Associative Political Obligation as Community Integrity

Nina Brewer#Davis

The Journal of Value Inquiry

ISSN 0022-5363

J Value Inquiry
DOI 10.1007/s10790-014-9475-4

Springer

Your article is protected by copyright and all rights are held exclusively by Springer Science +Business Media Dordrecht. This e-offprint is for personal use only and shall not be self-archived in electronic repositories. If you wish to self-archive your article, please use the accepted manuscript version for posting on your own website. You may further deposit the accepted manuscript version in any repository, provided it is only made publicly available 12 months after official publication or later and provided acknowledgement is given to the original source of publication and a link is inserted to the published article on Springer's website. The link must be accompanied by the following text: "The final publication is available at link.springer.com”.

Springer

Author's personal copy

J Value Inquiry
DOI 10.1007/s10790-014-9475-4

Associative Political Obligation as Community Integrity

Nina Brewer-Davis

© Springer Science+Business Media Dordrecht 2015

1 Introduction

Associative theories of political obligation offer a fresh alternative to approaches such as social contract theory, fair play, and the natural duty of justice. Few suggestions in ethics are more intuitive than the idea that we have special obligations to our family and friends, just in virtue of our relationships (or "associations") with them, and it is reasonable that obligations to political society are also grounded through association.

A basic question for associative theories is to explain how associations give rise to obligation, but here there is a common error. Many associative theorists and their critics take this question to be equivalent to the question: what distinguishes associations that are morally acceptable from those that are not? The assumption is that associations which are morally acceptable are those that give rise to obligations. However, this assumption is wrong in two ways. Associations that have some unacceptable features may still give rise to obligations. A father may let his daughter down in significant ways, yet still be a source of special obligations for her. Many associations are deeply disappointing or regrettable in some way, without being thereby negated. Also, explaining how associations give rise to obligation requires distinguishing, not between morally acceptable and unacceptable associations, but between relationships that are associations and those that are not.

This is not merely to say that I think the conditions for moral acceptability should be wider than some suggest, though I do. The question of how associations give rise to obligation is not addressed by the question of what constitutes morally acceptable association, any more than the source of contractual obligations is addressed by the

N. Brewer-Davis (✉)
Philosophy Department, Auburn University, 6080 Haley Center, Auburn, AL 36849, USA
e-mail: nina.davis@mail.mcgill.ca; ncb0005@auburn.edu

Published online: 11 January 2015

Author's personal copy

question of moral acceptability in contracts. A contract that is deeply regrettable and even damaging to one of the parties may be no less obligating than one that is beneficial to everyone involved. What matters for contractual obligation is whether the conditions of genuine contract have been met, i.e. voluntary and knowing agreement. In the same way, what matters for associative obligation is whether a relationship is a genuine association. Is a group of people an arbitrary collection of individuals, or is it a real community?

Both this error and a possible solution are illustrated in *Law's Empire*, by Ronald Dworkin. Dworkin exhibits this error when he argues that associative obligations are binding if communities meet four conditions of "true community." I will argue that both the particular criteria he defends and the general approach are wrong for a theory of associative obligation. Others have made similar objections to Dworkin, but have taken this to be grounds for skepticism about associative obligations as such, and this last step is, I think, unwarranted.[1] A theory of associative obligation should not rely on conditions of goodness, but a theory of associative obligations need not do this. To the contrary, I will argue that another aspect of Dworkin's view does provide a starting place for a successful ground of associative obligation: Dworkin's model of a community of principle, and especially the virtue of integrity. A community without integrity is not really a community at all.

