Essays on social rights

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Abstract

What does justice demand of us in the face of loneliness? This thesis presents three papers on this question. The first paper investigates how demanding social rights are. Specifically, the paper considers when one person's interest in association will defeat another's permission to exclude. It argues that we have surprisingly broad duties to associate with the socially deprived, but that such duties are nevertheless conditional on a number of important side-constraints being respected. The paper seeks to chart a "middle-path" between libertarians who see social beneficence as necessarily subordinate to negative associational permissions, and radical social rights theorists who hold the alternative view. The second paper asks whether social rights are feasible, in the sense required for them to be correctly understood as rights. To answer this question, the paper draws on recent work in moral philosophy exploring feasibility, before applying this work to the specific facts of social goods such as love and friendship. It is argued here that not only are "thin" social rights which require only functional social labour (such as chatting, completing shared activities, physically caring) feasible, but so too are "thick" social rights which require affective social labour (loving, cherishing, befriending) to be successfully discharged. The third and final paper considers whether social rights – at least those concerned with "thick" social goods like friendship – are necessarily self-defeating, insofar as acting from a sense of duty is generally incompatible with realising inherently valuable social relations. For example, it seems eminently plausible that a true and meaningful friendship or loving relationship does not exist if those party to it only or even primarily associate out of a sense of impartial duty. Together, the chapters which comprise this thesis show not only that social rights exist, but that they

are often more revisionary and radical for our moral universe than is typically thought within the tradition of liberal political philosophy.

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Chapter 1

Introduction

Consider *Loner*:

> Loner is chronically, non-voluntarily socially isolated, and is socially deprived as a result. They have no adequate intimate bonds, and rarely socially interact with others. They acutely experience their loneliness and would prefer a socially active life. Enjoying a life without social deprivation, however, is difficult to achieve: others do not wish to associate with Loner, and there is a lack of meaningful social opportunities for Loner to go out and forge new connections.

Loner's predicament is intuitively troubling. Empirical work on the effects of loneliness corroborate these intuitions: those who suffer with loneliness or social isolation are more likely to die sooner,[1] and are at higher risk for a range of cardiovascular, metabolic, and neurological disorders.[2] Loneliness is also a situation that affects many people.[3] The World Health Organisation has dubbed

[1] Julianne Holt-Lunstad et al., 'Loneliness and Social Isolation as Risk Factors for Mortality: A Meta-Analytic Review', *Perspectives on Psychological Science* 10, no. 2 (March 2015): 227–37, https://doi.org/10.1177/1745691614568352; Fan Wang et al., 'A Systematic Review and Meta-Analysis of 90 Cohort Studies of Social Isolation, Loneliness and Mortality', *Nature Human Behaviour* 7, no. 8 (19 June 2023): 1307–19, https://doi.org/10.1038/s41562-023-01617-6.

[2] Louise C. Hawkley, 'Loneliness and Health', *Nature Reviews Disease Primers* 8, no. 1 (14 April 2022): 22, https://doi.org/10.1038/s41572-022-00355-9.

[3] Jean M. Twenge et al., 'Worldwide Increases in Adolescent Loneliness', *Journal of Adolescence* 93, no. 1 (December 2021): 257–69, https://doi.org/10.1016/j.adolescence.2021.06.006; Daniel L Surkalim et al., 'The Prevalence of Loneliness across 113 Countries: Systematic Review and Meta-Analysis',

loneliness a “global health concern”,[4] with talk of an “epidemic” of loneliness becoming a commonplace.[5] In response, several states have now started to seek political solutions in order to safeguard their citizens against the harms of social deprivation.[6]

Loneliness therefore presents a serious set of concerns for contemporary society. It also raises important questions. One central normative question is the this: *what does justice demand of us in the face of loneliness?* This is the central issue this thesis seeks to answer.

The basic contention which runs throughout the thesis is that justice requires us, individually and collectively, to take steps to satisfy the social needs of others. To put things in the nomenclature

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BMJ, 9 February 2022, e067068, https://doi.org/10.1136/bmj-2021-067068; Michelle H. Lim et al., ‘The Prevalence of Chronic and Episodic Loneliness and Social Isolation from a Longitudinal Survey’, *Scientific Reports* 13, no. 1 (1 August 2023): 12453, https://doi.org/10.1038/s41598-023-39289-x.

[4] Sarah Johnson, ‘WHO Declares Loneliness a “Global Public Health Concern”’, *The Guardian*, 16 November 2023, https://www.theguardian.com/global-development/2023/nov/16/who-declares-loneliness-a-global-public-health-concern.

[5] Matthew Shaer, ‘Why Is the Loneliness Epidemic So Hard to Cure?’, *The New York Times*, 27 August 2024; United States, Department of Health and Human Services, ‘Our Epidemic of Loneliness and Isolation: The U.S. Surgeon General’s Advisory on the Healing Effects of Social Connection and Community’, May 2023, https://www.hhs.gov/sites/default/files/surgeon-general-social-connection-advisory.pdf; Elizabeth M. Ross, ‘What Is Causing Our Epidemic of Loneliness and How Can We Fix It?’, *Harvard Graduate School of Education* (blog), 25 October 2024, https://www.gse.harvard.edu/ideas/usable-knowledge/24/10/what-causing-our-epidemic-loneliness-and-how-can-we-fix-it; Yo Zushi, ‘“I Didn’t Want to Burden Anyone”: Is Britain Suffering a Loneliness Epidemic?’, *Men’s Health*, 14 February 2024, https://www.menshealth.com/uk/mental-strength/a63247115/britains-loneliness-epidemic/.

[6] The UK appointed the world’s first Minister for Loneliness (2018) and continues to fund social prescribing and awareness campaigns. Japan followed suit with its own ministerial appointment (2021) and passed a national loneliness prevention law (2024). The U.S. introduced several federal bills in 2023–2024, including the National Strategy for Social Connection Act. Ireland's Seanad passed a motion in 2024 urging a coordinated national response, and has established a Loneliness Taskforce (2024). Australia launched a New South Wales parliamentary inquiry in 2024, while South Korea's Seoul city government committed $322 million to a five-year anti-loneliness initiative (2024).

of the literature: this thesis argues that people have "social rights".[7]

More specifically, the thesis tries to show not only that social rights exist, but are also more revisionary and radical than is typically thought – especially within the tradition of liberal political philosophy. To give an immediate sense of the contributions made by the thesis: Chapter 2 explains why respecting social rights will in many cases require duty-bearers to associate with the needy, overriding freedom of association; Chapter 3 defends the controversial idea that social duties can extend beyond the provision of mere "functional" social interaction, or presence, and can enter the realm of providing individuals "meaningful relationships", such as friendships; Chapter 4 explains why duty-bearers will sometimes be required to deceive the socially needy when this is required to satisfy that person's social rights.

Before coming to the substantive chapters, it will pay to clarify a few assumptions made within them, and define some basic terms. This will hopefully assist readership, and ground the contributions made within the wider literature more clearly.

§1.1 – Demarcating the concept of "social rights"

Social rights are generally understood, and are understood here, as claim-rights to the satisfaction of one's "social needs".[8] Social needs can be defined as weighty interests in social interaction.

[7] Kimberley Brownlee, *Being Sure of Each Other: An Essay on Social Rights and Freedoms*, First edition (Oxford: Oxford university press, 2020); Kimberley Brownlee, *Being Social: The Philosophy of Social Human Rights* (Oxford: Oxford University Press, Incorporated, 2023).
[8] Brownlee, *Being Sure of Each Other*; Brownlee.

Depending on one's perspective, this formal type of right can be conceptualised in differently.

Firstly, people have different views on which "social needs" people have. Depending on one view, people have social needs insofar as social interaction is required for our flourishing as human beings.[9] On another – not mutually exclusive – view, people require social interaction instrumentally: to avoid suffering the psychological harms of loneliness, or to benefit from social resources which can enhance one's ability to pursue meaningful options.[10] There may be other such needs, of course.

Secondly, there is the matter of which social interactions are required to satisfy which social need. Perhaps non-affective social interaction can satisfy many social needs or, perhaps, affective social interactions – those characterised by genuine feelings of love, for instance – will also often be necessary. Maybe we only require the belief that we enjoy such things. Of course, the kinds of interactions people require will depend in large part on which social needs we think people have.

Thirdly, there is the question of what social rights entitle us *to*. It is widely assumed that if social rights exist, they do not entitle us to social interactions *as such*, but only to fair and favourable background conditions conducive to their enjoyment.[11] On this view, social rights are exclusively structure-directed. People could also, in principle, be entitled to social interaction itself but this idea

[9] Brownlee, *Being Sure of Each Other*.
[10] Chiara Cordelli, 'Justice as Fairness and Relational Resources', *Journal of Political Philosophy* 23, no. 1 (March 2015): 86–110, https://doi.org/10.1111/jopp.12036; Chiara Cordelli, 'Distributive Justice and the Problem of Friendship', *Political Studies* 63, no. 3 (August 2015): 679–95, https://doi.org/10.1111/1467-9248.12115; Elizabeth Brake, 'Fair Care: Elder Care and Distributive Justice', *Politics, Philosophy & Economics* 16, no. 2 (May 2017): 132–51, https://doi.org/10.1177/1470594X15600831.
[11] Cordelli, 'Justice as Fairness and Relational Resources'; Laura Valentini, 'II—What's Wrong with Being Lonely? Justice, Beneficence, and Meaningful Relationships', *Aristotelian Society Supplementary Volume* 90, no. 1 (June 2016): 49–69, https://doi.org/10.1093/arisup/akw004.

is less explored and more contentious, presumably given a worry that such a right would be incompatible with basic liberal commitments such as freedom of association.[12] I directly defend this more difficult, agent-directed view in Chapter 2.

Fourthly, to qualify as "rights", social claims must meet the criteria for rights. What counts as a right is contentious, and much of that literature is largely semantic here: I adopt a placeholder view where necessary. However, one relevant and widely – albeit not universally – accepted condition for a right (an entitlement conjuring a duty) is feasibility: whether A has a right to *x* depends in part on whether *x* can be feasibly provided to them by another agent, B.[13]

One prominent feasibility worry related to social rights is the assertion that people cannot will themselves to feel the emotions necessary to form and maintain a range of intimate relationships.[14] It has been argued that there is no right to love for this reason.[15] I defend the feasibility of social rights in general, including the right to love in particular, against these sorts of concerns in Chapter 3 of the thesis.

Fifthly, there is the matter of what social rights can permissibly demand of duty-bearers. This is partly a question of cost ("when does discharging social rights become supererogatory?"). But it is

[12] Kimberley Brownlee, 'A Human Right Against Social Deprivation', *The Philosophical Quarterly* 63, no. 251 (April 2013): 199–222, https://doi.org/10.1111/1467-9213.12018; Cordelli, 'Justice as Fairness and Relational Resources'; Cordelli, 'Distributive Justice and the Problem of Friendship'; Valentini, 'II—What's Wrong with Being Lonely?'

[13] David Estlund, 'Utopophobia', *Philosophy & Public Affairs* 42, no. 2 (March 2014): 113–34, https://doi.org/10.1111/papa.12031; Pablo Gilabert, *Human Dignity and Human Rights* (Oxford: Oxford University press, 2018).

[14] Immanuel Kant, *The Metaphysics of Morals*, ed. Lara Denis, trans. Mary Gregor, 2nd ed. (Cambridge University Press, 2017), https://doi.org/10.1017/9781316091388; Anca Gheaus, 'Love and Justice: A Paradox?', *Canadian Journal of Philosophy* 47, no. 6 (2017): 739–59, https://doi.org/10.1080/00455091.2017.1319656.

[15] Mhairi Cowden, 'What's Love Got to Do with It? Why a Child Does Not Have a Right to Be Loved', *Critical Review of International Social and Political Philosophy* 15, no. 3 (June 2012): 325–45, https://doi.org/10.1080/13698230.2011.572426.

also a question of duty-type ("which sorts of act, if any, are beyond the call of duty when it comes to satisfying social needs?") It is generally accepted, for instance, that persons can be collectively required to contribute their resources to the provision of pro-social institutions and schemes.[16] However – as mentioned above – more controversial is the idea that morality could demand that individuals personally associate (least not deceptively) with the needy to meet their needs, given freedom of association and side-constraints on what rights can properly demand.

In Chapters 2 and 4, respectively, I argue against treating freedom of association as an absolute constraint on what can be demanded of duty-bearers, and defend the idea that deception can be required as a means of satisfying one's social rights. A flexible and revisionary concept of social rights is the result.

§1.2 – The harms of social deprivation

Loner captures the intuitive badness of social deprivation. However, what are the harms of social deprivation, specifically? What features of social deprivation furnish us with decisive reasons to try and alleviate it?

Drawing upon the distributive justice literature,[17] I believe we can usefully conceptualise the disvalue of social deprivation by sorting its effects into two categories: a) welfare-effects, and b) resource-effects. Resources represent the means one has to put towards their ends: examples include money, time, well-functioning body

[16] S. Matthew Liao, *The Right to Be Loved* (Oxford ; New York, NY: Oxford University Press, 2015); Cordelli, 'Justice as Fairness and Relational Resources'; Valentini, 'II—What's Wrong with Being Lonely?'; Brake, 'Fair Care'; Brownlee, *Being Sure of Each Other*.

[17] G. A. Cohen, 'On the Currency of Egalitarian Justice', *Ethics* 99, no. 4 (1989): 906–44; Ronald Dworkin, *Sovereign Virtue: The Theory and Practice of Equality* (Harvard University Press, 2002), https://doi.org/10.2307/j.ctv1c3pd0r.

parts, and the psychological capacity to effectively pursue meaningful options. Welfare, on the other hand, represents how good one's life is actually going at any one time. It is realised value. What counts as welfare is more controversial than resources, but I think it is fair to say that most people would include at least non-deserved suffering in their conception of it, and this will suffice for present purposes.

First, social deprivation does reliably produces significant, negative welfare-effects to those subject to it. For one thing, sufficient social interaction is required to avoid the painful mental states attached to chronic loneliness and being without a sense of belonging. For example, the lonely – whether young or old – face a high risk of suffering mental health issues such as depression and anxiety.[18] For another thing, the empirical research strongly suggests that children require decent social interactions to appropriately develop neurologically and socially.[19] Without decent social interaction from a young age, then, there is a risk that these children will be unable to successfully navigate adulthood, diminishing the likelihood of their living happy lives.

[18] Ziggi Ivan Santini et al., 'Social Disconnectedness, Perceived Isolation, and Symptoms of Depression and Anxiety among Older Americans (NSHAP): A Longitudinal Mediation Analysis', *The Lancet Public Health* 5, no. 1 (January 2020): e62–70, https://doi.org/10.1016/S2468-2667(19)30230-0; Amy Orben, Livia Tomova, and Sarah-Jayne Blakemore, 'The Effects of Social Deprivation on Adolescent Development and Mental Health', *The Lancet Child & Adolescent Health* 4, no. 8 (August 2020): 634–40, https://doi.org/10.1016/S2352-4642(20)30186-3; Taiji Noguchi et al., 'Association between Social Isolation and Depression Onset among Older Adults: A Cross-National Longitudinal Study in England and Japan', *BMJ Open* 11, no. 3 (March 2021): e045834, https://doi.org/10.1136/bmjopen-2020-045834; Siu Long Lee et al., 'The Association between Loneliness and Depressive Symptoms among Adults Aged 50 Years and Older: A 12-Year Population-Based Cohort Study', *The Lancet Psychiatry* 8, no. 1 (January 2021): 48–57, https://doi.org/10.1016/S2215-0366(20)30383-7; Olivier D. Steen et al., 'Loneliness Associates Strongly with Anxiety and Depression during the COVID Pandemic, Especially in Men and Younger Adults', *Scientific Reports* 12, no. 1 (9 June 2022): 9517, https://doi.org/10.1038/s41598-022-13049-9.

[19] For a survey of the relevant literature, see: S. Matthew Liao, 'The Right of Children to Be Loved', *Journal of Political Philosophy* 14, no. 4 (December 2006): 420–40, https://doi.org/10.1111/j.1467-9760.2006.00262.x; Liao, *The Right to Be Loved*.

Second, social deprivation causes those who suffer from it some powerful negative resource-effects. Not only do the neurological and social developmental effects of social deprivation on children (as mentioned above) significantly diminish the ability of those children to successfully pursue one's good from a range of valuable options, but the mental health impact of social deprivation is also significant. Specifically, as noted, social deprivation imposes a high risk of suffering mental health issues such as depression. Not only is this a significant welfare cost, but the relationship between self-regard and the power to pursue a life of one's choosing is well documented.[20] It is also intuitive: if one does not have the willpower or the confidence required to come up with, properly commit themselves to pursuing, and/or revising their projects (where apt), how could they possibly enjoy an autonomous life? This constitutes a significant reduction in the "purchasing power" one has when it comes to pursuing life options.

As noted by Cordelli,[21] social relationships are also transmitters of resources in more practical ways. To give one such example: they can be loci of trust and goodwill which expands the resources I have to meaningfully pursue projects, given that i) I can be sure the things I care about are protected when I validly trust others, meaning I can spend more time and focus on other projects and ii) the complexity involved with interpersonal coordination is reduced given trust's effective role as an assurance mechanism which does not require economic incentives.

Therefore, underpinning the thesis is the view that social deprivation – a lack of a sufficient number of minimally decent social relationships – is bad primarily because it reliably causes a serious amount of suffering (negative welfare-effects) and a

[20] John Rawls, *A Theory of Justice*, Rev. ed (Cambridge, Mass: Belknap Press of Harvard University Press, 1999); Cordelli, 'Justice as Fairness and Relational Resources'.
[21] Cordelli, 'Justice as Fairness and Relational Resources'.

diminishment of autonomy (negative resource-effects), in those who suffer it.

§1.3 – The basis of social duty

The above section set out why social deprivation is disvaluable and makes the lives of those who suffer it worse. But, as we noted above, this cannot say anything about what we ought to do: just because we can say that something is good or bad, does not mean that we are required to do anything about that fact. At least not analytically.

So, we need a bridging theory between the good and the right to meaningfully get at our central question about sociability justice. Here is one (rough) view (which is not altogether different from Raz's interest theory of rights).[22]

I posit that the properties of certain natural states furnish us with reasons to respond to those states in particular ways. Another way of putting this is that there is a kind of "fittingness" between states of the world and particular intentions or acts on the part of rational agents. This is a normative claim. We can fail to appropriately respond to the world insofar as we fail to properly respond to the reasons the world gives us through its various properties. When we do fail, we are usually deemed *irrational*. We might think that *immorality* is a subset of irrationality: it is when one poorly responds to *moral* reasons. When we act *imprudently*, we might be irrational in a different way.

[22] Joseph Raz, *The Morality of Freedom*, 1st ed. (Oxford University PressOxford, 1988), https://doi.org/10.1093/0198248075.001.0001.

For concreteness, consider *My Irrational Decisions*.

> Case 1: In front of me are two pans filled with boiling water. Placing one hand in would be incredibly painful, and placing both hands in would be excruciating. I do not enjoy painful experiences, or have any good reason to put myself in excruciating pain. I decide to plunge both my hands into the water.

Here, I act irrationally. Here is why. We have reasons to avoid suffering. These reasons are responsive to the kind of thing suffering is. The appropriate way to respond to suffering is to avoid it. When we can avoid suffering but gratuitously choose to suffer, then, we have acted irrationally. We have failed to respond to the reasons that suffering furnishes us with. When the suffering pertains to myself, it is more natural to describe my irrationality as imprudent. Case 1 is a case of imprudence in the context of suffering.

But not all irrationality is imprudent. There is also moral irrationality.

> Case 2: In front of me are two pans filled with boiling water. Placing my brother's hand in either would be incredibly painful, and placing both of his hands in the water would be excruciating. My brother does not enjoy painful experiences, nor is there any good reason for him to be placed in excruciating pain. I plunge both of his hands into the water.

Here, I act immorally. This is because the appropriate response to the prospect of suffering is avoidance. Whether the prospect attaches to me or someone else is not of first order importance in

terms of my reasons to avoid that suffering, even if such reasons may be stronger from my own view when they apply to me (and rationally permit me to avoid suffering a given harm before preventing a similar harm to others).[23] This is because it is suffering *as such*, given the kind of thing it is, that furnishes persons with reasons to avoid it, and not who (or what) suffers it. When we can avoid someone else from suffering, then, but choose not to without a set of sufficiently good countervailing reasons, we have failed to rationally respond to the reasons we have been furnished with. When this sort of rationality pertains to others, it is more natural to describe my irrationality as immoral, or morally wrong, instead of imprudent. Case 2 is a case of moral wrongness.

Suffering ought to be avoided because of its bad-making properties: it is dis-valuable (at least) insofar as it makes our life go worse. Presumably, this point generalises to other such properties. If our reasons for avoiding *x* are grounded in the fact *x* makes our life go worse, this inference seems a natural one. Therefore, I think we can say that when some state *x* would make either my own or another's life go worse, this generates an agent-neutral reason for *x* to be avoided. Sometimes, if we fail to prevent something bad for others, we may act in a way that is morally wrong. This point applies to derivative *and* non-derivative sources of disvalue: I have reasons to prevent suffering and, a fortiori, those things which cause suffering.

[23] Thomas Nagel, *The View from Nowhere*, First issued as an Oxford University Press paperback (New York London: Oxford University Press, 1989); Samuel Scheffler, *The Rejection of Consequentialism: A Philosophical Investigation of the Considerations Underlying Rival Moral Conceptions*, 1st ed. (Oxford University Press Oxford, 1994), https://doi.org/10.1093/0198235119.001.0001; Jonathan Quong, *The Morality of Defensive Force* (Oxford: Oxford University Press USA - OSO, 2020).

Applied to social deprivation, we can say this: social deprivation is (at least)[24] a source of derivative disvalue. Its existence reliably causes that which is disvaluable and makes out lives go worse: suffering and a loss of autonomy. Therefore, all persons are furnished with agent-neutral reasons to prevent the existence and magnitude of social deprivation for ourselves and others.

Furthermore, the *greater* something would contribute or subtract from an agent's wellbeing – or other vectors of (dis)advantage – the stronger our reasons are to respond to that consideration relative to others. The stronger a reason is, the more likely it will be decisive in *requiring* us to respond appropriately to it, relative to others. If I can give someone a painkiller for a headache or prevent someone from being shot, I am morally required – I have a duty – to do the latter. The same is also plausibly true in I-you cases: if I can prevent *myself* from a headache or prevent you from being shot, I am required to prevent your shooting.

Therefore, the social deprivation of others conjures powerful agent-neutral reasons to intervene. When agents do not have sufficiently strong reasons to permit a refusal to abstain from intervention, they will be required (have a duty) to do so. Given that social deprivation is reliably *very* bad for agents, we should also expect such duties to exist (prima facie) in a range of cases. Defending this view and articulating its implications sits at the heart of the thesis.

