

Debate: Do Associative Duties Really Not Matter?¹

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ASSOCIATIVE duties are non-contractual duties owed in virtue of a valuable relationship. They hold between lovers, family members, friends, and perhaps compatriots. General duties, by contrast, are owed to people simply in virtue of their humanity: they are grounded in each person's great and equal moral worth. In this paper, I ask what should be done when we can perform either an associative duty or a general duty, but not both.

There are two types of solutions to this question, which will be called compatibilist and incompatibilist respectively. Compatibilist responses deny the existence of any real tension between associative and general duties, in two different ways. The first, compossibilist variant of compatibilism rejects the terms of the question, denying that tradeoffs between associative and general duties are ever necessary. Tradeoffs cannot occur, it asserts, because each set of duties can be fully discharged without compromising the other: they are compossible, i.e. concurrently possible, so cannot clash.

The second, generalist variant of compatibilism concedes that in some cases tradeoffs may be necessary. It recognises that we cannot always fully discharge our general duties and our associative duties, without conflicts arising. However, it contends that these tradeoffs are always easily resolvable, because there is a clear priority ordering between the two sets of duties: general duties always trump their associative counterparts.² There is only, therefore, an ersatz conflict between the two sets of duties: they are compatible not because they never conflict, but because when they do conflict, the general duties always win out.

Incompatibilist responses hold that associative and general duties are genuinely in tension with one another, and that clashes between them can be serious quandaries. The incompatibilist believes that (1) *contra* the compossibilist, there will indeed be tradeoffs between associative and general duties, and that (2) *contra* the generalist, sometimes the associative duty will win out.

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²An alternative view, that associative duties always trump general duties, is also possible.

My aim, in this paper, is first to pinpoint the terrain on which the debate between these three positions should be held, and then to show that, once on that terrain, incompatibilism looks more plausible than the alternatives. In the first three sections, I try to rebut attempts to defend each of these three positions on conceptual grounds: section I focuses on Samuel Scheffler's defence of incompatibilism, then sections II and III focus on generalist and compossibilist compatibilism respectively. In section IV I argue that, absent convincing conceptual arguments either for incompatibilism or for its alternatives, we should focus instead on our considered judgments about specific cases. Adopting this casuistic approach, interestingly, should favour incompatibilism, since a single counterexample would refute both versions of compatibilism. I cautiously conclude that associative duties probably *do* matter, because they can clash with, and sometimes override, our general duties.

I.

Since the publication of his *Boundaries and Allegiances*, any discussion of associative and general morality must engage with Samuel Scheffler's characterisation of this problem in his 'distributive objection' to associative duties, which argues that they have intrinsically inequalitarian costs for outsiders to the relationships that ground them.³

If successful, Scheffler's argument would show that tradeoffs between associative and general duties are not only possible, they are endemic: the first, compossibilist variant of compatibilism would be ruled out on conceptual grounds. Coupled with his eloquent advocacy for the importance of associative duties, it would also prove useful in the argument against the generalist variant of compatibilism, and its assertion that these tradeoffs must always go one way. It could, therefore, be a powerful conceptual argument in favour of incompatibilism, and merits close consideration.

The distributive objection is based on the following example. At T^0 A, B and C are a three-person society, with an equal distribution of duties among them (i.e. they all have general duties to one another). At T^1 A and B form a special relationship. This relationship brings them a number of rewards. It also changes the structure of their duties, providing them with associative duties to one another, recognised at T^2 . But these associative duties work to the disadvantage of C in three ways: (1) where A and B might have benefited C at T^0 supererogatorily, their focus will now at T^2 be on each other; (2) when it is impossible for them to perform their general duties both to each other and to C, it is C who will lose out at T^2 , though she would have had an even chance at T^0 ; (3) sometimes their associative duties to one another will override their general

³Samuel Scheffler, *Boundaries and Allegiances: Problems of Justice and Responsibility in Liberal Thought* (Oxford: Oxford University Press, 2002).