2 Moral Acceptability of Associations

Several prominent theories of associative obligation focus on distinguishing between associations that have value and those that do not. Michael Hardimon writes that "role obligations deriving from unjust institutions are void ab initio."[2] According to Thomas Hurka, people must have a shared history of the right sort, namely a history of "doing good or suffering evil."[3] Samuel Scheffler describes associations producing obligation as those we have "reason to value."[4]

Other accounts have avoided the problem without really addressing it. Niko Kolodny sidesteps it by investigating associative "reasons" rather than obligations *per se*, but seems to fall into it again when he declares that relationships do not give associative reasons if someone is wronged through some interactions within the relationship (a condition so general that it could potentially apply to any

[1] See Richard Dagger, "Membership, Fair Play, and Political Obligation," *Political Studies* 48 (2000): 104–117. Leslie Green, "Associative Obligations and the State," in Justine Burley (ed.) *Dworkin and his Critics,* Oxford: Blackwell, 2004: 267–284. Christopher Heath Wellman, "Associative Allegiances and Political Obligations," *Social Theory and Practice* 23 (1997): pp. 181–204. Also Wellman, "Relational Facts in Liberal Political Theory: Is There Magic in the Pronoun 'My'?" *Ethics* 110 (2000): 537–562.

[2] Michael Hardimon, "Role Obligations." *The Journal of Philosophy* Vol. XCI, No. 7 (July 1994): 333–363, p. 350. Role obligations differ from associative obligations in some ways, but also overlap and the two are often discussed together.

[3] Thomas Hurka, "The Justification of National Partiality." In Robert McKim and Jeff McMahan (ed.s) *The Morality of Nationalism*. New York: Oxford University Press, 1997, pp. 139–157, p. 152.

[4] Samuel Scheffler, *Boundaries and Allegiances*. New York: Oxford University Press, 2001, p. 101.

Author's personal copy

relationship).[5] Kolodny also endorses Hurka's distinction. John Horton denies giving a moral justification of associative political obligation, claiming instead to only give an "intelligible and plausible way of understanding political obligations within a modern state."[6]

Dworkin makes a similar, if more elaborate, distinction in the conditions he gives for a "true community." Only a true community gives rise to obligations, according to Dworkin. In any community that meets these conditions, the associative obligations which members consider themselves to have are genuinely binding (by contrast, in a bare community they are not). All four conditions are features of how members treat each other: they must regard their duties as special, applying only to group members; they must regard the duties as applying directly to the other group members, not to the group as a whole, which avoids the result that it is permissible to sacrifice one in order to save others; they must regard the duties as representative of concern for the well-being of their fellow members, and they must not take some in their group to be more valuable than others.[7] As stated, all four conditions are ideals, which few communities would fully achieve, but a community that comes close is, as Dworkin says, "true enough."[8]

All of these approaches share a common assumption: associations that are not morally acceptable do not give rise to obligations. "Morally unacceptable" is described variously in terms of injustice, those that one does not have reason to value, or those not distinguished by doing good or suffering evil. Or, they are identified according to Dworkin's four conditions. I believe this assumption is mistaken or too simple, both because associations that have some very serious problems may still give rise to obligations, and because moral acceptability is the wrong kind of criterion for this issue.

Many associations, especially longstanding or intimate ones, which are also usually the most important, have significantly unacceptable features. Ways of distinguishing between acceptable and unacceptable associations should account for this complexity. A son may have obligations to his selfish, even negligent, mother. Not only this, but many associations excluded by these standards have at least a claim to associative obligation. Hurka's distinction, which requires that people have a history of doing good or suffering evil, would exclude a band of thieves or a gang of pirates, even if those pirates were considerate and caring amongst themselves.

Dworkin's conditions on true community illustrate this problem: on closer examination, they do not make sense as necessary conditions for genuine associative obligations, because communities that don't meet these may nevertheless be characterized by robust relationships which give rise to genuine obligations. For instance, Dworkin's second condition is that members must have the attitude that obligations are owed to each individual member, not to the group as a whole. He

[5] Niko Kolodny, "Which Relationships Justify Partiality? The Case of Parents and Children." *Philosophy and Public Affairs* 38 (2010): 37–75, p. 53–54.

[6] John Horton, "In Defence of Associative Political Obligations: Part Two." *Political Studies* 55 (2007): 1–19, p. 2.

