

## The Identity-Enactment Account of Associative Duties

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**Abstract** Associative duties are agent-centered duties to give defeasible moral priority to our special ties. Our strongest associative duties are to close friends and family. According to reductionists, our associative duties are just special duties—i.e., duties arising from what I have done to others, or what others have done to me. These include duties to (a) abide by promises and contracts, (b) compensate our benefactors in ways expressing gratitude, and (c) aid those whom we have made especially vulnerable to our conduct. I argue, though, that reductionism faces a problem: special duties are not strong enough to account for the strength of our associative duties. At the bar of associative duties, we are required to do what no special duty can warrant. I then present an alternative reductionist analysis of associative duties—the ‘Identity-Enactment Account’—which not only accounts for the peculiar strength of our associative duties, but also characterizes them in an intuitively compelling way. On this account, our strongest associative duties are special duties to protect or promote the welfare of the duty’s beneficiary by adopting and enacting a practical identity in which the duty’s beneficiary features prominently. There are persons who can legitimately demand a prominent place in our mental lives, for the protection and intimacy it affords. They can, in effect, legitimately demand to be among our nearest and dearest. The correlative of such a demand is, on our part, an associative duty we have toward them.

**Keywords** Associative duties · Agent-centered prerogatives · Practical identity · Special ties · Parental duties · Familial duties

## 1 Introduction

Associative duties are agent-centered duties to give defeasible moral priority to our special ties, which canonically include close friends and family. Such duties, though, raise a host of philosophical issues. First, they are duties we have only toward some persons. Why them and not others? Second, we are not only permitted but required to promote or protect their welfare even when doing so means foregoing the greater good. What justifies acting in this impersonally sub-optimal way? Third, associative duties impose substantial burdens on us. What generates these duties?

Antireductionists about associative duties attempt to answer these questions by arguing that relationships of a certain sort yield *sui generis* duties, and that these are associative duties. Alternatively, reductionists attempt to answer these questions by identifying associative duties with *special duties*. These are duties arising from what I have done to others, or what others have done to me. In particular, reductionists identify associative duties primarily with special duties to (i) abide by promises and contracts,<sup>1</sup> (ii) compensate or otherwise express gratitude toward our benefactors,<sup>2</sup> or (iii) aid those whom we have made especially vulnerable to our conduct.<sup>3</sup> All such special duties, in one way or another, require that we give extra weight to the welfare of those to whom the special duties are owed. By identifying associative duties with special duties, reductionists make sense of the extra weight we are required to give our closest friends and family by identifying it with the extra weight special duties afford.

The purpose of this paper is twofold. First, I attempt to show that reductionism faces a challenge which, I believe, has gone unnoticed: it has difficulty explaining the radical priority our strongest associative duties assign to the welfare of those to whom the duties are owed. I describe this challenge in Sect. 3. Second, I present an alternative reductionist analysis of associative duties—the ‘Identity-Enactment Account’—which not only accommodates the radical priority of our associative duties, but also characterizes our associative duties in an intuitively compelling way. On this account, our strongest associative duties are special duties to protect or promote the welfare of the duty’s beneficiary *by adopting and enacting a practical identity in which the duty’s beneficiary features prominently*. I explicate the Identity-Enactment Account in Sect. 4.

The intuitive idea behind the Identity-Enactment Account is this. There are persons who can legitimately demand a prominent place in our mental lives for the protection and intimacy it affords. They can, in effect, legitimately demand to be among our nearest and dearest. The correlative of such a demand is, on our part, an associative duty we have toward them.

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<sup>1</sup> For a prototypical example of this view see Sommers (1986).

<sup>2</sup> See Simmons (1996) and Wellman (2001) who identify associative duties not only with promissory and contractual duties, but with duties of reciprocation and compensation as well.

<sup>3</sup> For a prototypical example of this view see Goodin (1985).

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I end by exploring how this account applies to our weaker associative duties. But in what immediately follows I say more, in general, about associative duties and about reductionist accounts of them.

## 2 Associative duties and reductionism

Associative duties include parental duties,<sup>4</sup> filial duties,<sup>5</sup> and duties of friendship. Less stringent associative duties might include certain professional duties<sup>6</sup> and duties to co-nationals and compatriots.<sup>7</sup> All associative duties are agent-centered. Suppose you chance upon a child drowning in a pond. You can save him, but only at some cost to yourself. You have an agent-neutral, pro tanto reason to do so; it is a reason applying to anyone capable of saving the child. But now suppose the child is yours. The special relation you bear to her gives you an additional pro tanto reason to save her—an agent-centered one, ineliminably specifying the child's parent. Inasmuch, that pro tanto agent-centered reason is associative.

There are three types of argument against associative duties per se. According to the 'voluntarist objection', agent-centered duties cannot be involuntarily imposed on us; because our relationships with loved ones are often involuntary, we cannot have specifically associative duties in those circumstances. According to the 'distributive objection', associative duties conflict with the requirement that we fairly distribute benefits and burdens since they require that we treat our special ties preferentially.<sup>8</sup> According to the 'respect objection', duties of love and friendship cannot arise from relationships based on severe failures of moral respect toward others, which associative duties seems to allow.<sup>9</sup>

I will not respond to these objections here.<sup>10</sup> Instead, I will turn to objections pertaining specifically to reductionist accounts of associative duties. According to such accounts, associative duties are wholly derived from more basic, non-associative duties. A mere social fact—for example, that I am your friend, or a close family-member—does not *itself* yield a duty. As Christopher Wellman puts it, a relationship itself cannot be “of moral moment independent of any more fundamental morally significant feature of our relationship”.<sup>11</sup> Instead, I can have

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<sup>4</sup> See for example Brake (2010) and Prusak (2011).

