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ASSOCIATIVE POLITICAL OBLIGATIONS AND THE DISTRIBUTIVE OBJECTION

abstract

In this article we assess the distributive objection to the claim that we have associative political obligations. We deploy three kinds of strategy in our response: avoidance, mitigation and confrontation. Avoidance and mitigation are accommodating responses, in which we argue that associative political obligations often need not fall foul of the distributive objection in any very damaging way. But they may not always be enough, and thus confrontation may sometimes be necessary. This response involves rejecting the more extreme claims of proponents of the distributive objection, while accepting that occasionally serious tensions between the demands of our associative political obligations and those of global redistribution may remain, both of which have moral standing.

keywords

associativism, distributive objection, global redistribution, political obligation

In this paper, we consider an important criticism of the idea of associative political obligations. This criticism, following Samuel Scheffler, has become known as “the distributive objection” (Scheffler 2001), and its principal proponents tend to be theorists of distributive justice who are firmly committed to extensive global redistribution (e.g. Caney 2005, 2008; Tan 2004). The structure of our argument is fairly straightforward. In the first section (I), we begin by saying a little about associative obligations in general and associative political obligations in particular. The purpose of this discussion is to fix the *kind* of view that we defend. In the second section (II), we set out the distributive objection. Again, we concern ourselves with the generic features of this objection, although we distinguish between stronger and weaker versions of it. In the third, fourth and fifth sections, we present our response to the distributive objection. We deploy three kinds of strategy in this response: avoidance (III), mitigation (IV) and confrontation (V). Avoidance and mitigation are accommodating responses. They involve arguing that associative political obligations often need not fall foul of the distributive objection, because either there is no real conflict between them and global redistribution, or, where there is conflict, it can be rendered significantly less troublesome. These responses do a good deal to undermine supposed tensions between associative political obligations and global redistribution. But they may not always be enough. Confrontation, therefore, may sometimes be necessary, which involves rejecting the more extreme claims of proponents of the distributive objection.

To anticipate the direction of the argument, the view that we defend does not hold that the global poor have *no* legitimate significant moral claims against the rich, or that such claims *never* take priority over our associative political obligations. However, the view that we reject is the obverse of this. That is, we want to insist on the validity and robustness of our associative political obligations, and to deny that they are spurious or necessarily subordinate to universal principles of global redistribution. These are two, independent sources of moral claims. Both associative obligations in general and associative political obligations in particular, on the one hand, and global poverty, on the other hand, matter. Neither can be silenced or consigned to permanent inferiority by the other. Moreover, much of the time, they can comfortably coexist, as long as extravagant and unjustifiable claims are not made on behalf of either.

- I. The idea of associative obligations is derived from a commonplace feature of ordinary moral opinion. Namely, that there is a dimension of our moral life that is based on neither universal

principles, such as equality or utility, nor voluntary transactions or commitments, such as promises or individual choices. Instead, it depends upon and grows out of patterns of relationships within particular associations. What is distinctive about associative obligations is that they derive in large part from being socially embedded within specific relationships. These relationships are presented as either independent of any choices, such as relations with parents, or inexplicable in terms of any choices that may have been involved in the process of acquiring them, such as relations between friends. Similarly, they cannot be adequately explained in terms of universal moral principles, such as maximising utility or respecting human rights. These relationships are often of great importance to us, sometimes being among the most valuable features of our lives, and they make serious moral demands on us. Moreover, we commonly think that it is enough to cite these relationships as justifications of our actions. They play a central role in justifying partiality in our behaviour and explaining why we have good reason to favour those who stand in a special relationship to us. It is frequently argued, however, that the idea of associative *political* obligations is less firmly grounded in ordinary moral opinion than, for example, the belief that we owe associative obligations to our family. Admittedly, our relationships with our compatriots is different in significant respects from our relationships with our family, most obviously in the absence of the kind of intimacy that is characteristic of the latter. Nonetheless, the belief that we owe associative political obligations to our compatriots that we do not owe to others is widespread. Our communal political life matters to us in a variety of ways and for a variety of reasons.¹

What, then, is the distributive objection and how is it relevant to associative political obligations? Samuel Scheffler explains very well how this objection bears on associativism:

II.