duties to C. Scheffler concludes that these duties (both associative and general) are a form of ‘normative resource’, which was distributed equally at T^0 , but is now unequally distributed at T^2 . Moreover, he notes that A and B already gain, at T^1 , from the formation of a rewarding relationship, which makes them better off than C at T^1 . To distribute the normative resource at T^2 so as to exacerbate this inequality appears unjust: the better off are getting more, while the worst off is getting less. Scheffler stresses that the distributive objection is especially salient when at T^0 C already has fewer material resources than A and B.⁴

The distributive objection is an elegant, original, and thought-provoking moral conundrum. Unfortunately, however, it does not successfully capture the tension that it was designed to affirm.⁵ The first key problem is the reduction of all morality to a distributivist paradigm: the distributive objection mistakenly views duties and supererogatory acts as a ‘normative resource’, to be made part of the distribuendum of distributive justice, along with interests and resources. According to this view, to determine whether a duty obtains, we must first consider the overall state of affairs in which that duty is mooted, and then ask whether recognising a duty in that instance would be consistent with the implementation of the difference principle across a distribuendum that includes resources, interests, duties, and supererogatory acts. One immediately wonders, of course, how to commensurate these different goods, but there is a more serious problem: duties do not seem to be appropriate objects of distribution. In the conventional understanding of duties, they are justified on their own terms, by reasons specific to the interpersonal connection between the duty-bearer and the beneficiary—either *qua* humans, for general duties, or with respect to their special relationship for associative duties. It is surely bizarre to suggest that, for example, A’s duty not to kill B is not grounded in the importance of B’s life, and his status as A’s moral equal, but rather in the general injunction to implement the difference principle across this eclectic distribuendum. Indeed, we can even wonder whether, if duties were justified not by their own reasons, but by how they play out in the overall distribution, we would really be distributing duties at all. One of the key features of a duty, for example, is that it retains its force whatever the circumstances, so that if it is overridden, there is a genuine moral loss. But on the distributivist account, if a given instance of a duty is not consistent with the overall distributive pattern, then it is not overridden, because it does not exist at all.

More specifically, consider the ways in which the distributive objection claims that C has been rendered worse off at T^2 than she was at T^0 . First, she is no longer likely to be the beneficiary of supererogatory acts by A and B, since they will concentrate on each other more. Perhaps this does mean that C is worse off, but does this disadvantage justify a moral complaint? Not all disadvantages

⁴Ibid., pp. 57–8, 73–4, 83–5, 99.

⁵This goal is emphasised at *ibid.*, pp. 64, 76, 79, 80, 94, 108–109.

matter—if you put me out of business by selling a cheaper and better quality version of the same product, or if you win the heart of the woman I love before I get the chance to, undoubtedly I am worse off than before, but this is not of concern from the perspective of morality. And if the mooted acts are genuinely supererogatory, then *by definition* their non-performance cannot be a ground for moral complaint. By turning these acts into a normative resource, to be distributed according to an overarching principle, the distributive objection makes the uniquely non-compulsory, compulsory.

A similar argument applies to the second plank of the distributive objection to associative duties (that C is now less likely to be the beneficiary of impossible general duties). Sometimes performing our general duty to one person means failing to perform it to another. Presumably, in circumstances such as these, morality should be indifferent as to which general duty is performed. Either way you miss one general duty. What does C have to complain about, then, if A and B perform their general duties to one another, rather than to her? She has no right to be the beneficiary of impossible general duties. Of course, if C repeatedly loses out in these clashes, then it is likely that her need will become more urgent, and the general duty to her will become weightier than the general duties A and B owe to each other. However, insofar as the duties in question are impossible and of identical force, it is all things considered justified for A, say, to perform her general duty to B. Undoubtedly there is some moral loss in the fact that one duty has to be breached, but this loss is identical whether B or C loses out: C has no special complaint.

The same objection should also apply to (3) above: C is not rendered problematically worse off when A and B breach their general duties to her in order to perform their associative duties to one another. If they genuinely have those associative duties, and those duties are, by hypothesis, able to override their general duties to C, then C is not entitled to their performance of the general duty, and has no grounds for all things considered complaint against them. The argument is tilted against associative duties, by its assumption that they must be consistent with our general duties. In fact, if A's and B's associative duties are genuine duties, and they override general duties in some cases, then C has no more cause for complaint about their non-performance of those general duties to her than she does when they perform general duties to one another instead of to her. She is only problematically worse off if she is denied something to which she is entitled.

