justice manifests respect for our capacity to make meaningful decisions, and distributive justice expresses a concern that our lives should go well, in doing criminal justice our co-citizens manifest solidarity with us when we have been harmed, and affirm our moral inviolability.²⁹ Without criminal justice, when I am unjustly harmed by another, that harm is sanctioned by the inaction of the rest of society, who, through their indifference, condone the attitude expressed towards me by the criminal. This would give me the feeling of being both abandoned, and universally derided by my compatriots. Conversely, when society acts to secure the criminal, and to punish him for the harm done to me, they stand shoulder to shoulder with me and affirm my moral status, thus giving me the sense that it matters that I should be protected from unjustified harms.

It seems that liberal citizenship does make a non-instrumental contribution to individual wellbeing. In general, the sense that we are respected as an equal helps to secure for us the social bases of self-respect; more specifically, in doing political, distributive, and criminal justice, our citizens affirm our moral competence, the importance of our lives going well, and our inviolability to unjustified harms. Each of these gives us the invaluable sense that we matter, that we have dignity in the eyes of others matching and bolstering the sense of self-worth with which we are born. Of course, while the institutional expression of our relationship may manifest these attitudes, this does not mean we will each consciously affirm them in all our interactions. Liberal citizens are not, by virtue of their institutional context, any less likely than anyone else to be petty, spiteful, or envious. But whatever their other sentiments, it is the ideal of respect that is manifest in their institutions, and in their behaviour in accordance with those institutions. Giving

another the respect due a fellow citizen is perfectly consistent with having deep feelings of personal antipathy towards him, and indeed all the more valuable for its invulnerability to such caprices.

Before asking what specific associative duties this valuable relationship can ground, we should remember that actually existing states are not fully just, and ask how this affects our evaluation of this relationship. Much of my argument for the value of liberal citizenship has rested on the importance of respect, affirmation, and recognition. It is the feeling that we are equals that is such an important part of our wellbeing, and likewise it is the feeling that our opinion matters, and the fact that we respect one another's moral liberty, that makes political justice non-instrumentally valuable, and the same goes for distributive and criminal justice. Although undoubtedly this feeling is more secure when our state is perfectly just, it could clearly be sustained in a state that was not so perfect. If a state — and its citizens — *aspire* to justice, then this recognition and respect is already there; what is lacking is its complete institutional actualisation. Of course, there can be a point where the institutions are so corrupt that the aspiration must be taken as meaningless; however, provided the institutions are aimed at justice, and can be further pushed towards it, there is no reason for thinking the value of liberal citizenship substantially diminished.

5.

I must now show that there are some duties with a sufficiently strong internal connection to liberal citizenship to be justified by its value.³⁰ I do so by considering in turn the three types of duty mooted in the introduction: particularised duties of justice, duties to protect and improve liberal institutions, and duties of favouritism.

The particularisation of liberal duties of justice faces an objection that seems insurmountable. The relationship of liberal citizenship, I have argued, is wholly constituted by the performance of our duties of justice to one another. There may be other contingently present components of specific relationships, but liberal citizenship as such simply is the consistent performance of duties of justice over time. This means, however, that its value as a relationship must entirely reduce to the value of performing those duties — unless we can defend a holistic account of value, such that the importance of the whole is greater than the sum of its parts. If we appeal to the value of the relationship, to justify performing the duties, we are effectively only appealing to the value of the duties to justify the duties, so the argument is circular, and the role played by the relationship redundant. We can express this more formally as follows. The standard form of this sort of argument for associative duties (A1) is as follows:

- P1. Relationship R has value x .
- P2. Duty D has costs y .
- P3. Without D R cannot obtain.
- P4. The value of x is greater than the disvalue of y .
- C1. Therefore D must be performed.

Contrast this with an argument (A2) for associative duties where the duties are wholly constitutive of the relationship:

- P1. Relationship R has value x .
- P2. D is wholly constitutive of R ($D = R$)

- P3. Therefore D has value x .
- P4. D has costs y .
- P5. The value of x is greater than the disvalue of y .
- C1. Therefore D must be performed.