The distributive objection challenges the idea that members of affluent societies have special responsibilities to their associates that they do not have to other people. The objection need not deny that there are important differences of character and motivation between those who take such responsibilities seriously and those who act out of crudely self-interested motives. Nevertheless, it insists that special responsibilities serve to validate a natural tendency to partiality or favouritism within groups, and the effect of this form of validation is to confer unfair advantages on the members of wealthy groups while placing other people at an unfair disadvantage (Scheffler 2001, p. 85).

The distributive objection holds that associative obligations are a mask for unfairness and favouritism, whether the belief in them is held in good faith or as an excuse for selfishness. Associative obligations are always exclusionary. In addition to creating the benefits that are part of the relationship, from which outsiders are excluded, they also provide reasons further to benefit those who are parties to the relationship, rather than those who are excluded. The criticism of associative political obligations, in particular, is that such obligations, when given independent weight, detract from our universal duties to bring about global redistribution. If we have a countervailing duty, say, to address relative, but lesser, poverty in our own country, then there will be less resources to redistribute to those in countries where people are considerably worse off. Such a conception of associative political obligations, it

¹ We have developed our account of associative political obligations more fully in Horton 2006, 2007a, 2007b, 2010; Horton & Windeknecht, forthcoming; Windeknecht 2010, 2012.

is argued, favours the citizens of prosperous countries. Political membership is irrelevant to moral consideration, and individuals do not have a legitimate claim to more resources merely because they happen to have the good fortune to live in a wealthier country.

Theories of global redistribution come in many different shapes and sizes, and it is impossible to explain let alone to respond to the range of diversity here. The theories in which we are primarily interested are those that are seriously sceptical of political membership having any moral relevance and therefore are strongly antagonistic towards associative political obligations. As we are only defending associative political obligations from the distributive objection, insofar as a theory does not embrace the distributive objection we have no argument with it.

- III. We now move on to consider whether there is a necessary antagonism between associative political obligations and global redistribution. In arguing that there often need not be, we adopt the first of our conciliatory strategies: avoidance. This strategy involves showing that associative political obligations and global redistribution can coexist without there being any necessary conflict between them.

The first point is that distributive concerns do not necessarily bear on the *content* of associative political obligations. An obligation, say, to observe laws regulating education, traffic, local commerce, public health and many other areas; to give due cognisance to the political affairs of their own country; or to support its political institutions does not necessarily conflict with global redistribution. The point is that there is no *need* for theorists of global redistribution to deny that there are *any* associative political obligations, as many such obligations will be irrelevant to the distributive objection.

A further way in which the content of associative political obligations does not necessarily conflict with global redistribution is that the former may sometimes be supportive of the latter. Admittedly, this is a contingent matter, but it is at least plausible that global redistribution may be advanced best through associative political obligations. As Richard Vernon has argued (Vernon 2010), given the world as it is and is likely to be for the foreseeable future, the only political agencies that can effectively bring about global redistribution are states or state-backed multi-national institutions. Assuming this is the case, it is vital for citizens to recognise associative political obligations to their own states, and to encourage and support their own state's role in actively promoting global redistribution.

A second point concerns the *demandingness* and the *indeterminateness* of associative political obligations. Often these obligations are demanding and determinate: there are specific actions that we are morally required to perform. But sometimes they are more like permissions, although this does not mean that they should be thought of as supererogatory. For instance, in many circumstances, they give us good reasons for favouring our compatriots, but do not require us to do so. And, even where they do, they can be quite open-ended in what they require. Thus, to focus on a non-political obligation, the defender of associative obligations does not need to believe that it is wrong for a mother to be concerned more about alleviating global poverty than about providing material goods to her children, as long as such concern does not involve denying her children what properly belongs to them. While theorists of global redistribution and defenders of associative obligations may disagree about the point up to which favouring one's own children is permissible, they need not, and even when they do, neither is thereby committed to wholly rejecting the legitimacy of the other's concerns.

It may be conceded, however, while this is true of parental obligations, it is more problematic in relation to *political* obligations, which are more demanding and determinate. Two points, though, can be made. First, political obligations are not always so demanding or determinate that they need conflict with global redistribution. Once laws are obeyed, including taxes paid,

people have considerable scope to decide how to dispose of their remaining resources. They can still, without impinging on their political obligations, devote much of such resources to alleviating global poverty. Secondly, an obligation to play some role in the political life of one's own community or to support its political institutions, for example, is consistent with interpreting such an obligation in a way that involves encouraging and cajoling both one's government and one's fellow citizens to do much more to promote global redistribution. So, again, with respect to their demandingness and their determinateness, conflict between associative political obligations and global redistribution can in some circumstances, although not always, be avoided.