§1.4 – Worries about social duties

[24] I say "at least" because some – Aristotelians, for example – might see a life without social connections as comparatively non-derivatively disvaluable, insofar as certain kinds of relationships have significant non-derivative value. This thought is plausible, but is not taken up in detail for reasons explored below.

With this basic metaethical account on the table, it is easier to see why some theorists deny the existence of (interpersonal) social rights and duties.

Some theorists[25] – including a number of social rights proponents[26] – worry that interpersonal social rights are too demanding and reject them on this basis. One significant example of such an argument is the argument from illiberalism:[27] social rights, insofar as they imply duties to associate, ought to be rejected given that they unacceptably infringe on persons' rights to associate freely. Another way of putting this worry is that the reasons agents have to alleviate social deprivation (at least interpersonally) are routinely defeated by other, more pressing reasons in favour of negative associational permissions: a right to exclude.[28] If true, this would significantly diminish social rights as a normative category. This "outweighing" view, in the context of freedom of association, is challenged in Chapter 2.

Others claim that it is often hopelessly unfeasible to satisfy another's social needs at will, and, therefore, there cannot properly be (interpersonal) social duties. The basic idea seems to be that persons have weighty social interests not only in mere interaction, but also to intimate relationships characterised by relational goods such as friendship and love. However, given that it is not feasible for individuals to reliably provide each other which such goods at will, the interest persons have in such goods does not have any deontic import: there are agent-neutral reasons to alleviate many

[25] Valentini, 'II—What's Wrong with Being Lonely?'
[26] Cordelli, 'Justice as Fairness and Relational Resources'; Brake, 'Fair Care'.
[27] Brownlee, 'A Human Right Against Social Deprivation'; Brownlee, *Being Sure of Each Other*.
[28] Stuart White, 'Freedom of Association and the Right to Exclude', *Journal of Political Philosophy* 5, no. 4 (December 1997): 373–91, https://doi.org/10.1111/1467-9760.00039.

cases of social deprivation, but no way to act on those reasons.[29] Therefore, there is another class of view – *defusing views* – which claim that, whilst social deprivation might be prima facie decisive in furnishing us with duties to act, the limitations of effective means to act on those reasons defuses them from furnishing us with duties in many cases. I challenge this broad class of view in the context of feasibility and relational goods in Chapter 3, and in the context of self-defeat and intention in Chapter 4.

§1.5 – The framework of social rescue

As mentioned above, some justify social rights on the basis that social deprivation is inimical to human flourishing in such a way that others will be have decisive reasons to prevent its occurrence.[30] Others justify the imposition of duties by appeal to our status as free and equal citizens, and an observation that social deprivation undermines our two moral powers (or at least reflects an unjust distribution of relational resources).[31] I do not make enemies of either view, here: they are each plausible in their own right at explaining why social deprivation may furnish us with decisive reasons to act. However, this thesis does not take up either of these approaches. Instead, it relies on a relatively thinner ground for social rights: the duty of rescue.[32]

[29] Cowden, 'What's Love Got to Do with It?'; Gheaus, 'Love and Justice'; Kant, *Metaphysics*.
[30] Brownlee, *Being Sure of Each Other*.
[31] Cordelli, 'Justice as Fairness and Relational Resources'; Cordelli, 'Distributive Justice and the Problem of Friendship'; Brake, 'Fair Care'.
[32] Peter Singer, 'Famine, Affluence, and Morality', in *International Ethics*, by Lawrence A. Alexander, ed. Charles R. Beitz (Princeton University Press, 1986), 247–62, https://doi.org/10.1515/9780691241869-014; F. M. Kamm, *Intricate Ethics: Rights, Responsibilities, and Permissible Harm*, Oxford Ethics Series (Oxford: Oxford University Press, 2007), https://doi.org/10.1093/acprof:oso/9780195189698.001.0001; Helen Frowe, 'The Limited Use View of the Duty to Save', in *Oxford Studies in Political Philosophy*, vol. 7 (Oxford: Oxford University Press, 2021), 66–99; Theron Pummer, *The Rules of Rescue: Cost, Distance, and Effective Altruism* (New York, NY: Oxford University Press, 2023).

The duty of rescue, understood here, is a duty to bear reasonable costs for others when doing so would prevent them from suffering serious harm. Singer's *Pond* case[33] is perhaps the most famous example used to motivate the duty, but the duty itself is widely accepted by consequentialists and non-consequentialists alike. This speaks to its wide appeal as a principle.

There are virtues to this approach.

First, the duty is deeply intuitive and commands wide acceptance. Most people agree that we are required to rescue in *Pond*, for example.

Second, the duty of rescue does not live or die on the truth of any comprehensive view of the good, nor a wider theory of distributive justice. Instead, its truth is compatible with a wide range of distributive and ethical views, making it a relatively less controversial starting place for justifying social rights than the approaches currently prominent in the literature. If successful, then, the rescue approach would show that a relatively demanding and revisionary theory of social rights can go through on a more ecumenical set of assumptions, making them harder to dismiss.

Third, duties of rescue are the subject of a vast array of literature in moral and political philosophy, providing this approach with ample resources for reflection[34]; resources which have hitherto been largely ignored in the context of social rights. To give one example: the issue of demandingness explored in Chapter 2 ("how much can social rights permissibly demand of duty-bearers?") is

[33] Singer, 'Famine, Affluence, and Morality'.
[34] Singer; Kamm, *Intricate Ethics*; Victor Tadros, *The Ends of Harm: The Moral Foundations of Criminal Law*, Oxford Legal Philosophy (New York: Oxford University Press, 2011); Quong, *The Morality of Defensive Force*; Frowe, 'The Limited Use View of the Duty to Save'; Pummer, *The Rules of Rescue*.

fruitfully explored by reflecting on debates in the rescue literature related to the means principle[35] and agent-relative prerogatives.[36] Placing existing problems into conversations which this different literature, then, can provide insights and perspectives which have hitherto been comparatively underexplored, yielding hopefully important and novel insights into some difficult problems.

§1.6 – Outline

The structure of the thesis is as follows.

The first paper, presented in Chapter 2, investigates how demanding social rights are. Specifically, the paper considers when one person's interest in association will defeat another's permission to exclude. It argues that we have surprisingly broad duties to associate with the socially deprived, but that such duties are nevertheless conditional on a number of important side-constraints being respected. The paper seeks to chart a "middle-path" between libertarians who see social beneficence as necessarily subordinate to negative associational permissions, and radical social rights theorists who hold the alternative view.

The central contributions are to articulate the virtues of a more "moderate" approach in the social rights literature on their demandingness, and to set out (and defend) the usefulness of undertaking a rescue approach to social rights more generally.

The second paper, presented in Chapter 3, asks whether social rights are feasible, in the sense required for them to be correctly

[35] Kamm, *Intricate Ethics*; Tadros, *The Ends of Harm*; Frowe, 'The Limited Use View of the Duty to Save'.
[36] Kamm, *Intricate Ethics*; Quong, *The Morality of Defensive Force*; Frowe, 'The Limited Use View of the Duty to Save'.

understood as rights.[37] To answer this question, the paper draws on recent work in moral philosophy exploring feasibility,[38] before applying this work to the specific facts of social goods such as love and friendship. It is argued here that not only are "thin" social rights which require only functional social labour (such as chatting, completing shared activities, physically caring) feasible, but so too are "thick" social rights which require affective social labour (loving, cherishing, befriending) to be successfully discharged.

The main implication of this work is that social rights more easily satisfy the standard criteria for rights than is often thought, given that "unfeasibility" is a common and forceful objection to the very idea that people might owe each other thick social goods such as friendship or love.[39] This work also bolsters existing arguments[40] defending the feasibility of such rights by placing these views into conversation with recent empirical work in social and behavioural science.

The third and final paper, presented in Chapter 4, considers whether social rights – at least those concerned with "thick" social goods like friendship – are necessarily self-defeating, insofar as acting from a sense of duty is generally incompatible with realising inherently valuable social relations. For example, it seems eminently plausible that a true and meaningful friendship or loving relationship does not exist if those party to it only or even primarily associate out of a sense of impartial duty.

[37] Nicholas Southwood, 'Does "Ought" Imply "Feasible"?', *Philosophy & Public Affairs* 44, no. 1 (December 2016): 7–45, https://doi.org/10.1111/papa.12067; Gheaus, 'Love and Justice'; Gilabert, *Human Dignity and Human Rights*.
[38] Estlund, 'Utopophobia'; Zofia Stemplowska, 'Feasibility: Individual and Collective', *Social Philosophy and Policy* 33, no. 1–2 (2016): 273–91, https://doi.org/10.1017/S0265052516000273; Zofia Stemplowska, 'The Incentives Account of Feasibility', *Philosophical Studies* 178, no. 7 (July 2021): 2385–2401, https://doi.org/10.1007/s11098-020-01530-y.
[39] Cowden, 'What's Love Got to Do with It?'
[40] Liao, 'The Right of Children to Be Loved'; Liao, *The Right to Be Loved*.

Drawing from literature on the ethics of deception and duties of aid, it is argued here that even if social rights are self-defeating in this sense, all this means is that individuals will often have a duty to make a needy person *believe* that they have the apt intentions, so that their loneliness may be alleviated.

The theoretical upshots of this finding are: i) social rights are not generally defeated by the non-spontaneous intentionality they require of agents, making them more feasible than is often thought over a wider range of cases, even if we concede assumptions made by their sceptics, and ii) justifying social rights by appealing to the inherent value of meaningful social relationships is less theoretically secure than appealing directly to the thinner ground of alleviation of suffering and autonomy-diminishment. The major practical upshot is that persons will sometimes have duties to socially deceive. This, of course, is controversial, yet, as per the analysis, justified even in cases involving relatively low levels of potential social harm.

Chapter 2

Intimate Association Required

Intimate Association Required[41]

Charlie Richards

Abstract

Under what circumstances can we be morally required to associate with others by dint of their social deprivation? A popular liberal view answers like so: there are no such circumstances, given that freedom of association permits individuals to interact according to their preference, so long as similar rights are respected for others. A newer, more radical view in the social rights literature suggests the opposite: freedom of association is almost always trumped by the social interests of others, at least when those interests are weighty. Utilising recent work in the philosophy of altruism, this paper sets out a novel account of associational freedom. Contrary to these two prominent views, I find that a more moderate approach, grounded in the duty of rescue, delivers more convincing results. Ultimately, our associational freedoms are sensitive both to weighing considerations and side-constraints, and both must be properly given their due.

[41] I wish to thank Cécile Laborde, Zosia Stemplowska, Robert Cheah, and Nikhil Venkatesh for their comments and suggestions on earlier drafts.

§2 – Introduction

The standard liberal view on freedom of association is that people have a wide and indefeasible permission to intimately associate as we wish.[42] Valerie Soon summarises:

> We ought to be able to choose whom to socialize with, form clubs with, befriend, live among, date, and marry. Without the ability to make these choices, we are unable to determine the course of our lives.[43]

Implicit here is a permission to *exclude* others from our intimate associational orbit, even when doing so is discriminatory or harmful.[44] Iterations of this view abound in liberal political thought and legal practice: philosophers such as Mill,[45] Rawls,[46] Nozick,[47] and Cohen,[48] and institutions such as the US Supreme Court,[49] have all seemingly defended it.

This prominent view has recently been challenged, however, by the emergent "social rights" literature.[50] A major premise of that literature holds that people do *not* generally have a permission to exclude others from their associational orbit given the

[42] As the point was famously put by Mill: "the right to choose the society most acceptable to us." John Stuart Mill, On Liberty (first published 1859) ch. IV.
[43] Valerie Soon, 'Sorting and the Ecology of Freedom of Association', *Journal of Political Philosophy* 31, no. 4 (2023): 411–32.
[44] Stuart White, 'Freedom of Association and The Right to Exclude', *Journal of Political Philosophy* 5 (1997): 373–91; Amy Gutmann, 'Freedom of Association: An Introductory Essay', in *Freedom of Association* (Princeton, NJ: Princeton University Press, 1998); Kimberley Brownlee, 'Freedom of Association: It's Not What You Think', *Oxford Journal in Legal Studies* 35, no. 2 (2015): 267–82.
[45] John Stuart Mill, *On Liberty* (London, UK: Dover Publications, 2002); John Stuart Mill, *Collected Works of John Stuart Mill*, 8 vols (Indianapolis, IN: Liberty Fund, 2006).
[46] John Rawls, *Political Liberalism* (New York, NY: Columbia University Press, 1993); John Rawls, *A Theory of Justice*, Revised Edition (Cambridge, MA: Harvard University Press, 1999).
[47] Robert Nozick, *Anarchy, State, and Utopia* (New York, NY: Basic Books, 1974).
[48] G. A. Cohen, *Rescuing Justice and Equality* (Oxford, UK: Oxford University Press, 2008).
[49] *Roberts v United States Jaycees* 468 US 609, 618 (1984).
[50] S. Matthew Liao, 'The Right of Children to Be Loved', *Journal of Political Philosophy* 14 (2006): 420–40; S. Matthew Liao, *The Right to Be Loved* (Oxford, UK: Oxford University Press, 2015); Kimberley Brownlee, 'A Human Right Against Social Deprivation', *The Philosophical Quarterly* 63 (2013): 199–222; Kimberley Brownlee, *Being Sure of Each Other* (Oxford, UK: Oxford University Press, 2020); Kimberley Brownlee, David Jenkins, and Adam Neal, eds., *Being Social: The Philosophy of Social Human Rights* (Oxford, UK: Oxford University Press, 2022).

(comparatively) weightier interests persons have in social connection. Kimberley Brownlee sums things up:

> Contrary to these standard liberal positions, intimate associative freedom is neither a *general moral permission to associate or not as we wish* nor a *content-insensitive moral claim right that protects us in behaving wrongly when we do so*… Our fundamental associative interests [in social interaction] ground *more important* positive claim-rights [than our rights to associative control].[51] [italics added]

There is something forceful about this alternative. For one thing, it trains our attention on the stakes of exclusion, and the consequences of one's associative choices; any considered judgment on associative freedom must grapple with this side of the coin.

However, it is also subject to a (recognisably liberal) demandingness challenge: if others' interests in association are generally decisive against my permission to exclude, am I really afforded sufficient control over my own life? When (if ever) should I *retain* a right to exclude others? Without a convincing response, it will be difficult to assess how attractive social rights are, and to what extent we should revise our practices in light of them.

The goal of this paper is to make progress on this question. Specifically, it explores when interests in social connection will be decisive against permissions to exclude. It charts a "middle" course between the two extant views on associative freedom: it argues that we *do* have duties to intimately associate, but that this will be conditional on several side-constraints being properly respected. My hope is that this more moderate view will appeal to those who, like me, feel the force of social rights, but remain wary of their implications for prospective duty-bearers' autonomy and independence.

[51] Brownlee, 'Freedom of Association: It's Not What You Think'.

Much illuminating work on demandingness and duties to aid can be found in the philosophy of rescue, so I draw primarily from that work to make the case.[52] According to that area, we are required to do many things in the name of rescue: save drowning people,[53] alleviate poverty,[54] obey the law[55] and, perhaps, even donate live body parts.[56] I argue that, additionally, we are required to form and sustain intimate associations with strangers. I call this the Rescue account of associative freedom.

The paper proceeds as follows. Section 1 briefly sets out what I mean by "intimate association". Section 2 articulates a moderately demanding duty of rescue and defends this interpretation from some relevant objections. Section 3 develops Rescue. Sections 4 and 5 evaluate the Classical Liberal View and the Social Rights View on associative freedom, respectively.

§2.1 – Defining Intimate Association

I begin by defining "intimate association". This will help to demarcate the scope and meaning of the argument to come. It will also give us some useful conceptual tools for the case analysis below.

Like Brownlee, I define *intimate association* as a pattern of social intercourse marked by interactions of certain kinds, persistence

[52] Peter Singer, 'Famine, Affluence, and Morality', *Philosophy & Public Affairs* 1, no. 3 (1972): 229–43; F. M. Kamm, *Intricate Ethics* (Oxford, UK: Oxford University Press, 2006); Victor Tadros, *The Ends of Harm: The Moral Foundations of the Criminal Law* (Oxford, UK: Oxford University Press, 2011); Victor Tadros, *To Do, To Die, To Reason Why: Individual Ethics in War* (Oxford, UK: Oxford University Press, 2020); Helen Frowe, 'The Limited Use View of the Duty to Save', in *Oxford Studies in Political Philosophy*, vol. 7 (Oxford, UK: Oxford University Press, 2021).
[53] Singer, 'Famine, Affluence, and Morality'.
[54] Kamm, *Intricate Ethics*.
[55] Christopher Wellman, 'Toward a Liberal Theory of Political Obligation', *Ethics* 111, no. 4 (2001): 735–59; Christopher Wellman, 'Samaritarianism and the Duty to Obey the Law', in *Is There a Duty to Obey the Law?* (Cambridge, UK: Cambridge University Press, 2005).
[56] Cécile Fabre, 'Justice and the Compulsory Taking of Live Body Parts', *Utilitas* 15 (2003): 127–50; Cécile Fabre, *Whose Body Is It Anyway?* (Oxford, UK: Oxford University Press, 2006).

across time, and comprehensiveness and significance for one's life.[57]

First, for an association to be intimate it must contain *actual* social interactions. A family, for instance, who never actually interacted with each other could scarcely be called a family at all. The relevant interactions must also be marked by a general attitude of interest and concern: the interactions themselves must be of a decent quality, and attend sufficiently to their target – they must not be persistently cruel or incidental, for example.

Second, the association must persist for a decent amount of time. This reflects the thought that highly sporadic or one-off interactions are much too fleeting to qualify as intimate. Having a spontaneous one-off coffee with a stranger, for example, is not an intimate association even if it is highly enjoyable and engaging. Conversely, less engaging but sufficiently persistent-yet-temporary patterns of interaction – such as that between crewmates on a chartered voyage – more plausibly count.

Third, intimate associations are comprehensive: they are significant features of our lives, and are important for how we should understand the shape of our life. They are also, in this way, typically marked by material and emotional commitment, and the establishment of relational roles and responsibilities – son, friend, spouse, lover, partner etc. An intimate association that was wholly insignificant to our life, and the shape of our social world, would therefore fail to qualify as intimate on this view.

I believe these criteria capture an intuitive sense of the concept sufficiently well to orient ideas. We can now start setting out the case for Rescue.

§2.2 – Articulating and Defending Rescue

[57] Brownlee, 'Freedom of Association: It's Not What You Think'; Brownlee, *Being Sure of Each Other*.

It is plausible that when we can prevent serious harm to another at a low cost to ourselves, we are required to do so. Consider *Pond*:[58]

Victim is drowning. Bystander can save Victim at the cost of his expensive suit.

Bystander is required to save Victim. This is because he can save Victim from serious harm at a low cost to himself. Conversely, if Victim was only at risk of catching a cough (modest harm), or Bystander could save only at the cost of his own legs (very high cost), it is much less intuitive that Bystander is required to save. In at least some cases, then, it is plausible that when one can prevent serious harms to another at a low cost to themselves, they will be required to do so.

Ostensibly, this duty is explained by the principle that preventing significant set-backs to another's wellbeing can sometimes furnish us with a decisive, requiring reason[59] to *v* even when *v*-ing is worse from our personal point of view.[60] In other words, the option to prevent harm will sometimes override one's prerogative to choose what burdens they bear, and which ends they adopt, at least when the stakes are sufficiently high.[61] This is why Bystander must save Victim even though doing so is worse for him.

Plausibly, individuals will also be required to bear *reasonable* costs to prevent serious harms for the same reason. Reconsider *Pond*. Suppose that instead of a dirty suit, Bystander can only save at the cost of a finger. Clearly, losing a finger is not a *low* cost. Despite this, many[62] – including me – believe that bearing even this level of cost is intuitively required. Again, this is because the bad which can be prevented to Victim is so weighty that Bystander still has a decisive reason to prevent that bad, even if doing so is worse from his personal point of view: the bad of a lost finger is not sufficiently

[58] Singer, 'Famine, Affluence, and Morality'.
[59] Theron Pummer, *The Rules of Rescue: Cost, Distance, and Effective Altruism* (Oxford, UK: Oxford University Press, 2023).
[60] Kamm, *Intricate Ethics*.
[61] Fabre, *Whose Body Is It Anyway?*
[62] Singer, 'Famine, Affluence, and Morality'; Kamm, *Intricate Ethics*; Tadros, *The Ends of Harm: The Moral Foundations of the Criminal Law*; Frowe, 'The Limited Use View of the Duty to Save', 2021.

weighty to furnish agents with a decisive permitting reason to retain the option not to save.

Therefore, I endorse the following account of rescue: when one can prevent a serious harm to another at a reasonable cost to themselves, they will be required to do so. By parity of argument, when intimately associating represents a reasonable cost, and doing so will achieve a great good, one will be required to associate. This is the Rescue Account of associative freedom.

Of course, the account needs to be deepened, and this view on rescue is not uncontroversial. Consequently, it will pay to engage with some prominent alternatives. First, I consider the libertarian view that there is never a moral duty to rescue strangers. Second, I consider the consequentialist view that there a duty to rescue whenever and because rescuing would be impersonally best.

§2.2.1 – Libertarian Worries

Libertarians reject duties of rescue, even when the stakes are high.[63] One way of putting this is that libertarians believe that the ability to prevent serious harm is never a decisive requiring reason, or that agents will always have at least one decisive permitting reason which furnishes them with the moral option not to help others.[64] If correct, this view would constitute a rejection of my argument: there is no duty to intimately associate when doing so would be very good because there is never a duty to do good.

There are two kinds of substantive worry the libertarian might have. The first is about self-ownership: the thesis that one's body forms part of one's rightful property, and enjoys comparable levels of protection against interference. The thought is that by requiring individuals to use their rightful resources – including their bodies – to assist others, important property rights are violated, and the right of individuals to shape their own life as they see fit is not

[63] Nozick, *Anarchy, State, and Utopia*; Michael Otsuka, *Libertarianism without Inequality* (Oxford, UK: Oxford University Press, 2003).
[64] Pummer, *The Rules of Rescue: Cost, Distance, and Effective Altruism*.

properly respected. A plausible theoretical gloss on this is a commitment to a version of the means principle:[65] it is always wrong to use another's rightful property for an end they have not consented to given the status of persons as autonomous agents free to select their own ends.

The second is concerned with the *costs* of acknowledging positive duties to one's life and projects. As Nozick puts it, positive duties represent an unacceptable "continuous interference with people's lives"[66], and should be rejected for this reason. Broadly, I think, this can be cashed-out in an appeal to supererogation: there is some threshold of cost beyond which one is no longer required to bear it, even if this would be best.