Evidently, in A2 P1 and P2 are completely redundant, so there is no point appealing to the value of the relationship, and we should instead appeal to the value of the duty. The conclusion is that there must be more to R than D, more to the relationship than the duties, for the relationship to be able to justify the duties. If we want to particularise the duties of liberal justice, then, we must place them in a wider context — this is, in effect, what republicans and nationalists have attempted to do. Nationalists have appealed to the importance of fellow-feeling, and mutual recognition of a common heritage.³¹ Republicans, meanwhile, have invoked a community that is not only just but is positively good, where individuals make a meaningful contribution to self-legislation, and evince a hearty fellow feeling for their compatriots.³² Although I think neither line will succeed in the goal of particularising liberal justice — the values to which they appeal seem less important than the duties they purport to justify — both are better placed than the liberal conception of citizenship, which is constitutively incapable of the task, because it is wholly constituted by the duties of liberal justice.³³ There is no wider context of value, to justify the performance of those duties.

This yields the first substantive conclusion of the paper: advocates of a liberal conception of citizenship cannot justify particularising the duties of liberal justice by appealing to the value of our relationship with our co-citizens. Justice is universal. This does not mean that our associative duties to co-citizens can never override our general duties of justice — duties of justice need not be lexically prior to other sorts of duties — but it does mean that the boundaries of the liberal state must be determined by something other than the claim that we only owe duties of justice to a subset of humanity.

This does not mean, however, that we can defend no associative duties to liberal co-citizens: we simply have to distinguish them adequately from the duties that constitute that relationship. In Section 2, I argued that associative duties need not be constitutive of a relationship to be justified by its value; it suffices that the relationship depend on the duty in the world as it is, particularly in the context of imperfect compliance with morality. This insight makes a response to the circularity objection possible: if there are some duties without which liberal citizenship is impossible in the real world, which are however not constitutive of that relationship, we can avoid circularity, and return to A1 above, where the value of the relationship is separate from some of the duties required for it to obtain. We have the ‘wider context’ of value that we need.

The most defensible candidates for such duties are those which protect and improve the institutions through which we do justice to one another.³⁴ These can be conceived in numerous ways, but the underlying impulse is the same: non-compliance with morality by some, both inside and outside our community, will place our institutions, hence our relationship as liberal co-citizens, under threat. Corrupt politicians, populist demagogues, domestic and international terrorists, and belligerent foreign governments are all potential threats to the doing of justice between us. Liberal citizens owe each other an associative duty, grounded in the value of the relationship between them, to protect and improve the institutions that constitute the doing of justice between them — and

therefore their relationship. If there were no risk of non-compliance, if everyone congenitally acted exactly as morality demands, then there would be no need for this duty — the duty would be without meaning, because the imperfect circumstances to which it responds would not be possible. I do not, therefore, think it is constitutive of the relationship of liberal citizenship.³⁵ Moreover, it is clearly distinct from the good of liberal citizenship — the realisation of justice. Therefore, there is no risk of circularity if we appeal to the value of that relationship to justify performing the duty.

We must ask, next, whether the liberty costs of the duty to protect and improve the institutions of liberal justice are outweighed by the non-instrumental value of liberal citizenship. Given that these costs will vary according to the specific instance at hand, it is not easy to draw general conclusions, but we can surely assert that, in principle, the non-instrumental value of liberal co-citizenship is great enough to justify these costs. The liberal citizen's sense of self-respect, the dignity grounded in his status as a citizen, is of great value. The lesser costs of our generalised civic duty — voting, supporting non-governmental watchdogs etc. — can clearly be justified by this benefit. When it comes to more onerous duties, like conscription and the protection of our compatriots in time of war, then the trade-off is harder to make. However, if anything is worth risking one's life for, besides one's family, then perhaps the institutions supporting one's sense of self-respect are.

The second conclusion of my paper, then, is that we can indeed defend an associative duty to protect and improve the institutions of the liberal state, owed to our compatriots, and grounded in the non-instrumental value of the relationship of liberal co-citizenship between us.