The second key problem with the distributive objection is its reliance on two dubious premisses, of which the first is obviously false, while the second is unsupported, and probably circular. The first suspect premiss is that the benefits of special relationships, and the duties that they ground, are temporally and so morally separate—as indicated in the distinction between time points T^1 and T^2 .⁶

⁶Ibid., p. 57.

This premiss is vital to the distributive objection's intrinsic challenge to associative duties: the duties are an additional benefit, given to associates who are already better off because of the value of their relationship, hence these duties are either intrinsically unfair, or unfair when they undermine the interests of needier outsiders.⁷ Scheffler responds to this possibility by countering that the benefits of the relationship and the duties it grounds, putatively realised at T¹ and T² respectively, are in fact inseparable.⁸ But if this is true, then the distributive objection is in fact a straw man: it is predicated on an artificial premiss of the temporal separation of benefit from duty, and then criticised for the flaws of that premiss.

Perhaps recognising this shortcoming, the argument of *Boundaries and Allegiances* shifts towards the claim that special relationships and associative duties, now conceived as a whole, are problematic when they emerge in situations which are already unequal in some way, even if justly so.⁹ This is a crucially different claim: special relationships and associative duties are not intrinsically problematic from the perspective of equality, but only when they exacerbate pre-existing inequalities. However, this objection is based on a second, extremely problematic premiss, similar to the first, which should lead to the abandonment of the distributive objection as such.

The first false premiss was that the duties grounded in special relationships are somehow ancillary or secondary to the relationships and their benefits. This was refuted by arguing that the duties are an integral component of the relationship.

The second questionable premiss is that our associative duties are somehow ancillary, or secondary, to our fundamental moral nature, such that they must be measured against a 'baseline situation in which everyone has only those responsibilities that arise independently of any special relationships'.¹⁰ This premiss is never defended, so we have no reason either to believe or deny it, leaving a significant logical lacuna at the heart of the distributive objection. Moreover, it is much more congenial to compatibilism than incompatibilism. The distributive objection, therefore, presupposes the truth of a premiss that, given its stated goal of exposing the tension between loyalty and equality, it should seek to refute. As I show in Section II, advocates of generalist compatibilism have argued that, if our associative duties are ancillary to our general duties, then surely the former duties can never override the latter. Incompatibilists, however, can simply reject this unargued assumption, and contend that associative and general duties are co-originary. In doing so, they in fact consign the distributive objection to irrelevance: just as associative duties do not exacerbate a pre-existing inequality, which inequality is caused by the differential enjoyment of special relationships, so, if associative duties and general duties are co-originary, there is no gap

⁷The first possibility is suggested at p. 96, but Scheffler advocates the latter throughout.

⁸Scheffler, *Boundaries and Allegiances*, pp. 92–3.

⁹*Ibid.*, p. 92.

¹⁰*Ibid.*, p. 90.

between T^0 and T^2 , which means that the duties and the relationships that ground them cannot exacerbate a pre-existing inequality, because nothing pre-exists them.

The distributive objection offers the promise of an *a priori* philosophical defence of incompatibilism. It fails, however, to realise that promise, because of its tendentious distributivism, and its artificial temporal separation both of our associative duties from our special relationships, and of our associative duties from our general duties. The ball is in the compatibilists' court: can they provide a conceptual defence of their position?

II.

Compatibilists most commonly respond to Scheffler by arguing that, while associative and general duties may sometimes clash, the general duty will always win out, so there is no real tension between the two sets. The argument for this generalist compatibilism is grounded, ironically, in one of Scheffler's own assumptions: the notion that we should judge associative duties against a baseline where only general duties are performed. The associative duties are wholly *additional* to the general duties, thus cannot possibly override them.¹¹ This 'additional duties defence' is built by combining a major normative premiss, and two minor descriptive premisses, as follows:¹²

1. Additional duties are lexically secondary to baseline duties.
 2. General duties are baseline duties.
 3. Associative duties are additional duties.
- C1. So associative duties are lexically secondary to general duties.