The libertarian view does have some appeal in some cases. It does not seem as if one has a duty to sacrifice their legs – or their life – to save the lives of 3 others, nor would anybody else be permitted to treat them as if they were so required. Presumably, this is because doing so would be excessively costly, and one is not required to use their legs as a means to save others given their status as a separate autonomous agent. Obviously, there are parallels here with the classical liberal reasoning in favour of a stringent negative right to exclude, even when weighty social needs are on the line.

While striking, this view is not tenable; my more moderate view on rescue should be preferred.

First, stipulating that persons have stringent property rights which exclude positive duties, and then theorising from that significant and controversial assumption, is theoretically dubious. Not only does it beg the question, but it also fails to appreciate the more plausible thought that one's permissions over their property are to some extent restricted by the interests of others.

[65] Tadros, *The Ends of Harm: The Moral Foundations of the Criminal Law*; Jonathan Quong, *The Morality of Defensive Force* (Oxford, UK: Oxford University Press, 2020); Frowe, 'The Limited Use View of the Duty to Save', 2021.
[66] Nozick, *Anarchy, State, and Utopia*.

To draw this out, consider *Shove*:

> 5 people are about to be hit and killed by a trolley. Bystander can divert the trolley – saving the 5 – by shoving Andy in front of the trolley before it picks up speed. This will do no harm to Andy.

Suppose that Andy does not consent to being shoved to save the 5. Furthermore, let us assume that Andy's body forms part of his rightful property (which seems plausible). The libertarian view is that while Andy has strong reasons to let Bystander shove him, such reasons are not decisive to permit Andy to do this. Consequently, Bystander is forbidden from using Andy's body to save the 5.

This is not a plausible view. Intuitively, Bystander *is* required to shove Andy, and Andy is required to allow him to do so, if this was necessary to save the others. We can deepen this thought by asking whether Bystander would be liable to the treatment appropriate to wrongdoers if he shoved Andy. Could Andy justifiably resent or blame Bystander for doing so?[67] Could defensive force be applied against Bystander to prevent him from shoving?[68] I find this extremely hard to believe. Much more plausible is the thought that instead of Andy's self-ownership furnishing him with an all-weather, decisive permitting reason to refuse any end for his body he so chooses, the opportunity to prevent serious harm to others can sometimes conjure a requirement for him to act. Even if we accept a thesis of self-ownership, then, this does not settle the matter. Property rights do not always take priority over other considerations and interests and, when serious harms are on the line for another, and this can be prevented at a reasonable cost to oneself, they will plausibly not take priority.

This highlights that a categorical interpretation of the means principle is not persuasive. It must be limited in the following way:

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[67] P.F. Strawson, 'Freedom and Resentment', *Proceedings of the British Academy* 48 (1962): 1–25.

[68] Jeff McMahan, *Killing in War* (Oxford, UK: Oxford University Press, 2009); Tadros, *The Ends of Harm: The Moral Foundations of the Criminal Law*; Helen Frowe, *Defensive Killing* (Oxford, UK: Oxford University Press, 2014); Quong, *The Morality of Defensive Force*.

> Limited Means Principle: Given their status as autonomous agents, persons are generally permitted to choose their rightful property's ends. Consequently, it is generally wrong to use someone else's property in ways they have not consented to. However, sometimes persons *are* morally required to put their property in the service of particular ends. In such cases, it is not necessarily wrong to interfere with that person, in order that they do what they are required to do.[69]

Here, my claim is that when one can prevent serious harms to another at a reasonable cost to themselves, they will be required to put their rightful property – their body – in the service of that end. *Pond* and *Shove* draw out the intuitive appeal of this point. This can be true even if we accept the thesis of self-ownership.

Second, the Nozickian thought about supererogation and interference, while an important one, is a bit too quick. While excessive interference can of course wrong us because it is excessive, interference comes in degrees, and it seems morally relevant to ask just how costly a particular pattern of interference is before deciding whether or not one is required to bear it.

Reconsider *Pond*. The costs Bystander must bear to save Victim are highly relevant to whether he must save. If the cost is only a few moments pulling someone out of the water, or a dirty suit, the existence of a duty of rescue is highly intuitive. Things are different if the cost is both Bystander's legs. Presumably, then, we should treat these cases differently, and be (at least) much more open to rescue being required in the prior case than the latter. The libertarian view treats all these cases identically, however, and ignores the stakes entirely when determining the set of permissible moral options. I think this is too coarse-grained a view to fully appreciate the significance of the stakes of a situation can make to our duties. Much better, I think, is a more fine-grained view – like

[69] Victor Tadros, *The Ends of Harm: The Moral Foundations of Criminal Law*, Oxford Legal Philosophy (New York: Oxford University Press, 2011); Helen Frowe, 'The Limited Use View of the Duty to Save', in *Oxford Studies in Political Philosophy*, vol. 7 (Oxford: Oxford University Press, 2021), 66–99.

my moderate view – which is sensitive to the costs involved in different cases.

The libertarian is right, then, that there is likely some level of sacrifice which we are permitted to decline, even when this would achieve a lot of good. However, even if we accept this point, this does not justify the more controversial libertarian proposition that *all* positive duties are unacceptable. Constraints must be sensitive to the stakes of a given situation and, so long as the costs of rescue are reasonable in light of the goods to be secured, one will plausibly be required to make rescue part of their ends.

§2.2.2 – Consequentialist Worries

Consequentialists do not disagree with my characterisation of the duty of rescue *per se*, but would defend the more radical position that one is required to rescue whenever doing so would be impartially best.[70] That is, for them, the ability to do good by *v*-ing is *always* a decisive requiring reason to *v*. Peter Singer, the originator of the *Pond* case, seems to have this view.[71] If correct, this would make the duty of rescue far more demanding than I have characterised it.

I do not think this more extreme version of rescue is plausible.

First, it is highly counter-intuitive in cases involving high costs and degrading treatment. Consider *Violinist*:[72]

> Violinist, a famous musician, suffers from a rare kidney disease that, without treatment, will kill him in the next few weeks. The only way to save Violinist's life is to hook him up to Victim's

[70] Kamm, *Intricate Ethics*.
[71] Singer, 'Famine, Affluence, and Morality'; Peter Singer, *Practical Ethics*, 2nd ed. (Cambridge, UK: Cambridge University Press, 1993); Peter Singer, *The Most Good You Can Do: How Effective Altruism Is Changing Ideas about Living Ethically* (New Haven, CT: Yale University Press, 2015).
[72] Judith Jarvis Thompson, *The Realm of Rights* (Cambridge, MA: Harvard University Press, 1992).

> circulatory system for 9 months. The Society of Music Lovers hook up Violinist to Victim while they are both asleep.

Suppose that Victim, if hooked up to Violinist, would be bed-bound for 9 months, and that both agents are equally situated in all other respects: all have an equal number of years ahead of them, and so on. It seems plausible that Victim is under no obligation to allow her body and time to be used in this way so that Violinist's life can be saved. Furthermore, this is true even though the cost of dying is much weightier than the cost of being bed-bound for 9 months, and the best outcome (impartially considered) is achieved by assisting. As a result, I conclude that Victim is not required to allow herself to be hooked up to Violinist, and may permissibly unplug herself, even if this would bring about Violinist's death as a side-effect. If true, the consequentialist view of rescue must be rejected.

To bolster the claim that Victim is not required to save Violinist, consider variations of the case in which Violinist is awake the whole time.[73] Intuitively, Violinist would be under an obligation to resist being plugged into Victim, and would be required to try his best to stop this from happening. Moreover, if Violinist had a right to Victim's body, and his life was on the line, he would also be permitted to enact a proportionate level of defensive force upon Victim to get access to her blood. However, threats and force of this kind would be almost cartoonishly wrongful, and this highlights further that Victim is not required to save Violinist, even though the interest Violinist has in being plugged in greatly outweighs Victim's interest against being used.

Second, it delivers counter-intuitive results in cases where the net-gain secured by a given sacrifice is small. Consider *Hands*:

> A boulder is rolling down a hill, and is set to break Annie's hand, rendering it unusable for 3 months. Betty can prevent this by diverting the boulder. She can only divert, however, at a cost of breaking *her* hand, rendering it unusable for 2 months.

[73] Frowe, 'The Limited Use View of the Duty to Save', 2021.

Annie faces a serious harm, and Betty can prevent this from occurring at a relatively lower cost, but it is not plausible that she is required to bear the cost of a relatively less badly broken hand for the sake of preventing a slightly worse broken hand for another. This implies that the net-gain of a given rescue must be sufficiently high to make it required. I think this squares with our wider judgments nicely. Suppose, for instance, that the boulder was set to break Annie's hand, rendering it unusable for 2 years. In this variation of the case, Betty is intuitively required to divert. The only change, however, was the net-gain that diverting the boulder brings about. Consequently, I conclude that one will only be required to rescue when the net-gain generated is sufficiently high. This proportionality principle rules out cases when association would only make another's life slightly better on net, or would only prevent serious harms of a slightly weightier degree than the duty-bearer faces in associating. The consequentialist, on the other hand, would simply tell us that one is *always* required to rescue when even trivial gains can be secured. I find this implausible.

The exact justification of this proportionality principle is allusive, but a tentative explanation can be given. Perhaps individuals have an agent-relative prerogative which enables them to weigh their interests more heavily compared to others in a normatively important way.[74] This would mean that A will only be required to bear a cost *x* for the benefit of another *y* when the impartial cost of *x* multiplied by the appropriate agent-relative prerogative is still lower than *y*. If true, this would explain why Betty would be required to save Annie from 1 year of a broken hand at the cost of 2 months of a broken hand, but not required to do so when the benefit to Annie would only be 3 months. Interestingly, this view would also explain why a third-party (Bystander) who can perform a costless diversion of the boulder to either Annie or Betty ought to divert it onto Betty in each case: it is simply the best outcome, impartially considered, and there is no agent-relative prerogative to consider. Proportionality is therefore plausibly sensitive to agent-relative prerogatives and, therefore, will only be satisfied when the net-gain from an act is sufficient to accommodate this fact. The consequentialist, by only adopting only an impartial view on value,

[74] Samuel Scheffler, *The Rejection of Consequentialism* (New York, NY: Oxford University Press, 1982); Thomas Nagel, *The View from Nowhere* (New York, NY: Oxford University Press, 1989); Quong, *The Morality of Defensive Force*.

fails to recognise this. They may reject agent-relative prerogatives, but then it is incumbent upon them to provide an alternative account of (what I have called) the intuitive phenomena.

The consequentialist view therefore fails to cohere with a number of important intuitive judgments. It fails because it does not acknowledge a number of important constraints on maximising the good, namely: a suitably limited means principle,[75] and agent-relative prerogatives.[76] As I have argued, one will be required to take on the end of rescue when doing so would be very good, and these constraints are respected. The consequentialist, on the other hand, says we will be required whenever rescuing would be good. For this reason, I think the view fails to fully capture what matters.

With this notion of rescue in hand, we can now begin to make progress on the issue of when we are required to intimately associate with strangers.

§2.3 – The Rescue Account

If we accept that one has a duty of rescue as outlined above, by parity of argument, I think we must also conclude that one will also be required to intimately associate when these conditions pertain. We can formalise this view on associative freedom in light of the previous section:

> **Rescue Account:** A is required to intimately associate with B if i) B needs A to associate in order to alleviate a serious harm or confer a great benefit to B, ii) associating respects A's agent-relative prerogative, and iii) requiring A to associate does not violate a (suitably limited) means principle.

To motivate the account, consider *Loner*:

[75] Frowe, 'The Limited Use View of the Duty to Save', 2021; Jonathan Parry, 'The Scope of the Means Principle', *Journal of Moral Philosophy* 20, no. 5–6 (2022): 439–60.
[76] Scheffler, *The Rejection of Consequentialism*; Nagel, *The View from Nowhere*; Quong, *The Morality of Defensive Force*.

> Loner is chronically, non-voluntarily socially isolated, and is seriously harmed as a result.[77] Stranger can alleviate this harm by associating with Loner: becoming friends with him or, at the very least, being friendly towards him. Stranger can do this at a cost of associating with Loner for a few hours a week.

I assume that many people will intuitively resist the idea that Stranger is required to associate with Loner in this case, even though they agree that Bystander is required to save Victim in *Pond*. Speculatively, this is because most will be sympathetic to the standard liberal view, and believe that individuals retain a permission to exclude others from their intimate associational orbit even under these conditions. However, if my account of rescue is correct, these familiar intuitions mislead us: Stranger *is* required to intimately associate with Loner. This is because the relevant rescue criteria have been satisfied.

Of course, it would not be enough to say only this – legitimate worries and uncertainties about the analogy remain. First, the repeated nature of cost-bearing may be significant. Second, forming intimate associations with others might generally constitute a supererogatory burden. Third, duties of rescue may apply only in "true" rescue situations, making such duties inapplicable in cases like *Loner*. I respond to these matters in turn.

§2.3.1 – Repeated Cost-Bearing

A significant disanalogy between *Pond* and *Loner* – and generally between paradigmatic rescue cases and cases involving intimate association– is that the former requires a one-off cost, whereas the latter requires repeated sacrifice.

[77] I remain largely agnostic on what constitutes this harm to remain ecumenical. For some account of the harms of social deprivation, see Brownlee, 'A Human Right Against Social Deprivation'; Liao, *The Right to Be Loved*; Kimberley Brownlee, 'On the Right to Be a Social Contributor', *Aristotelean Society Supplementary Volume* 90 (2016): 27–48; Brownlee, *Being Sure of Each Other*.

A specific worry here is that even if the analogy I draw is sound in principle, it may fail to tell us much if association quickly tends towards supererogation: costs accumulate over time and at some point, it is plausible that one will no longer be required to associate. This is true even if each cost is reasonable in isolation. Determining where the line of supererogation should be drawn is therefore important to knowing how durable – and therefore significant – duties of social rescue are.

Drawing on the distributive justice literature,[78] we can begin to get a handle on this issue by making a broad distinction between two general vectors of interest: resources and welfare. Resources represent the means one has to put towards their ends: examples include money, time, and body parts. Welfare, on the other hand, represents how good one's life is actually going at any one time. It is realised value. What counts as welfare is more controversial than resources, but I think it is fair to say that most people would include at least inoffensive pleasure and underserved suffering in their conception of it, and this will suffice for present purposes.

My sense is that the depletion of resources *always* matters diachronically – thereby tending towards supererogation – whilst this is not true for welfare.

The reason for this is that resources are valuable to us insofar as they enable us to pursue our ends, and live an autonomous life.[79] If I lose resources repeatedly, and they are never replenished, I will simply have less and less to put towards my own projects, and the cost of any additional sacrifice therefore accumulates in light of previous sacrifices. Plausibly, when I still have plenty of resources and have many meaningful options open to me, it will be easier for doing a great good to constitute a decisive requiring reason for me to bear a reasonable cost to my resources to achieve a great good. Alternatively, when my options are far more limited or less valuable in nature, it is more plausible that doing good will not constitute such a requiring reason. We must be alert to this risk, then, when costs to one's resources are repeated.

[78] Ronald Dworkin, 'What Is Equality? Part 2: Equality of Resources', *Philosophy & Public Affairs* 10, no. 4 (1981): 283–345; G. A. Cohen, 'On the Currency of Egalitarian Justice', *Ethics* 99, no. 4 (1989): 906–44.
[79] Dworkin, 'What Is Equality? Part 2: Equality of Resources'; Rawls, *A Theory of Justice*.

Conversely, welfare's value *just is* the state it embodies at any one time.[80] Therefore, once a costly episode passes – and one's welfare returns to its pre-sacrifice state – the slate is wiped clean, and there is no cumulative effect relevant to later sacrifices. Consequently, there is no bad-making welfare feature of rescue which will accumulate with further rescues: the cost of assisting is always just as bad as it is in any given episode. Therefore, so long as welfare costs are reasonable, one must always bear them: welfare costs do not tend towards supererogation with repetition.

The central question therefore becomes how we should understand the costs of intimate association. This is a difficult question, but the right answer, I think, is that the temporal element of social rescue is a resource-cost, whilst the exertion-element is a welfare-cost. The reason for this is that time is a finite good the value of which is determined by its use-value in enabling us to pursue our ends, just like money or the use of our hands is. Therefore, the time spent associating with the socially deprived will tend towards supererogation. On the other hand, the exertive costs of intimate associations – expending mental and physical energy, for instance – are ostensibly welfare-costs: their bad-making feature largely[81] *just is* the fact that they constitute an unpleasant and/or tiring feeling. In short, some of the costs of association will accumulate, and some will not.

Given that the relevant accumulative effect on cost primarily attaches to the temporal requirements involved, we should be alert to the risk that after a certain number of hours spent socialising, one will no longer be required to associate – perhaps with anyone – even when the nominal cost of doing so is the same. This places a significant and important constraint on how much persons can be required to bear for the sake of others, even when serious harms weigh in the balance.

I do not think this is an insurmountable problem, however. For one, a few hours a week is unlikely to significantly diminish the range

[80] Derek Parfit, *Reasons and Persons* (Oxford, UK: Oxford University Press, 1984); Derek Parfit, *On What Matters*, vol. 1, 3 vols (Oxford, UK: Oxford University Press, 2011).
[81] I say "largely" because it is plausible that repeated exertion could have some cumulative effects on one's body and mental constitution, but this does, at the very least to be a much weaker relationship.

and value of one's life options. For another thing, there are institutional solutions that may help resist supererogation. A few examples: schemes of national service that get one's required temporal costs out of the way all at once, assisting with life-planning and therefore the quality of one's options,[82] or compensation for duty-bearers in the form of additional free-time (or other resources) to keep one's options as wide as possible despite cost-bearing.[83]

The disanalogy of repeated costs between *Pond* and *Loner* is therefore not decisive against duties of social rescue as such, nor their significance.

§2.3.2 – Supererogation

Another worry might be that our judgments in *Pond* are not relevant to *Loner* because they represent two very different magnitudes of interference: a dirty suit or a finger is a reasonable cost to bear, whereas the burdens of forming and maintaining an intimate association is supererogatory. If true, this would defeat duties to associate, as they would be incompatible with the means principle. This thought is of course connected to the point about repeating costs.

I am not convinced by this thought.

First, it will generally – if not always – be possible to share the burdens of social interaction in a way that lowers the sacrifice required of any one duty-bearer. Moreover, when cost-sharing like this is possible, doing so will be morally required. Consider *Well*:

> Victim is starving at the bottom of a well. Annie and Betty can each pull her up alone, but if they do so they will break their backs. If they pull together, they will be able to save at the cost of being bed-bound for a few days.

[82] Fabre, *Whose Body Is It Anyway?*
[83] For a more thorough treatment of the resource-like value of free time, and its relation to justice, see Julie L. Rose, *Free Time* (Princeton, NJ: Princeton University Press, 2017).

Let us stipulate that breaking one's back to save another constitutes a supererogatory cost. Neither Annie nor Betty is therefore required to pull up Victim on their own. However, they can share the total burden, and render the cost they each bear a reasonable one. It is intuitive that they are required to cooperate in this way, assuming neither was willing to bear the supererogatory cost. This is because their respective options are: a) leave Victim to die or b) save Victim at the cost of being in bed for a few days. Assuming that a few days in bed is a reasonable cost, they are required to bear it by the lights of the duty of rescue. Indeed, they would be so required if these were the options they faced in a rendition of the case where they were alone. Furthermore, the addition of other persons does not seem to change how much one is required to sacrifice, at least when the costs are fixed and each agent is allocated a fair portion of the total cost. Therefore, an implication of Rescue is that agents are required to share costs when doing so is reasonable and necessary.

If this is true, then the same is plausibly true – by parity of argument – in cases of social rescue. Even if social rescues are generally supererogatory when considered individually, then, this just means that persons will be required to band together to share the costs with others. This blunts the force of the supererogatory cost objection when there is a competent collective agent, or set of competent and organised individual agents, that can act accordingly.

Some might flag here that cost-sharing will not be as efficacious in association cases when the justifying social good can only be instantiated through the close and dedicated efforts of a small number of people. This is seemingly the case with a child's need to be loved, for instance.[84] I have no quarrel with this thought; it is true that cost-sharing will be less efficacious in such cases. This just means, I think, that we are less likely to find duties in these cases compared to others, all else equal.

[84] Liao, *The Right to Be Loved*.

Third, compensation can sometimes lessen the overall burden one must bear to deliver a specified good, thereby defusing cost as a decisive permitting reason which furnishes an agent with an option to refuse rescue. Moreover, it is plausible that agents will be required to compensate when it will have this effect, so long as doing so is reasonably costly. Consider *Arm*:

> Like *Pond*, but Bystander can only save Victim at the cost of an arm. Andy has reliably promised Bystander that he will replace his arm with a perfect prosthetic that is indistinguishable from his original arm if he saves.

Let us assume that the cost of an arm is ordinarily supererogatory. Despite this, Bystander is required to save, given the fact that Andy is going to perfectly compensate him if he saves. This is because Andy's compensation lowers the total cost of rescue for Bystander to zero, and agents are required to prevent great harms to others when doing so is not costly (up to a point of reasonable cost). Presumably, this is because the opportunity to do a great good is a requiring reason to act absent a decisive permitting reason which retains an alternative option. Ostensibly, the cost of an arm *would* have been such a permitting reason but for Andy's compensation: Andy is now, therefore, required to rescue because he has been compensated.

I also think that Andy is *required* to compensate Bystander in this way, so long as this is reasonably costly. This is because the prospect of achieving a great good by *v*-ing also furnishes Andy with a requiring reason to *v*. Furthermore, we have established that when one can achieve a great good at a reasonable cost by *v*-ing, this reason to *v* will be decisive. Assume then, that, in lieu of compensation, Bystander would not save Victim: he would exercise his option to refuse in light of the costs. As per the case, Andy can give Bystander a requirement to rescue, thereby spurring Bystander to act, indirectly saving Victim's life. If saving Victim's life is a great good, and Andy can furnish Bystander with a duty at a reasonable cost, it seems that Andy is required to do so by the lights of rescue. Therefore, not only can compensation defeat otherwise decisive permitting reasons to avoid doing good, but the opportunity to compensate can sometimes furnish agents with a requirement to do so if this will indirectly bring about a great good, and doing so is reasonable.

Well-placed individuals and/or collective agents will therefore sometimes have duties to compensate those who face supererogatory burdens in associating, so that they will be required to associate. Such cases also put pressure on the thought that association will often be supererogatory.

All in all, then, there are good reasons to resist the idea that the burdens involved with intimate association will be so costly that they will be generally supererogatory. This will be true even if we make uncharitable assumptions about how costly they will be. Therefore, I do not think this constitutes a troubling disanalogy between *Pond* and *Loner*, either.