<sup>5</sup> See for example Keller (2006).

<sup>6</sup> See for example Almond (2005).

<sup>7</sup> See for example Caney (2011), Lenard and Moore (2011), Seglow (2013, 54–55), and Moellendorf (2014).

<sup>8</sup> See Scheffler (1997) and Brink (2001) for more on the voluntarist and distributive objections.

<sup>9</sup> For example, a couple of white supremacists whose friendship is based on a shared explicit commitment to treating non-whites with disrespect, cannot have special duties of friendship toward each other given deplorable basis of their friendship. Yet it seems associative duties allows otherwise. See Seglow (2013, 24–26). For a closely related objection, see Cocking and Kennett (2000). For a response to this sort of objection, see Macleod (2012) and Miller (2005).

<sup>10</sup> See Seglow (2013, 20–26) for an overview of responses.

<sup>11</sup> Wellman (2000, 539).

an agent-centered duty only if I have done something, or something has been done to me, to create such a duty. For example, suppose I promise to provide you with assistance. Or suppose I benefit in certain ways from your assistance. Or suppose I have imperiled you. In these cases, I might indeed have an agent-centered duty—namely, a special duty—toward you. Reductionists argue that associative duties are just applications of these special duties, in that certain kinds of relationship tend to occasion those special duties.<sup>12</sup> So, for reductionists, it's not the "parochial attachments or the contingent sentiments we have towards our nearest and dearest" that grounds associative duties but "robust and defensible moral principles"—i.e., the principles delineating our special duties.<sup>13</sup>

Reductionism has been criticized on the grounds that it fails to capture the phenomenology of associative duties. The felt reasons we have for what we owe our nearest and dearest are typically antireductionist in character.<sup>14</sup> But here I raise a different and unnoticed challenge to reductionism: none of the special duties reductionists invoke are strong enough to account for the strength of associative duties. This suggests that we cannot identify associative duties with those special duties.

But before explicating this problem, I will adumbrate a standard reductionist account of our strongest associative duties. In doing so, I will focus specifically on parental duties, filial duties, and duties to close friends, for two reasons. First, they are among our strongest associative duties; as I will argue, reductionism has difficulty accommodating their strength. Second, these three associative duties happen to be built out of special duties serving as building blocks for *all* our strongest associative duties. So focusing on these relationships specifically is an especially efficient way of understanding reductionism as it applies to our strongest associative duties in general.

Some of the strongest associative duties are parental. Though at the broadest level a parental duty is an agent-centered duty to protect and promote the welfare of one's child, part of what makes a duty parental is the *way* in which welfare is protected and promoted. A parental duty will typically require providing not just material needs, but emotional guidance and support of the sort conducive to a flourishing relationship between a parent and her children. On standard reductionist accounts, these duties are grounded in two special duties: the duty to keep promises, and the duty to care for those we've made peculiarly vulnerable.

More specifically, if an individual or individuals P engages in conduct risking a result in which P creates or co-creates a child, and P is cognitively capable of

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<sup>12</sup> Reductionism about special duties reduces them to self-effacing impersonal duties to bring about the impersonally best outcome. Combining this view with reductionism about associative duties yields a doubly-reductive view of associative duties. [This seems to have been Henry Sidgwick's strategy (Sidgwick 1907, 439), later adopted and expanded by Peter Railton (Railton 1984)]. But I won't here consider reductionism about special duties.

<sup>13</sup> Seglow (2013, 13) For an overview of how reductionists identify associative duties in these (and other) special duties, see Seglow (2013, 8–10). See also Arneson (2003, 339–394) and Jeske (2014).

<sup>14</sup> See Wallace (2012, 184) and Scheffler (2001, 100–101). I believe that this challenge can be met; what motivates adherence to a duty needn't always be what justifies that duty.

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recognizing that risk (or is not responsible for being incapable), and P is not wrongfully forced to create or co-create that child, then should that risk manifest, P thereby acquires a parental duties toward that child.<sup>15</sup> This is because the created individual has needs which she cannot satisfy on her own; all things being equal, the fairest distribution of burdens is one in which P shoulders the lion's share of that burden, since it is P who is responsible for producing the burden in the first place.<sup>16,17</sup>

An individual can have parental duties without having created a child—if the duties are transferred to her. For the duties to be transferred to a third party, T, she must promise to act in accordance with those duties. But that promise entails a transfer only if (a) T is capable of carrying out the duties, (b) the original duty-bearer either lost those duties or consents to transferring them, (c) there is no one else who has a stronger claim to those duties, and (d) transferring those duties does not itself violate those duties.

These two principles—of acquisition and transfer—dovetail to provide a straightforward reductionist account which identifies parental associative duties in special duties: if you are responsible for creating someone with vital needs which that individual is unable to satisfy alone, then you must provide for those vital needs, unless that duty is transferred to someone else.

When parents fulfill their associative duties, their adult offspring have associative duties toward their parents. But what grounds these filial associative duties? On reductionism, filial associative duties are specific applications of the more general duty of compensation, gratitude, or reciprocation with respect to our benefactors.<sup>18</sup> It just so happens that the most profound benefactors in our lives tend to be (though are not always) our parents. Parents who fulfill their duties *qua* parents spend incalculable effort doing so; the benefits the children derive are equally

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<sup>15</sup> Clearly, many details need to be worked out. We need to know what counts as (a) 'creating' a child, (b) a 'risk' of doing so, (c) being 'cognitively capable' of recognizing that risk, and (d) the conditions under which an individual is responsible for her own failure to recognize that risk. We also need to explain why surrogate mothers, and doctors performing in vitro fertilizations, do not have parental duties toward those whose creation they intentionally facilitate, and why grandparents do not have parental duties toward their grandchildren despite recognizing that by having children they risk 1 day having grandchildren. These issues have attracted a large literature. For an overview, see Brake and Millum (2016). Fortunately, I need not address these details; it is not my goal to present a comprehensive reductionist account of parental duties, but instead to outline how reductionists ground parental associative duties in special duties.