It remains to ask whether an associative duty of favouritism is defensible. Writers such as David Miller and Andrew Mason have presented accounts of citizenship according to which a general bias in favour of one's compatriots' interests is justified.³⁶ Setting aside the merits of their arguments — and it is at least debatable whether a nationalist conception of citizenship, such as Miller advocates, is impossible without this duty of favouritism — it is clear that advocates of a liberal conception of citizenship have little grounds for pursuing the same route. In circumstances where the institutions that realise justice between us are unaffected by our conduct, we can choose either to favour compatriots or non-compatriots without undermining the relationship of liberal citizenship. Since it is not necessary for this relationship to exist that we favour compatriots' interests over and above the demands of justice, we do not have an associative duty to do so. This is the third conclusion of my paper. Given the duties that we do owe to our compatriots, there may well be cases where our associative duties override our general duties, but these cannot be brought within the rubric of a blanket favouritism.³⁷

6.

This paper has tried to show how the appeal to the non-instrumental value of a relationship, and the strong connection between certain associative duties and that relationship, can justify the performance of those duties despite the liberty costs they impose on their bearers. It began by setting out the voluntarist objection, and adopting Scheffler's argument against it, then applied these insights to the case of liberal

citizenship. It was argued that liberal citizenship can be construed as a non-instrumentally valuable relationship, despite the conventional dichotomy between instrumentalist liberalism and non-instrumentalist republicanism. Finally I showed that there are indeed some duties that are strongly enough connected to liberal citizenship to be justified by its value, although this extends only to a general civic duty to protect and improve the institutions that realise liberal justice between us, not to the particularisation of our duties of liberal justice, nor to a general duty to be partial to our co-citizens. It is important to stress that the civic duty that I have identified is indeed an associative duty, owed in virtue of the existence of a particular relationship between us and our compatriots, which we did not choose to establish. We are born into a specific state, and provided it is aspirationally just, we have these duties irrespective of our voluntary choice, since the liberty costs of acknowledging these unchosen duties are outweighed by the greater value of the relationship.³⁸

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NOTES

- 1 Yael Tamir, *Liberal Nationalism* (Princeton, NJ: Princeton University Press, 1993).
- 2 A. John Simmons, *Moral Principles and Political Obligations* (Princeton, NJ: Princeton University Press, 1979), p. 15; H. L. A. Hart, 'Are there any natural rights?', *The Philosophical Review* 64,2 (1955): 175–91; R. B. Brandt, 'The concepts of obligation and duty', *Mind* 73,291 (1964): 374–93.
- 3 Samuel Scheffler, *Boundaries and Allegiances: Problems of Justice and Responsibility in Liberal Thought* (Oxford: Oxford University Press, 2002); Michael O. Hardimon, 'Role obligations', *The Journal of Philosophy* 91,7 (1994): 333–63. For discussion of the voluntarist objection to associative duties in the context of the political obligation debate, see John Horton, 'In defence of associative political obligations: Part one', *Political Studies* 54,3 (2006), 427–43.
- 4 See Hart op. cit. It is also possible that promises are meaningless without a general duty to keep our promises.
- 5 For this quasi-Kantian perspective see Alan Gewirth, 'Ethical universalism and particularism', *The Journal of Philosophy* 85,6 (1988): 283–302; Richard Dagger, 'Rights, boundaries, and the bonds of community: A qualified defense of moral parochialism', *The American Political Science Review* 79,2 (1985): 436–47.
- 6 It might be possible to motivate a voluntarist objection from within a positive theory of freedom, but once one concedes that there is more to being free than being unencumbered, there is no principled reason to exclude associative duties from the class of plausible encumbrances. Thanks to a reviewer for raising this point.
- 7 Hardimon op. cit.
- 8 For more on objective conceptions of wellbeing see Derek Parfit, *Reasons and Persons* (Oxford: Clarendon Press, 1984), Appendix I.
- 9 David Miller, 'Reasonable partiality towards compatriots', *Ethical Theory and Moral Practice* 8,1 (2005): 63–81; Scheffler op. cit.; Joseph Raz, 'Liberating duties', *Law and Philosophy* 8,1 (1989): 3–21.
- 10 It might be objected that some parental responsibilities are better conceived of as obligations, than as duties, since the parent's relationship to her child is originally grounded in her own voluntary actions. I don't find this transactional/quasi-contractual account of parenthood plausible on its own. While there are undoubtedly some obligations involved, the great value of some parental relationships is surely capable of generating duties in its own right. Thanks to a reviewer for pressing this objection.
- 11 The connection between associative duties and identity is discussed in John Horton, 'In defence of associative political obligations: Part two', *Political Studies* 55,1 (2007), 1–19, and Tamir op. cit. My own view is that identity is only morally important insofar as it is a component of wellbeing, so saying that a relationship is important for one's identity, is only a more sophisticated way of expanding on the particular