§2.3.3 – Emergency Situations

Another potential issue for my extrapolation of duties of rescue to cases like *Loner* is that such duties may only truly apply to "rescue-situations".[85] That is, perhaps duties of rescue are sui generis to rescue situations, and cannot be justified by appeal to a broader duty to do good, as I have argued. If true, the analogy I draw would face a serious objection: there would be no generalisability from classic rescue cases to standard social deprivation cases because I have misunderstood the nature of rescue itself. *Some* social deprivation cases might be emergency cases, but given the nature of the harms involved, this will be rare, diminishing the significance of the paper's view.

David Miller, a proponent of this sui generis interpretation of rescue, has recently criticised something like the version of rescue I have defended.[86] He does so by offering the following case, *Aid Worker*:

> Victim is drowning. Bystander can save him at the cost of his expensive suit. However, Bystander is just his way to the

[85] Fiona Woolard, *Doing and Allowing Harm* (Oxford, UK: Oxford University Press, 2015); David Miller, 'The Nature and Limits of the Duty of Rescue', *Journal of Moral Philosophy* 17, no. 3 (2020): 320–41.
[86] Miller, 'The Nature and Limits of the Duty of Rescue'.

> airport to catch a flight. If he does not make his flight, the aid mission he is leading will stall, and many people will die.

According to Miller, it is intuitive that Bystander is required to rescue Victim, even if doing so would fail to do the most good. Miller then infers from this intuition that the duty of rescue cannot be subsumed under a more general duty to do good. Presumably, this is because if doing a great good furnishes us with a decisive reason to act when the costs are reasonable, we must surely also lose the option to bear similar costs for a lesser good given the gratuitous bad we would have failed to avert. Miller believes that *Aid Worker* shows that such a requirement is not present in rescue cases, and, therefore, concludes that rescue must be about something else other than doing good. Instead, requirements to rescue are said to be responsive to the *kind* of situation a would-be rescuer finds themselves in with a needy person. That situation is said to be marked by features typically found when one is in close proximity to an emergency situation: a) the victim is uniquely vulnerable to that individual, b) there is a personal encounter between the victim and rescuer, and c) the needy person is in the rescuer's personal space. People outside of this unique situation might have *reasons* to assist, Miller says, but not requiring reasons.

I do not think Miller's view is decisive against my interpretation of rescue and, *a fortiori*, nor is it decisive against the analogy I draw between *Pond* and *Loner*.

First, while I acknowledge the intuitive pull of *Aid Worker*, I think we have reasons to doubt that these intuitions should be afforded much authority. Consider *Buttons*:[87]

> Andy has two buttons in front of him. Button A prevents 3 people from drowning. Button B prevents 1 person from drowning. All 4 people drown if Andy does nothing.

I think Andy is required to press Button A. This is because he can prevent serious harm at a reasonable cost, and therefore has a duty to rescue. Furthermore, the additional good achieved by saving 2 additional lives seems a decisive factor to prefer him having a duty

[87] This style of case was inspired by Theron Pummer, 'Impermissible yet Praiseworthy', *Ethics* 131, no. 4 (2021): 697–726.

to press the first button rather than the second. For this reason, I also think Andy would act wrongly if he pressed Button B, and chose to save the one at the expense of the two. In short, I believe that in this case i) the opportunity to do a great good constitutes a decisive requiring reason to save, and ii) the additional good posed by Button A relative to Button B eliminates B from our moral options. This puts some immediate intuitive pressure on Miller's claim that saving 1 at the expense of (at least?) 2 in *Aid Worker* is permitted.

It is also doubtful that Miller's rescue criteria will be decisive against Avoiding Gratuitous Worseness.

Reconsider *Buttons*. Suppose that the 1 is just on the other side of some two-way glass in front of Andy, whereas the 3 are a few blocks over. Miller's view would seemingly tell us that, because the 1 is in the personal space of the rescuer, this should count strongly towards Andy pressing Button B, even if the 3 die as a result. But I find this very hard to believe. I think the important fact is not the distance between Andy and those he can save, but the good that can be achieved with the options available. If this is true, however, it does not seem relevant whether or not Aid Worker must get on a plane to save 3 lives, or not.

Now, suppose that all victims are equally close to Andy, but he can only see and interact with the 1: there are two separate panes of two-way glass in front of him, but only the glass separating him from the single potential victim has been removed. The 1 calls out to Andy, and asks him to help. In this case, Andy has formed a significant "temporary relationship" by Miller's lights: "once the rescuer has directly confronted the victim as another human being in desperate straits, it would be appalling simply to turn and walk away on the grounds that it was inconvenient to offer help."[88] I agree with Miller that it would be appalling to decline help to the 1 on the grounds that it would be inconvenient. But this is not the same thing as declining help on the basis that there are others who are in desperate need. While the 1's need may be more salient to me, it is unclear why mere salience should have the moral force of generating a requirement to save, especially when many more need

[88] Miller, 'The Nature and Limits of the Duty of Rescue'.

my help.[89] It is far more plausible, I think, that even when there is a personal encounter, this does not defeat Avoiding Gratuitous Worseness.

I think this suffices to show that the intuition-pumping role of *Aid Worker* is dubious, and we should not put too much stock into it when considering how the duty of rescue is best understood. Even if intimate association cases are not paradigmatic rescue cases, then, it is still plausible that the analogy holds.

Second, it is less theoretically mysterious to ground the duty of rescue on a general duty to do good than it is to ground in as a standalone duty of justice. As Miller himself acknowledges, there is nothing inherently morally important about distance, and much of the impetus of defending the sui generis view of rescue against the do-gooder view comes from the *Aid Worker* case. A much more simple and intelligible explanation for duties of rescue is the inherent and obvious importance of doing good. Interpreting rescue as a sui generis duty then seems, in comparison, to rely on some "dangling"[90] intuitions without clear bases.

All in all, I do not think the sui generis account of the duty of rescue is plausible. Consequently, I do not think it poses a strong challenge to my account of rescue, or the analogy I seek to draw between classic rescue cases and association cases. Therefore, even if intimate association cases are not marked by the same features as paradigmatic cases of rescue, the mere fact that they represent an opportunity to prevent serious harm to another at a reasonable cost to oneself is enough for parity of argument to hold.

Stranger is therefore required to intimately associate with Loner *for the same reasons* that Bystander is required to save Victim in *Pond*. Generally speaking, then, persons will be required to intimately associate with others when doing so will achieve a great good at a reasonable cost.

[89] F. M. Kamm, 'Does Distance Matter Morally to the Duty to Rescue?', *Law and Philosophy* 19, no. 6 (2000): 655–81.
[90] Shelly Kagan, *The Limits of Morality* (New York, NY: Oxford University Press, 1989).

Now Rescue has been articulated, it will pay to reflect back on the two alternative views of associative freedom sketched at the start.

§2.4 – The Classical Liberal View

As mentioned, an alternative to Rescue is the classical liberal view of associative freedom. (CLV). Brake[91] and Cordelli[92] each seem to hold something like this view in the social rights literature, specifically. We can formally define it like so:

> **Classical Liberal view**: Outside of pre-existing relationships,[93] agents are never required to intimately associate with others, even when serious harms are on the line.

This view does seem more intuitive than Rescue in some significant cases. Consider *Marriage Proposal*:

> Annie receives a marriage proposal from Betty. Annie knows that, if she refuses the proposal, Betty will fall into a bout of severe psychological turmoil that would ruin her life.

By the lights of CLV, Annie is not required to marry – to intimately associate – with Betty despite her facing serious harms. I agree. Importantly, I agree with this judgment even if we stipulate that Annie would be happy in the marriage. Suppose, for example, that Annie and Betty are good acquaintances that enjoy each other's company, and both share similar views on what a marriage should

[91] Elizabeth Brake, 'Fair Care: Elder Care and Distributive Justice', *Politics, Philosophy & Economics* 16, no. 2 (May 2017): 132–51, https://doi.org/10.1177/1470594X15600831; Elizabeth Brake, 'Rights to Belong and Rights to Be Left Alone?: Claims to Caring Relationships and Their Limits', in *Being Social*, ed. Kimberley Brownlee, David Jenkins, and Adam Neal, 1st ed. (Oxford University PressOxford, 2022), 211–33, https://doi.org/10.1093/oso/9780198871194.003.0012.

[92] Chiara Cordelli, 'Justice as Fairness and Relational Resources', *Journal of Political Philosophy* 23, no. 1 (March 2015): 86–110, https://doi.org/10.1111/jopp.12036.

[93] This excludes the matter of whether special relationships which are freely consented to generate obligations. I assume many proponents of Side-Constraint will not take issue with that point.

look like. Perhaps Annie is even attracted by the idea of accepting the proposal for these reasons. Despite this, Annie is still not *required* to associate. Would refusal make Annie liable to the responses appropriate for wrongdoers? Could Betty be justifiably resented by Annie for refusing the marriage? Could a third-party threaten force proportionate to the harm the marriage would prevent? I think the answer to all these questions is a straightforward No. If this is the case, however, it is implausible to think that Annie is required to intimately associate even if doing so would prevent serious harms at a reasonable cost to herself.

This is a very nice result for CLV contra Rescue: it gives plausibility to the thought that persons are not required to intimately associate with others even if doing so would do a lot of good *and* (ostensibly) would not be costly for the prospective duty-bearer.

How should this inform how we understand Stranger's obligations in *Loner*? I think accepting the judgment that association is not required in *Marriage Proposal* gives us a strong reason to make the same judgment in *Loner* given their structural similarities. CLV therefore cuts an appealing and instructive shape on first glance, and mounts a real challenge to Rescue.

Despite this, I still believe that CLV should be rejected in favour of Rescue. My objection comes in three parts. First, I think CLV has some very implausible implications. Second, once we more thoroughly analyse *Marriage Proposal*, we see that there are better explanations of our judgment that align with Rescue. Third, accepting its truth risks proving too much.

§2.4.1 – Counter-Intuitive Implications

Whilst CLV looks good in cases like *Marriage Proposal*, it looks much less good in other cases. Consider *Stalker*:

> Victim is being followed by Stalker. To escape him, she goes into a bar and asks Stranger if he can stay and talk with her. If Stranger refuses, Stalker will know Victim is alone, and will wait outside to assault her. If Stranger accepts, Stalker will leave her alone.

I think it is intuitive that Stranger is required to associate with Victim, and be friendly towards her, for a considerable amount of time in order to protect her from Stalker. Suppose that after half an hour or an hour of time spent associating, Stalker is still outside, watching Victim. Could Stranger leave? I think not. Furthermore, we have good reason to think that our intuitions are not only responding to considerations of justice and not beneficence.[94] For one, Victim would have the standing to blame Stranger if he left her alone. For two, I think Stanger would be an appropriate target of resentment and indignation if he left.

The CLV is incompatible with this judgment, however. This is because it committed to the principle that Stranger has a wide and indefeasible permission to associate with whom he wants, even if his choices allow great harms to occur. This is the principle we deemed plausible in *Marriage Proposal*. But this same thought is highly counterintuitive in *Stalker*. In some cases, then, we *will* want to say that one is required to associate if this can prevent serious harms.

Of course, *Stalker* is not strictly speaking an intimate association case: it is merely a one-off interaction. It is also not a case involving much sacrifice. Given this, we might concede that CLV gets non-intimate association cases wrong, but it nevertheless gets intimate association cases like *Marriage Proposal* right. If true, Rescue would still face a strong challenge by CLV.

CLV also has counter-intuitive implications in intimate association cases, however. Consider *Orphan*:

> Child has been separated from her parents due to a conflict in her country. The humanitarian aid offered is basic and impersonal. She has been told that it will 6 months at least before she is reunited with her parents.

[94] Understood as an undirected duty to do good when this is easy. The distinction is captured well in the associational context in Laura Valentini, 'What's Wrong with Being Lonely? Justice, Beneficence, and Meaningful Relationships', *Aristotelean Society Supplementary Volume* 90 (2016): 49–69.

> Child approaches Family as they pass by, asking them to take her in.

Let us stipulate that without the care and security of an intimate, caring relationship, Child will face serious harms. I think it is intuitive that Family are required to take in Child, and form an intimate, caring relationship with her. Ostensibly, this is because the harms on the line for Child are serious, and the costs to Family are moderate: the imposition on them is strictly temporary and, assuming Child needs active interaction and supervision for only a few hours in the morning and evening – when she is not in school – the overall burden does not seem supererogatory. Further, assuming there are multiple well-placed adults on hand to assist, cost-sharing will also be possible. CLV, however, cannot deliver this judgment: its commitment to the right to exclude would rule out the prospect of Family being required to associate with Child, even if cost-sharing is possible, and even if the costs are temporary. I find this hard to believe, however, especially when the stakes of association on each side of the coin are so asymmetrical, and the absolute cost to Family is fairly low.

Of course, if the cases turn out to be structurally analogous, CLV will have the edge, given that *Marriage Proposal* represents far greater intuitive force than *Orphan*. However, it would be better to provide an account of associative freedom which can make our judgments coherent, and this is consequently a key theoretical desideratum. Below, I explain why Rescue – but not CLV – can deliver this coherence.

§2.4.2 – Explaining Marriage Proposal

CLV rightly tells us that Annie is not required to marry Betty, even if doing so would prevent Betty from serious harm, and this would not be costly. But this does not support CLV. Even though Annie is not required to marry Betty, this does not mean that persons will *never* have an obligation to associate with another person when serious harms are on the line. We saw the intuitive plausibility of this with *Stalker* and *Orphan*.

One relevant, overlooked feature in *Marriage Proposal* that might generate undue attractiveness for CLV is that the stakes to be weighed on each side are not exhausted solely by those that arise from the content of the marriage *itself* would be like (which may even present a net-benefit to Annie!), but – crucially – also those that would accrue to Annie by virtue of her having *no choice* but to marry Betty. Indeed, being required to marry someone severely diminishes the ability of an agent to shape their own life and pursue their own projects as they see fit, independent of the content of the relationship itself: it curtails one's associational powers and forces them to make another person a central part of their life and future projects. In other words, it requires persons to relinquish a large part of the control they are able to exercise over an important domain of in their life: their interpersonal relationships.[95] Given that such powers are highly valuable, it would be unreasonable to interfere with others in a way that restricted them to such a grave extent, and this plausibly explains why Annie is not required to associate in *Marriage Proposal*. I assume proponents of CLV would agree with me.

Being required to marry Betty, then, presents an unreasonable cost for Annie, even if it was certain that Annie would be happy and fulfilled in the marriage. As a result, we should understand *Marriage Proposal* as another case of supererogatory cost, as opposed to being indicative of a much wider and indefeasible permission to exclude attached to intimate association specifically.

Recognising costs to one's autonomy in such cases does not, then, support CLV. This is because costs to autonomy and power over one's relational domain come in degrees and, when associating presents a sufficiently low burden on this score *as well as* the others, it will plausibly be required. Indeed, conceiving of autonomy-costs and the restriction of powers in this scalar fashion helps explain our different intuitions in *Marriage Proposal*, *Stalker*, and *Orphan*: requiring Stranger to stay for a few hours in a pub and associate with someone is not unreasonably costly in its content, nor is it an unacceptably autonomy-diminishing even if he has no choice. The same can be said for the temporary association

[95] Something similar to this view on the value and justification of normative powers is given by Victor Tadros, 'Appropriate Normative Powers', *Aristotelean Society Supplementary Volume* 94, no. 1 (2020): 301–26.

required of Family. Stranger is therefore plausibly required to associate in both cases.

As a result, while CLV *seems* to gain purchase in cases like *Marriage Proposal*, it only does so if we fail to fully recognise the costs of requiring someone to intimately associate, and make another person such a significant feature of our lives against our will, independent of the costs of that association as such. When both of these kinds of costs are sufficiently low, persons will plausibly be required to associate. Given that cases like *Marriage Proposal* are key cases used to support CLV, this is a big blow to the plausibility of the view. Proponents of CLV might accept this but say that any cost to one's autonomy is so infinitely weighty that it effectively constitutes a side-constraint on what they can be required to do. But this move is both very counter-intuitive (as we see in *Wrench, Pond,* and *Stalker*) and, to borrow a phrase from Nozick, gimmicky.[96]

As an aside, the distinction between the costs of *v*-ing and the costs of being required to *v* is instructive across a wide range of phenomena. We do not typically think, for instance, that people are required to become firefighters on the grounds that i) they would prevent lots of harm if they did and ii) they would enjoy being a firefighter even if they were forced. I postulate that this is because requiring someone to be a firefighter would impose a serious cost on them at the bar of occupational freedom, and would infringe the ability of persons to shape their own lives to an unacceptable extent. Conversely, many people find it intuitive that mandatory but strictly temporary public service – perhaps including being part of the fire service – is not wrongful, and may even be required. We can explain such differences by pointing to differences in the *extent* to which one's autonomy is diminished by being required to *v*, and this is consistent with the difference I have said exists between the various cases.

§2.4.3 – Proving Too Much

[96] Nozick, *Anarchy, State, and Utopia*.

Finally, I wish to briefly highlight the wider intuitive costs of accepting CLV. Namely, if the view tells us that persons should not be required to sacrifice for ends they have not themselves chosen, even when serious harms are on the line, how can it plausibly differentiate between cases like *Marriage Proposal* and *Pond* (or *Buttons*)?

Most find it absolutely clear that Bystander is required to save Victim in *Pond*, and see this as something of a core judgment or fixed point: if a moral theory could not deliver the result that rescuing is required, it would fail to be a plausible moral theory. CLV, as I have articulated it, sets hard constraints on what persons can be required to do for the good of others in the *associational* realm. But why stop there? Why not take the full-blooded libertarian position that one has no interpersonal positive duties at all? Some sympathetic to CLV may wish to resist this, and suggest that we can have a positive duty to jump into a pond, but not to associate. But I find this worryingly ad-hoc: if respecting one's power to shape their own life as they see fit places a constraint on the pursuit of moral goals, why would this not be true generally, and only limited to cases of association where the idea, admittedly, looks most plausible? I am not sure how one could render a plausible defence of this cut.

Therefore, I think proponents of CLV, to be consistent, must conclude that at least a very wide range of positive duties are off the table, including duties to rescue in *Pond*. Some are willing to bite this bullet.[97] I, however, am not, especially if we can provide an account which is plausible across the relevant cases.

Rescue, by delivering plausible results across the various cases, is therefore a more attractive vision of associational freedom than CLV is. For this reason, it should be preferred.

§2.5 – The Social Rights View

[97] Notably, some Kantians and almost all libertarians.

Another alternative to Rescue is the social rights view (SRV). Brownlee offers perhaps the most significant and well-developed version of SRV, and so it makes sense to engage with her work specifically.[98] We can formalise her view like so:

> **Social Rights view**: A has an obligation to associate with B if i) B requires A associating with them to defend or maintain a weighty interest, ii) the costs to A in associating with B are less than the costs represented by B's unmet social needs, and iii) the required association is not of an unacceptable form.

Brownlee's view has something of a consequentialist flavour in its core cases, given a commitment to weighing: when A has an interest in exercising control over their associative realm, and B has an interest in being associated with, B's interest will be duty-conferring on A if their interest is stronger. There are some constraints, however, so it is not a strictly consequentialist view. One will not be required to associate when the association in question is of an unacceptable *form*, as differentiated from its content[99]: it cannot be grossly invasive, intrusive, or violative, for instance. There is no duty to provide another person with sex, or to associate with an "intolerable" person, for this reason.[100] Given that the bar is set fairly high as per its constraints, though, I think it is fair to say that the operative principle of the account is simple weighing. Brownlee implies this in a number of places:

> Given the fundamental importance of [having] associates when we are abjectly dependent and to have opportunities to form associations when we are not abjectly dependent—the negative claim-right to refuse association is overridden when those competing positive claim-rights cannot reasonably be met through other means.[101]

[98] Brownlee, 'Freedom of Association: It's Not What You Think'; Kimberley Brownlee, 'Ethical Dilemmas of Sociability', *Utilitas* 28 (2016): 54–72; Brownlee, *Being Sure of Each Other*.
[99] Brownlee, *Being Sure of Each Other*.
[100] Brownlee, 'Freedom of Association: It's Not What You Think'; Brownlee, *Being Sure of Each Other*.
[101] Brownlee, 'Freedom of Association: It's Not What You Think'.

> Since protection of children's positive social rights is a prerequisite for future associative control, it necessarily trumps others' negative rights to refuse association.[102]
>
> [H]aving adequate social connections is a precondition not only for the development, but also for the *maintenance* of our social abilities, and therefore it takes priority over others' negative associative freedom… [103]

To motivate the view, consider *Baby*:

> Without intimate association, Baby will suffer serious setbacks to their welfare and future autonomy. Stranger can associate at the cost of a severe restriction on his own associative control for 12 years.

SRV maintains that Stranger is required to associate with Baby.[104] This is because a drastic-yet-temporary cost to one's associative interests is less weighty than a permanent loss of associative control and, therefore, the conflict between Baby and Stranger ought to be resolved in Baby's favour. Moreover, associating and caring for a child is not wrong-in-form: raising a child is not degrading or intrusive.

I assume that some will be sympathetic to this judgment and find the commitments of the theory attractive. Despite this, SRV ought to be rejected and the Rescue Account preferred. My objection comes in two parts. First, I think that SRV's reliance on simple weighing as an operative principle is counter-intuitive and theoretically implausible. Second, SRV's introduction of side-constraints to manage these difficulties is generally unconvincing.

§2.5.1 – Weighing

Reconsider *Violinist*. As argued above, it is highly implausible that Victim is required to hook herself up to Violinist, even though

[102] Brownlee, 'Ethical Dilemmas of Sociability'.
[103] Brownlee.
[104] So long as the duty is properly directed to him. Perhaps he has been selected by a fair procedure, is the only one around (or willing) to do so etc.

Victim's interest in *not* being hooked up is much weaker than Violinist's in being saved. Specifically, this is because treating Victim in this way would violate the means principle, insofar as it would use her body in a way incompatible with her status as an autonomous agent, free to select her own ends. This was one of the reasons why we rejected the consequentialist interpretation of the duty of rescue.

I think a similar worry attaches to SRV given its similar reliance on weighing. Perhaps *Violinist* does not have much force against SRV because it is a case involving a grossly invasive and intrusive act – kidnapping – which would be ruled out in any case. However, a suitably revised iteration clarifies the difficulties SRV faces. Suppose that, instead of kidnapping Victim, the Society of Music Lovers merely approaches Victim asking for access to her circulatory system, explaining that she is the only one who can save Violinist, and so on. Is it plausible that Victim is required to agree to this request, and would wrong Victim if she declined, even if we accept that kidnapping would be too invasive and degrading as a *means* to hook her up? I do not think it is: the cost of being bed-bound and used as a life-saving resource for 9 months, while much better than dying, is still supererogatory given the magnitude of the imposition quite independently of the way in which Victim is spurred to assist.