<sup>16</sup> Why not spread out the burden so that it falls on everyone in the community? Arguably, children need not only material resources but also emotional support and guidance of the sort that requires the attention and intimacy from a select few. Perhaps, though, even this sort of need can be dispersed throughout a community. But absent such an arrangement, the duty falls on the individuals who are responsible for creating the child, for the reasons I outlined.

<sup>17</sup> There are circumstances in which P might be required to discharge that duty indirectly by funding care for the child rather than serving as the child's parent. See Archard (2010).

<sup>18</sup> This is only a sampling of the reductionist views on offer. Sommers argues that filial associative duties are grounded in the legitimate expectations parents have (Sommers 1986). Jan Narveson argues that filial duties are grounded in incentivizing others to have children (Narveson 1987). Philip Ivanhoe argues that the virtue of piety is what explains filial duties (Ivanhoe 2007). Others assimilate filial duties to associative duties of friendship (see English 1979; Dixon 1995).

thoroughgoing. Their children are morally required to repay that debt in a way expressing gratitude for that effort.<sup>19</sup> And the only way to discharge that duty is for the grown offspring to protect and promote the welfare of the parent. As with parental duties, filial duties typically require providing not just material needs, but emotional care and intimacy.

Familial duties are among the strongest of our associative duties. But the associative duties of close friendship can be just as strong.<sup>20</sup> There are many accounts on offer analyzing friendship and its associative duties.<sup>21</sup> On one version of reductionism, associative duties to friends are implicit promises or agreements to provide care and show concern.<sup>22</sup> I focus, though, on duties of gratitude and reciprocation.

The intrinsic and instrumental benefits we derive from close friendships are so thoroughgoing that they fundamentally shape our practical identity as individuals. Close friendships are valuable not just because of what we get out of them, but because they are part of what, by our own reckoning, make our lives worth living and our actions worth undertaking. In such friendships, each party is disposed to forego her own interests when necessary to promote the personal interests and well-being of her friend. Accordingly, each friend owes the other a substantial duty of gratitude or reciprocation. Indeed, discharging this duty is partly constitutive of a good friendship.<sup>23</sup>

The only way to discharge this duty of gratitude and reciprocation is in kind: by cultivating a disposition to forego one's own interests when doing so is necessary to promote the interest and well-being of one's friend. But whereas foregoing one's own good for the sake of a friend is largely discretionary in the nascent stages of the friendship, it becomes a duty at later stages.

So far, I have outlined reductionism by focusing on the *kinds* of special duties in which our associative duties consist. But this is only half the story. Associative duties toward close friends and family are characterized also by the *content* of those special duties. Though at the broadest level the content can be described as a duty to

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<sup>19</sup> For a prototypical example of how an obligation to express gratitude might ground filial associative duties, see Berger (1975). For a more developed gratitude-based view, see Welch (2012). A consequence of a gratitude-based view is that our filial duties can vary in strength and scope with the degree of effort our parents expended (and arguably the degree to which we benefited from that effort). Though some regard this as a drawback to the account, I see it as an advantage: arguably, parents who intentionally did the bare minimum required, or for whom rearing a child required very little effort, are owed less than those who had to sacrifice more. See Keller (2007, 108).

<sup>20</sup> Christopher Wellman, however, denies that friendship yields associative duties. See Wellman (2001, 224–229). David Seglow criticizes this view in (2013, 92).

<sup>21</sup> For a modern classic, see Blum (1980) whose influential discussion analyzes friendship as an offering of one's self to the other. See Jeske (2008, 46–47) for a useful primer on what friendship is thought to involve.

<sup>22</sup> For criticism of this consent-based model of friendship, see Jeske (2008, 67–71, 76–80) and Seglow (2013, 92–94).

<sup>23</sup> See Raz (1989) who argues that duties of friendship are constitutive of the good of friendship.

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protect and promote the welfare of the duty's beneficiary, what is owed includes, more specifically, emotional intimacy.<sup>24</sup>

Whether views emphasizing the role of intimacy count as reductionist depend on the normative role that the value of intimacy plays in associative duties. Both reductionist and antireductionist intimacy-theorists might maintain that the value of intimacy emerges from close relationships, and that the value is positional—it can only be exercised by those party to that relationship. But where reductionist and antireductionist intimacy-theorists part ways is this. Antireductionists claim that intimacy's status as an emergent good is what yields a duty to protect or promote it—and that duty is associative. Reductionists, however, claim that though the intimacy emerging from the relationship has value, what grounds the duty to protect or promote that value are special duties. According to reductionism, cultivating intimacy is the (necessary) means of satisfying a special duty, rather than the justificatory basis for satisfying it.

I return to the role that intimacy plays in our associative duties when I discuss the Identity-Enactment Account, in Sect. 4. Now that I have outlined how standard reductionism makes sense of our strongest associative duties, I present a challenge to that view.

### 3 Conditions for associative duties

Consider the following case.

Daughter Rescue:

I can save either my daughter from starvation or three strangers, but I can't save all four.

I have not only a permission but an associative duty to choose my own child, even though this comes at the cost of allowing three others to die. Note that *this is not a duty to kill*—it is instead a duty to refrain from saving the greater number so that I can save my child.