[7] Ronald Dworkin, *Law's Empire*. Cambridge: Harvard University Press, 1986, pp. 199–200.

[8] Ibid., p. 201.

Author's personal copy

claims this prevents some being sacrificed for the sake of others, but it's not clear why this would be a problem. Asking some to make sacrifices for the sake of the group is a central example of an associative obligation, one might think. The well-being of the group as a whole may require some to contribute more than they have been, even if they do not directly benefit. Some members may need to pay higher property taxes, for instance, to pay for improvements to the public schools, even if they do not themselves have children in school. This could be justified in associative terms, for the sake of the community, yet it seems to contradict Dworkin's second condition.

His third condition is that duties represent concern for the well-being of all members, which seems to rule out tyrannies in which the laws serve only the interests of the rulers. But even in a tyranny members may well have obligations to each other to comply with the laws, such as to protect them all from collective punishment. Dworkin's fourth condition is that all members must have equal concern for one another: rules must be seen to be equally in everyone's interests, and all members must be perceived to be equally valuable. However, some associations are strong enough to give rise to genuine obligations without this condition. A woman whose father values his sons more than his daughters may still have some associative obligations to her father, such as to care for him in his old age, despite the inequality of her situation. A relationship can be important to both individuals, and even be objectively valuable, and thus be a source of obligation, while also having features that are deeply regrettable.

Another kind of problem with giving moral acceptability as a condition for associative obligation is that what makes a group an association is different from what makes an association morally acceptable. As Richard Dagger, a skeptic about associative obligation, writes in response to Dworkin and Hardimon, "In both [Dworkin's and Hardimon's work], membership is not in itself sufficient to ground or generate an obligation. Something extra must be added—an appeal to justice or to the nature of a true community—to supply what a straightforward appeal to membership lacks."[9] In other words, moral acceptability puts the normative force of associative obligations in the wrong place. Dagger takes this as evidence that appeal to membership cannot do the work necessary for obligation in general, and political obligation in particular.

I think Dagger's objection is perceptive, but I question his conclusion. Membership can do the necessary work for obligation, just as a promise or a contract can, but not by distinguishing between morally acceptable and morally unacceptable associations. Rather than this, what we need is an account of the distinction between association and a mere collection of individuals. Just as a "promise" made under duress is not binding because it is not really a promise at all, a "membership" that does not meet the conditions of association is not binding, precisely because it does not meet those conditions. Some relationships between individuals are not associations. This might be because they are too trivial or of the wrong sort, such as the relation between someone and the people listed immediately before and after her in the phone book. I can be grouped together with everyone who

[9] Dagger op. cit., p. 110.

Author's personal copy

has the same eyeglass prescription as I do, but we are not an association with special obligations to each other. Two bitterly opposed ethnic groups probably are not an association (perhaps not even if they share a government). So, we need an account of what it means for a group of people to be an association, such as that they have a shared history or shared values. If associative obligations are truly associative, they should hold for all genuine associations, and not hold for other groupings of individuals. Simon Keller makes a similar point when he writes that reasons of partiality, which are about interpersonal connections and relationships, should not be confused with other reasons to treat some people differently from others.[10] Associative theories of obligation, including Dworkin's, have attempted to justify the obligations through an account of moral acceptability, when they ought to explain what it is to be an association.

Margaret Gilbert and John Horton have theories of associative obligation which are, in different ways, examples of associative theories that do not make this mistake, though they each have their own problems. Gilbert presents her theory as a kind of hybrid between associative and contractual approaches.[11] Horton's response to Dagger is similar to mine: he argues that an associative approach to family "does require one to say *something* about familial relationships that shows them to be valuable."[12] When it comes to giving an account of political society, he writes that membership in a particular polity shapes one's identity.[13] While this is provocative, I think the virtue of integrity does better at capturing the richness of relationships and explaining their unique type of value.