Furthermore, assuming Victim *is* required to assist, what would the Society of Music Lovers be permitted to do if Victim refused? Could they resent and blame her for refusing? Could they threaten her with force? If she *is* required, and Violinist's life is on the line, it seems like even a high level of force would be proportionate. Moreover, if it is only the kidnapping which is objectionable, why should Victim be permitted to *unplug*? It does not seem that she would be, even if she was kidnapped – she might be owed compensation for the way that she was treated, and the wrongdoers would be liable to punishment, but if she was required to assist anyway, I cannot understand why she would be so permitted. If these are the implications of an SRV-style analysis of the case, however, I do not think it is a plausible view. More attractive is simply recognising that weighing will ask too much of people in cases where there are high costs for duty-bearers, even when there are even higher costs for the needy. Put in SRV's terms:

there are limits on what an association can look like for it to be required that cannot be captured by weighing alone. We must recognise constraints beyond weighing on social duties, then, even when an association's form is acceptable: i) a limited means principle, and ii) respect for agent-relative prerogatives.

This worry also applies, by parity of argument, to SRV's treatment of intimate association cases. Reconsider *Baby*. As per the above, I do not think Stranger is required to sacrifice so much in order to satisfy Baby's social needs: dedicating 12 years of one's life to a highly intense intimate association seems supererogatory, despite the high costs to Baby, even if the association is not degrading or intrusive. For this reason, SRV seems less plausible than Rescue, given its reliance on simple weighing as its operative principle, and the minimal side-constraints it employs. Rescue acknowledges more demanding constraints on when one will be required to associate with others and, for this reason, I think it should be preferred.

§2.5.2 – Reasons to Limit

Theoretically, Brownlee's limits on weighing are grounded in a human rights account, aligned with writers such as Nickel[105] or Liao[106], intended to reflect the conditions for a minimally decent human life. This is why certain kinds of treatment – forced sex, mandatory abusive contact – are said to be forbidden, even when they would pass a weighing test with others' social needs. I share the verdict, of course, but I have two worries.

For one, while forced sex and abusive contact are clearly wrongs, and not the subject of moral requirements, it is not clear that all such tokens of these wrongs would render one's life less than minimally decent. This is a very strong claim that we need not make. Many rape survivors, sex workers, and victims of bullying and domestic abuse for example can and do go on to live good lives.

[105] James W. Nickel, *Making Sense of Human Rights: Philosophical Reflections on the Universal Declaration of Human Rights* (Berkeley: University of California Press, 1987); James W. Nickel, 'Poverty and Rights', *The Philosophical Quarterly* 55, no. 220 (July 2005): 385–402, https://doi.org/10.1111/j.0031-8094.2005.00406.x.
[106] Liao, 'The Right of Children to Be Loved'; Liao, *The Right to Be Loved*.

But if this is true, we cannot appeal to the value of a minimally decent life alone to justify plausible constraints on associative freedom. We need also to appeal to a notion of excessive costliness and wronging which stands independent of, and goes beyond, one's claim to a minimally decent life. I believe a limited means principle and agent-relative prerogatives can convincingly capture such a thought.

For another thing, the idea of a minimally decent human life might be subject to a vagueness concern, given that it is difficult to generalise the account to other kinds of costs: how are we to know when a cost is comparable to forced sex – and therefore supererogatory – or not, by the lights of SRV? Rescue, on the other hand, is clearer in how its side-constraints operate, and what justifies them: a commitment to the separateness of persons, and the status of individuals as autonomous agents. While still not *highly* precise, this does give at least some indication of where the line should be drawn on the demandingness of social duties in a way that is action-guiding.

These thoughts give us more reasons to doubt that SRV fully captures what matters for associative freedom. The moderate non-consequentialism of the Rescue Account fares better, I think, and should therefore be preferred.

§2.6 – Conclusion

Agents *do* have interpersonal social obligations towards one another, but these obligations will be limited by the criteria of Rescue. For individuals, this means they are required to associate with each other when they can perform acts of social rescue, and will plausibly be required to perform such acts repeatedly for an extended period. Individuals will also have derivative obligations to share the burdens of sociability collectively, in order to ensure that the costs each face are reasonable. Stranger, then, will be required to associate with Loner in *Loner*, and this is true for *the same reasons* that Bystander is required to save Victim in *Pond*.

This approach is in contrast to those provided by the two major alternative views in the literature, which rules out the prospect of associative duties between strangers, or permits too many of them. Rescue charts a middle-course between these two extremes: it takes the social needs of persons seriously, whilst never losing sight of the stakes of associating to those well-placed to help.

Chapter 3

Feasibility and Social Rights

Feasibility and Social Rights[107]

Charlie Richards

Abstract

Social interactions and personal relationships are essential for a minimally good life, and rights to them have been increasingly acknowledged in the literature. However, the question of their feasibility remains. Can individuals reliably provide each other with love and friendship after trying? At first glance, this claim seems counterintuitive. This paper argues, contrary to our pre-theoretic intuitions, that individuals can reliably provide each other with these relational emotions, making rights to them feasible. This surprising conclusion challenges the assumption that such emotions cannot be commanded and suggests that claiming love or friendship as a matter of justice is possible. Even "thick" social rights, therefore, are deemed to be feasible.

[107] Thanks to the editors and two anonymous reviewers at *Politics, Philosophy & Economics* for their responses, and to audiences at the Philosophy, Ethics and Killing (PEAK) workshop in July 2022, and the Oxford Work-in-Progress in Political Theory seminar (OWIPT) in February 2022, for helpful discussions. I am particularly grateful to Robert Cheah, Gideon Elford, Cécile Laborde, David Miller, and Zofia Stemplowska for their insightful suggestions and comments on earlier versions of this article.

§3 – Introduction

It is typically thought that individuals have rights to (at least) that which is necessary for the living of a minimally good life [108]. We can make sense of rights to subsistence, shelter, safety, and, perhaps, even bodily organs [109] through this notion. Recently, there has been a growing literature defending the idea that persons require social interactions and personal relationships in order to live a minimally good life [110]. This thought is an intuitive and empirically supported one.[111] It is also especially persuasive in the context of children given their developmental requirements.[112] As a result, there is an increasingly popular view that if we think persons have rights to things which are necessary for a minimally decent life, they also have rights to social interactions and personal relationships: they also have social rights.[113] Examples of such social rights might include the right to love, the right against social deprivation, the right to friendship, or the right to a fair opportunity to form social bonds.

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[108] James Nickel, *Making Sense of Human Rights* (Oxford, UK: Blackwell Publishing, 2007).

[109] Cécile Fabre, 'Justice and the Compulsory Taking of Live Body Parts', *Utilitas* 15 (2003): 127–50.

[110] Kimberley Brownlee, 'A Human Right Against Social Deprivation', *The Philosophical Quarterly* 63 (2013): 199–222; Kimberley Brownlee, *Being Sure of Each Other* (Oxford, UK: Oxford University Press, 2020); S. Matthew Liao, 'The Right of Children to Be Loved', *Journal of Political Philosophy* 14 (2006): 420–40; S. Matthew Liao, *The Right to Be Loved* (Oxford, UK: Oxford University Press, 2015).

[111] Margaret Eames, Yoav Ben Shlomo, and Michael G. Marmot, 'Social Deprivation and Premature Mortality: Regional Comparison across England', *British Medical Journal* 307 (1993): 1097–1102; John T. Cacioppo et al., 'Loneliness and Health: Potential Mechanisms', *Psychosomatic Medicine* 64, no. 3 (May 2002): 407–17, https://doi.org/10.1097/00006842-200205000-00005; Caitlin E. Coyle and Elizabeth Dugan, 'Social Isolation, Loneliness and Health Among Older Adults', *Journal of Aging and Health* 24, no. 8 (December 2012): 1346–63, https://doi.org/10.1177/0898264312460275.

[112] Social deprivation can severely stunt the neurological and behavioural development of children, increasing their risk of cognitive underdevelopment, more frequent illness, physical underdevelopment, depression, severe learning disabilities, and/or early death. For references to the relevant literature, see Liao, 'The right of children to be loved'.

[113] For some readers, the term "social rights" may illicit a different set of concepts – namely, positive welfare rights. I use the term "social rights" because that is the term used in the literature pioneered by Brownlee, and I think it is a useful, pithy term to capture what I am interested in.

However, as has been made clear elsewhere [114], having a sufficiently weighty interest in something is not enough in and of itself to ground a right. This is because (claim) rights infer duties [115] and, if there is no duty that can feasibly satisfy the claim, there can be no right [116]. This fact is a particular issue for social rights because, in many places, they also infer rights to relationships: social interactions characterised by relational emotions such as friendship, love, and/or romance. Traditionally, relational emotions have not been seen as "commandable" in the way needed to be eligible for duties [117] – if this is true, then it seems as if there could be no duty to provide another with a personal relationship, given the unfeasibility of doing so at will. As a result, it might be that social rights are specially unfeasible – and therefore non-rights – given the claims they aim to realise, irrespective of how important such things are for individuals' interests.

Surprisingly, there has yet to be a sustained treatment of whether social rights meet the feasibility condition, and qualify as rights.[118] This is a problem given that coming to a view on this matter is crucial: not only to clarify the current potential of social rights qua rights, but also to engage with worries that social rights are

[114] Pablo Gilabert, *Human Dignity and Human Rights* (Oxford, UK: Oxford University Press, 2018).
[115] W. Cook, ed., *Fundamental Legal Conceptions* (New Haven, CT: Yale University Press, 1919).
[116] Nicholas Southwood, 'Does "Ought" Imply Feasible?', *Philosophy & Public Affairs* 44 (2016): 7–45.
[117] Anca Gheaus, 'Love and Justice: A Paradox?', *Canadian Journal of Philosophy* 47 (2017): 739–59; Immanuel Kant, *The Metaphysics of Morals*, ed. L. Denis, trans. M. Gregor, Revised Edition, Cambridge Texts in the History of Philosophy (Cambridge, UK: Cambridge University Press, 2017); Liao, 'The Right of Children to Be Loved'.
[118] S. Matthew Liao, 'The Right of Children to Be Loved', *Journal of Political Philosophy* 14 (2006): 420–40; Kimberley Brownlee, 'A Human Right Against Social Deprivation', *The Philosophical Quarterly* 63 (2013): 199–222; S. Matthew Liao, *The Right to Be Loved* (Oxford, UK: Oxford University Press, 2015); Laura Valentini, 'What's Wrong with Being Lonely? Justice, Beneficence, and Meaningful Relationships', *Aristotelean Society Supplementary Volume* 90 (2016): 49–69; Anca Gheaus, 'Love and Justice: A Paradox?', *Canadian Journal of Philosophy* 47 (2017): 739–59.

specially unfeasible in a way that renders them non-existent. This paper seeks to provide an answer to this question, asking: are social rights feasible?

For the sake of argument, I take a couple of things for granted.

First, I remain agnostic on whether or not social rights as I characterise them here are attractive all things considered. There may be reasons – at the bar of freedom of association [119] for instance – for why such rights should not be realised. The matter of attractiveness, however, is orthogonal to the question of whether they could be realised, which is the focus of the present discussion. I bracket that other set of problems.

Second, I do not wish to give a definitive account of why social rights are justified in the first place, and remain agnostic – as far as I can – about the precise set of interests that ground social rights. These matters, again, are not crucial for the present question and I set them to one side.

Third, I am not seeking to establish that social rights are generally feasible in all cases, but only that they are not specially unfeasible in a way other (accepted) rights are (presumably) not. For what it is worth, I understand the prior to be true if the latter is true. However, this view is not uncontroversial[120] and, in light of this, I

[119] Kimberley Brownlee, 'Ethical Dilemmas of Sociability', *Utilitas* 28 (2016): 54–72; Stuart White, 'Freedom of Association and The Right to Exclude', *Journal of Political Philosophy* 5 (1997): 373–91.
[120] Katherine Eddy, 'Against Ideal Rights', *Social Theory and Practice* 34 (2008): 463–81; Pablo Gilabert and Holly Lawford-Smith, 'Political Feasibility: A Conceptual Exploration', *Political Studies* 60, no. 4 (2012): 809–25; Holly Lawford-Smith, 'Understanding Political Feasibility', *Journal of Political Philosophy* 21, no. 3 (2013): 243–59.

opt for the more limited claim, leaving readers to draw their own conclusions on the larger question of what we might call the "all things considered" feasibility of social rights. For this reason, I refer to a right as being "not specially unfeasible" and "feasible" throughout the paper, using these different phrases to better suit the sentences they find themselves in, even though their substantive meaning is assumed to be the same.

Section 1 defines feasibility in order to provide a sufficiently precise benchmark from which social rights can be analysed and tested against. Section 2 offers a conceptual taxonomy of social rights, distinguishing between thick and thin social rights. Section 3 pursues the question of whether thin social rights meet the feasibility condition, arguing that they do. Section 4 pursues the question of whether thick social rights meet the feasibility condition, concluding that the answer is complex, but thick social rights are ultimately feasible**.** In Section 5, I offer an additional reflection on the feasibility of thick social rights that seeks to show, definitively, that they are not specially unfeasible given the potential for collective social duties. [121] In Section 6, I respond to a number of important objections that could be pressed against the account. Finally, in Section 7, I briefly restate the overall position by reflecting on the sometimes enduring unfeasibility of social rights.

§3.1 – Defining Feasibility

[121] The term *"collective duties"* will be unpacked later on. For those eager to know what it means at this stage, such duties refer (roughly) to duties to shape the background structure of social interaction in accordance with just principles, as opposed to *individual duties* which are concerned with an agent directly providing another with social labour.

Before we get into the business of determining whether social rights are feasible, it pays to get clear on what we mean by feasibility. For the purposes of the present discussion, I take it for granted that rights – in order to be such – must be feasible: there must exist a prospective set of plausible[122] duties that persons can be placed under to meet the claim in question [123]. However, there is controversy on what it means for a duty to be plausible in this sense. Indeed, as I understand it, defining plausibility in this context is the raison d'etre of the wider feasibility debate in the literature.[124] It is this central question that will organise our thoughts when delimiting our feasibility condition: what does it mean for a duty to be plausible, and, therefore, the basis of a feasible right? Answering this question is important because once we get clear on what a plausible (feasible) duty is, we will have a sufficiently clear test for whether or not social rights can be considered as such.

One popular view on how we should understand feasibility is simple possibility: a duty is plausible if it requires action on the part of the duty-bearer which holds some possibility of success in realising a correlative claim. The test of feasibility on this view, then, is to investigate whether there is some act open to the prospective duty-bearer that could realise the right in question. To illustrate: if someone has a claim on a sip of my water, and it is possible – i.e. not impossible – for me to pass it over to them, then it is feasible for me to do so. As a result of the act being feasible, I can then be under a duty to perform the action.

[122] I use the word "plausible" strictly in reference to a right's *feasibility*, excluding notions of normative plausibility.
[123] Southwood, 'Does "Ought" Imply Feasible?'
[124] The four main accounts of feasibility in the literature (as I understand it) are the *possibility*, *likelihood*, *conditional*, and *incentives* accounts. For some unpacking of their distinct claims, see Zofia Stemplowska, 'The incentives account of feasibility', *Philosophical Studies* 178 (2020), pp. 2385 – 2401.

This possibility notion of feasibility, whilst holding some intuitive attraction, must be rejected. Specifically, possibility must be rejected because it would deem plenty of acts as feasible which do not square with our considered judgments on plausibility. To motivate this point, we can offer the following case[125]: it may be possible (by fluke) that a philosopher could successfully perform open-heart surgery, but this act is not plausible for her given the extremely low likelihood of success. As a result, we cannot say that the philosopher can have a feasible duty to perform the surgery. By corollary, there can be no right of the patient to have it performed by the philosopher. We can also use a modified version of our earlier "sip-of-water" case to motivate this point: if I can only give a claimant a sip of my water if I make a 147-point break on a snooker table, it might be possible for me to do so, but it is clearly not feasible for me (unless I am Ronnie O'Sullivan, which I am not). As a result, it cannot be feasible for me to provide the claimant with a sip-of-water despite it being possible, and there cannot be a bona fide right to it as a result.

If one wished to reject this view, they would have to claim that persons could be sometimes under a duty to perform miracles, but this seems absurd: how could one be under a plausible duty to do what it is possible-but-virtually-impossible to do? Therefore, as a result of possibility not being able to leave out possible-but-highly-unlikely acts – miracles – from the universe of the feasible, and thereby the scope of duty, we must reject the possibility account of feasibility, and look elsewhere for our testing criteria for social rights.

[125] Nicholas Southwood and Geoffrey Brennan, 'Feasibility in Action and Attitude', in *Hommage à Wlodek: Philosophical Papers Dedicated to Wlodek Rabinowicz*, ed. J. Joseffson (Lund University Press, 2007); Zofia Stemplowska, 'The Incentives Account of Feasibility', *Philosophical Studies* 178 (2020): 2385–2401.

Another prominent view on feasibility is likelihood: a duty is plausible if it demands action with a sufficiently high likelihood of eventuating. To test if a right is feasible, on this view, is to investigate how likely it is under current conditions that the right in question could be met and then determine if that level of likelihood is sufficiently high.

One way of understanding this notion of feasibility is to flip it on its head. As the point is put by Estlund, an action is unfeasible if it is "impossible" [126]. This seems fairly non-controversial. However, this could mean one of two things: a) the act is impossible because it cannot be done (possibility); or b) there is zero chance of the act being performed given certain facts about the world (likelihood). Indeed, securing world peace might be unfeasible given unchangeable constraints on resources, or immutable human nature (possibility); or it could be unfeasible because there is no chance anything will be done about it given a lack of motivation on the part of the powerful (likelihood). The likelihood interpretation of feasibility is concerned with the second set of considerations: it says that an action is feasible – and therefore can qualify as a duty – if and only if there is a sufficiently high likelihood that its aims will be successful given the full consideration of current conditions[127] pertinent to an act's likelihood.

This view of feasibility escapes the pitfalls of possibility given that it would rule out the surgery and snooker cases, but it must still be rejected because it would deem unfeasible plenty of actions that are plausible for an agent to perform, even if unlikely. For instance, it is highly unlikely (impossible) that I or others would perform a chicken dance in front of my students, but it is not right to say that

[126] David Estlund, 'Utopophobia', *Philosophy & Public Affairs* 42 (2014): 113–34.
[127] The exact criterion to determine if a current condition is pertinent to an act's likelihood in being successfully performed is, admittedly, murky.

I could not plausibly perform such a dance [128]. Moreover, it is highly unlikely that the richest corporations in the world will start paying their fair share of tax, but to say it is implausible for them to do so is wrong given the relative ease at which they could perform the act if they so tried. As a result, likelihood also fails as a definition of plausible: it reconciles us too much to extant facts about our world that normative theorising and notions of rights and duties should not be sensitive to, such as mere reluctance. In other words, given that likelihood wrongfully treats as "forces of nature"[129] plenty of acts which are under our control as responsible moral agents, it makes the wrong cut between what is and is not plausible, and must be rejected accordingly.

Luckily for us, a superior view of feasibility has recently been elaborated which keeps the intuitive appeal of both prior accounts whilst avoiding their pitfalls: the incentives account of feasibility. The incentives account holds that: a duty is plausible if "there is an incentive I such that, given I, X is likely to [successfully perform the duty]"[130].

Underneath the formal definition of the account, the "cut" made by testing for incentives is between feasible acts which both a) have a high likelihood of success and b) can be attempted; and unfeasible acts which c) have a (sufficiently) low likelihood of success if tried and/or d) cannot be tried at all given a lack of ability to try.[131] Testing for the existence of incentives that can induce successful trying does the primary work of differentiation between plausible and implausible acts on this account because, such an incentive

[128] Estlund, 'Utopophobia'.
[129] That is, outside the bounds of moral duty given their "fixed" character.
[130] Stemplowska, 'The Incentives Account of Feasibility'.
[131] These specific criteria are deduced from my own analysis of Stemplowska's articulation of the incentives view.

can only exist if a) one can attempt to perform the act,[132] and b) there is a sufficiently high likelihood of performing the act successfully. Indeed, you can throw all the money in the world at someone, but this will not enable them to turn water into wine; on the other hand, giving people money could get them into opera-houses. In short, as I understand it, the account uses the notion of incentives as something of a proxy for a more subtle test that can differentiate (by its own lights) what it is and is not plausible for an agent to do.

This account has great appeal. It can make sense of why we think it implausible for a philosopher to successfully perform open-heart surgery despite it being possible, and why it is plausible for a shy lecturer to do a chicken dance in front of their students despite it being incredibly unlikely. It gives us the correct result in the surgery case because there is no incentive that would increase the likelihood of successfully performing the surgery to such a point that would make it feasible. Indeed, we cannot have a duty to perform miracles, and the incentives view correctly agrees. It would also give us the right result in the chicken dance case because its unlikeliness is determined by mere reluctance, and it is therefore plausible to think that incentives exist which could change the willingness of the lecturer to successfully dance. Indeed, if he was given an ultimatum or offer: "be fired or do the dance!", or "do the dance and be given £1m!" there is a high chance the act will be attempted successfully.[133] As a result, the incentives view can also give us the correct result in those cases

[132] I assume that having the ability to perform an act means that one has the volitional, physical and, if required, external resources required to make an attempt. I do not include the merely reluctant under the volitionally incapable, given that those who are reluctant (because lazy, for instance) *do* have the adequate resources to act at their disposal, they simply would prefer not to utilise them.

[133] I bracket here hard cases of "deep" motivational reluctance: those cases in which persons might be able to make an earnest attempt in theory, but cannot act in practice given their deeply held commitments, fears, or ambitions.

where the likelihood of a duty being performed is low because of mere reluctance, as opposed to general inability.

The cut made by incentives on the plausibility question, as exemplified by the prior examples, therefore, fits well with our wider judgments on what a normative theory should and should not be sensitive to at the level of duty. Moreover, it escapes the pitfalls of other major accounts whilst building on their appeal. For these two reasons, I understand it as the preferred account of plausible duty, and define feasibility here in line with it. It should be noted, however, that the incentives account of feasibility is very similar to the *conditional account of feasibility* offered by Estlund which, by all accounts, is more widely accepted. That account claims that v-*v*-*ing* is feasible if there is a sufficiently high likelihood that an agent will successfully *v* conditional on them trying to *v*. The main difference between these two accounts is that the conditional account does not provide a test for when it is feasible for an agent to *bring* themselves to try to *v*, whereas the incentives account does. Consequently, the incentives account will class a more narrow range of acts as feasible compared to the conditional account, but this will be a fairly minor thing. In any case, it seems that if we can show that social rights are feasible under this comparatively more stringent metric of feasibility, it will also show that they are feasible according to the conditional account *a fortiori*.

A final clarification: some have claimed that the incentives account provides a poor test of feasibility because, even if there were some incentive *I* that could motivate A to *v*, if it is not feasible to give *I* to A, and then *v* is still not feasible, even though the incentives account would deem it so. This objection fails because it relies on a

conflation between motivational unwillingness to *v* and motivational inability to *v* [134].