Supposing this is correct, how do we account for it? Recall from Sect. 2 that according to reductionism, the associative duty I have toward my child is a special duty to fulfill a promise to care for the child, and/or a special duty to care for the child as a result of having made her vulnerable. Consider the promissory duty first. It's doubtful that such a duty can warrant choosing one's own child in Daughter Rescue. To see this, consider an impersonalized version of the case:

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<sup>24</sup> Many have argued that intimacy plays a central role in our strongest associative duties. See for example Jeske (1998, 2008), as well as Schoeman (1980), Brighouse and Swift (2006, 2009), Seglow (2013, 56–60), and Macleod (2010). With respect to friendship in particular: Laurence Thomas (1993, 54–55, 1989, 217), Hugh LaFollette (1996, 109), and Diane Jeske (1998, 538, 2008, 46–62) analyze the intimacy crucial to friendships as a form of self-disclosure. Cocking and Kennett criticize versions of this view (2000, 517). David Annis emphasizes the role that shared experiences play in the sort of intimacy characteristic of friendship (1987, 350). Brighouse and Swift hold a similar view (2016). Bennett Helm, also emphasizing the importance of shared experiences, characterizes the relevant kind of intimacy as a joint evaluative perspective grounding plural agency among friends (2010, Ch. 8). David Seglow identifies mutual receptivity as the kind of intimacy necessary for close friendship (2013, 100–104).

**Promise Rescue:**

I made a promise to you, a stranger, to save your life should it ever be endangered. Soon thereafter I encounter a situation in which I can either save you from drowning, or three strangers – but I can't save all four.

Presumably, no such promise can ground a permission to rescue you if doing so means failing to save three others. Those circumstances describe the standard *defeaters* for such a promise. So if we think that I do indeed have a duty to save my child in Daughter Rescue even at the cost of allowing three others to die, then we cannot ground that duty in a promise I made to my daughter. Promises are not strong enough to capture the strength of the associative duty I have toward my daughter—one which enjoins me to do what no promise can warrant.

Recall, though, that reductionists also identify parental duties with the special duty to care for those we have made vulnerable. This special duty does a better job of providing a basis for acting in radically sub-optimific ways. This is because a duty we have to those whom we have made vulnerable is not actually a duty to provide aid but instead a duty not to commit a harm. Consider the following case.

**Blood Cure:**

You, a stranger to me, require daily (non-lethal) infusions of blood from me in order to survive; no other donor will do. I made you dependent on me in this way by recklessly infecting you with a disease. One day I face a dilemma: I can donate blood to you, thereby saving your life, or donate blood to three strangers, who will otherwise die. I can't do both.

Because I am responsible for having made you dependent on a non-lethal infusion of my blood, I have a life-saving duty to provide you with it. We might even think that the duty outweighs the welfarist reasons to save the lives of the three other strangers. This is because a failure to provide an infusion of my blood is not an instance of failing to save you; rather, it is an instance of killing. Should I fail to provide you with the infusion, my earlier conduct—the act of infecting you with a disease—kills you. Put more generally, the violation of the special duty to care for those we have made vulnerable is a wrong of commission, not omission. If we think that killing is much worse than letting die, then *that* explains why the special duty to aid those whom we have made mortally vulnerable might require that I choose you over the three strangers.

Can this argument be applied to Daughter Rescue as well? After all, I have co-created a person vulnerable to starvation and dehydration. As a result, a subsequent failure on my part to provide sustenance might count as an instance of killing. Since the duty not to kill is much stronger than the duty to rescue, this might explain why I am permitted to choose my child in Daughter Rescue. Indeed, properly speaking, it's not a case of rescuing her at all, but a case of refraining from killing her. So it seems the reductionist can provide the right conclusion in Daughter Rescue after all.

But this argument rests on a controversial assumption about the metaphysics of killing. Suppose that in Daughter Rescue I fail to feed my child; she subsequently dies. What does that killing consist in? Does it consist in refusing to feed the child? No; that was an omission. If to kill is to cause death, then an omission cannot be a



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killing, assuming omissions cannot be causes. But then it's unclear what the killing consists in. If the killing consists in creating the need for sustenance, then it seems that the act of killing would have to consist in the act of creating the child. But that is a bizarre claim.

Blood Cure, on the other hand, does not suffer from this problem. In that example, it is clear what the killing consists in: my act of infecting you. But in cases like Daughter Rescue, there is no analogue to the act of infecting. Accordingly, it is not clear that allowing a child to die of starvation metaphysically counts as an act of killing. So the reductionist cannot invoke the Doctrine of Doing and Allowing to explain the source of the parental duty's strength in cases like Daughter Rescue. (The reductionist might point out that for a parent to neglect a child unto death is as morally bad as killing that child. But that's precisely because neglect of that sort is an egregious violation of a parental duty. Clearly, the reductionist cannot invoke parental duties to explain the source of the peculiar strength that parental duties have).

In responding to the reductionist, I have, admittedly, made two controversial assumptions: that killing requires causing death, and that omissions cannot be causes. But of course, *denying* these assumptions is controversial as well. So rather than press this argument further, I will consider another reason why we cannot ground the peculiar strength of parental duties in the special duty we have to aid those whom we have made vulnerable. Consider the duties *foster* parents have. Presumably they are no weaker than the duties they would have if they were not only the child's guardians but their biological parents as well. Yet by hypothesis foster parents did not create the children they adopt; hence they did not cause the children's vulnerabilities. So even if failing to save a child whose vulnerabilities we created does indeed count metaphysically as an instance of killing (contrary to what I've argued), the duty not to kill still fails to accommodate cases like Daughter Rescue when the child is adopted.

This failure to accommodate the duties of foster parents also explains why *combining* special duties cannot explain the strength of the parental duty in Daughter Rescue. Suppose the reductionist admits that though the special duty to care for those whom we have made vulnerable carries weight, it is not enough to ground my duty to choose my child in Daughter Rescue. This special duty might still be combined with the promissory duty I have toward her, thereby increasing the overall strength of my duty to her—to the extent that I am required to save her even at the cost of failing to rescue several others.