This approach to associative obligations has the result that some unjust associations give rise to genuine obligations, such as within a tyranny, or between the daughter and her father. However, this is no more (and no less) of a problem for associative obligation than it is for contractual, or for that matter, promissory obligations. Just as people debate whether a promise to do something morally wrong is binding, they can debate whether relationships based in, say, joint projects that are morally wrong give rise to associative obligations. But it may also turn out that some morally abhorrent relationships are not genuine relationships after all. For instance, some people think that those of the "white race" have associative obligations to all and only other whites, in virtue of a shared race. This is wrong because there is no relationship that includes all whites and excludes all non-whites. Not only is racism wrong, it's also a mistake.

Although the distinction between morally acceptable and unacceptable associations is inappropriate for the question of what gives rise to associative obligation, this is not to say that it is not an important and useful distinction to make. If we know what distinguishes between acceptability and not, this contributes to identifying what makes an association good, and surely we need to know about this. Whether an association is morally acceptable or unacceptable may also

[10] Simon Keller, *Partiality.* Princeton: Princeton University Press, 2013, p. 8.

[11] Margaret Gilbert, *A Theory of Political Obligation.* Oxford: Oxford University Press, 2006.

[12] John Horton, "In Defence of Associative Political Obligations: Part One." *Political Studies* 54 (2006): 427–443, p. 437.

[13] Horton 2007 op. cit., p. 12.

Author's personal copy

contribute to how heavily an associative obligation weighs against conflicting obligations. A woman whose father values her less than her brothers may find that her filial obligations are outweighed by other moral considerations, and on balance, is not required to make great sacrifices for her father's comfort. It would be incorrect, however, to suggest that because her relationship with her father has morally unacceptable features it gives rise to no obligation at all.

3 An Alternative Standard: Shared Commitment to Principle

Rather than distinguish between associations that are morally acceptable and those that are not, a theory of associative obligations should distinguish between groups of people that are associations and those that are not. Communities are imperfect, and they may have very unfortunate or even harmful features, yet still be obligating. What makes a collection of individuals an association, or a community?

Dworkin's account of a community of principle, as characterized by a shared commitment to integrity, suggests a way. He considers three types of relationships: principle, rulebook, and de facto, using a device to analyze them. He asks if the relationship were generalized to a community, such that the relationship was "characteristic" of the community, how would the relationship be expressed in the community's institutional structures and the attitudes of its citizens toward the community's rules? A community of principle describes a real community, while the de facto and rulebook communities turn out to not really be communities at all.

In a community of principle, members are joined together by a "scheme of principle" that arises through that community's history. The scheme of principle guides how rules are made for that community, which both shape the ruling institutions and the rules themselves. By contrast, in a rulebook community, the members are committed to a shared set of procedures, but don't see those procedures as expressing any deeper principles,[14] while members of a de facto community are not joined by any shared history or purpose, but see themselves as connected to each other by accident or convenience.[15] The rule-making institutions of a community of principle aim to produce rules which express the community's principles and which enable members to act in a way consistent with them. Institutions in such a community are guided by its scheme of principle, and members have reasons to follow the rules because they are already committed to the principles those rules are meant to express. This also means that they have reason to go beyond what the rules specifically require in situations where the scheme of principle calls for a certain action, but the rules do not.[16] Members of such a community might disagree about what rules should be adopted even though they share a scheme of principle, because they may disagree about what actions the scheme of principle requires, or how best to live up to it.

[14] Dworkin op. cit., p. 210.

[15] Ibid., p. 209.

[16] Ibid., p. 211.

Author's personal copy

A community of principle would not permit rules that are inconsistent with each other, or that exhibit compromises which undermine their purpose, because such a community is committed to the virtue of integrity. Sharing a commitment to a scheme of principle, as members of this community do, means committing to coherence of those principles and their expression, such that inconsistent rules are incompatible with the overall scheme, even if they separately seem to express aspects of the particular principles. Thus the principles are not merely a list or a set of discrete values, but come together in a way that makes sense as a whole. Dworkin gives a similar account of integrity in the evolution of informal social practices like doffing one's hat.[17] Rather than being something static and unchanging, they evolve along with society. The virtue of integrity thus acknowledges the value of consistency with the past while expecting gradual change, and even allowing for the possibility of dramatic change when necessary. In Dworkin's language, integrity includes dimensions of both "fit" and "justifiability." In this way, integrity contains elements of both shared history and shared values.