The argument can be undermined by challenging it on both descriptive and normative grounds: first, the minor premiss 3 can be contested; second, we can question the major normative premiss 1.

We must first establish exactly what is meant by 'additional'. Obviously, it cannot simply mean 'morally additional', i.e. to be judged against a baseline where only some more fundamental set of duties are observed, as that would be question-begging. There must be some descriptive referent: the likely approach is to say that 'additional' means temporally additional: duty x is additional to y if and only if y held at an earlier time than x .

¹¹For example, Thomas Pogge argues that 'special relationships can *increase* what we owe to our associates . . . but they cannot *decrease* what we owe to everyone else', in 'Cosmopolitanism: a defence', *Critical Review of International Social and Political Philosophy*, 5 (2002), 86–91, at pp. 90–1, (italics in original). Likewise Diane Jeske affirms that 'I must continue to give Henry's needs [i.e. my general duties] the same weight in deliberations as I would have given to those needs if I did not have special obligations to Emma', in 'Associative obligations, voluntarism, and equality', *Pacific Philosophical Quarterly*, 77 (1996), 289–309, at p. 300. See also Elizabeth Ashford, 'Individual responsibility and global consequences', *Philosophical Books*, 44 (2003), 100–110.

¹²This name is suggested in Jonathan Seglow, 'Associative duties and global distributive justice', *Journal of Moral Philosophy*, forthcoming (2009).

There are three reasons to reject this version of the additional duties defence of compatibilism. First, premiss 3 seems descriptively wrong: at least some of our associative duties are co-originary with our general duties. Just as we are born humans, so might we be born into loving families and good communities, for example. Second, premiss 3 presupposes a worrying conception of the self: do we really believe that people are purely universal beings, born into the world as unassociated atoms, with only the bonds that connect them to humanity as such, against which all other bonds must be assessed? Undoubtedly, some will accept this conception of the atomised self, but one does not have to be a card-carrying communitarian to find it not only unlikely, but also repellent. Finally, we can challenge the normative premiss of this position, as well as its descriptive claim. Why should temporal priority be so important? Should our duties to parents always trump those to our children, because the former antedate the latter? This seems implausible, so even associative duties that are temporally secondary to general duties, may not in fact therefore have inferior weight.

Perhaps the argument could be buttressed by expanding on its major normative premiss, through analogy with contractual duties. We clearly have a resilient intuition that contractual duties cannot provide reasons to breach general duties: if A promises B that he will murder C, that gives him no reason at all to do so. If it is true, first, that contractual duties such as promises are temporally additional to baseline general duties, and second, that there is no other difference between these two categories of duty, then this could be evidence for the claim that temporally additional duties should be lexically secondary to baseline general duties. The obvious problem with this view, however, is that there are other reasons, besides temporal ordering, which explain why contractual duties are secondary to general duties. For example, duties should be non-voluntary, so it is not within one's power to make a promise which requires breaching a duty that one already has.¹³ The act of will that grounds a contract must be constrained by the duties one has, when performing that act of will. If we have associative duties, however, then they are not grounded in an act of will, but in the value of our special relationships, so this argument would be of no use to compatibilists.¹⁴

Despite its popularity, the additional duties defence of compatibilism seems to be doubly false. It is predicated on normative and descriptive premisses that can both be challenged: not all associative duties are temporally secondary to general duties; moreover, temporal priority is a poor indicator of moral priority. The ball is still with the compatibilists.

¹³Dan McDermott suggested this analysis to me.

¹⁴The view that associative duties can be reduced to contractual duties has received persuasive criticism in: Simon Keller, 'Four theories of filial duty', *Philosophical Quarterly*, 56 (2006), 254–74; Andrew Mason, 'Special obligations to compatriots', *Ethics*, 107 (1997), 427–47; Scheffler, *Boundaries and Allegiances*, p. 64.

III.