But again, the duties foster parents have to their adopted children do not include a special duty to protect those whom they have made vulnerable, since by hypothesis the foster parents did not create the adopted children. All that's left on the combinatorial version of reductionism to ground the foster parents' associative duties is a promissory duty to promote and protect the child's welfare. But as I argued, it is doubtful that a promise can undergird the duty that parents have—including foster parents—to save their own child even at the cost of failing to save several others.

The upshot is that associative duties seem to outrun special duties in that, at the bar of associative duties, we can do what no special duty can warrant. This suggests that we cannot use those special duties as a hook upon which to hang associative duties to our nearest and dearest. Those special duties do not seem strong enough in the sense that their normative force fails to outweigh or override the normative force of competing considerations which our strongest associative duties can indeed outweigh or override.<sup>25</sup>

Reductionist accounts seem, then, to fail what I call the ‘Stringency Condition’ of associative duties. According to this condition, any account of associative duties must identify them in duties strong enough to require rescuing those to whom we bear our strongest associative duties even at the unavoidable opportunity cost of allowing several others to die.

Perhaps reductionists can meet the Stringency Condition. They might argue that special duties apply with much greater force when they ground associative duties to our nearest and dearest. But this strategy turns the *explicandum* into the *explicans*: the fact that we have especially strong duties to our nearest and dearest is precisely what invoking special duties was supposed to *explain*. The point of reductionism, after all, was to identify associative duties with ordinary special duties. The proposed solution, without further explanation, would make the reductionist project problematically circular. Perhaps, though, reductionist can provide a principled reason for thinking that special duties apply with much greater force when they ground associative duties to our nearest and dearest.

Alternatively, reductionists might attempt to meet the Stringency Condition by unearthing new special duties to supplement those commonly invoked in the literature. A suitably creative account might provide the missing special duties necessary to undergird an associative duty to choose one’s nearest and dearest over several strangers in cases like Daughter Rescue.

I do not take myself to have foreclosed either of these possibilities. But I will argue that there is no need for the reductionist to respond in these ways to the Stringency Condition. Despite what I have argued so far, ordinary promissory duties of ordinary strength *are* enough to meet the Stringency Condition—provided we substantially re-conceive the *content* of the special duties. This is the strategy of the Identity-Enactment Account.

But before turning to that account, it is worth exploring another attempt to satisfy the Stringency Condition; doing so will pave the way for the Identity-Enactment Account while also revealing a further condition which accounts of associative duties must satisfy. Specifically, we might attempt to meet the Stringency Condition by appealing to agent-centered permissions.

My child’s welfare is part of a ground level, long-term commitment which from my own point of view is part of what makes my life worth living and my actions

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<sup>25</sup> To be clear: both associative duties and promises can range in their strength. There can be weak associative duties and strong promissory ones. In such cases the latter might be stronger than the former. I am not claiming, then, that every associative duty is necessarily stronger than any promise. Rather, I am claiming that our strongest special duties are not strong enough to explain our strongest associative duties (I thank an anonymous referee for pressing me on this).

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worth undertaking—to paraphrase Christine Korsgaard.<sup>26</sup> Any account of morality forcing us to abandon all sub-optimal personal projects is neither psychologically plausible nor normatively desirable. Accordingly, agent-neutral reasons are defeasible—specifically, by an agent-centered reason yielding a permission (which is itself defeasible) to act in accordance with our personal projects.<sup>27</sup> These agent-centered permissions allow us to pursue lives that are recognizably our own. So in Daughter Rescue, I have an agent centered permission to treat my daughter preferentially, where this permission derives from the role she plays in personal projects constitutive of my practical identity. The same agent-centered permission allowing me to save myself at the opportunity-cost of failing to save three strangers also allows me to do the same for my daughter, because her well-being is constitutive of my practical identity.<sup>28</sup>

Adverting to our practical identities in this way is a promising strategy in part because, unlike special duties, our reasons to act in accordance with the ends specified in our practical identities possess sufficient reason-giving force to warrant choosing one's own child in cases like Daughter Rescue. Unlike special duties, these agent-centered permissions can do the heavy lifting necessary to meet the Stringency Condition.

But as promising as this strategy seems, we cannot simply identify our associative duties with the agent-centered permissions our practical identities afford. This is because the agent-centered permissions arising from our practical identity provide at best *prudential* reasons rather than *moral* reasons to give preferential treatment towards one's nearest and dearest. Whereas prudential reasons are morally discretionary, associative duties are not. If I gratuitously choose to forego my own well-being, I might be acting imprudently, but I am not acting immorally. But if I gratuitously choose to forego my daughter's well-being in a way violating my associative duties, my action is not just imprudent but immoral. As others have pointed out, it is difficult to accept the conclusion that our associative duties are merely prudential.<sup>29</sup> So according to what I call the 'Morality Condition', an account of associative duties must generate moral duties rather than merely prudential ones.

Though standard reductionism has difficulty meeting the Stringency Condition, it has no problem satisfying the Morality Condition. Conversely, accounts identifying our associative duties with the permissions arising from our practical identity meet the Stringency Condition, but have difficulty meeting the Morality Condition. In

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<sup>26</sup> Korsgaard (1996, 249).

<sup>27</sup> According to derivative arguments for agent-centered permissions, there are impersonal, consequentialist reasons to allow individuals to deliberate as if they are entitled to give their personal projects extra weight; this is because the alternative would be psychologically devastating to its adherents, thereby failing to maximize the impersonal good (Railton 1984). According to the *non*-derivative arguments, our moral permission to give extra weight to our personal projects is grounded either in (a) the intrinsic personal value manifest in the permitted project (Nagel 1989), or in (b) the more general value of having 'space' in which to pursue our personal lives free from the tyranny of the impersonal point of view (Scheffler 1982).