The virtue of integrity also carries an element of significant individual responsibility: being committed to integrity means "fidelity to a scheme of principle each citizen has a responsibility to identify, ultimately for himself, as his community's scheme."[18] Members of the society thus are expected to commit to a scheme of principle on a personal level, not just a societal one, and they do this through a process of what Dworkin calls "constructive interpretation," which involves both identifying the principles behind the current rules (and other social practices, like courtesy) and considering the ways in which those rules ought to be changed to better express the principles. That is, each individual interprets the society's scheme of principle for him or herself, but in part by considering the rules and history they all share. This is important in the way it demonstrates the relationship between individual and community: for Dworkin, the rules and social practices adopted by the community are important, but they are modified or balanced by the responsibility of the individual to interpret them for him or herself.

The community of principle describes a way that members relate to one another which is different from and richer than relations characteristic of the rulebook and de facto communities. Relationships in these other communities are so thin that they are not associations. In a de facto community, the only thing that distinguishes fellow members from the rest of the world is some common, possibly accidental trait, such as proximity or eyeglass prescription. It is a feature of the model that there is nothing more to the relationships in this "community." They might help each other before helping those farther away, but if they can do more good in general by not helping each other, they will. That is, members of a de facto community are related in the sense that they stand in some relationship to each other, in the same way two rocks or trees stand in some relationship to each other, but they can hardly be said to *have a relationship*. If people don't take anything to be special about the relation in which they stand to others (the relation itself), then in an important sense they fail to be associated.

[17] Ibid., pp. 47–49.

[18] Ibid., p. 190.

Author's personal copy

The characteristic relationship of a rulebook community also falls short of genuine association. Members of a rulebook community see each other as special, and see their group as having distinct value, in virtue of their shared commitment to a set of procedures and the rules which follow from them. But, beyond this commitment, they each act for maximum personal advantage, and expect others to as well. Whatever behaviors are not explicitly forbidden by the rules are implicitly permitted. Thus, it is permissible, and even expected, for members to act in their own interests as much as allowed without regard to the costs to fellow members. When people pay taxes by taking whatever loopholes or exemptions they can find to benefit themselves, they exhibit this approach to the rules. They do not look for underlying principles or attempt to adhere to those. In a rulebook community, it would be as if all rules were part of the tax code.

In such a group, relationships between members, *qua* members, are limited to what is required by the rules. As such, these relationships cannot be intimate or significant. A marriage in which both parties took themselves to be obligated to each other only to the extent required by law would not be a marriage at all. Some spousal obligations could exist in the rulebook community, but these would be grounded in the fact of their inclusion in the rulebook (or rather in members' contractual agreement to abide by it), not in the relationship itself, and it would be strange to call such obligations "associative." In this community, there might be no special obligations that were not specifically included in the rulebook, because there would be no interpretive attitude toward the rules or what deeper principles about relationships they might express. A group of people like this is not a genuine community.

This is not to say that members of the rulebook community have no special obligations to each other. It is most likely that they do, especially if their shared commitment to the procedures that they live under amounts to a contract. But the relationship necessary for contract is insufficient for association. We need to separate contractual relationships from the associations that often accompany them. When two people agree to a contract, such as a manufacturer and supplier, they form a contractual relationship which commits each of them to certain specified obligations. But they also usually have some kind of association, in addition to this contractual relationship, which among other things helps explain why and how that contract came to be made. This association carries with it a separate set of obligations which are distinct from those specified by the contract. They might include an obligation not to reveal personal information that is shared, or an obligation of the manufacturer to give the supplier the opportunity to match a competing offer. These are not specified by most contracts, but they are commonly taken to be part of business relationships, and they are best explained by appeal to an association between individuals.

