

# Relational Obligations:

## *Defending a Non-Voluntarist Argument for Special Responsibilities*

**ABSTRACT:** This paper attempts to demonstrate that special responsibilities exist as a necessary and fundamental component of relationships. It seeks to show that, while special responsibilities may be superseded by other relevant concerns, they remain absolute. The paper attempts to demonstrate further that, even in cases of repugnant conclusion, special responsibilities exhibit a residual nature. It argues that such obligations are not always voluntary entered, but nevertheless represent *prima facie* duties to those parties involved.



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A special responsibility is an obligation that arises from a special relationship one has with a particular person, such as the special responsibility a parent has to see to the well-being of his or her children.<sup>1</sup> Let us grant for our purposes that such special responsibilities exist. The existence of such special responsibilities assumes that special relationships, by their very nature, will inevitably produce preferential considerations and obligations that should be taken as relevant to any discussion of moral consequence.<sup>2</sup> Further, it may be said that in most instances, acting on inclinations to such preferential treatment is acting in fulfillment of a moral duty.<sup>3</sup>

1. It should be noted at the outset that throughout the duration of this paper I will use the terms ‘special obligations’ and ‘special responsibilities’ as being synonymous with one another ; Diane Jeske, *Special Obligations*. (2002.) <http://plato.stanford.edu/entries/special-obligations/> (accessed 11 2009). Revised 2008.

2. A belief in Special Responsibilities does not stand in opposition to the contention that all persons are, in fact, equal and share the same inherent value and rights afforded to them as a consequence of their personhood. Rather, it holds that obligations can be created by the bonds of close relationships and those subsequent obligations should be considered morally relevant in determining any ethical decisions where they apply.

3. Marilyn Friedman, “The Practice of Partiality,” *Ethics*, vol. 101, no. 4 (July, 1991): 818-835.



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Among those who grant that special responsibilities exist, there are two different conceptions concerning the origin of such obligations. Voluntarists hold that special responsibilities only arise as a consequence of voluntarily entered agreements (i.e. contractual obligations). Non-Voluntarists, meanwhile, hold that special responsibilities are not restricted to relationships of an exclusively voluntary nature, but can extend to non-voluntary relationships as well (i.e. familial ties).

In this paper, I will argue in favor of the non-voluntarist position, as formulated by Samuel Scheffler. I will apply a modified version of W.D. Ross' conception of *prima facie* duties to special relationships, in order to argue for their residual nature even in cases of repugnant conclusions.<sup>4</sup> Finally, I will argue that by accepting the existence of non-derivative special responsibilities—obligations based upon the inherent nature of the relationship in question as legitimate concerns in moral decision-making—non-voluntarists make more adequate accommodation of our most basic, deeply and firmly held moral intuitions than do the contrasting explanations presented by voluntarists.

## II.

Voluntarists contend that special responsibilities are only legitimate if they are entered into voluntarily and are subject to the consent of the parties involved.<sup>5</sup> A practical consequence of this contention is that this would preclude obligations that hold us especially responsible for persons with whom we share communal bonds or familial ties. These persons would have weightier consideration in moral evaluations.

For example, no one would reasonably expect that in the absence of justifiable conditions, a child has no special responsibility to obey the commands of their parents over the commands of others simply on the grounds that their relationship is not of a voluntary nature. Voluntarists attempt to justify this restriction by contending that it would be unfair for special responsibilities to be imposed on individuals who have otherwise done nothing to incur them. They contend that such an imposition would be counter to our autonomy and right to self-determination.<sup>6</sup>

However, a person's autonomy is generally constrained by moral norms that guide how we should treat others.<sup>7</sup> For example, it is not

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4. *Prima facie* duties (*at first face; on its first appearance*) are principles within the moderate objectivist moral theory of W.D. Ross. Within Ross' system, they are valid rules of action that one should generally adhere to, but that, in the case of moral conflict, may be overridden by another moral principle. W. D. Ross, *The Right and the Good*. (Oxford: Oxford University Press, 2002).