A final point concerns the *limits* of associative political obligations. Even the most determined advocate of associative political obligations must acknowledge that they have their limits, although there may be no agreement about exactly where these limits lie. Associative political obligations do not imply that individuals are permitted, let alone required, to do absolutely anything to promote the interests of their compatriots, and certainly not to do whatever their state may demand. Associative political obligations are an independent source of moral claims, but they do not exist apart from the rest of morality.

Having explored the first, we now move to the second of our conciliatory strategies: mitigation. There is, perhaps, no sharp line between the strategies of avoidance and of mitigation, and there is, actually, a tendency for them to shade into one another. The distinguishing feature of mitigation, however, is that it comes into play when conflict between associative political obligations and global redistribution cannot be avoided. But this strategy contends that such conflicts need not necessarily be a serious concern. For example, the strategy of mitigation often works especially well where there is a putative conflict between associative political obligations and global redistribution, but where it is obvious that one has priority over the other. Thus, when the cost to political community is small, but the contribution to alleviating global poverty is great, the claims of the latter will be weightier than the former. But the reverse may be true as well.

There are also other cases where mitigation can play a role in reducing the tensions between associative political obligations and global redistribution. This is where there is no clear priority of one over the other, but an imperfect compromise or partial accommodation is possible. In these cases, we cannot fully satisfy both sets of demands, and one does not have priority over the other, but we can partially fulfil both sets of demands through a compromise or mutual adjustment between the two. Again, this will not always be possible, but sometimes by accepting that we cannot do all that we should to promote global redistribution, as well as all that we should do to fulfil our associative political obligations, we can nonetheless do something to meet both sets of demands. And, as far as possible, such a strategy might represent the best opportunity to give each their due, while acknowledging that neither is fully satisfied.

Taken together, the strategies of avoidance and of mitigation support the claim that it is possible to combine robust views about associative obligations with concerns for global redistribution. In short, it is possible to be committed to both without rejecting either. This is not to claim that all tensions between them can be eliminated – which is where we disagree with theorists, like Kok-Chor Tan (Tan 2004), who allow associative political obligations, yet subordinate them to universal principles of global redistribution – but such tensions are part and parcel of difficult moral choices with which we are all familiar.

So far, our responses to the distributive objection have been conciliatory, avoiding or mitigating conflicts between global redistribution and associative political obligations. In

IV.

V.

doing so, we have shown that there is sufficient moral space for both kinds of considerations to co-exist, without them coming into serious conflict. However, some proponents of the distributive objection, especially those committed to a strong form of global egalitarianism, have combined it with a thoroughgoing critique of the whole idea that associative political obligations make serious moral claims on us.

The argument that we are most concerned to address focuses on the contention that any distributive distinctions which are based on 'mere' membership of a polity must be morally arbitrary. Simon Caney provides a particularly trenchant statement of this view:

[T]he thesis that the borders of some, or all, principles of distributive justice are defined by the borders of the state needs to show why state membership is morally relevant ... For it is hard to see how state membership could have the type of normative significance ascribed to it ... Which state someone belongs to is, in very many cases, a matter of luck. It is a matter of fortune whether one is born into Berkshire or Bihar and it seems highly perverse to argue that such facts should affect what people are entitled to. Why, one might ask, should being born into one state have such a tremendous impact on people's prospects in life? (Caney 2008, p. 505).

This is the argument that we are most concerned to address. In particular, we are most concerned to show that 'such facts', properly understood, have the moral relevance that Caney denies them.

First, it is worth noting that, in the sense deployed by Caney, virtually everything about us involves some measure of fortune. When and where we were born; whether we were born healthy, intelligent, charming or none of these; that we were born at all; and so on. All are arbitrary in the sense that they are contingent facts that could have been otherwise. They are also arbitrary in the sense that we cannot be said to deserve any measure of fortune which we may have had because of these facts. This is an important point in resisting the temptation to argue that we do somehow deserve our good or bad fortune. However, even if we resist this temptation, and even if we are dealing with sheer 'brute luck', it is important to note that nothing necessarily follows about how we should regard these facts. To draw any moral inferences from these facts requires the introduction of highly controversial, moral premises. Notwithstanding Caney's apparent claims to the contrary, his own preferred explanations for moral relevance are also open to charges of arbitrariness. So, his first explanation, "that principles of distributive justice apply to all those who belong to a common system of interaction and interdependence" (Caney 2008, p. 493), leaves open the question of how individuals come to belong to such systems in a morally relevant way. Surely, from Caney's viewpoint, the fact that we are born into particular systems of economic interaction is just as arbitrary as the fact that we are born into particular systems of political relations. Both involve patterns of social and economic interaction, but the chains of economic interdependence are no more obvious or easier to identify than those between members of a particular political community. In fact, if we are concerned with interaction and interdependence, there is a more straightforward tie between the well-off and less well-off in Berkshire, to take up Caney's example, than between the well-off in Berkshire and the less well-off in Bihar. This is not to deny that there is a connection between the global rich and poor, but it is to ask why more local and circumscribed patterns of interaction between compatriots should be dismissed as irrelevant or trivial by comparison.