Niko Kolodny has recently developed an alternative foundation for compatibilism, which aims to show that, when properly specified, our associative distributive duties will not conflict with our general distributive duties: clashes between the two will be conceptually impossible. The ground of this compossibility thesis is that, since we are all bearers of general duties, transferring a certain amount of the distribuendum of distributive justice to my associate simply means that it will be his duty to pass it on in accordance with his general duties. This holds even (perhaps especially) if we perform our associative duties before performing our general duties. Kolodny's argument is an interesting alternative perspective on this aspect of the compatibilist position, and deserves careful consideration.

The argument is this: suppose A and B are associates, as are C and D. The general distributive duty is to realise equality of resources, say, and the associative duty is also equality. Start with a distribution of (8,0,0,0) and suppose associative duties are prior to general duties. A must give B 4, resulting in a distribution of (4,4,0,0). But then each of A and B also has a general duty to give C and D 2, yielding (2,2,2,2). If, that is, our general duties mandate a patterned principle of distributive justice, then we will ultimately have to bring it about, irrespective of what associativist exchanges precede the final transfer.¹⁵ I have three lines of objection to this argument. The first two focus on some obvious, though important, problems, while the third looks more closely at Kolodny's logical thesis.

The main point of Kolodny's argument is that associative duties do not ground associative rights: my duty to provide you with x does not give you a right to keep x , a sort of associative entitlement. However, if we adopt a welfarist, rather than resourcist, conception of distributive justice, this may not do all the work necessary. After all, associates contribute to one another's well-being in numerous ways that cannot simply be redistributed. For example, you cannot redistribute the care and attention of a parent for her child, which grounds a secure sense of self-worth, valuable in itself, which can also enhance the child's life-prospects in innumerable ways. The same is true for friendships, albeit in different ways. It is clearly a mistake to assume that the distribuendum of welfarist conceptions of distributive justice is uniformly fungible.

The second concern is that Kolodny deliberately excludes the possibility that one member of the associate pairs might not be a duty-bearer. This is obviously crucial, because everything rests, in the above example, on the fact that A's giving B 4 does not alter B's general duties. If, however, B is a child, and if children cannot be general duty-bearers, this does not hold: in the first move, A gives B 4,

¹⁵Niko Kolodny, 'Do Associative Duties Matter?' *Journal of Political Philosophy*, 10 (2002), 250–66, at pp. 250–1. A similar position is defended less abstractly in Kok-Chor Tan, 'Boundary making and equal concern', *Metaphilosophy*, 36 (2005), 50–67.

leaving (4,4,0,0) then in the second move A should give 2 to either C or D (or 1 each to both), but B has no general duties so can keep his 4, leaving us with (2,4,1,1) (since if A gives 2 to either C or D, their associative duties will require that either give 1 to the other). Here, associative duties clearly do upset equality. Moreover, it is worth noting that not only parents have duties to children. Associative duties to children might also be important within larger communities—a considerable amount of investment, for example, is devoted to improving their future. This is, therefore, a serious omission. However, since Kolodny acknowledges this omission, though perhaps not its importance, a more decisive objection is still required.

I think we can find this in a more analytical line of response. Contrary to Kolodny's conclusions, there are indeed combinations of general and associative principles of distribution that necessarily conflict. There are at least three candidate combinations: maximisation vs. equality; high threshold vs. low threshold; and priority vs. low threshold. Each is considered in turn.

Suppose that the associative distributive principle is 'maximise the condition of your associate', while general duties mandate equality. Start with the distribution (8,0,0,0). Assume, as Kolodny does, that associative duties take priority to general duties. Our general rights entitle us to keep 2 of whatever we have, while our associative duties require that we use the remainder to maximise the condition of our associate. So A's move is to give 6 to B, leaving us with (2,6,0,0). Kolodny assumes that this then exhausts the performance of our associative duties, so we should then perform our general duties—i.e. B should give 2 each to C and D. However, why would this be the case? Assuming that B is as much a duty-bearer within the associative relationship as A, her duties to A must be the same as A's to her. Hence B now has the associative duty to maximise A's condition. She also has the general duty, of course, to distribute her resources equally. Which means that she is confronted with 2 impossible states of affairs that she can bring about: (6,2,0,0) vs. (2,2,2,2). Given Kolodny's assumption that associative duties are prior to general duties, B should bring about (6,2,0,0) and so the cycle begins again: the clash between associative and general duties is, in this case, unavoidable.