- sort of non-instrumental value that it has. This is undoubtedly a valid line of enquiry, but it is by no means exclusive of basing the justification of associative duties in the value of the relationships that ground them. Thanks to a reviewer for raising this point.
- 12 Elsewhere I argue that there are indeed problems with this teleological construction of associative duties, but that they can be fairly easily resolved, by inverting the order of justification. Rather than seeing the associative duties as a means to realise the relationships, we should see them as a necessary and appropriate response to the relationship's reason-giving properties. The basic elements of the justification remain the same, however: the relationship must be non-instrumentally valuable, and the duties must have a strong internal connection to the relationship. See Seth Lazar, *Justifying War* (Oxford: Oxford University Press, forthcoming).
 - 13 Charles Taylor, 'Cross-purposes: The liberal communitarian debate', in N. L. Rosenblum (ed.) *Liberalism and the Moral Life* (Cambridge, MA: Harvard University Press, 1989), pp. 159–82.
 - 14 For example, Kimberly Hutchings, 'Political theory and cosmopolitan citizenship', in K. Hutchings & R. Dannreuther (eds) *Cosmopolitan Citizenship* (Basingstoke: Macmillan, 1999), pp. 3–32; Christopher Heath Wellman, 'Friends, compatriots, and special political obligations', *Political Theory* 29,2 (2001): 217–36; Loren Lomasky, 'Toward a liberal theory of national boundaries', in D. Miller & S. H. Hashmi (eds) *Boundaries and Justice: Diverse Ethical Perspectives* (Princeton, NJ: Princeton University Press, 2001), pp. 55–78; Richard E. Flathman, 'Citizenship and authority: A chastened view of citizenship', in R. Beiner (ed.) *Theorizing Citizenship* (Albany, NY: SUNY Press, 1995), pp. 105–51.
 - 15 Taylor op. cit., p. 166. The Hobbesian roots are apparent in Flathman op. cit., p. 128; G. A. Pocock, 'The ideal of citizenship since classical times', in R. Beiner (ed.) *Theorizing Citizenship* (Albany, NY: SUNY Press, 1995), pp. 29–52
 - 16 Taylor op. cit., p. 166. See also Wellman op. cit., pp. 222–3; Jurgen Habermas, 'Citizenship and national identity', in B. Van Steenberg (ed.) *The Condition of Citizenship* (London: Sage, 1994), pp. 20–36, p. 31; David Miller, *Citizenship and National Identity* (Cambridge: Polity Press, 2000), p. 50.
 - 17 See, for example, Herman van Gunsteren, 'Four Conceptions of Citizenship', in B. Van Steenberg (ed.) *The Condition of Citizenship* (London: Sage, 1994), pp. 36–48; Andrew Mason 'Special obligations to compatriots', *Ethics* 107,3 (1997), 427–47. The intrinsicist republican approach is often married with some account of the significance of national identity, e.g. Habermas op. cit.; Miller, *Citizenship and National Identity* op. cit.; Ronald Beiner, *Liberalism, Nationalism, Citizenship: Essays on the Problem of Political Community* (Vancouver: University of British Columbia Press, 2003).
 - 18 I assume that the permission to enforce duties of justice adequately sets them apart from other moral duties.
 - 19 For the purposes of the present paper, it is enough that there presently exist institutions through which people seek to do justice to one another. I make no comment about whether nation-states, for example, are superior to hypothetical transnational institutions, either on pragmatic or intrinsic grounds. Thanks to a reviewer for pressing this point.
 - 20 Harry Brighouse, 'Against nationalism', in J. Couture, K. Nielsen & M. Seymour (eds) *Rethinking Nationalism* (Calgary: University of Calgary Press, 1998), 365–405, p. 376.
 - 21 T. H. Marshall, *Citizenship and Social Class, and Other Essays* (Cambridge: Cambridge University Press, 1950).
 - 22 This is not to say that all duties correspond to rights, only the reverse. My working definition of a right is adopted from Joseph Raz, *The Morality of Freedom* (Oxford: Clarendon Press, 1986), p. 166. My point, however, is consistent with other definitions of rights, such as those of Richard Dagger, *Civic Virtues: Rights, Citizenship, and Republican Liberalism* (Oxford: Oxford University Press, 1997); Thomas Nagel, 'Personal rights and public space', *Philosophy and Public Affairs* 24,2 (1995): 83–107; Hillel Steiner, *An Essay on Rights* (Oxford: Blackwell, 1994).
 - 23 Robert Nozick, *Anarchy, State and Utopia* (Oxford: Basil Blackwell, 1974), chapter 4.
 - 24 There are perhaps hallmarks here of an Aristotelian disdain for the tawdry business of making money, which he contrasts unfavourably with the higher pleasures of public action. Aristotle, *The Politics*, trans. T. A. Sinclair & T. J. Saunders (Harmondsworth: Penguin, 1992), 1277b33.
 - 25 Charles Taylor, *Multiculturalism and 'the Politics of Recognition': An Essay* (Princeton, NJ: Princeton University Press, 1992); Axel Honneth & Nancy Fraser, *Redistribution or Recognition? A Political-Philosophical Exchange* (London: Verso, 2003).
 - 26 Joel Feinberg, 'The nature and value of rights', *Journal of Value Inquiry* 4,4 (1970): 243–60, at p. 252.
 - 27 Harry G. Frankfurt, 'Equality and respect', *Social Research* 64,1 (1997): 3–13; Parfit op. cit..
 - 28 For the view that others' wellbeing can be an irreducible element of my own wellbeing, see Peter Railton, 'Alienation, consequentialism, and the demands of morality', *Philosophy and Public Affairs* 13,2 (1984): 134–71, section 9. Tamir also argues something along these lines in Tamir op. cit.