Motivational unwillingness to *v* is characterised by an agent being able to *v* successfully after trying, but not *v-ing* even though they could if they willed themselves to. An example of this is a case in which Andy *could* swim in the sea and save Byron from drowning if he tried, but he is lazy, and would prefer to stay lounging on the warm beach. In this case, it is clearly feasible for Andy to save Byron, even though it is unlikely.

Motivational inability to *v* is characterised by cases where an agent could successfully *v* after trying, but cannot bring themselves to try to *v* given some kind of hard impediment they face which blocks their will-to-*v*, despite their desire to. One clear example might be an intense arachnophobe who cannot bring themselves to flick off the deadly spider that is about to bite their child's hand. Clearly, it is not feasible in such cases for the individual to *v*, and this differentiates it in this regard from the previous set of cases.

The incentives account provides a test which helps us (among other things) differentiate between these two classes of case. The thought is that, if there *were* some incentive that could bring an agent to *v*, this would tell us that we are not dealing with a case where *v*-ing is impeded by motivational inability – like the arachnophobe case – but, instead, motivational unwillingness, given that incentives are things which change the appeal of a set of options across a given set. For this reason, it does not matter if the incentive can actually be provided or not – all that matters is that the agent *could* be brought to *v* if it were credibly posed. This

[134] Stemplowska, 'The Incentives Account of Feasibility'.

would tell us that Andy can feasibly save Byron, given that threatening him with a bucket of cold water would get him to rescue, whereas the arachnophobe cannot feasibly slick the spider given that there is plausibly no incentive which could bring her to overcome her paralysing fear of spiders. This is why the above objection is not decisive.

Now we have our notion of feasibility in-hand, and a metric by which to test social rights, we can address our main question: are social rights feasible?

§3.2 – Conceptualising Social Rights: Thick and Thin

Before getting into the meat of the question, we must first get comfort on what social rights are. As defined here, social rights are claim-rights to social interactions and/or personal relationships. By way of unified definition, we can say that social rights confer upon an agent the ability to place another under a duty to provide them (or another) with social labour.

Taking this definition forward, we can isolate two kinds of social labour that are – as will become clear later – substantively and meaningfully different from one another at the bar of feasibility: a) functional social labour; and b) affective social labour.[135]

Functional social labour refers to social interactions that do not require any particular affective disposition to be successfully performed. We can think of having a conversation as a form of

[135] These two forms of social labour are typically conflated in the literature, with no distinction made.

functional social labour given that conversing is a) a form of social interaction and b) does not (necessarily) require any form of affective disposition to be successfully performed. Indeed, two people who are completely indifferent to one another in any affective or relational sense can still have a very successful conversation, as is evidenced by polite conversation at dinner, or the interaction between a teacher and a student.

Affective social labour, on the other hand, is the name given to social interaction that does require an affective disposition to be successfully performed. We can understand personal relationships – such as those characterised by love, friendship, romance etc. – in this way given that being in a personal relationship is a) a form of social interaction and b) does necessarily require a set of (appropriate) affective dispositions to be manifested. For example, to share a loving relationship with another individual, the emotion of love (and the valuing of the object of that affection as such) must be present: simply performing "loving" acts is not sufficient. Similarly, to have a genuine friendship with another individual, platonic attitudes and emotions towards another must be present – solely performing friendship-like acts without the appropriate affective dispositions and/or valuing intentions would mean that there simply is no friendship.[136]

For ease of exposition, I will refer to social rights that lay claim to the functional social labour of others as thin social rights, and social rights that lay claim to affective social labour as thick social rights. To put this in the language of duties: thin social rights are understood as only requiring the functional social labour of a duty-bearer to be satisfied; thick social rights require (solely, or perhaps

[136] Indeed, it seems the notion of an "acquaintance" captures much of what it means to have an individual who you regularly perform friend-like acts towards, without the corresponding platonic attitudes of friendship.

in addition to functional social labour) the affective social labour of a duty-bearer to be satisfied. A good illustration: the right against social deprivation is a thin social right, whereas the right to be loved is a thick social right.

Interestingly, these two kinds of social labour – and, consequently, social right – are often conflated in the literature, which has led to confusion about what particular social rights are claims to, and how feasible they are. For example, in Brownlee's "On the Right to Be a Social Contributor" [137], social contribution is defined in a way which includes both functional social labour – "ordinary decent human interaction" – and affective social labour – "loving relationships marked by mutual investment, intimacy, and care". As a result, the right Brownlee argues we have is necessarily mixed, but unacknowledged as such[138]: it requires the performance of both functional and affective social labour on the part of duty-bearers to be satisfied. Given the conflation of these different types of claim under a single right, however, the important differences between the constitutive claims in the right at the bar of feasibility can be missed, and lead to confusion.

Indeed, this lack of conceptual clarification elicited a response to Brownlee by Valentini (2016), who claimed – among other things – that Brownlee's right to be a social contributor fails in an important sense because claims to "meaningful social relationships" are unfeasible. Whilst it is not entirely clear what Valentini means by "meaningful" in this context, if we interpret "meaningful" as referring to relationships characterised by affective social labour– which we have reason to think given her focus on friendship as an

[137] Kimberley Brownlee, 'On the Right to Be a Social Contributor', *Aristotelean Society Supplementary Volume* 90 (2016): 27–48.
[138] In the sense that it encompasses claims to two very different kinds of social labour within it.

example of such a relationship – this only reckons with one half of Brownlee's right, leaving it an open question as to how attractive and efficacious the right to be a social contributor is all things considered. By offering a clear conceptual distinction between thin and thick social rights – and their respective labour-claims – analytic ambiguity such as this can be avoided in the social rights debate, providing clarity to defenders and objectors of social rights at the bar of feasibility and beyond.[139]

To get clear on just how feasible social rights are, then, it is not sufficient to test social rights sui generis. We must test to what extent each kind of social right can satisfy our incentives requirement: are social rights of each type feasible?

§3.3 – Feasibility and Thin Social Rights

Let us first deal with the question of feasibility as it pertains to thin social rights. As we have already stipulated, thin social rights are claim rights to the functional social labour of other persons. Therefore, the specific question we are faced with here is this: do incentives exist that could motivate people, generally speaking, to successfully provide others with functional social labour?

The strongest argument in favour of thinking such incentives exist is the argument from induction. Virtually all positive claim rights require functional labour to be realised[140], given that positive rights

[139] This ambiguity is also present in G. A. Cohen's discussion of subsidy for social clubs, and in policy debates around the aim of community service for the chronically lonely (such as the elderly).

[140] I understand a *positive* right as a claim on another person to *do* something for you (as opposed to refraining from doing something, which I class as a *negative* right). This is a typical taxonomy that is sometimes questioned, and I put no heavy weight upon it beyond my purpose here.

place other people under a duty to do something. Examples of positive rights include the right to rescue, the right to subsistence, and the right to security, among others. We do not consider positive rights to be specially unfeasible given their inference of correlative (positive) duties to perform functional labour: if I have a duty to pass the salt, and I can easily reach it and slide it over to the claimant next to me, why might we think there is something specially unfeasible about me having to perform the act given that it requires functional labour to pass the shaker?

Furthermore, there are plenty of more complex or burdensome positive duties that require functional labour to be successfully realised, but are nevertheless not specially unfeasible: paying one's taxes, meeting realistic deadlines, caring for children, and doing one's fair share of the housework, for instance. As a result, it is not right to conclude that positive rights qua claims to functional labour are specially unfeasible. Consequently, there is good inductive support for the idea that thin social rights are not specially unfeasible, either: if functional labour sui generis does not make an act specially unfeasible, there is a presumptive case in favour of generalising this point to functional social labour, and thin social rights.

Whilst there might be some instances of social functional labour that are unlikely to be successful after trying – delivering a rousing speech if one has social anxiety, or intentionally making someone laugh hysterically without any comedic talent, for instance – there is no reason to think that these specific transgressions of feasibility within the realm of functional social labour indicate any general unfeasibility with functional social labour as a type of act. Indeed, there are plenty of acts of generic functional labour that are specially unfeasible, but we do not think these are indicative of a

more general unfeasibility attached to acts of that broader (functional) type: performing open-heart surgery untrained; staying awake forever on sheer willpower; always rolling a 6 when you throw dice; or turning water into wine. Moreover, there are plenty of acts of functional social labour that are clearly feasible in this general sense: keeping a lonely person company; having a conversation with someone; going for dinner with someone; or making sure to visit someone regularly. Moreover, the existence of professional industries which offer functional labour (babysitters; social workers; teachers; servers) underlines the plausibility of this thought even further, and clarifies that incentives *do* exist that could move persons to perform such acts.

Together, this shows that likelihood after trying, whilst of course setting limits on what kinds of functional social labour can be claimed as a right, is not a specially salient issue for the validity of thin social rights. Just as many non-social rights are unfeasible because reliant upon miracles to be realised, so too are some thin social rights, but this gives us no reason to think feasibility concerns at the bar of likelihood renders thin social rights non-existent.

Some may respond that, whilst it might be true that there are some instances of thin social rights which are feasible on the grounds of likelihood after trying, we cannot know how successful this point is in defusing worries about the feasibility of thin social rights generally speaking until we know what sorts of functional social labour persons have presumptive claims to. Indeed, plenty of acts of functional social labour might be feasible, but if thin social rights only lay claim to acts that fall outside the scope of feasibility – given these unfeasible acts are the only kind that would satisfy a

weighty interest – thin social rights will still be specially unfeasible as a class of positive rights. This is a genuine concern.

However, the force of such a worry – whilst legitimate – is severely limited given that all dominant accounts of thin social rights do not require any specially unfeasible acts at the bar of likelihood.

For instance, Brownlee's articulation of the right against social deprivation demands only that individuals have ongoing access to "minimally adequate opportunities for decent… human contact including interpersonal interaction, associative inclusion, and interdependent care"[141]. As far as I can tell, this amounts to a claim on the social labour of others in the form of conversation, company, group activities, and mutual (functional) care. If correct, there is no obvious reason to think that the right against social deprivation is specially unfeasible qua thin social rights at the level of likelihood: what is so unfeasible about keeping someone company, speaking to them, including them in social activities, and/or taking a communicated interest in their wellbeing? Indeed, these actions are all properly part of the ambit of plausible action insofar as persons regularly successfully engage in them after trying in a range of contexts underpinned by various incentives. Moreover, this right is anything but trivial: without access to and enjoyment of these things, there is plenty of evidence that persons will live a less than minimally good life in the starkest possible terms.[142]

As a result, the claim that only unfeasible acts of functional social labour are those which are claim-worthy is false: critically important thin social rights do not demand the impossible, and are

[141] Brownlee, 'A Human Right Against Social Deprivation'.
[142] As is corroborated above in the introduction through the empirical evidence that links social deprivation to severe physical and mental decline.

properly understood as feasible in a comparable way to other types of positive right at the bar of likelihood as a result.

Together, the two criteria of feasibility being satisfied in the case of thin social rights defuses any objection to the argument from induction and, indeed, leaves it well-grounded and robust. The idea that thin social rights are specially unfeasible compared to other kinds of positive right are wrong and unfounded. As a result, we can conclude that thin social rights do, in fact, meet the feasibility condition, and they do so straightforwardly. While this may not come as a surprise, theorists prominent in the social rights literature have assumed that the preceding analysis (or something like it) is true without doing the careful work needed to know such acts are feasible. By doing this work, we now have comfort over the feasibility of thin social rights, and can understand why they are indeed feasible.

§3.4 – Feasibility and Thick Social Rights

Let us now deal now with the question of feasibility as it pertains to thick social rights. As previously stipulated, thick social rights are claim rights to the affective social labour of other persons. Therefore, the specific question we are concerned with here is this: do incentives exist that could motivate people, generally speaking, to successfully provide others with affective social labour?

The biggest challenge to thinking such incentives exist is the argument from spontaneity (inspired by Gheaus, 2017). This argument claims that emotional states are not subject to the will, and can only be produced spontaneously: involuntarily and

unpredictably in response to some kind of quite specific stimulus typically unbeknownst to the relevant normative constituency. If it is true that emotional states are outside the scope of the will in this way, this would mean that plausible incentives which could bring about affective states in prospective duty-bearers could not exist,[143] rendering thick social rights unfeasible. This thought goes back to at least Kant (2017), when he suggested that: “Love is a matter of feeling, not of willing, and I cannot love because I will to, still less because I ought to”.

This conjecture also has considerable intuitive appeal across hypothetical and real-world cases. Indeed, we can imagine a case in which an individual is held up by a highwayman who declares: “your love or your life!” In this case, we do not think that the victim of the mugging could will themselves into a state of love (or friendship, romance, kinship etc.) towards the attacker, regardless of the strength of the incentive. Further, there are plenty of real-world cases in which persons cannot bring themselves to love their children, regardless of their earnest attempts, and their common feelings of sadness and shame around the fact.[144] At the nicer end of the spectrum, giving an individual money to love might be able to induce love-like acts – given they are instances of functional social labour – but the suggestion that monetary incentive could regularly produce love-proper is a speculative and bizarre one that seems to cut against the “modally robust” [145] nature of what we understand it to mean for someone to be in a loving relationship. Given the force of these cases, we have good initial reasons to think that incentives do not exist which can produce successful attempts

[143] How could someone be incentivised to subject themselves to a stimulus they had no specific knowledge of?
[144] A moving example of this is captured in Louis Theroux’s BBC documentary ‘Mothers on the Edge’. In that work, Theroux attends a psychiatric ward that specialises in post-partum depression and, in particular, mothers of new-born babies who feel no loving intentions towards their child.
[145] Phillip Pettit, *The Robust Demands of the Good: Ethics with Attachment, Virtue, and Respect* (Oxford, UK: Oxford University Press, 2015).

to provide affective social labour, and, as a result, we have a strong initial case in favour of dismissing thick social rights as specially unfeasible non-rights.

We can articulate the argument from spontaneity, shot through with a feasibility condition framing, like so:

P1) For an act x to be feasible, it must be responsive to an incentive* that can produce (in all likelihood) a successful attempt of x.

P2) Thick social rights require the performance of affective social labour.

P3) Affective social labour is non-responsive to incentives* given its necessary spontaneity.[146]

C) Thick social rights are unfeasible.

Does the argument from spontaneity succeed?

The most valiant attempt currently found in the literature to refute the spontaneity objection is offered by Liao in his articulation and defence of the right (of children) to be loved.[147]. He argues that, despite initial intuitive support for thinking that the duty to love is unfeasible, there are two ways for individuals to successfully induce emotional states towards others through trying: a) internal

[146] As we touched on, it might be the case that performing affective social labour is *theoretically* non-spontaneous: there may be some stimulus or technique which could produce such labour at will, but given the typical ignorance of what this is, it remains contingently spontaneous at the very least (so the argument goes).
[147] Liao, 'The Right of Children to Be Loved'.

control; and b) external control. The internal control of emotions centres on actions which seek to either enhance or remove certain rationalisations that affect one's propensity to feel an emotion towards another. This can include a) reflecting on one's reasons for not having a particular emotion towards another, or b) reaffirming to oneself the reasons why one ought to have a given emotion towards another. An example of the former is seeking to untangle discriminatory attitudes and prejudices; an example of the latter is reaffirming to oneself the importance of a pro-tanto claim another has to your affective social labour, such as in the case of parents loving their children.

The external control of emotions centres on actions which exhibit selectivity concerning when, why, how, and where you interact with others. Two broad types of act under this category include a) placing oneself in situations and circumstances that are conducive to bond-forming; b) removing oneself from situations and circumstances which might alienate or otherwise lead to being "put-off" from a prospective claimant. An example of conducive environments might be those that are centred on a shared interest or hobby; an example of un-conducive environments might be those where individuals are stressed or tired, or where the disagreements and tensions between individuals are highlighted.

Liao argues that, taken together and applied repetitiously over a long period of time, it is possible for individuals to successfully "command" affective social labour through emotional control: by interrogating one's own affective preferences and beliefs on an ongoing basis, and consistently placing oneself in situations that maximise the potential for bond-forming, Liao states that it is feasible for persons to successfully will themselves into a loving state towards a specific other and other sorts of affective relational

states. Therefore, despite initial thoughts, it is argued by Liao that that the spontaneity objection fails to show that thick social rights are unfeasible: internal and external control, over a sufficiently long period of time, can (non-spontaneously) enable one to perform affective social labour successfully after trying.

If this argument goes through, it would show that we have good reason to reject the spontaneity objection, and deem thick social rights as meeting the feasibility condition: one could be incentivised to perform internal and external control and this, in turn, would amount to an eligible incentive to perform affective social labour, and, as a result, a feasible duty to do so.

Whilst promising on first glance, I think Liao's rebuttal to the spontaneity objection requires more argument. This is for two reasons.

First, Liao assumes that the feasibility of the right to love – and presumably other thick social rights – is secured so long as it is shown that it is possible for agents to successfully perform affective social labour. However, as was established in Section 1, this is the wrong metric of feasibility. For such labour to be feasible, it must not only be possible for one to perform, it must be a) sufficiently likely for one to successfully perform after trying, and b) pose no special problem at the bar of agents' ability to make an attempt. As a result, even if we accept – for the sake of argument – that it is possible for some persons to perform affective social labour successfully at will, it has still not been established by Liao whether performing such labour is feasible. This leaves the feasibility of thick social rights in the context of the spontaneity argument ambiguous.

Second, whilst Liao's notions of internal and external emotional control are instructive and intuitively plausible, he does not corroborate his claims with any empirical evidence. This leaves his reliance on the efficaciousness of emotional control – and whether it, as a concept, has any action-guiding potential for prospective duty-bearers – in an insufficiently well-grounded position.

For Liao's rejection of spontaneity to succeed, then, both of these shortcomings must be overcome. Of course, these issues are also related: if it can be shown that robust empirical evidence does exist which proves emotional control as being sufficiently efficacious (to render the performance of affective social labour feasible), both points of concern will have been settled. Interestingly, such empirical support does exist, showing that Liao's account is effective in defusing the main thrust of spontaneity, even when we hold it to the feasibility-standard of incentives.

For example, there is a comprehensive dual-study that shows how the desirable "relationship traits" typically found within arranged marriages reliably induce strong feelings of love between spouses across various religious and cultural traditions [148]. Such traits are also understood as being predictively effective in other types of marriage and romantic relationship, too (Ibid.). This bolsters the plausibility of internal and external control as a bridge to the feasibility of thick social rights because it highlights the existence of cross-cultural patterns of choice – "commitment", "sacrifice", "communication", to name three –which can effectively foster desired affective states towards specific others, even when starting

[148] Robert Epstein, Mayuri Pandit, and Mansi Thakar, 'How Love Emerges in Arranged Marriages: Two Cross-Cultural Studies', *Journal of Comparative Family Studies* 44 (2013): 341–60.

from a place of indifference (or, at the very least, “non-love”). These mechanisms are also forms of thin social labour in the first instance, meaning that they are not specially unfeasible.

There are also a number of studies which highlight the existence of comparable forms of effective emotional control in the context of friendships [149]: individuals who spend frequent time with each other, share a close geographic proximity [150], and reciprocate towards one another [151] are reliably likely to become friends, even when starting from a place of non-friendship. Whilst class and race are strong determinants of friendship formation [152] – and may set certain constraints on the efficaciousness of emotional control across socioeconomic contexts – their impact can be importantly mitigated through various organisational and educational mechanisms [153]. This shows that feasible emotional control is not merely limited to one kind of relationship, and plausibly extends to a wide range.

Taken together, these two sources of extant empirical work robustly ground the view offered by Liao that feasible mechanisms of internal and external control exist which can reliably enable the successful performance of affective social labour after trying. Moreover, these studies show not only that it is possible for agents to successfully influence their relational emotions in accordance

[149] Maureen T. Hallinan, ‘The Process of Friendship Formation’, *Social Networks* 1 (1978): 193–210; David Marmoros and Bruce Sacerdote, ‘How Do Friendships Form?’, *The Quarterley Journal of Economics* 121 (2006): 79–119; Caryl E. Rusbult, ‘Satisfaction and Commitment in Friendships’, *Representative Research in Social Psychology* 11 (1980): 96–105.
[150] Marmoros and Sacerdote, ‘How Do Friendships Form?’
[151] Rusbult, ‘Satisfaction and Commitment in Friendships’.
[152] Marmoros and Sacerdote, ‘How Do Friendships Form?’; James Moody, ‘Race, School Integration, and Friendship Segregation in America’, *American Journal of Sociology* 107 (2001): 679–716; Erik Olin Wright and Donmoon Cho, ‘The Relative Permeability of Class Boundaries to Cross-Class Friendships: A Comparative Study of the United States, Canada, Sweden, and Norway’, *American Sociological Review*, 1992, 85–102.
[153] Moody, ‘Race, School Integration, and Friendship Segregation in America’.

with their will but that it is likely under specific circumstances. This fact seriously challenges the view that thick social rights are unfeasible on the grounds that individuals cannot attempt to perform affective social labour, or have a virtually impossible chance of succeeding after trying. As a result, we have very strong reasons to accept Liao's rebuttal of the spontaneity argument on the grounds that emotional control is efficacious in placing affective relational states under the will, and that emotional control can meet the incentives account of feasibility.

However, even though the empirical work corroborates Liao's claims about emotional control we must – at this stage – still only conclude that we have tentative (as opposed to conclusive) reason to reject the spontaneity objection. This is because there is a deeper, underlying feasibility concern grounded in spontaneity beyond effectiveness considerations [154]: non-spontaneous performances of affective social labour – those performed under duty – might not be appropriately sensitive to the interests persons have in the affective social labour of others. Indeed, it could be that the right to be loved – or the right to friendship, or something else – reflects the interest individuals have in being valued spontaneously as a particular. If true, being loved (or befriended, or whatnot) by someone simply because they are under a duty to do so, and have acted accordingly, might not satisfy the interest we have in affective social labour after all, making emotional control a failure in validating the feasibility of thick social rights.

We can motivate some of the intuitive plausibility of this thought through the following example: imagine an individual has a right to be loved (or befriended, or whatever) and the corresponding duty-bearer, out of a sense of moral responsibility, decides to take a drug

[154] Gheaus, 'Love and Justice: A Paradox?'

which will produce a lifetime effect of the appropriate affective disposition towards them. Given that the choice to take the drug was out of a sense of moral duty, and the love is decidedly non-spontaneous, there is a reasonable case to be made that the affective disposition is in some way tarnished, or ineligible to realise the prospective claim. Indeed, would the right of children to be loved be satisfied if their parents only loved them because they were chronically drugged? What if all of one's friends only cared for them because they decided to collectively, out of a sense of duty, receive neurological shock therapy to train themselves into friendship? The fact that one's performance of affective social labour does not have any concern in the first instance with who you are as a particular, and merely what general characteristic you have [155], can very plausibly be seen as a perverse and disvaluable iteration of affective social labour. That is, it might be that the typical spontaneity and particularity of affective states are constitutive of their underlying importance to our interests and, as a result, the very notion of a duty to love – or imperative to perform affective social labour – is conceptually unfeasible (as opposed to empirically or contingently).