Furthermore, his second explanation, "that persons should be included in the scope of distributive justice in virtue of their humanity" (Caney 2008, p. 491), similarly leaves open the question of the moral relevance of belonging. Beyond our trivial inability to choose the

species into which we are born, it is far from obvious what moral relevance the *bare fact* of belonging to the same species has for distributive justice. What, it may be asked, about our common humanity makes us special? Why, for example, is reason or language morally relevant? Our point here is that on his own account, Caney's attempt to draw the boundaries of distributive justice along the lines of our common humanity, ignoring the broader category of sentient beings and the narrower category of social groups, is problematic and stands in need of justification. To avoid any misunderstanding, we are not denying that our common humanity can serve as a basis for moral treatment, but are making an essentially *ad hominem* point, drawing attention to the implications of the justificatory standards he uses to attack associativism.

In short, global egalitarianism does not just fall out from acknowledging the arbitrariness that affects our lives. Nor does it simply fall out from some principle of moral equality, which is what is supposed to fill the gap between the arbitrary facts and the moral claims that Caney (and others) want to make. Of course, additional arguments to support such claims have been proffered, but the least that can be said is that they are all controversial. However, we cannot here show that such principles cannot be justified, as it is beyond our remit to assess the merits of the various arguments for global egalitarianism. We must rest content with observing that global egalitarianism needs support from further argument, which is a more difficult task than setting out some good reasons for a duty of general concern for the suffering of the global poor. Moreover, such principles, if they are to have purchase on the real world, must pay attention not only to the realms of ideal theory, but also to the consequences of trying to implement such principles in situations where the vast majority of people do not subscribe to such principles or anything like them.

In fairness, Caney is not unaware of this last point, and he does give some attention to practical political agency. Following an argument noted earlier, he suggests that the state "may have normative significance as an instrument of cosmopolitan justice, as a source of duties and as an object of loyalty, pride or shame" (Caney 2008, p. 515). Specifically, he claims that "an egalitarian cosmopolitan can, and should, recognise the instrumental importance of political institutions, including the state ... [It] can pursue cosmopolitan policies ... [It] can construct cosmopolitan institutions and reform existing international institutions in a more cosmopolitan direction" (Caney 2008, pp. 510-511). Regarding political obligation, he allows that "one might adhere to cosmopolitan principles of distributive justice ... but also hold that as a member of the state one is under a special duty to uphold the cosmopolitan entitlements of one's fellow citizens", as well as "duties to members of other countries in cases where the latter are disadvantaged ... because of the unjust foreign policy of one's state" (Caney 2008, pp. 511, 514). And, regarding political identity, he writes that in "very many cases people's membership of the state affects their identity", and accepts that "an egalitarian cosmopolitan approach can recognise ... pride and patriotism are sound and justified when they are grounded in their state's successful pursuit of cosmopolitan ideals" (Caney 2008, p. 512). However, Caney's concession that the state may play a role in bringing about global justice is entirely instrumental, and it is not easily reconciled with his critique of what he considers to be an arbitrary mapping of the borders of justice onto the borders of the state, as well as the intrinsically unjust "system of state borders" or "global statist system" (Caney 2008, pp. 500, 508).