5. Samuel Scheffler, *Philosophy and Public Affairs*, Vol. 26, No. 3 (Summer, 1997): 189-209.

6. The argument against voluntarism's conception of a self based on abstract individualism or the primacy of the individual, is *not that it has produced asocial selves*, but rather that the actualization of beings who can willfully determine the nature of all the relationships that should produce obligations would be metaphysically impossible. Marilyn Friedman, "Feminism and Modern Friendship: Dislocating the Community." *Ethics*, 99 (2), (1989): 276.

7. By moral norms, I am here referring to normative conceptions of moral conduct (i.e. do not harm others unnecessarily, treat others as you would have them treat you, etc.). We are generally seen as having obligations to fulfill these normative rules, or natural duties, without appropriate consideration for whether or not they limit our autonomy (which they almost certainly do in most cases). It is my contention that obligations generated as a result of special responsibilities should be viewed in a similar light.

morally permissible to commit rape, even though this normative dictum constrains the autonomy of the would-be rapist. Yet, we still see this rule and other general moral rules as applicable, regardless of whether or not they were agreed upon beforehand by those subject to them.

Voluntarists have a primary concern, namely, if we assume that burdensome obligations can simply be imposed on individuals without their consent, then we would be advocating for a system in which people are fettered to unfairly imposed restrictions on their personal freedoms.<sup>8</sup> However, in *Relationships and Responsibilities*, Samuel Scheffler rightly points out the impracticability of the voluntarist's position in this regard. The voluntarist's assertion, that all responsibilities should only rise out of the voluntary consent of the individual, fails to consider that, to a large extent, the significance of our social relations is not fully under our control

We are all born into a nexus of social and familial ties that are influential forces in the development of our selfhood. Even if we were to attempt to repudiate these ties later, they represent a formative factor in our lives, which is both inalterable and ultimately inescapable.<sup>9</sup> Thus, if we allow that only voluntary relationships can produce special responsibilities, then the moral voluntarist does not make adequate accommodation for our intuitive sense of indebtedness to those who represented formative agents in the development of our personhood. Most people would find it odd if I felt no sense of special obligation for those individuals who reared me or provided for me as a child, simply

on the grounds that I did not voluntarily enter an agreement for their provision. My indifference, however, would be entirely acceptable according to the voluntarist's position.

### III.

In contrast with the voluntarists, Scheffler argues that substantively positive features of a special relationship are the animating features that instantiate any claim of special responsibility. For example, the sense of obligation one feels towards a loving parent would be the feature that substantiates the relational claim to obligation, as opposed to the apparent absence of such a feeling for an abusive parent. Scheffler contends that because responsibilities are derived from substantively positive conditions, the absence of such conditions in a special relationship necessarily implies the absence of special obligations as well.

Scheffler and I agree that some features of actual relationships act to block special responsibilities from arising. However, I disagree with Scheffler with respect to how we cash out those features and with respect to how special responsibilities are blocked from issuing in moral obligations. Scheffler seems to restrict his notion of special responsibilities to only those relationships that we view as personally constructive and edifying. Relationships, which are not of value, he contends, should not have claims of special responsibility.<sup>10</sup>

This is true in the case of an abusive parent. Under normal circumstances, the nature of

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8. *Ibid.*, 205.  
9. *Ibid.*, 204.  
10. *Ibid.*, 199.



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the relationship would be such that the child might have otherwise been assumed to have an obligation to the parent in question. However, as a consequence of the actions of the parent, it might be said that the parent has altered the nature of the relationship to the point that it lacks substantive value for the child.

What Scheffler implies here is that while institutions like parenthood have intrinsic value, obligations to those relationships are derived also from the nature of the particular relationship itself, not from mere respect for the actual institution.<sup>11</sup> I agree with Scheffler that this distinction is significant when assessing the extent to which we are to hold ourselves and others accountable to the special obligations of relationships. The relative conditions of a relationship are defining factors in how we ultimately perceive our obligations to that relationship, but I reject his dismissal of all familial obligations in cases of abuse.