<sup>28</sup> See Brink (2001) who first develops a version of this account.

<sup>29</sup> See Arneson (2003, 385).

what follows I present a reductionist account which, I believe, not only satisfies these conditions, but is intuitively compelling in its own right.

## 4 The Identity-Enactment Account

First, I will explicate the Identity-Enactment Account of associative duties. Then I will argue that it satisfies the two conditions I laid out for accounts of associative duties.

### 4.1 Explicating the Identity-Enactment Account

According to reductionism, our strongest associative duties are special duties to protect and promote the welfare of the duty's beneficiary. As I have argued, this view has difficulty satisfying the Stringency Condition. But I believe reductionists can overcome this problem while simultaneously casting reductionism in a more intuitively compelling light, by radically rethinking the content of the special duties in question. Specifically, our strongest associative duties are not special duties to protect and promote the welfare of those to whom the duties are owed, simply. Instead, according to

#### *The Identity-Enactment Account*

Our strongest associative duties are special duties to protect and promote the welfare of the duty's beneficiary by *adopting and enacting a practical identity* in which the duty's beneficiary features prominently.

Recall that our strongest associative duties enjoin us to grant radical moral priority to the welfare of the persons to whom the duties are owed. A mere promise to protect and promote their welfare falls short. We can grant much greater moral priority by essentially making their welfare ours—i.e., by incorporating them into our practical identity. This provides for us agent-centered permissions to give their interests much greater weight than any mere promise could. The special duty to protect and promote their interests then requires that we then act in accordance with those permissions.

Notice that the Identity-Enactment Account qualifies as a version of reductionism; it identifies associative duties with special duties to protect and promote the interests of duty's beneficiary. But unlike standard reductionism, the Identity-Enactment Account identifies associative duties with a particular method of protecting and promoting those interests—viz., by adopting a practical identity and acting on the permissions it affords.

We can apply the Identity-Enactment Account to the associative duties investigated in Sect. 2. Recall that according to reductionism, a parental associative duty is a specific application of a special duty to those whom we've made promises and to those we've made vulnerable. Our filial duties, according to reductionism, are specific applications of a more general duty of compensation, gratitude, or reciprocation toward our benefactors. The same goes for the associative duties we have toward our close friends. In each of these cases, we have a duty to protect and

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promote the welfare (albeit in different ways) of the individuals to whom the duties are owed. If the Identity-Enactment Account is correct, then in each case discharging our special duties requires that we adopt and enact a practical identity in which the person to whom the duty is owed features prominently.

But why believe that discharging our special duties requires adopting and enacting a practical identity? After all, the special duties which the Identity-Enactment Account identifies as associative duties are, at one remove, perfectly ordinary—they are duties toward those to whom we’ve made promises, or to those made vulnerable to our actions, or to those to whom compensation, gratitude, or reciprocation are owed. These special duties crop up all the time in our pedestrian interactions with the random individuals populating our daily lives. Yet when, for example, I promise to look after my neighbor’s pets when she is away, I do not thereby have a duty to incorporate her into my sense of who I am as a person. I have no duty to cultivate a long-term, ground-level commitment toward her. So on some occasions, my special duties require adopting and enacting a practical identity of a particular sort; on other occasions they don’t. What explains this difference? The answer is twofold.

First, the *type* of special duties we have to our nearest and dearest are indeed perfectly ordinary. But their *content* is not. The special duties grounding our relationship with our nearest and dearest can only be discharged by giving them radical priority in our moral calculus. We can give the duty’s beneficiary the sort of radical priority they are owed only by incorporating them into our practical identity, and then acting in accordance with the permissions that doing so offers. This explains why, for example, the special duty I have to look after my neighbor’s pets does not yield a duty nearly as strong as those I have toward my nearest and dearest. Satisfying the special duty I have toward my neighbor does not enjoin me to incorporate her into my practical identity.

Second, our duties to close friends and family are all special duties to protect and promote the welfare of the duty’s beneficiaries, not just by providing material resources and assistance, but also by providing a particular kind of good: that of an emotionally intimate relationship.<sup>30</sup> Recall from Sect. 2 that cultivating emotional intimacy is a means by which to discharge what is owed—i.e., the goods which a flourishing relationship with our nearest and dearest yield. Cultivating emotional intimacy, requires, in turn, adopting and enacting a practical identity in which the duty’s beneficiary features prominently.

Why is this? Emotional intimacy requires not just disclosing our deepest selves, but a disposition to respond in the right way to such disclosures. When our intimates disclose their deepest concerns and joys, we must, of course, respond with empathy and a willingness to provide emotional support and guidance where appropriate. But these sorts of responses are not enough. After all, a therapist or a priest might respond in these ways; the kind of intimacy we share with them is not of the sort

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<sup>30</sup> For reasons of space, I will refrain here from delving into the reasons why an emotionally intimate relationship can be of great value. See fn. 24.

yielding the full set of goods characteristic of a fully flourishing relationship with our nearest and dearest.

What is missing is this: the deepest concerns and joys disclosed to us must *personally* affect us, in that how *we* fare at a fundamental level depends on how *they* fare. In such a case, we are at least partly in the dark about how well our own lives are going until we apprehend how the lives of our nearest and dearest are going. This, of course, just describes a relationship in which our practical identity is bound up with theirs; when someone features prominently in our practical identity, their interests and welfare are part-and-parcel of our own. To the extent that this kind of relationship is necessary for enjoying the goods characteristic of a fully flourishing relationship with our nearest and dearest, and to the extent that we have a special duty to provide these goods, we are accordingly required to incorporate those to whom we owe such a duty into our own practical identity.