Next, suppose that the general distributive principle is to raise everyone to 1, while the associative principle is to raise your associates to 4. This corresponds to a view, like that considered below, that you should aim to give your associates a happy life, though maximisation is not required, while non-associates merit only having the objects of their basic human rights realised. Start with (4,4,0,0). On Kolodny's reading, A and B may do their associative duties first, which requires doing nothing. Then they must do their general duty, i.e. ensure C and D are raised to 1, leaving (3,3,1,1). This, however, only shows that Kolodny's apparent concession to allow associative duties sequential priority is a concealed weapon in his favour. Suppose that associative duties and general duties are not sequentially prioritised, but coextensive—a far more plausible assumption. Then

suppose that the first transfer is that B gives 1 to C (and, practically speaking, one transfer must precede the other). As soon as that has occurred, it triggers A's duty to keep B at 4, so A must give 1 to B, leaving us with (3,4,1,0). A having fallen below 4, however, triggers B's associative duty to A, and the two cycle back and forth. If their associative duty is prior in importance (not sequence) to their general duty, then the latter cannot be fulfilled, at least as regards D. Our associative and our general duties are again shown to be impossible. A and B may also have duties to prevent one another from giving up any units, when they are at 4, but that may seem a little bizarre.

Finally, suppose the principle within associative groups is absolute priority for the worst off, while the general principle remains sufficiency at one. Start with (4,4,0,0). Then suppose B gives C 1, leaving (4,3,1,0). That triggers A's duty to B: B is worse off than A, so A must give absolute priority to raising B's condition. That yields (3,4,1,0). However, on giving the 1 to B, he lowers himself below B, and triggers B's corresponding associative duty to him. So we oscillate again between these two distributions. Ultimately, though Kolodny's arguments are ingenious, they are of restricted relevance, given the exclusion of associative duties to one's children, and indeed logically incomplete. The notion that associative duties and general distributive duties are logically compossible remains unproven.¹⁶

IV.

The argument so far suggests that neither incompatibilism nor compatibilism is susceptible of *a priori* demonstration. This suggests—and this is my first conclusion—that we should turn from conceptual to casuistic arguments, and explore our considered judgments about particular cases, to better understand the relationship between associative and general duties. My second conclusion follows from the first: if we focus on specific cases, then incompatibilism is more plausible than the compatibilist alternatives, since these could both be refuted by a single counterexample. All the incompatibilist needs is a case where (1) associative and general duties are impossible, i.e. they actually clash, and (2) we would at least consider this a genuine quandary, since such clashes can only be quandaries if it is genuinely possible that the associative duty could win out in some cases. In this concluding section, I suggest some such cases.

First, consider the clash between associative duties and positive general duties. Much depends, of course, on how we understand the relevant duties: the case for incompatibilism is stronger if our associative duties clash even with minimalist

¹⁶Perhaps Kolodny gets these results because he constructs our distributive duties teleologically. Since he is concerned with states of affairs, he does not address these duties from the perspective of each duty-bearer, so he thinks associates should be indifferent between (3,4) and (4,3).

general duties.¹⁷ Suppose, then, that our general positive duties require only securing for every person the objects of basic welfare rights to subsistence, shelter, basic healthcare, etc. For an associative duty, focus on parents' duties to promote their children's well-being to some high threshold. This duty differs from general distributive duties at least insofar as: (1) it aims at a higher level of well-being; (2) it focuses on the child's whole well-being, including aspects that would not be appropriate objects of distributive justice; (3) it is forgiving of mistakes, albeit not without limit. Justice may only require giving a person one shot; parents probably have a duty to give their children at least a second chance.