- 29 Joel Feinberg, *Doing & Deserving: Essays in the Theory of Responsibility* (Princeton, NJ: Princeton University Press, 1970), chapter 5.
- 30 As Tamir puts it: 'A social body can only generate those obligations logically derived from its ends' (Tamir op. cit., p. 88).
- 31 For the nationalist perspective see David Miller, *On Nationality* (Oxford: Oxford University Press, 1997); Tamir op. cit. For the republican view see Beiner op. cit.; Sibyl A. Schwarzenbach, 'Democracy and friendship', *Journal of Social Philosophy* 36,2 (2005): 233–54.
- 32 For example, many writers appeal to the value of republican citizenship to defend particular duties to redistribute goods within the republic, as a precondition of full participation in public life: Andrew Mason, *Community, Solidarity and Belonging: Levels of Community and Their Normative Significance* (Cambridge: Cambridge University Press, 2000), p. 110; Dagger op. cit., p. 200; Derek Benjamin Heater, *What Is Citizenship?* (Cambridge: Polity Press, 1999), p. 57.
- 33 It is plausible to suppose that, in some cases, the fact of doing justice to one another will ground a sense of fellow feeling among liberal citizens that is itself valuable. This might, in turn, ground some particular duties. However, since it is a contingent effect of liberal citizenship, rather than a component thereof, it could only be appealed to in specific cases.
- 34 Improving those institutions might ultimately mean expanding them, and transnational institutions might hypothetically be able to preserve the relationship of liberal citizenship intact, just setting it in a bigger context. In practice, however, it depends on the specific practical implications of any given proposal for institutional change. Thanks to a reviewer for pressing this point.
- 35 What really matters, though, is that there be a clear distinction between the duty and the value of the relationship, which is present whether we regard the duty as constitutive of liberal citizenship, or as merely a necessary condition of it obtaining in this world.
- 36 Mason op. cit.; Miller, 'Reasonable Partiality' op. cit.
- 37 Elsewhere I argue that associative duties to compatriots can indeed override general duties to non-compatriots, especially in the context of (a very limited range of) armed conflicts. See Seth Lazar, 'Do associative duties really not matter?', *Journal of Political Philosophy* 17,1, pp. 90–101.
- 38 This paper has benefited greatly from comments by Henry Shue, Bob Goodin, and the reviewers of this journal, to all of whom thanks. While researching this topic, I was supported by the Arts and Humanities Research Council.