Precisely determining the importance of spontaneity to the value of affective social labour (and, consequently, thick social rights) is a difficult matter philosophically, with the answer surely being tied up with what the precise underlying interest in receiving affective social labour actually is. Whilst an initially worrying and difficult matter, however, I believe that there is a convincing response to the objection which at least retains the idea that thick social rights are feasible in particular, important cases. The main thought is that the spontaneity objection only plausibly has force over the class of cases in which a person dutifully wills themselves into an affective

[155] Jeffrey Reiman, 'Being Fair to Future People: The Non-Identity Problem in the Original Position', *Philosophy & Public Affairs* 35 (2007): 69–92.

emotional state in a way that leaves *no* room for “spontaneous” or authentic valuing at any point. That is, their feelings are entirely “synthetic” in some way. This is most clearly seen in cases where someone takes a love potion, or puts themselves through intense neurological shock therapy. We observe strong intuitions that the resulting relationships are disvaluable in an important sense and this, I think, gives plausibility to the spontaneity objection. As a result, it is implausible that one could feasibly discharge their thick social duties in these “direct” ways.

However, there is a different class of case in which one does not directly produce an emotion in a way that bypasses any authentic valuing of the other, but, instead, takes steps to increase the likelihood that spontaneous valuing will actually occur. Importantly, it is this class of case that Liao and the empirical literature is concerned with. Examples of such cases might include an individual going on a blind date with a family friend out of a sense of duty to their insistent parent, and then falling in love after spending a period dating them. Clearly, we do not think that the “non-spontaneous”, counterfactual causal element of dutifulness in the eventual spontaneous bonding undermines or brings into question the value of the eventual relationship in *this* sort of case and, therefore, it seems that the spontaneity objection does not have force here. The reason for this difference in intuitions is most likely that the spontaneity objection is true when the bond *itself* has been created out of a sense of duty in a way that bypasses any instance of spontaneous valuing, but does not include cases when the circumstances or intention to form a bond is non-spontaneous and performed out of a sense of duty, but the production of the bond itself remains authentic and spontaneous in the relevant sense. Given this is the case, we can say that wholly non-spontaneous thick social duties are not feasible, whilst partially

spontaneous thick social duties are. This, I think, appropriately responds to and defuses most of the force of the spontaneity objection, and shows that there is a class of thick social duties which are feasible.

This brings us to accept the following conclusion: the (plausible) conceptual tension between spontaneous valuing and duty provides us with sufficient reason to be agnostic towards the claim that thick social rights can meet the feasibility condition through emotional control in certain cases, however, it is clear that there is a sufficient wide class of cases involving emotional control that are feasible and *do not* face the same objection.

To be pithier: Liao's appeal to emotional control succeeds in proving thick social rights are feasible in spite of the spontaneity argument, even though the underlying justification for thick social rights might be spontaneous valuing itself.

§3.5 – Responding to the Spontaneity Objection

In this section, I try to show that there is a way to defend the feasibility of thick social rights without having to refute the (potential) necessity of spontaneity to the interest we have in affective social labour. Put another way, I try and show here that even if I am wrong, and the spontaneity objection goes through, we still need not conclude that thick social rights are unfeasible.

To begin, it is important to clarify that the potential problem of necessary spontaneity is only a problem on the level of duties

placed on individuals (duties of the form “x has a duty to perform affective social labour for y”.) Indeed, once we widen our scope beyond this individual level – and, with it, beyond the realm of emotional control of the individual agent – we begin to see that we need not disagree with any of the claims made by the spontaneity argument in order to defuse its claim that all thick social rights are specially unfeasible. For, while it might be true that spontaneous acts of affective social labour are both a) uniquely equipped to meet our interests in (and therefore rights to) such labour and b) indifferent to incentives at the bar of the individual agent, this does not rule out the possibility that collective incentives exist that could plausibly bring about the realisation of more, directed spontaneous acts that can meet the claims in question. In other words, whilst it might be unfeasible for individual agents to dutifully will themselves into performing affective social labour in the right way, this says nothing about whether or not there can be feasibly willed changes to the background structure of our social interactions that could indirectly realise extant claims to spontaneous affective social labour.

For ease of exposition, we can call duties requiring the emotional control of individuals individual thick social duties (individual duties), and duties requiring the realisation of changes in the background structure of social interaction collective thick social duties (collective duties).

To illustrate the concept of collective duties further, we can differentiate between two different types (even though there may be more).

First, we have those potential collective duties which are concerned with the modification of the social norms that structure social interaction, and the propensity of individuals to engage in affective social labour with particular persons spontaneously. For instance, it might be the case that living in a culture in which heterosexual interactions are hegemonic and stigmatising to non-heterosexual interactions could form sexual identities and preferences that militate against – and make it less likely – that non-straight individuals have their thick social needs met, given a lack of spontaneously willed performances of affective social labour to those seen as "deviant". In this case, it seems natural to think that we might have a collective duty to correct this pattern by taking steps to change socio-sexual norms. The same logic also applies to norms surrounding the perceived disvalue of disabled bodies, individuals of certain castes, and the conventionally unattractive [156]. To be pithy: if we did not live in a world where individuals were so picky about who they fell in love with, wanted to be friends with, or raise children with, more individuals would have their claims to (even spontaneous) affective social labour fulfilled.

Second, we have those potential collective duties which are concerned with redistributing resources and opportunities in ways which increase the real freedom [157][158] individuals have to interact with one another. For instance, it may be difficult for the physically-impaired to enter public spaces, and this can make it more difficult for those individuals to find themselves in positions with a chance to be spontaneously valued as a friend, partner, or lover.

[156] Andrew Mason, 'What's Wrong with Everyday Lookism?', *Politics, Philosophy, and Economics* 20 (2021): 315–35.
[157] Phillipe Van Parijs, *Real Freedom for All: What (If Anything) Can Justify Capitalism?* (Oxford, UK: Oxford University Press, 1997).
[158] Real freedom refers not only to having the *formal* – legal, or negative – freedom to form social interactions with others, but also the level of power one has to make effective use of such freedom.

As a result, it is clear that by addressing the architecture of social interaction – inclusive and socially-positive architecture, inclusive social norms, and a sufficient right to leisure (among other things, such as widespread development of the capacity to be social [159]) – we can indirectly increase the number of individuals who have their thick social claims respected, irrespective of whether or not persons can feasibly will themselves into successfully performing acts of affective social labour, or not.

Of course, for collective duties to prove the feasibility of thick social rights, we must be able to show that making these changes to the background structure is itself plausible and within our power. In other words, for collective duties to show thick social rights to be definitively feasible, we must show that incentives exist that could bring about successful attempts to discharge such duties.

Promisingly, there is plenty of support for the view that they are themselves feasible.

Firstly, as has been articulated by Cordelli (2014), sociologists already have a very clear grasp of how the "relational distributive structure" operates, and what measures we can undertake in order to more efficaciously distribute affective social labour (and, as a result, satisfy claims to such labour). The main factors that determine the formation of spontaneous bonds are: "(1) the opportunity to interact informally; (2) the opportunity to interact repeatedly, frequently and for a sustained amount of time; (3) a

[159] Martha Nussbaum, 'Capabilities and Human Rights', *Fordham Law Review* 66 (1997): 273–300.

common purpose or project or interest connected to their interaction; and (4) the opportunity to interact in conditions of cooperation rather than pure competition [160].” In theory then, by maximising these opportunities in organisational settings where interaction takes place – schools, voluntary associations, occupational settings, care homes etc. – we can discharge collective duties.

One real-world example that can illustrate the feasibility of such interventions is found in the sociological work on educational segregation, and the finding that “friendship segregation [along racial lines] is a common outcome in racially heterogenous schools, but it need not be”, granted that internal policies that structure interaction are sensitively designed [161]. This gives support to the notion that we already have the epistemic resources necessary to discharge collective duties – a fact which makes them feasible (or, at least, not specially unfeasible).

Secondly, increasing opportunities for social interaction – as we have said – can depend on the amount of leisure, resources, and physical access persons have. Increasing the amount of these things persons enjoy does not seem a specially unfeasible task: the vast majority of welfare states already take steps to ensure persons have a sufficient amount of these goods – as is shown through various legal and economic interventions – so there is a strong inductive case that the level could be increased in light of social rights.

[160] Mario Luis Small, *Unanticipated Gains: Origins of Network Inequality in Everyday Life* (New York, NY: Oxford University Press, 2009).
[161] Moody, ‘Race, School Integration, and Friendship Segregation in America’.

Thirdly, we have good empirical evidence which suggests that comprehensive sex and relationship education for adolescents in schools is highly efficacious at shaping the social norms surrounding intimate relationships [162]. Not only does this show that shaping sexual norms through educational intervention is feasible, but it also highlights more general possibilities to affect the shaping of relationship-norms more generally through the tool of civic education.

Overall, then, even if we have reason to doubt that individual duties can realise thick social rights given the potential necessity of spontaneity, it is absolutely clear that such doubt does not extend to the feasibility of collective duties. This shows that, despite reasons provided by the spontaneity objection to be sceptical of the feasibility of thick social rights, and agents can still have plausible duties to ensure that the "relational distributive structure" allocates affective social labour in accordance with just principles.[163]

§3.6 – Further concerns

In this section, I wish to engage with a number of objections to the feasibility and plausibility of collective thick social rights, and make some clarifications and amendments to my account in light of them.

Cowden raises a number of points worth addressing.

[162] Eva S. Goldfarb and Lisa D. Lieberman, 'Three Decades of Research: The Case for Comprehensive Sex Education', *Journal of Adolescent Health* 68 (2021): 13–27.
[163] Of course, what these just principles look like is up for debate, and will the basis of a different paper.

First, Cowden rejects the idea that collective duties which aim at creating conditions conducive to the spontaneous performance of affective social labour – such as loving – count as thick social duties at all [164]. Instead, it is argued, any such duty would actually be a "rebadging" of other sorts of (non-affective) claim rights, and could be "better" described in those non affective-labour terms. The purported reason for this is that many of the acts required by a collective agent to ensure a conducive background for the development of spontaneous, thick social relationships would themselves not require affective social labour to be performed, nor (potentially) any intention on the part of the relevant agent to produce these outcomes, given that these acts could be justified by reference to others sorts of ends. As a result, Cowden concludes that:

> "A child's right to be loved as a claim-right against the State may be the most convincing way of interpreting the right to be loved but it is better expressed without mention of love… I argue that the right to be loved does not properly exist in this context either, for really it is only a re-badging of a range of other claim-rights…"

If this is true, it would undermine my account, given that it would mean that my move to collective duties to definitively prove the feasibility of thick social rights would fail given that, conceptually, the collective duties in question would not be properly conceived as thick social duties at all. Instead, they would be best understood as another distinctly non-social kind of duty, meaning that they lack traction in proving the feasibility of thick social rights as such.

[164] Mhairi Cowden, 'What's Love Got to Do with It? Why a Child Does Not Have a Right to Be Loved', *Critical Review of International Social and Political Philoosphy* 15, no. 3 (2012): 325–45.

Second, Cowden maintains that even if collective duties to ensure favourable social background conditions *could* prove the feasibility of thick social rights in some cases, they would still, taken on their own, fail to explain what thick social duties individuals have (if any) in cases where persons have enjoyed these favourable social conditions and still require affective social labour to have their interest in a minimally decent life secured.[165] This matter does not undermine my account as such, but it does highlight its incompleteness in dealing with the spontaneity objection: without clarifying where the move to collective duties leaves us in regards to individual obligations, and what this means for the landscape of social duties, we will be ill equipped to assess what the account offered means for the social rights literature as a whole, and its future direction. Whilst not strictly speaking a concern about feasibility, given its wider relevance, I think it important to engage with this here.

On Cowden's first objection: I do not think her argument has force.

For one, it is not clear to me why a given collective duty only properly qualifies as being about "love", or as properly constituting a thick social duty, if the required enabling action *v* exhibits core features of that which is being enabled. In other words, it does not seem like a duty is only really "about" something when what it demands is sufficiently similar to the end it serves, which is what Cowden seems to be suggesting. To see this, imagine a case in which I can only prevent Andy from starving to death by giving him some food. However, the only way that I can get Andy the food is by solving a quick and easy Sudoku puzzle, at which time a mechanism will be set off that provides Andy with a nourishing

[165] I thank a reviewer for Politics, Philosophy & Economics from bringing this fully to my attention.

meal. If Cowden's view was correct, we could not say that my duty to solve the Sudoku puzzle was *really* about rescuing Andy from starvation, given that we could describe my act of puzzle-solving without any reference to food or starvation. This seems wrong. Clearly, in this case, what is important in constituting my solving the puzzle as a duty of rescue is that I have the duty *because it serves the end of rescue*. Similarly, even if the relevant collective duties only require functional, non-social labour to be achieved – and can be described without any reference to "love" – they still qualify as thick social duties given that they exist insofar as they serve the end of fulfilling the thick social needs of claimants. As a result, the conceptual point Cowden makes is, I think, misplaced, and my move to collective duties does have traction in proving the feasibility of thick social duties.

For two, it is not clear that describing thick collective social duties *as* social duties is mere "rebadging", if by "rebadging" we mean that it is a mere semantic move away from understanding the issue as one understood through non-social rights and duties. For one, we have an interest in self-understanding, and this includes understanding what we owe to other people. As a result, understanding the reasons we have for pursuing certain ends, and what ends we are required to pursue, is important as a way of ensuring we understand our own lives, and our relationship to others. Given this, there is value to understanding that we have collective social duties to others, even if our performance of the relevant actions that ensures this outcome is overdetermined given overlap with other normative considerations. This highlights that the duty *is* better expressed with reference to "love", and all other relevant instances of affective social labour. Moreover, I find it hard to believe that our collective social obligations would be overdetermined in this way – indeed, given the specific nature of

the claim, it seems much more likely that clarifying the full range of ends for why we have a given duty will ensure that we live up to our duties. Cowden's suggestion risks keeping us in a normative ignorance which could have repercussions for those who are entitled to affective social labour whereas understanding our collective duties as distinctly social protects against this risk. Overall, then, it seems that collective thick social duties qualify conceptually as such, regardless of whether they are constituted by performances of affective social labour, and our rendering of them in this way is not threatened by whether or not our duties are overdetermined in any case. This leaves the force of the prior account, and its implications for the feasibility of social rights, intact.

On Cowden's second objection: I think it has force, and requires me to make some comment on how this picture of thick collective duties relates to thick individual duties. Assuming that I am right about the scope of the spontaneity objection and my claim that partially spontaneous thick social duties can feasibly satisfy social needs, I think individuals will still have thick social duties to others *even when* those others have enjoyed favourable background conditions brought about by performance of collective duty. That is, I do not think the move to collective social duties to definitively solve the feasibility problem necessarily renders individual thick social duties redundant. Indeed, there are at least two clear cases when this will not be the case.

The first case in which individuals will have thick social duties despite the successful discharging of collective social duties is in cases when persons can meet the thick social needs of another at a reasonable cost to themselves, and a failure to do so would mean the suffering of serious harm or the living of a less than minimally

decent life on the claimant. In other words, one set of cases which cement the importance of individual thick social duties is cases of social rescue. To see this, imagine a standard case of rescue in which someone has enjoyed favourable background conditions to *not* find themselves in peril:

> *Safe Pond*: Andy has accidentally fallen in a shallow pond, and is now drowning, despite there being robust safety measures in place that make such events highly unlikely. Byron sees Andy drowning, and can save him at the cost of one of his fingers.

It seems clear to me that Byron has an obligation to give up his finger in order to save Andy's life even though Andy enjoyed favourable background conditions in not falling into the pond. Indeed, my intuition even remains the same when I assume that Byron has taken on his fair share of the cost in installing the safety measures. What this tells us, I think, is that one's duty of rescue is not defused simply because an individual has been provided with a very good chance of having their needs met, and not having to experience serious harm. If this is true, I think it is true *arguendo* in the case where an individual can prevent another from living a less than minimally decent life by performing – or earnestly trying to perform – necessary affective social labour at a reasonable cost. If true, this would mean that even if the social architecture were changed so that it was made much more likely that people had their thick social needs satisfied, this would not mean that individuals would not still have obligations to meet these needs in cases where doing so is reasonably costly. Of course, providing such affective social labour can sometimes be unreasonably costly and, therefore, in these cases, it will be incumbent upon collective agents to enable these "social rescues" and ensure they can be

reasonably performed where appropriate by coordinating the provision of social labour so burdens are shared widely between multiple well-placed agents, and, perhaps, even by compensating people for the costs they incur in the process. It is clear, however, that, in principle, these individual duties will remain independently of the existence and performance of collective social duties.

The second case where individuals will have thick social duties towards others beyond collective duties is in the context of associative obligations whereby the provision of affective social labour is required in the context of a special relationship between two or more agents.

One specific case where this is clear is in the context of promises and contracts. To see this, consider *Safe Bodyguard*:

> Villain has shot a slow bullet at Andy. Bodyguard promised Andy that he would jump in front of any bullet fired at Andy if he could feasibly do so, and is able to jump in front of the slow bullet before it hits. The state Bodyguard and Andy live is incredibly safe given effective collective coordination, making any attempt on Andy's life highly unlikely.

Here, it seems clear that Bodyguard has an obligation to keep his promise and jump in front of the bullet, given that he has promised to do so, and thereby entered into a particular kind of associative relationship with Andy that requires him to act in this way given his role as "Bodyguard". This is true even though Andy (and Bodyguard) both enjoy favourable background conditions

generated by collective coordination that make it highly unlikely that he would be shot at by Villain. This shows that when one agent has promised to *v* in a certain situation, they have an obligation to *v* where appropriate, even if the likelihood that they will have to *v* is low given the nature of the social world. If this is true, and then it also seems true that an individual who promises to perform affective social labour for another in a given circumstance – regardless of how favourable background conditions are – is required to do so when certain conditions are met. Concrete examples of this might include those who have contracted to be care workers, babysitters, professional family members, or even those who have entered into certain kinds of marriages. Of course, promises are not absolute in all cases, and the requirement of having to keep a promise can be superseded by factors such as costs to oneself or others in doing so, or the actions of the individual you have made the promise to, but there is a presumption they will be kept, making them fairly robust examples of sources of individual thick social duties.

Another case where associative duties ground thick social duties is when one shares a relationship of care with another, whereby they occupy a role that justly requires them to meet these affective social needs. The clearest example of this is probably the parent-child relationship: the associative bond of the family plausibly brings with it an obligation for members of that family to bear costs for each other in order to provide all with what they need to live a minimally good life. I remain agnostic on whether this is because parents have responsibly caused the needs of their children, or because there is something *sui generis* about parental obligation to provide affective social labour. In any case, the thought that this is owed is deeply plausible and, furthermore, its plausibility is resistant to the existence of favourable social conditions. Indeed, I

do not think that whether or not a parent has a duty to (try to) love their child is dependent upon how likely it is that someone else will love them, nor do I think that a parent's duty to perform affective social labour for their children is defused once this has not happened spontaneously under favourable background conditions. It seems clear that a parent has a duty to try even in these cases and, therefore, it seems clear that the fulfilment of collective social duties will not displace the existence of individual thick social duties in cases where persons occupy a role in which they have specific social obligations to others, as is seen in the family or, perhaps, even in religious communities of certain kinds.

As a result, I conclude that Cowden is correct to highlight the question of how the move to collective social duties – in solving feasibility problems or others – leaves the status of our individual social duties, especially towards those who remain needy even after enjoying favourable social conditions. I have tried to show that collective duties will not be a replacement for individual duties, and will be present even after the social architecture works how it ought to.

§3.7 – When social rights are unfeasible

I wish to finish, finally, by making a brief note on the sometimes enduring *unfeasibility* of social rights.[166]

As I have noted in the introduction, I am interested in establishing the *general* feasibility of social rights. In this vein, however, is important to recognise that, sometimes, there will be cases where

[166] I thank a reviewer from Politics, Philosophy, and Economics for highlighting this point.

someone needs social labour, but it is not feasible to provide them with it. This might be because there is nobody with the skills or resources that can meet the person's needs, or it might be because the individual in question cannot access the goods of social labour themselves. To give one stylisation of the issue: there might be some persons who cannot bring themselves to love, and those who cannot feel the love of others. I do not rule out this possibility. There might also be informational constraints that make social rights unfeasible given that persons cannot reasonably know that there is someone out there who needs their aid. Again this is a difficult problem.

However, I maintain that none of these problems undermine the general feasibility of social rights as a class of entitlements which lay claim on the acts of others. That is, I maintain there is nothing specially unfeasible about performing social labour for and with others and, as a result, we should hold it to the same set of expectations we hold other classes of entitlements in our normative theorising. Just as the fact that some people cannot rescue others from ponds does not render the duty of rescue specially unfeasible, neither does the existence of those who cannot provide others with friendship undermine the feasibility of providing friendship to another in general. Similarly, just because we do not currently know who our duties are owed to specifically today, does not mean that collective agents cannot make progress on this question, and act accordingly.

Understanding social rights as a class of entitlement as feasible as any other does not mean there are never problems in discharging them: it means that we ought to fully consider them rights, and

strive towards them accordingly, without refusing to deliberate about how we might satisfy their requirements ex ante [167].

§3.8 – Conclusion

In conclusion, social rights, despite initial intuitive concerns, are not specially unfeasible. Indeed, thin social rights seem to be straightforwardly feasible. Even thick social rights, whilst seeming unfeasible across a particular class of particularly non-spontaneous individual cases, are definitively feasible at the bar of collective duties and over a sizable range of more spontaneous individual cases. By clarifying that there is nothing inherently unfeasible about even thick social rights, this clearly places them – and social rights in general – into the running to be considered moral imperatives.

Of course, the matter of whether social rights are properly considered part of our normative landscape will depend on more than their feasibility alone. However, it has at least now been made clear that they cannot simply be brushed aside on the grounds that they cannot be rights, and stand only as inherently empty aspirations, because they require the performance of miracles.

[167] Nicholas Southwood, 'Feasibility as Deliberation-Worthiness', *Philosophy & Public Affairs* 50, no. 1 (2022): 1–162.

Chapter 4

Lying to Make Friends

Lying to Make Friends[168]

Charlie Richards

Abstract

It is intuitively wrongful to deceive people into forming a false belief. It is especially intuitively wrongful to deceive people into forming the false belief that you are their friend. Despite these intuitions, this article argues that in a surprising number of cases, deceiving people into believing you are their friend is not only permitted – but required. The article uses this result to make some important revisions and suggestions for the social rights literature: (i) social rights are feasible in a wider range of cases than previously thought, and (ii) it is doubtful that grounding social rights on the impersonal value of genuine intimate relationships is their most fruitful grounding.