So on the Identity-Enactment Account, there are two reasons why our strongest associative duties require that we adopt a practical identity in which the duty's beneficiaries feature prominently. First, we have a special duty to provide them with the sort of priority which incorporating them into our practical identity permits. Second, we have a special duty to provide them with the goods of an emotionally intimate relationship which can be achieved only by incorporating them into our practical identity. These two features also explain how associative duties differ from other special duties, such as the promissory duty I have to look after my neighbor's pets. Fulfilling that promise requires neither a) granting her the sort of moral priority which incorporating her into my practical identity would afford, nor b) cultivating an emotionally intimate relationship of the sort requiring that I incorporate her into my practical identity.

Now that I have explicated how the Identity-Enactment Account functions, and what differentiates our strongest associative duties from other special duties on that account, I will argue that this strategy meets the conditions I laid out in the Sect. 3.

## 4.2 Satisfying the conditions for associative duties

As I pointed out in Sect. 3, adopting a practical identity in which an associative duty's beneficiary features prominently yields an agent-centered permission to give that person the same sort of priority that I am permitted to give my own welfare. Accordingly, the Identity-Enactment Account satisfies the Stringency Condition.

Notice, though, that the Identity-Enactment Account does not simply require that we adopt the requisite practical identity. Suppose that I have a special duty—a promissory duty—to cultivate a long term, ground-level commitment toward my daughter. Suppose that I fulfill this promise. My daughter now features prominently in my practical identity. This alone provides no basis for the *duty* I have to choose my daughter in cases like Daughter Rescue. Incorporating my daughter into my practical identity gives me very strong reasons to grant her interests extra weight; but these reasons are prudential, rather than moral. Recall from Sect. 3 that identifying our associative duties with the agent-centered permissions arising from our practical identity fails to meet the Morality Condition. An account of associative

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duties requiring simply that we adopt the appropriate practical identity suffers from essentially the same problem.

On the Identity-Enactment Account, though, the special duty we have towards our nearest and dearest enjoins us not merely to adopt a particular practical identity, *but to act in accordance with it*. This dual requirement satisfies the Morality Condition. Recall that our special duty is, in effect, to radically prioritize the interests of the duty's beneficiary. This requires that we a) adopt a practical identity of the sort yielding radical permissions and then b) act in accordance with those permissions.

So, for example, once I adopt a practical identity in which my daughter features prominently, the special duty I have to protect and promote her welfare requires that I exercise my agent-centered permission to rescue her at the opportunity-cost of allowing three strangers to die (if necessary). The Identity-Enactment Account thereby satisfies not only the Stringency Condition but the Morality Condition.

Just as importantly, the account characterizes associative duties in an intuitively appealing way. There are people who can legitimately demand a prominent place in our mental lives for the protection and intimacy that prominence affords. This is a natural way to think about what we owe our closest friends and family. Our associative duties are special duties to accommodate that legitimate demand.

However, this account might seem to yield unintuitive consequences in cases where close relationships—especially friendships—diminish over time. Consider two friends who at one point in time— $t_1$ —featured prominently in each other's practical identity. They spend much time together and are emotionally intimate. The welfare of each depends on the welfare of the other; each is disposed to respond accordingly, by giving nearly as much weight to the welfare of the other as she would herself.

But over the course of a decade the two friends inexorably drift apart. They spend less time together, think about each other less, and the welfare of each depends less on the welfare of the other. The two friends are now—at  $t_2$ —only peripheral figures in each other's lives. When one of the friends reports a serious illness, the other finds herself much less moved than she would have been years ago.

It seems clear that at  $t_1$  the two friends feature prominently in each other's practical identity and at  $t_2$  they do not. This means at some point between  $t_1$  and  $t_2$  they must have failed to continue cultivating the requisite feelings toward each other. Insofar as the Identity-Enactment Account requires of each that she continue to cultivate and act on a practical identity in which the other features prominently, it seems that the friends have violated their duties to each other. But this is bizarre; it is implausible to suggest that when friendships end in this way, the friends have thereby acted wrongly.<sup>31</sup>

The Identity-Enactment Account does not commit us to that view, however. It is a common feature of special duties that the beneficiary can unilaterally free the bearer of the duty of the obligations she has toward the beneficiary. Consider the duty to abide by promises and contracts, or to compensate or express gratitude

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<sup>31</sup> I thank an anonymous referee for providing me with this example and pressing me on this possibility.

toward our benefactors. If the benefactor freely and sincerely indicates that she would prefer that the beneficiary refrain from providing those benefits, then typically the beneficiary's duties are thereby either attenuated or eliminated. In this sort of case, the would-be beneficiary has unilaterally rescinded the benefactor's duty. In the case of the estranged friends, each of the two friends has, in effect, unilaterally freed the other of her duties. Each does this implicitly—by simply *not caring* whether the other friend fulfills her duties, and by effectively indicating as much. To be sure, each does this not all at once, but bit by bit over many years, as a result of which the associative duties (which are scalar—see Sect. 4.3) weaken and abate over time.

The Identity-Enactment Account can, then, accommodate the effect that estrangement has on associative duties. In the case described, each friend allows the other to exit the friendship, which abrogates the concomitant associative duties without violating them.

So far I've discussed associative duties to our closest friends and family as if these duties are all equal in strength. But they vary, of course, depending not only on the kind of associative duty, but on the particulars of the relationship in question. In what follows I briefly explain how the Identity-Enactment Account accommodates these differences.