If someone makes a promise to a complete stranger, that promise does give rise to a special obligation: namely, the content of the promise. But these obligations are not *associative*, because the association with that stranger is not significant enough to ground obligations. It is the act of making a promise, not the relationship, that gives rise to special obligations. If one receives such a promise from a stranger, the best reasons for trusting that it would be performed would be social pressure or legal enforcement; that is, the procedures society has created to reinforce agreements in lieu of personal knowledge. This describes the "relationships" characteristic of a

Author's personal copy

rulebook community. Although they have value, then, insofar as they express a contract, they are not associations. It may well be that this community is decent, in the sense that members are civil to each other and routinely meet basic moral requirements of respect, but despite this, there is still something missing.

The community of principle succeeds where the rulebook and de facto communities do not. The relationship that this model of community represents is more robust than the others. It is both special and distinctively valuable, and this value is not limited to procedures the way it is in the rulebook community. The relationships themselves have value. Members are connected to each other by their shared commitment to a scheme of principle, not only a set of procedures, and moreover are committed to their coherent expression in all parts of society.

What sets the community of principle apart from the others is its commitment to the virtue of integrity. Dworkin writes that "a political society that accepts integrity as a political virtue thereby becomes a special form of community, special in a way that promotes its moral authority."[19] Members of a community of principle aim to express their scheme of principle through the rules and practices of their society as if those rules were written by a single author. It is this feature which, I suggest, makes the difference between an arbitrary group of people and an association. Only groups that are committed to the integrity of their group's scheme of principle are associations, and therefore give rise to associative obligations. For a group to be committed to integrity, the relationship that characterizes the group must be special and distinctively valuable in a significant way. A group that does not express integrity, by contrast, lacks essential features of association.

4 Associative Obligations in a Community of Principle

So far, I have argued that a theory of associative obligation ought to identify what is distinctive about associations, and that Dworkin's community of principle and the virtue of integrity can make that distinction. Dworkin's theory of integrity is central to his approach to legal theory, and as such is robustly developed. The plausibility of this account of associations is developed by considering how features of integrity would apply to a theory of associative obligations.

Integrity requires that principles be applied consistently through both personal and political contexts. It calls for citizens to draw on the same principles, such as justice and equality, in their daily dealings with each other that they do in deciding what policies to support or adopt. Dworkin writes that "Integrity therefore fuses citizens' moral and political lives: it asks the good citizen, deciding how to treat his neighbor when their interests conflict, to interpret the common scheme of justice to which they are both committed just in virtue of citizenship".[20] This suggests that integrity also requires that principles be applied consistently to various associations. In other words, associations with friends and family should live up to the community's principles in a similar way to how these principles are expressed in

[19] Ibid., p. 188.

[20] Ibid., p. 189.

Author's personal copy

associations between citizens. This is not to say that there are no differences between types of associations, only that they are guided by common principles. "Integrity infuses private and political occasions each with the spirit of the other to the benefit of both."[21] In the legal system, Dworkin considers integrity a virtue for both legislative and, more importantly, judicial roles.

Associative obligations extend beyond legal requirements to more nebulous social expectations. In this regard, the judicial analogy is more apt than the legislative one for associative obligations. Insofar as we are each empowered to evaluate social practices, we are not writing the rules so much as interpreting them. So, it seems that for Dworkin, each of us is a judge when it comes to interpreting social practice to arrive at principles which then guide our interactions with others. As judges, we evaluate social practices in light of community principles, and perhaps we even resolve conflicts between associations in this way as well. Dworkin's discussion of the norms of courtesy supports this.[22] Further, he writes that associations such as friendship "are interpretive concepts; people can sensibly argue in the interpretive way about what friendship really is."[23]