The difficulty is that Scheffler does not adequately clarify how we are to know when a relationship has substantive value that generates special responsibilities. He points out that those relationships that generate special responsibilities are relationships that are worth valuing. Yet, if we want to actually differentiate between those valued relationships that lead to special responsibilities and those non-valued relationships that do not and we are left only with Scheffler's axiom, which in itself seems to be a rather circular means of assessing value, such distinctions become elusive. This circularity could ultimately prove to be fatal to Scheffler's broader argument for non-voluntarism if adequate consideration is not given to the means by which distinctions are made between those relationships producing special responsibilities and those that do not.

## **IV.**

Let's explore if Scheffler's argument can withstand this objection. If, as implied by Scheffler, special responsibilities can be made void by the conditions of the relationship in question, then justifications for non-chosen special obligations would seem untenable. This is because if you can opt-out of responsibilities to undesirable special relationships (i.e. an abusive parent), then it becomes difficult to justify that any actions generated as a consequence of the nature of a special relationship are in fact obligatory. Non-voluntarism, thus, is faced with a dilemma; either all special relationships result in special obligations (including those with undesirable or repugnant conditions) or there is no reasonable way to distinguish between cases that result in special obligations and cases that do not, which may lead us to accept a reductionist claim like voluntarism or deny that special responsibilities exist at all.

If we are to continue to maintain non-voluntarism as a consistent explanation for special responsibilities, then we must address this concern. I will attempt to lay hold of the second horn of the dilemma and demonstrate that the problem of responsibilities in repugnant cases ceases to be damning to the non-voluntarist's argument if we allow conditions to merely supersede, but not ultimately void, special responsibilities in cases of undesirable conditions. This would mean that special responsibilities generated as a result of the nature of the relationship in question should be seen as applicable *only* to the extent to which they are not overridden by weightier concerns. Thus, I contend that such responsibilities represent

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11. *Ibid.*, 205.

*prima facie* duties to be fulfilled in the absence of overriding conditions.<sup>12</sup>

In order to elucidate this claim, it will first be necessary to establish a case in which special obligations are understood to exist only as a consequence of the relationship in question. Second, it will be necessary to then demonstrate that these obligations may be trumped by other obligations in a given situation, yet persist as morally relevant concerns despite changing conditions of the relationship in question.

For example, let us say that in the city of Somewhereville, U.S.A, there is a small homeless shelter. On one particularly cold and rainy evening the shelter's director is informed there are two men seeking shelter for the night. Both men arrived at the shelter at the same time, looking disheveled and in need of assistance. However, conditions being what they are on this particular evening, the shelter is already well over its capacity and can only accept one more occupant before they regretfully have to start turning people away. Both men are complete strangers to the director.

All things being considered equal in terms of their relative contributions to society, the director's arbitrary choice of who receives shelter for the evening would have relatively minimal moral significance. However, if we alter the conditions of the scenario such that the director's relationship to the homeless man changes, we observe that our perception of the moral significance of the director's decision will necessarily be altered as well.

### Scenario 1

The director learns upon receipt of further information regarding the two respective homeless men that vagabond x is, in fact, the director's long lost biological father. While stunned by this revelation, the director feels no immediate obligation to vagabond x as a consequence. After all, the director has never met the man and is, for all practical purposes, a stranger to him.

In the initial formation of this scenario, where the identity of the two homeless vagabonds was unknown to the director, the decision over who ultimately received shelter for the night was, in moral terms, of equal value for the director. However, in scenario 1 where the only qualifying condition is the knowledge of a biological relationship between the director and vagabond x, I would argue that most people would feel an intuitive degree of obligation for special consideration of vagabond x. Further, I believe such an inclination towards preferential consideration for vagabond x, as opposed to vagabond y, would be morally justified.<sup>13</sup>

### Scenario 2

The director learns upon receipt of further information regarding the two respective homeless men that vagabond x is, in fact, the director's beloved father. Stunned by this revelation, the director feels immediate obligation for vagabond x as a consequence. After all, the director has a

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12. Friedman, 820.