Is it possible that our associative and our general duties so described might sometimes clash, and that these clashes might prove to be genuine quandaries, which, depending on the circumstances of the case, could go either way? If both sets of duties are likely to be very demanding, then there will probably have to be some tradeoffs. Given that (1) the present shortfall from universal basic human rights fulfilment is so great, (2) it is unlikely to be resolved without significant institutional development, and (3) we do not, at present, know how to establish such institutions without absorbing enormous costs, both financial and otherwise, our general positive duties indeed seem very demanding.

What of our associative duties? For some parents, perhaps, performing these duties will be comparatively undemanding, so clashes may not arise. For other parents, however, their children can require not only most of their resources, but also a great deal of time, effort, and worry. Consider two examples: first, a father whose teenage son requires constant care because of his health;¹⁸ second, a mother whose adult daughter has gambling or drug-addiction problems. In each of these cases the parent's associative duties to his/her child may be extremely demanding (although obviously, in the second case, not without limits). The son's need for his father's constant attention would surely restrict the latter's ability to advocate for institutional improvement to realise our general positive duties. The high taxes required to achieve those egalitarian goals could also conflict with the financial strain of an errant daughter. Suppose, for example, that the mother is offered some additional work, cash in hand, which would greatly diminish in taxes if declared, but undeclared could be used to get her daughter much-needed help. Both of these cases clearly identify situations where our associative and our general duties might conflict, and we must choose one or the other, thus undermining compossibilist compatibilism. Moreover, given the importance of the relationships that are at stake, it seems plausible to assert that these tradeoffs would be genuine quandaries: it is not obvious which duty the mother or the

¹⁷For global luck egalitarians, the clash is ineliminable: giving your children a second chance when they fail, for example, conflicts with the luck egalitarian balance of equality and responsibility; to redress inequalities, everyone whose parents do not give them a second chance should receive it from the state, thus eliminating luck egalitarianism's sensitivity to responsibility.

¹⁸Thanks to an anonymous reviewer for suggesting this.

father in question should perform. An oversimplified generalist compatibilism, then, would also appear inappropriate here.

Next, consider negative general duties. It is sometimes thought outrageous to suggest that our associative duties might override general negative duties. As a general thesis, however, this is surely false. Breaches of duty can vary in seriousness along at least two axes—the relationship that grounds them, and the interest they protect. As such, there do seem to be cases where (1) our associative duties clash with our general negative duties, and (2) it seems possible for the former to win out. Consider these two examples: first, a father's associative duty to protect his child from starvation might conflict with his general negative duty to respect other people's property rights; second, our general negative duty to respect people's privacy might conflict with our duties to protect our compatriots, when spying on non-compatriots is necessary to protect ourselves against a belligerent state. Both cases identify plausible conflicts between associative and general duties; moreover, since in each case the interest protected by the general duty is comparatively less weighty than that protected by the associative duty, it seems probable that the associative duty should win out.

Finally, and more contentiously, associative duties might also override general negative duties where the interests at stake are of a similar order. Consider this example: suppose your country is at war with another, and you know that your country's cause is unjust (though not egregiously so). You are manning an anti-aircraft emplacement, defending an area with both military targets, and a dense non-combatant population. A tactical bomber approaches. Suppose he is justified, by the doctrine of double effect, in causing a certain amount of 'collateral damage' in the course of achieving his military objective. Many people think that, when an assailant is acting with full moral justification, and is therefore entirely innocent, as the tactical bomber is in this case, you retain all your standard duties not to harm him. In this case, therefore, you must choose between protecting the friends, family, and compatriots who are going to lose their lives as collateral damage, and breaching your duty not to harm the tactical bomber. The compossibilist variant of compatibilism would argue that, in this case, you have no duty to protect the bomber's victims, so it is obviously impermissible to fire at him. The generalist variant acknowledges that you may have a duty to protect your friends, family, and compatriots, but argues with equal certainty that it is obviously impermissible to defend them, because your general duty to the bomber is lexically prior to your associative duties. The incompatibilist agrees with the generalist that there is a real clash of duties here: we may have general duties not to harm the bomber, but we also have associative duties to protect our friends, family, and compatriots. He goes further, however, and argues that this case is genuinely problematic for the agent who wants to do the right thing: it is not simply obvious that we must obey the general duty, and there is a real possibility that, in some cases, the associative duty should win out.