Enacting Dworkin's virtue of integrity requires an approach he calls constructive interpretation. Just as judges use constructive interpretation to identify principles in the law, we each should use constructive interpretation to identify principles underlying associative obligation. Not only *should* we do this, it is also a descriptively accurate *account of* association. Interpreting social practice follows the model of constructive interpretation on this account of associative obligation. We should interpret social practices regarding duties between associated parties where those duties are taken to arise out of the association. When we engage in constructive interpretation, we take relevant practices and identify potential interpretations of them. We evaluate the competing interpretations, and take the one that puts the practice in its best light. This allows us to determine what our associative obligations consist in, and in particular gives us guidelines to follow in cases where we may be uncertain about what our obligations are.

For instance, say I am deliberating about whether I ought to contribute money to a local arts center which hosts musicians, poetry readings, and independent films. Do I have an associative political obligation to support the center? To answer this question, I can reflect on the principles of my community as I understand them, based on community practices. As a community, we support a variety of causes (from both private and public funds), ranging from the food bank to a new library. We also support beautifying the town, from landscaping to fresh paint to putting up holiday decorations down the main street. Some of these services are paid through taxes, and some are performed privately or by volunteers. Other music series and theaters are supported by donations from community members. In the society more widely, we expect to pay when we go to the movies or other forms of entertainment. These social practices, both local and national, support the principle that beauty and art is important and worth investing in. Applied to the current question, these practices and their underlying

[21] Ibid., p. 190.

[22] Ibid., p. 47–49.

[23] Ibid., p. 197.

Author's personal copy

principle point to contributing to the arts center. This is separate from and in addition to other reasons I may have for supporting it, such as that I derive personal, direct benefit from it. If I benefit from the center, then I have a reason of fairness to contribute to its operation. This is also distinct from the question of whether I personally believe arts centers are important, though the latter question informs the former.

The integrity account of associative obligation thus gives us guidance in associative dilemmas. It also gives us a way to revise associative obligations: if a practice is found to be inconsistent with the principle, or if another practice would better express the principle, then the practice may be revised in light of this fact. If I ought to contribute to the arts center based on the above reasoning, perhaps I ought to contribute to the music series as well. These changes can be more significant over the long term. It might once have been considered a parental obligation to guide one's daughter away from her interest in studying engineering, out of concern for her future happiness, but now parents ought to encourage their daughters to study engineering if they express an interest, also out of concern for their future happiness.

Dworkin's two dimensions of fit and justifiability provide standards for evaluating and, when necessary, revising associative obligations. The dimension of fit requires that an obligation be consistent with existing social practice. The dimension of fit is particularly helpful for guidance in new contexts, such as with respect to new technologies. How often should adult children living away from home email their parents? Some guide to this can be gleaned from older, more established standards about how often they ought to call their parents (or write to them, etc.). Note, however, that it is less important for associative obligations to be consistent with established standards than it is for law to be consistent with precedent. The parallels with law are not exact. We can also evaluate associative obligations on the dimension of justifiability. If an obligation clashes with important principles, this is a reason to reject it. A parent may consider it her obligation to guide her daughter away from studying certain subjects, but if this clashes with social principles such as that people should not be penalized for pursuing the subject of their choice, or that women should be given equal opportunities with men, then this is a reason to reject the purported obligation.

Much political disagreement can be characterized as disagreement over the best conception of the nation's shared concepts. Indeed, Dworkin seems to have both political and legal disagreement in mind when he distinguishes between concepts and conceptions. There is a "plateau from which arguments about justice largely proceed…so that arguments over justice can be understood as arguments about the best conception of that concept."[24] He concedes that it would be difficult or impossible to express the concept of justice in an uncontroversial way, which according to him "testifies to the imagination of the people trying to be just."[25] Despite the difficulty of explicitly stating the shared concept of justice, he writes that "[w]e share a preinterpretive sense of the rough boundaries of the practice on which our imagination must be trained."[26]

[24] Ibid., p. 74.

[25] Ibid., p. 75.

[26] Ibid., p. 74.