13. An example from literature can illustrate our propensity toward this belief. If such a consideration is irrelevant, then the tragic element is removed from Oedipus' murder of his father Laius. If the relationship is inconsequential, then it should be seen as having no more moral significance than the death of the other men in Laius' company from Delphi. Sophocles. trans. Robert Fagles. *The Three Theban Plays: Antigone, Oedipus the King, Oedipus at Colonus*, (New York: Penguin Books, 1984): 206.



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close relationship and abiding familial love for his father.

In scenario 2, the director's inclination toward preferential consideration for vagabond x, as opposed to vagabond y, would also seem justified. The director has an obligation to vagabond x, not only on grounds of their biological connection, but also as a consequence of their close relationship with one another.

### Scenario 3

The director learns upon receipt of further information regarding the two respective homeless men that vagabond x is, in fact, the director's biological father. Despite the fact that vagabond x was a loving and attentive father, the director has never felt any emotional bond or sense of obligation to vagabond x. The director is neither stunned by this revelation, nor is he moved emotionally. After all, just because vagabond x feels love towards the director, he does not have to reciprocate.

In scenario 3, however, there would seem to be all of the elements that would normally incline us to assume that a special relationship exists. However, the director's perception of the relationship between himself and his father assumes the voluntarist's conception of special responsibilities. If voluntarism is to be consistent, then the voluntarist is forced to concede in such an instance, that the director's cavalier attitude towards his father would be completely justified. After all, the director did not ask to be loved and

cared for by his father and being the recipient of such treatment does not necessarily mean that the director has voluntarily assumed special responsibilities.<sup>14</sup>

Despite my belief that the relative callousness of such a view is self-evident, as it is, Scheffler's formulation of the non-voluntarist argument does not seem to offer a satisfactory alternative in response. This is because his argument offers no reasonable explanation for why the director should have an obligation to a relationship he does not value or see as substantively significant. I propose that the presence of a relationship voluntarily entered or otherwise represents a *prima facie* duty to be fulfilled in the absence of other overriding factors.

In practice, my position would hold that despite the fact the director perceives himself as having no greater obligation to vagabond x in scenario 3 than he would to vagabond x in the original formulation of this scenario, he nevertheless has a *prima facie* duty to offer preferential consideration for those parties to whom he is in relationship. The relative degree of that obligation would then be subject to the conditions of the relationship in question, but the presence of some obligation remains absolute.

### Scenario 4

The director learns upon receipt of further information regarding the two homeless men that vagabond x is, in fact, the director's abusive biological father, while vagabond y is the director's beloved stepfather. Stunned by this revelation, the director is faced with a dilemma. While recognizing

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14. The absurdity of such indifference toward relationships one ought otherwise to have valued is used as a thematic element in many existential works (i.e. Camus' *L'etranger* or Dostoyevsky's *The Brothers Karamazov*). This literary element relies upon the assumption that such indifference is ultimately unnatural or counterintuitive. Albert Camus, *L'etranger/The Stranger*, (Libraire Gallimard, 1942). Fyodor Dostoyevsky, *Братья Карамазовы/The Brothers Karamozov*, (The Russian Messenger, 1880).



that moral conventions would normally dictate preferential treatment of one's biological father over the comparable needs of others, the director feels no obligation for vagabond x. After all, vagabond y fulfilled the functional parental role vacated by the director's derelict biological father.

In scenario 4, we are presented with the dilemma created by the possibility of competing claims of special responsibility. In the case of undesirable conditions within a relationship. I believe if overriding conditions are present then it is appropriate to diminish or disregard obligations of less immediate moral significance. This does not mean those obligations have ceased to exist. It simply means they have been overridden by weightier concerns. As such, the director in scenario 4 may have an obligation to vagabond x by the virtue of his biological ties, however, the conditions of the relationship have been diminished to the point that his obligations now apply more appropriately to vagabond y. Thus, my view is able to deliver an intuitively appealing verdict without sacrificing the idea that special relationships, in themselves, generate special obligations.