Against this purely instrumental account, we insist that states are, or at least can be, genuine political communities, which have a meaning for their members that is far from exhausted by the promotion of global justice. A polity is not *just* an arbitrary arrangement of borders, although borders are in some respects arbitrary. There is a common life – in the sense that citizens share a set of institutions and laws, as well as a diverse set of cultural and historical

values, all of which have meaning for them and play an important role in structuring their world. The idea of being a citizen of a particular state is a morally significant idea. The polity, at least when well-functioning, is a strong source of stability and security, and provides a rich source of identity. Moreover, to be a member of a polity is to share not only the benefits of membership, but also the corresponding burdens. Pretending that a polity is no more than an arbitrary arrangement of borders or lines on a map is, therefore, a false and misleading form of reductivism. Membership matters, to different degrees and in different ways, for those who are members; they are neither rogues nor fools for thinking that it does and for attaching moral significance to their special relationship with other members.

As we have seen, Caney does at times acknowledge some features of the picture that we have just presented, but his doing so raises more questions than it answers. With respect to political obligation, Caney's attempt to ground it in global egalitarian duties runs afoul of the "particularity requirement", the condition that political obligation binds individuals to *their* polity and not to any other. As A. John Simmons, who, for different reasons, is sympathetic to the challenge that Caney poses to "statism", writes:

Suppose we accepted ... that we have an obligation or duty to support just governments, and that this is what our political obligation consists in. And suppose that I am a citizen living under a just government. While it follows that I have an obligation to support my government, it does not follow that there is anything special about this obligation. I am equally constrained by the same moral bond to support every other just government (Simmons 1979, p. 31).

Similarly, if we suppose, with Caney, that one has a "duty to uphold the cosmopolitan entitlements of everyone", it would follow that one has a "duty to uphold the cosmopolitan entitlements of one's fellow citizens", but it would not follow that there is anything 'special' about this duty, contrary to Caney's claims (Caney 2008, p. 511). The latter adds nothing to the former. Caney contends that the content of the special duty may affect the content of the general duty, but it is difficult to see how (Caney 2008, p. 511). Likewise, it is difficult to see how the content of his other special duties, specifically duties of compensation, which are owed to those wronged by actions performed by our state, affect the content of the general duty in any significant way (Caney 2008, p. 514). For instance, we might suppose that special duties would magnify general duties, that if we owed a fellow citizen a duty to uphold her cosmopolitan entitlements, or if we owed a foreign national a duty of compensation for past wrongdoings committed by our state, then we would have a stronger reason for discharging the general duties that we owed to such individuals. However, Caney rejects such a view (Caney 2008, p. 514). Special duties do not add any weight to general duties, but may affect those to whom we are bound. According to the general duty, though, and herein lies the point, we are required to uphold the universal egalitarian entitlements of everyone, both those with whom we share citizenship and those we do not, and those with whom we share compensatory relationships and those we do not. On Caney's view, *we are always already bound* by the "duty to uphold the cosmopolitan entitlements of everyone".

There is also a more fundamental tension in Caney's attempts to ground political obligation in global egalitarian duties. For the question is: why is political membership morally relevant? If it is morally arbitrary to map the borders of justice onto the borders of the state regarding entitlements, then surely it is morally arbitrary to map the borders of justice onto the borders of the state regarding requirements. Similar issues arise in relation to Caney's attempts to account for the significance of political identity, issues which are further compounded by a misunderstanding about the phenomenology of belonging. First, consider identity. What is

puzzling is how our *identification* with our political community can shift from being morally arbitrary to being morally relevant, simply because that with which we identify becomes instrumentally useful; how our *identification* with our political community can shift from being “as arbitrary as [our] class origin or social status or ethnic identity” (Caney 2008, p. 505) to being “sound and justified”, simply because our polity pursues a set of “cosmopolitan ideals” (Caney 2008, p. 512). Either we belong to our polity in a morally relevant way or we do not. And, *a fortiori*, either it makes sense for us to identify with our polity in a morally relevant way or it does not.

Now, consider belonging. On the one hand, Caney wants to say that the state, membership of it and identification with it, is merely contingent and morally arbitrary. On the other hand, he wants to acknowledge that:

In very many cases people’s membership of the state affects their identity. They think of themselves as members of that state and it is an integral part of their self-understanding. In virtue of this, persons often feel sentiments like shame for the injustices committed by their state ... Citizens may feel ashamed of their state’s colonial record or their state’s waging of an unjust war. They may take pride in the fact that it has stood up against an evil oppressor ... And if we accept the cosmopolitan conception of political morality this means that a state acts ‘in our name’ when it discharges its (cosmopolitan) duty well and is a fit object for our loyalty. When it does not, and it jeopardises the rights of others, then its members are entitled to regard it with shame or guilt and to deny that it acts in ‘their name’ (Caney 2008, p. 512).