Author's personal copy

This account of political disagreement highlights the point that even when citizens passionately disagree about what ought to be done, they do so from a common basis. At a very abstract level, they agree about the importance of values such as justice, liberty, and equality; their disagreement rests in how best to understand those principles, and how they should be applied. Dworkin thinks some plateau of agreement is a necessary precondition for making sense of any kind of meaningful disagreement, so from the assumption that our disagreements about justice are meaningful, we can conclude that there must be a common concept at work in the background. All parties must share "a form of life sufficiently concrete so that the one can recognize sense and purpose in what the other says and does."[27] Two citizens may agree on the importance of equality even while disagreeing about the appropriate policy implications. One may believe that the value of equality requires affirmative action, while the other believes that equality requires the eradication of such policies.

5 Some Implications of Association as Integrity

In this section, I consider some implications of the view of association as integrity: it provides some help in responding to immoral associations and how members can challenge the society's practices and principles, and it has implications for the content of political obligation.

One problem with associative obligations, which may have driven some to impose independent moral standards, is the fact that some associations seem to call for immoral acts as a basic feature of the association. For instance, a white slaveholder in the antebellum South is called on by his community's standards to give whites special privileges. But if associative obligations are grounded in the integrity of the association, this provides grounds for rejecting some purported associative obligations without needing to consider the moral acceptability of the association. A community which holds that whites have privileged status, and also supports the principle that all people are equal, is inconsistent, so integrity requires that its practices be revised to better express its principles. The incoherence of such a society, specifically the incoherence of its commitment to a principle and its simultaneous commitment to a practice that is inconsistent with that principle, challenges the community's integrity. This reasoning is specifically associative, and distinct from the fact that privileging whites is immoral in itself. In this way, closer consideration of the nature of association can provide distinctively associative grounds for rejecting some associations.

An advantage of this view is that it gives us an account of how associative obligations change over time. Just as laws change gradually, refined by precedent, as judges interpret them with respect to particular circumstances, associative obligations change and are refined by individuals as they come across new circumstances. Associative obligations are constantly revised to better express their point or underlying principles, or to make them consistent with other principles.

[27] Ibid., p. 63.

Author's personal copy

Because integrity allows for change, individuals can be part of an associative community while at the same time challenging its rules or even its principles by arguing that they conflict with the overall scheme. When individuals challenge their community in this way, they do not put themselves outside the community, even in part. A commitment to integrity is not a commitment to the *status quo*. Individuals who are committed to revising the community's practices to better express their principles are realizing the virtue of integrity in a particularly robust way. However, individuals may find certain community standards so out of step with other personal values that they prefer to renounce the community's scheme of principles, thereby removing themselves from membership, than to achieve integrity with that scheme. If enough do this as a group, they may be taking the first step to forming a new society. One who wants to be associated with others must be willing to go along with the group's practices to some degree.

This associative view of political obligation implies some changes to the content of political obligation. It would not, for instance, be simply an obligation to obey the law, since some laws may be out of step with the society's scheme of principle. If one's associative obligations are to the community and its scheme of principle, but those principles are systematically flouted by the laws governing that community, then one's associative obligations may well be best realized by flouting the law. Thus, associative political obligation may not, as Dworkin assumed, justify a duty to obey the law as such, but only a qualified version, such as a duty to obey those laws that are in accordance with community values.

Associative theories of political obligation draw attention to the fact of membership, the way we come to find ourselves in relationships we value, without quite knowing how we got there. Dworkin's work exposes strengths and weaknesses of this approach. Like many others, Dworkin makes the mistake of appealing to independent normative conditions on associative obligation, which ignores the special significance of the relationship itself. His account also, however, contains the seeds of a much stronger approach to associative obligation. Community relationships have value when their members are committed to the virtue of integrity.

Acknowledgments I'd like to thank David Brink, Charlie Kurth, Michael Tiboris, Michael Watkins, and an anonymous reviewer for their comments on earlier drafts of this article.