### **Scenario 5**

The director learns upon receipt of further information regarding the two homeless men that vagabond x is, in fact, the director's abusive biological father, while vagabond y is a total stranger. Stunned by this revelation, the director is faced with a dilemma. While recognizing that moral conventions would normally dictate preferential treatment of one's biological father

over the comparable needs of others, the director feels no obligation for vagabond x. After all, vagabond x was physically and emotionally abusive to the director.

In scenario 5, we are presented with a dilemma as to how the director should respond to the requests of these two men, one a complete stranger and the other a person at whose hands the director has suffered physical and emotional abuse. In the absence of any other qualifying information, as in scenario 4 where the weightier claims of vagabond y overrode duties to vagabond x, I believe it would be immoral to deny the duty to vagabond x in favor of vagabond y. This is due to the fact that, under normal circumstances, the nature of the relationship would be such that the director would have otherwise been assumed to have an obligation to the vagabond x. However, as a consequence of the actions of vagabond x, it might be said that he has altered the nature of the relationship to the point that it lacks substantive value for the director, and according to Scheffler, any special obligation.

Conversely, the director has no connection, and certainly no obligation, to vagabond y that should qualify his deferment to vagabond y's needs over those of his biological father. Of course, if substantive information arises, such that the need or worthiness of vagabond y supersedes that of vagabond x, then it might be said that the director may appropriately choose to offer shelter to vagabond y instead of vagabond x. In the absence of such qualifying conditions, I hold that the director stands in a position of obligation (in this instance, based on shared familial ties) to vagabond x that he does not have for vagabond y.



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One might object that such fidelity to absolute special responsibilities would imply that we are, in the case of an abusive parent, forced to put ourselves in harm's way by offering aid to our abuser. I reject this protest on the grounds that if we are applying the kind of hierarchy of obligation that I have argued for in this paper, one based on the qualifying conditions and nature of the relationship in question, to special responsibilities, then there would be no conceivable scenario in which an individual would be expected to put the minimum responsibilities for special consideration of their abuser above concerns for their own physical safety or mental well-being. This being said, scenario 5 remains a legitimate example, because it is not implied anywhere in the scenario that the director is in any immediate danger of physical harm.

Further, there is no reason to assume that the director ever has to come into any contact with vagabond x as a result of his affirmative decision to provide assistance. As for the mental stress imposed on the director by the scenario, the prospect of simply allowing the director's staff to provide minimal support and shelter to the director's biological father would not necessarily represent any greater mental stress for the director than that stress brought about by the simple knowledge of vagabond x's presence in the director's general vicinity.

If, however, the undue stress of vagabond x's presence in the shelter constitutes an overwhelming burden on the director's psyche, then concerns for his own mental well-being may be said to trump his erstwhile obligation to his abusive father. If, on the other hand, he rejects the obligation, not on the grounds of any legitimate regard for his own well-being, but out of simple spite, then this

would constitute an immoral disregard for the special responsibility to vagabond x on the part of the director.

### **V.**

In this paper, I have attempted to show how our normative conceptions of special relationships that generate special responsibilities are best accommodated by the argument for non-voluntarism. I have elucidated the counterarguments made on behalf of voluntarism and attempted to demonstrate how these claims are inadequate to accommodate our actual moral feelings and practices with regards to special responsibilities.

However, in accepting Samuel Scheffler's formulation of the argument for non-voluntarism, I felt it was necessary to first address his proposition that special responsibilities could be rendered void by the relative conditions of the relationship in question. I attempted to demonstrate how such a proposition would inevitably lead to circularity and ultimately undermine Scheffler's broader argument in favor of non-voluntarism.

Finally, as a means of overcoming this obstacle to non-voluntarism, I attempted to demonstrate that the problem is surmountable if we view such responsibilities through the lens of W.D. Ross' idea of *prima facie* duties. This would allow conditions to supersede, but not ultimately void, special responsibilities in cases of undesirable conditions. By viewing special responsibilities as representing *prima facie* duties to those in special relationships, I argue there would be no contradiction in holding that relative conditions of a relationship can affect the degree to which we are otherwise obligated to adhere to absolute duties in special relationships. ✦