There is much in this description of how people experience political belonging that we would readily endorse. However, it is difficult to see how Caney can square this characterisation with the charge of arbitrariness. If our polity is an integral part of our self-understanding, then it is at best misleading to present political belonging as completely contingent and arbitrary, and without meaning and significance. Furthermore, if our political belonging were completely contingent and arbitrary, it would make little sense for us to feel sentiments such as pride and shame with regard to the conduct of our polity.

One possible response would be simply to bite the bullet, and to allow that the state, membership of it, and identification with it, carry an independent and non-reductive moral relevance. As we have argued, acknowledging our associative political obligations and promoting a substantial measure of global redistribution need not be mutually exclusive. We can, for example, recognise that, as citizens, we have responsibilities towards our fellow citizens, to ensure levels of social welfare, public education and the like, and yet also recognise that we also have responsibilities towards our fellow human beings more generally, to help alleviate world hunger, provide sufficient drinkable water, minimum levels of education and the like. It is certainly possible to link these global responsibilities to justifiable feelings of national pride or shame, depending upon how effectively our polity contributes to global redistribution. Such feelings, though, would be parasitic upon having the relevant sense of political identity that made thinking in terms of *our* polity meaningful in the first place. Political identity necessarily precedes such feelings. Because of this, accounts such as Caney’s are inherently confused, in their attitude toward the state, and in their understanding of what it means to be a citizen of a state.

We have sought to assess, in general terms, the merits of the distributive objection to associative political obligations. Part of our assessment has taken the form of showing how it is possible to avoid or mitigate the seriousness of the claim that being genuinely concerned

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with global poverty is incompatible with a commitment to a robust conception of associative political obligations. We have argued that the conflicts between the two sets of claims can be easily overstated. Arguing that associative political obligations make substantial moral claims on us is consistent with accepting that there are global duties, such as to alleviate poverty and suffering, even if the more extensive claims of some global egalitarians are more challenging in this regard. It is clear that associative political obligations do not justify the pathetic levels of resources that affluent countries currently devote to alleviating global poverty. But doing more need not cast a shadow over associative political obligations. In fact, associative political obligations may shed some light on why and how we could and should do more. The other part of our assessment has been markedly less conciliatory. In addressing theorists of global redistribution who have tried to deny the moral significance of associative political obligations, we have sought to vindicate their meaning and value. We have argued that presenting them as morally arbitrary fundamentally misconstrues their nature. We acknowledge that this means that there can be circumstances in which tensions between associative political obligations and global redistribution can arise. But these tensions must be lived and negotiated as best they can, in a world which does not always offer easy, or sometimes any, ways to resolve them. We do, nonetheless, insist that associative obligations in general and associative political obligations in particular are meaningful, and therefore occupy an important place in the moral geography of this world.²

REFERENCES

- Caney, S. (2005), *Justice Beyond Boundaries: A Global Political Theory*, Oxford University Press, Oxford;
- . (2008), "Global distributive justice and the State", *Political Studies*, 56, pp. 487-518;
- Horton, J. (2006), "In defence of associative political obligations: Part one", *Political Studies*, 54, pp. 427-443;
- . (2007a), "In defence of associative political obligations: Part two", *Political Studies*, 55, pp. 1-19;
- . (2007b), "Defending associative obligations: A response to Richard Vernon", *Political Studies*, 55, pp. 880-884;
- . (2010), *Political Obligation*, 2nd revised ed., Macmillan, London;
- Horton, J. and Windeknecht, R. G. (2015), "Is there a distinctively associative account of political obligation?", *Political Studies*, 63 pp.903-908;
- Scheffler, S. (2001), *Boundaries and Allegiances: Problems of Justice and Responsibility in Liberal Thought*, Oxford University Press, Oxford;
- Tan, K.C. (2004), *Justice Without Borders: Cosmopolitanism, Nationalism and Patriotism*, Cambridge University Press, Cambridge;
- Vernon, R. (2010), *Cosmopolitan Regard: Political Membership and Global Justice*, Cambridge University Press, Cambridge;
- Windeknecht, R.G. (2010), *Rethinking Political Obligation: An Associative Response to Philosophical Anarchism*, Ph.D. thesis, Keele University;
- Windeknecht, R. G. (2012), "Law without legitimacy or justification? The flawed foundations of philosophical anarchism", *Res Publica*, 18, pp. 173-188.

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