### 4.3 Scalarity of associative duties

Associative duties are scalar in their strength. The scalarity can be assessed along two dimensions: its scope and magnitude. The scope of an associative duty depends on how varied the contexts of its application are. The magnitude depends on the amount of weight we ought to give the welfare of the duty's beneficiary. So, for example, the incipient associative duties of a nascent friendship are limited in scope and strength; the range of contexts in which we are expected to intervene in furtherance of a friend's welfare is quite limited, and the extra weight we are required to give the friend's welfare amounts to a thumb on the scales—not an elbow. The scope and magnitude of our duties can also vary by the type of relationship. The associative duties that close siblings bear toward one another will typically differ in scope and magnitude from the associative duties that a parent has to an offspring.

Both dimensions of an associative duty's importance affect the demandingness of an associative duty. The more varied the contexts of application (i.e., the greater the scope) the more often the duty-bearer must attend to the duty's beneficiary. Likewise, the greater the weight assigned to the welfare of the duty's beneficiary (i.e., the greater the magnitude) the less comparative weight competing interests will have—including the duty-bearer's own interests.

Reductionists explain variations in the strength of associative duties in terms of differences in the kind and strength of the special duties in which they consist. But recall from Sect. 3 that the normative force of special duties is not itself strong enough to require acting in the radically sub-optimal ways which associative duties afford. According to the Identity-Enactment Account, though, a special duty *can* require that we act in those radically sub-optimal ways—by enjoining us to adopt



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and enact a particular practical identity. Though special duties do not themselves have the normative force necessary to license acting in the radically sub-optimal ways which associative duties afford, the special duties can nonetheless specify the degree of prominence that an individual ought to have within the practical identity it prescribes. Greater prominence entails stronger agent-centered permissions to act in furtherance of that individual's interests. So by specifying the degree of prominence a duty's beneficiary ought to have in our practical identity, a special duty can "from afar" specify the strength of our agent-centered permissions—which the special duty then requires that we exercise.

It is possible, though, for an individual to harbor a practical identity permitting more than what an associative duty requires. In such a case, the special duties in which the associative duties consist will not require that we "max out" the agent-centered permission. Suppose my life revolves around a particular friend, despite that I have only known him for a couple years. He plays as central a role in my practical identity as anyone can. Given this, I might be permitted to give his life nearly as much weight as my own. But I am not *required* to do so since the special duty I have toward him *qua* friend does not enjoin me to grant him such prominence in my practical identity. This does not necessarily mean that I am acting immorally by granting him such prominence. But it does mean that I am not morally required to give his interests the degree of priority which I am morally permitted to give it.

## 5 Implications for weaker associative duties

The Identity-Enactment Account is an analysis of our *strongest* associative duties. Does this mean we need a separate analysis for our weaker associative duties? Recall that less stringent associative duties include certain professional duties as well as duties to co-nationals, compatriots, and colleagues. Does the Identity-Enactment Account apply to these?

If what I have argued here is correct, it is a conceptual mistake to think that our strongest associative duties, such as those toward our nearest and dearest, differ only in degree from our other associative duties. Instead, they differ in kind: associative duties toward our nearest and dearest are special duties to adopt and enact a practical identity in which the duty's beneficiary features prominently; whereas our *other* associative duties are special duties which do *not* enjoin us to incorporate the duty's beneficiary into our practical identity. Put differently, associative duties toward our nearest and dearest follow the Identity-Enactment Account, whereas our other associative duties follow standard versions of reductionism (of the sort explicated in Sect. 3).

This might seem like an infelicitously disjunctive account of associative duties. But there are two reasons for thinking otherwise. First, on both standard reductionism and the Identity-Enactment Account, associative duties are fundamentally special duties. In that respect, the two accounts are of a piece, differing only in the content of the special duties in which associative duties consist. Second, as far as these differences in content are concerned, they seem warranted. Intuitively, for example, the associative duties I have toward my parents seem quite

different from the associative duties I have toward my co-nationals. A disjunctive account of associative duties captures that intuitive difference in a compelling way: my parents can legitimately demand a prominent place in my practical identity, whereas my co-nationals cannot. It is accordingly an advantage of the disjunctive account that it treats different cases differently.

One might point out that even though the associative duties we have to our co-nationals, compatriots, and colleagues are typically not as strong as those we have to our friends and family, there might be circumstances elevating their strength to the point that they are on a par. For example, in fighting a just war against an oppressive regime bent on genocidal extermination of our people, the duty I have toward my compatriots might be as strong as the duty I have to family. We can accordingly apply the Identity-Enactment Account to such relationships: I have a special duty to protect and promote the interests of my compatriots by adopting and enacting a practical identity in which their interests feature prominently. The upshot is that the Identity-Enactment Account provides the resources for making sense of particularly strong associative duties to those who are *not* among our closest friends and family.

If what I have argued in this paper is correct, reductionists should rethink what associative duties are. We obligate ourselves to strangers in prosaic ways on a daily basis—by making promises, by accepting favors, by imposing burdens on others, and so on. All special duties, one way or another, require that we give extra weight to the interests of the duty's beneficiaries. But contrary to what other reductionists assume, we cannot make sense of the extra weight we are required to give our closest friends and family by identifying it with the extra weight that special duties afford. Doing so fails to accommodate the radical priority associative duties grant to the duty's beneficiaries. We can make sense of this radical priority, without sacrificing other features of associative duties—that they give us not merely reductional reasons but moral ones. And we can do so under the rubric of reductionism about associative duties: by characterizing them as special duties to adopt and enact a practical identity in which the duty's recipient features prominently. Incorporating them into our practical identity in this way, and then acting in accordance with the permission doing so affords, provides the duty's benefices with the sort of protection and intimacy intuitively characteristic of associative duties.

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