[168] Thanks goes to Cécile Fabre and Amia Srinivasan for first pressing me to think about deceptive intimacy. Thanks also to Kida Lin, Robert Cheah, Johann Go, Zofia Stemplowska, Cécile Laborde, Victor Tadros, an associate editor and two reviewers for *The Journal of Applied Philosophy*, and an audience at the Oxford Work-in-Progress in Political Theory (OWIPT) workshop for their questions, comments, and suggestions on earlier and related work.

§4 – Introduction

> *Fake Friend*: Annie thinks she is friends with Betty. She thinks this because her relationship with Betty closely resembles a friendship: it is constituted by a range of friendship-apt acts. However, Betty does not consider Annie a friend: she does not value Annie as a particular, nor does she value their relationship for its own sake (if at all). Instead, Betty only pretends that she values her relationship with Annie in this way.

Annie and Betty's relationship is defective insofar as it is not *really* a friendship, assuming friendship requires the relevant parties to hold appropriate attitudes towards one another, and to value the relationship for its own sake, to be instantiated. For some kinds of relationship to express intrinsic relational value, then, it is not sufficient for the relationship to be made up by the necessary acts that constitute that relationship: agents must also act from and for the right reasons.[169]

If true, this problematises the idea that persons can be required to intimately associate.[170] If A associates with B *solely* to discharge a duty she owes B, the intentions A holds towards B will not be relationship-apt, making the resulting relationship defective. Consequently, a duty the type "provide B with a non-defective relationship" will likely be unfeasible because directly self-defeating[171]

[169] Elizabeth Telfer, 'Friendship', *Proceedings of the Aristotelian Society* 71 (1970): 223–41; Laurence Thomas, 'Friendship', *Synthese* 72, no. 2 (August 1987): 217–36, https://doi.org/10.1007/BF00413639.
[170] S. Matthew Liao, 'The Right of Children to Be Loved', *Journal of Political Philosophy* 14, no. 4 (December 2006): 420–40, https://doi.org/10.1111/j.1467-9760.2006.00262.x; S. Matthew Liao, *The Right to Be Loved* (Oxford ; New York, NY: Oxford University Press, 2015); Laura Valentini, 'II—What's Wrong with Being Lonely? Justice, Beneficence, and Meaningful Relationships', *Aristotelian Society Supplementary Volume* 90, no. 1 (June 2016): 49–69, https://doi.org/10.1093/arisup/akw004; Kimberley Brownlee, *Being Sure of Each Other: An Essay on Social Rights and Freedoms*, First edition (Oxford: Oxford university press, 2020).
[171] Derek Parfit, *Reasons and Persons* (Oxford: Clarendon press, 1992).

especially if that duty is grounded in the value of non-defective relationships, as is often the case in the social rights literature.[172] (To clarify: this is not to say that social rights are unfeasible because persons will generally lack the motivation to dutifully associate with each other.[173] Instead, the worry is that a moral theory which requires A to provide B with a non-defective relationship for moral reasons would be self-defeating because moral motivation is infelicitous ground for realising non-defective relationships themselves.)

There is, however, a potential solution: empirical evidence suggests that social interaction alongside a *belief* that one enjoys non-defective relationships is sufficient to avoid the serious psychological harms often attached to social isolation and deprivation.[174] Assuming that duties of the type "provide B with the *belief* that they enjoy a non-defective relationship" are not self-defeating in the same way as the duties outlined above, duties of this kind are more promising for the social rights literature.

These doxastic social duties to make others believe that they share meaningful relationships with us, while more promising in terms of feasibility, are nonetheless subject to a deep ethical problem: causing another to form and sustain a false belief as to the nature of their

[172] Liao, *The Right to Be Loved*; Anca Gheaus, 'Love and Justice: A Paradox?', *Canadian Journal of Philosophy* 47, no. 6 (2017): 739–59, https://doi.org/10.1080/00455091.2017.1319656; Brownlee, *Being Sure of Each Other*; Kimberley Brownlee, *Being Social: The Philosophy of Social Human Rights* (Oxford: Oxford University Press, Incorporated, 2023).
[173] Bernard Williams, *Moral Luck: Philosophical Papers 1973–1980*, 1st ed. (Cambridge University Press, 1981), https://doi.org/10.1017/CBO9781139165860.
[174] Roy F. Baumeister and Mark R. Leary, 'The Need to Belong: Desire for Interpersonal Attachments as a Fundamental Human Motivation.', *Psychological Bulletin* 117, no. 3 (1995): 497–529, https://doi.org/10.1037/0033-2909.117.3.497; John T. Cacioppo et al., 'Loneliness and Health: Potential Mechanisms':, *Psychosomatic Medicine* 64, no. 3 (May 2002): 407–17, https://doi.org/10.1097/00006842-200205000-00005; Caitlin E. Coyle and Elizabeth Dugan, 'Social Isolation, Loneliness and Health Among Older Adults', *Journal of Aging and Health* 24, no. 8 (December 2012): 1346–63, https://doi.org/10.1177/0898264312460275; Brownlee, *Being Sure of Each Other*; Amy Orben, Livia Tomova, and Sarah-Jayne Blakemore, 'The Effects of Social Deprivation on Adolescent Development and Mental Health', *The Lancet Child & Adolescent Health* 4, no. 8 (August 2020): 634–40, https://doi.org/10.1016/S2352-4642(20)30186-3.

relationship with you will often require deception.[175] Many will at this stage be highly sceptical that one may permissibly deceive others in this way, thereby problematising the potential of such duties as an alternative to those subject to the self-defeat worry. The goal of this paper is to argue that such deception is not only permitted, but often morally required; the status of doxastic associative duties as a potential balm to the thorny feasibility issues that beset some thick social rights is therefore bolstered.[176]

There are two theoretical upshots to this. The first (as mentioned), is that social rights are not generally defeated by the non-spontaneous intentionality they require of agents, even if we make feasibility assumptions amenable to their sceptics.[177] This is because duty-bearers can permissibly deceive claimants into believing they enjoy non-defective relationships. The second is that justifying interpersonal social rights by appealing to the intrinsic value of non-defective relationships is relatively difficult and may not be the most promising avenue for defenders of social rights and/or those concerned with our interests in sociability. An alternative justification grounded in the prevention of suffering, or the promotion of subjective wellbeing more generally, may be more promising. As I go on to outline, this point is important for the social rights literature as a whole.

The major practical upshot is that persons will often have duties to associate with others and pretend that they hold feelings towards them when they do not. This is an important point. Often, well-meaning people will acknowledge another's desperate loneliness, but refuse to alleviate their loneliness on the assumption that

[175] I say often because it might be that individuals form false beliefs about your relationship with them by themselves and, therefore, avoid the harms of perceived social deprivation in that way. I think such cases will be quite rare.
[176] Charlie Richards, 'Feasibility and Social Rights', *Politics, Philosophy & Economics* 22, no. 4 (November 2023): 470–94, https://doi.org/10.1177/1470594X231163280.
[177] Mhairi Cowden, 'What's Love Got to Do with It? Why a Child Does Not Have a Right to Be Loved', *Critical Review of International Social and Political Philosophy* 15, no. 3 (June 2012): 325–45, https://doi.org/10.1080/13698230.2011.572426; Liao, *The Right to Be Loved*; Gheaus, 'Love and Justice'.

pretending to be their friend would wrong them. If I am right, this worry is generally overblown.

Some clarificatory remarks before we begin.

First, the following argument applies only in cases when a prospective duty-bearer cannot feasibly form a non-defective relationship with another after trying.[178] Doing this *might* be generally feasible, but this is debatable[179] and, of course, doing so will not *always be feasible.* This paper only asks what agents should do when this kind of willing is not possible: what should a parent who cannot bring themselves to genuinely love their children do, for instance? This assumption also helps clarify how far the idea of social rights take us even if we make inhospitable assumptions.

Second, I assume that social interaction *itself* is necessary to satiate one's social needs in a meaningful way, and that non-social assistance will be insufficient. For one thing, this assumption helps me set up the issue of intimate deception, which I think is interesting. For another, it is intuitive. It does not seem possible, for instance, to solve social deprivation itself just by giving lonely people cash, or better professional opportunities, or more free time. Ostensibly, many of us are hard-wired to be very badly off if we lack adequate social connections regardless of the other goods we have. Hopefully this clarifies why the paper does not also consider the potential for non-social, "compensatory" acts that might alleviate one's social needs.

Third, I agree that people might have indirect social duties to influence the shared social architecture in a more positive direction.[180] However, that matter has been discussed elsewhere and, as I go on to argue below, such structure-directed duties will not

[178] Liao, 'The Right of Children to Be Loved'; David Estlund, 'Utopophobia', *Philosophy & Public Affairs* 42, no. 2 (March 2014): 113–34, https://doi.org/10.1111/papa.12031; Richards, 'Feasibility and Social Rights'.
[179] Cowden, 'What's Love Got to Do with It?'; Gheaus, 'Love and Justice'.

exhaust the stock of social duties agents have: agent-directed duties are also part of the picture. Here, I am interested in agent-directed social duties.

Fourth, and finally, I do not engage here with cases involving multiple prospective duty-bearers. This is largely in the interests of space and ecumenism: work on how duties of rescue ought to be allocated is controversial, and taking that on would distract us I think from the central and more controversial (and less trodden) issue of intimate deception at the heart of this paper. I take a placeholder view on how such duties ought to be allocated where necessary.

The argument runs as follows. Section 1 briefly locates the present discussion within the literature on social rights. Section 2 defends the basic argument for the duty to deceive. Section 3 sets out how the basic argument applies in the context of intimate association. Section 4 considers cases involving lesser social needs. Section 5 proposes some revisions to the social rights literature considering the preceding account. Section 6 briefly considers how we should make sense of the costs of deceptive intimacy to duty-bearers.

§4.1 – Grounding the discussion

I rely on a relatively thin conception of social rights here. That is, I try to commit myself to a set of relatively non-controversial positions. I do this partly in the interests of space, but also because showing that a duty to deceive the socially needy goes through on a fairly ecumenical set of assumptions clarifies the insight's general relevance for the literature.

[180] Chiara Cordelli, 'Justice as Fairness and Relational Resources', *Journal of Political Philosophy* 23, no. 1 (March 2015): 86–110, https://doi.org/10.1111/jopp.12036; Chiara Cordelli, 'Distributive Justice and the Problem of Friendship', *Political Studies* 63, no. 3 (August 2015): 679–95, https://doi.org/10.1111/1467-9248.12115.

First, I assume that persons have social needs insofar as sufficient social interaction is required to avoid the psychological suffering attached to loneliness, the autonomy-diminishing effects of lacking a sense of belonging and, in the case of children, adequate socio-cognitive skills gained through proper socialisation. Empirical research is unequivocal on the general welfare point[181] and the point about children: empirical evidence strongly suggests that children need decent social interactions to appropriately develop neurologically and socially – both of which are required to successfully pursue one's good from a range of valuable options.[182]

Further, children and adults both face a high risk of suffering mental health issues – such as depression – when suffering from perceived social isolation,[183] which is both a welfare cost, and a significant autonomy cost.[184] Indeed, the relationship between self-respect and the power to pursue a life of one's choosing is well documented:[185] if one does not have the willpower or the confidence required to come up with, properly commit themselves to pursuing, and/or revising their projects (where apt), how could they possibly enjoy an

[181] M Eames, Y Ben-Shlomo, and M G Marmot, 'Social Deprivation and Premature Mortality: Regional Comparison across England.', *BMJ* 307, no. 6912 (30 October 1993): 1097–1102, https://doi.org/10.1136/bmj.307.6912.1097; Coyle and Dugan, 'Social Isolation, Loneliness and Health Among Older Adults'; Brownlee, *Being Sure of Each Other*.

[182] Harry T. Chugani et al., 'Local Brain Functional Activity Following Early Deprivation: A Study of Postinstitutionalized Romanian Orphans', *NeuroImage* 14, no. 6 (December 2001): 1290–1301, https://doi.org/10.1006/nimg.2001.0917; David Whitebread, 'Free Play and Children's Mental Health', *The Lancet Child & Adolescent Health* 1, no. 3 (November 2017): 167–69, https://doi.org/10.1016/S2352-4642(17)30092-5; Orben, Tomova, and Blakemore, 'The Effects of Social Deprivation on Adolescent Development and Mental Health'.

[183] Baumeister and Leary, 'The Need to Belong'; Orben, Tomova, and Blakemore, 'The Effects of Social Deprivation on Adolescent Development and Mental Health'; Ziggi Ivan Santini et al., 'Social Disconnectedness, Perceived Isolation, and Symptoms of Depression and Anxiety among Older Americans (NSHAP): A Longitudinal Mediation Analysis', *The Lancet Public Health* 5, no. 1 (January 2020): e62–70, https://doi.org/10.1016/S2468-2667(19)30230-0; Taiji Noguchi et al., 'Association between Social Isolation and Depression Onset among Older Adults: A Cross-National Longitudinal Study in England and Japan', *BMJ Open* 11, no. 3 (March 2021): e045834, https://doi.org/10.1136/bmjopen-2020-045834.

[184] Joseph Raz, *The Morality of Freedom*, 1st ed. (Oxford University PressOxford, 1988), https://doi.org/10.1093/0198248075.001.0001; John Rawls, *A Theory of Justice*, Rev. ed (Cambridge, Mass: Belknap Press of Harvard University Press, 1999).

[185] Rawls, *A Theory of Justice*; Cordelli, 'Justice as Fairness and Relational Resources'.

autonomous life? For these reasons, I take it for granted that persons have weighty social needs grounded in at least these instrumental considerations.

Second, I assume that people – perhaps aside from very young children – will largely need only to enjoy a *belief* that they are not socially deprived to have these instrumental social needs satisfied. It is empirically well-supported that one's welfare and autonomy interests in social interaction are in large part grounded in the psychological benefits one derives from a sense of belonging: one's *perceived* social connectedness with others.[186] These interests are also most severely set back when one believes their connectedness is below a minimally decent level i.e. when they are subjectively socially deprived.

This empirical finding is also theoretically intuitive. Consider the weighty importance of feeling loved to a child's welfare and emergent autonomy interests.[187] Ostensibly, believing one is loved is the important part here for the child, and not *being* loved per se, because it is their *belief* which causes them to feel a sense of social connectedness, security, and self-confidence and not the fact of the relational matter per se.

Indeed, when one believes they are loved, this forms the subsequent belief that they are cared for and matter to another person in a significant way as a particular. This belief causes them to feel a sense of belonging and self-worth, thereby satisfying important social needs. In contrast, a child who is loved but does not believe that they are (perhaps because their parents are very bad at showing it) will not come to believe they matter to another person in a significant sense and, therefore, will not enjoy this secure sense of belonging. Consequently, a child who believes that their parents love and care for

[186] Baumeister and Leary, 'The Need to Belong'; Brownlee, *Being Sure of Each Other*.
[187] Liao, 'The Right of Children to Be Loved'; Liao, *The Right to Be Loved*.

them – when they do not – will have their respective social needs satisfied just as well as a child with the true-belief that they are loved. This, I think, should give us some comfort in the finding that the belief one enjoys non-defective social relationships is necessary and – at least in some cases – sufficient to satisfy some very important social needs.

Relatedly, I assume that i) deceiving someone into forming such a belief requires only functional social labour, and ii) labour of this kind is generally feasible to perform. The first point should be straightforward enough given that particular affective dispositions are not required to mislead someone as to your true intentions towards them. Workers in the retail and service industries can attest to this. The second point holds that, while deception will not *always* be feasible – some people may be very bad at deceiving others, and some very good at spotting deception – there is nothing about associative deception per se which renders it the kind of act which one is highly unlikely to successfully perform after trying. Awkward family gatherings and workplace get-togethers stand as good examples.

Third, and more controversially, I assert that social rights are not *exclusively* structure-directed. This creates space for agent-direct social duties of the kind I discuss. Consider

> Safe Pond: A is drowning. B can save A at the cost of dirtying his trainers. A enjoyed a fair opportunity *not* to fall in the pond: appropriate safety measures were installed, making A's current predicament a highly unlikely one.

B would wrong A if he refused to save him. This is because B can prevent serious harm to A at a reasonable cost to himself.[188] This is true despite

[188] Peter Singer, 'Famine, Affluence, and Morality', in *International Ethics*, by Lawrence A. Alexander, ed. Charles R. Beitz (Princeton University Press, 1986), 247–62, https://doi.org/10.1515/9780691241869-014; F. M. Kamm, *Intricate Ethics: Rights, Responsibilities, and Permissible Harm*, Oxford Ethics Series (Oxford: Oxford University

background conditions granting A the fair opportunity to avoid the serious harm in question. To deepen this thought, suppose B contributed to the safety measures through taxation. Does the fact that B contributed his institutional fair share negate his notional duty to save? Would it be within B's rights to decline to act because he has discharged his structure-directed duties? I think not.

To tease this out, imagine A calls out for B to rescue him. B replies: "Sorry, A. I know you are going to die, but I have already done my bit to stop things like this from happening. I can't reasonably be expected to do any more. The measures I helped put in place made it very unlikely you would need my help. Of course, you *did* have a right to the safety measures – which was satisfied – but you never had a right against drowning *per se*, so I'll be on my way." This is obviously a cruel and poorly intentioned thing to say given that B could save A's life at the low cost of dirty trainers: it is wrong because B could prevent serious harm befalling A at a reasonable cost to himself. The importance B places on the distinction between structure-directed and agent-directed duties also seems to miss the point.

I think B's view is wrong, at least in part, because it fails to appreciate that the reasons which justify the structure-directed duty he refers to also apply interpersonally. Indeed, the ostensible, decisive consideration for the structure-directed duty accepted by B is that drowning to death is very bad. The weight of this consideration therefore produces a pro-tanto requirement for B to bear a reasonable cost (taxation) to mitigate the risk of drowning. However, if the presence of something sufficiently bad is sufficient to conjure a structure-directed duty to bear a reasonable cost in the service of its prevention, why would this same consideration necessarily fail to deliver an agent-directed duty to do the same? I find this mysterious. The only difference between the cases is that instead of

Press, 2007), https://doi.org/10.1093/acprof:oso/9780195189698.001.0001; Helen Frowe, 'The Limited Use View of the Duty to Save', in *Oxford Studies in Political Philosophy*, vol. 7 (Oxford: Oxford University Press, 2021), 66–99.

bearing a cost to bring about a preventative structure or scheme to prevent *x*, B must now bear a cost to prevent *x* directly. Assuming there is no relevant normative difference in how serious harm is prevented so long as doing so is reasonable, it is hard to see why B is not required to save A directly. Notwithstanding a relevant difference, applying a structure-exclusive view of rights in cases involving serious harm is therefore implausible.

By parity of argument, I also think structure-exclusivity is implausible when it comes to social rights. A will sometimes have weighty social needs. B will sometimes be able to satisfy these needs at a reasonable cost. Consequently, even if B discharges his structure-directed duties successfully – perhaps his taxes have gone towards a slew of social clubs and accessibility measures – this will not extinguish the prospect of agent-directed social duties. It is also doubtful that the classical liberal/libertarian view on freedom of association[189] – that all have a stringent associative power to refuse association with anymore for virtually any reason – is the right one.[190] The best account of social rights will therefore include structure-directed and agent-directed elements, where appropriate. Here, I am interested in exploring a potential problem for agent-directed social rights. Of course, the devil is in the detail and, at this stage, this sort of move by analogy is little more than a proof of concept. How it ultimately applies in the social case will depend on a number of details that I spell out later. So I ask eager readers to bear with me until then.

These assumptions constitute the building blocks of the duty to intimately deceive. Defending and articulating the permissibility of such

[189] Robert Nozick, *Anarchy, State, and Utopia* (New York: Basic Books, 1974); John Stuart Mill, *On Liberty*, 1st ed. (Cambridge University Press, 2011), https://doi.org/10.1017/CBO9781139149785; Valerie Soon, 'Sorting and the Ecology of Freedom of Association', *Journal of Political Philosophy* 31, no. 4 (December 2023): 411–32, https://doi.org/10.1111/jopp.12294.
[190] Kimberley Brownlee, 'Freedom of Association: It's Not What You Think', *Oxford Journal of Legal Studies* 35, no. 2 (1 June 2015): 267–82, https://doi.org/10.1093/ojls/gqu018.

deception, and consequently making progress on the feasibility issue for social rights, occupies the rest of the paper.

§4.2 – The basic argument for deception

In some cases, one will be required to deceive in order to achieve an important moral goal. Consider

> Murderer: Murderer is trying to kill Victim because he hates him. Bystander knows that Victim is hiding in the wardrobe, and that Murderer's intention is to kill Victim. Murderer asks Bystander where Victim is. If Bystander tells the truth, Victim will be murdered. If Bystander lies, Victim's life will be saved.

Bystander is required to lie to Murderer in order to save Victim's life. This is because deception is a proportionate means to securing the end of saving Victim's life, just as breaking Murderer's arm or, perhaps, even killing him would be if these were the only options on the table.[191] This shows that deception is not a hard-constraint on what one can be required or permitted to do. Even if deception is always harmful to those who are deceived,[192] which is likely, one will nevertheless be required to deceive when this is necessary to achieve a proportionate end. We therefore ought to reject the quite extreme view that lying is always forbidden.

Some may doubt that *Murderer* is very instructive in the associative case because what explains Bystander's permission to

[191] Jeff McMahan, *Killing in War* (Oxford University Press, 2009), https://doi.org/10.1093/acprof:oso/9780199548668.001.0001; Victor Tadros, *The Ends of Harm: The Moral Foundations of Criminal Law*, Oxford Legal Philosophy (New York: Oxford University Press, 2011); Helen Frowe, *Defensive Killing* (Oxford: Oxford university press, 2014); Jonathan Quong, *The Morality of Defensive Force* (Oxford: Oxford University Press USA - OSO, 2020).
[192] Christine M. Korsgaard, *Creating the Kingdom of Ends*, 1st ed. (Cambridge University Press, 1996), https://doi.org/10.1017/CBO9781139174503.

deceive in *Murderer* is that Murderer, being a wrongdoer, has made himself liable to be deceived.[193] On one view, *innocent* agents do not make themselves liable to harm and, therefore, it will be impermissible to deceive those who are not wrongdoers, even when a great good can be secured. This view is not correct. Consider

> Innocent Murderer: Like *Murderer*, but Murderer is only pursuing Victim because he has been involuntarily drugged.

I find it plausible that Murderer is not liable to bear any special costs in this case given that he has done nothing to forfeit his rights against being lied to. There is also no "evil" project that Murderer is culpably trying to bring Bystander into:[194] he is not trying to do anything. However, it is clear that Bystander is still required to lie to Murderer to secure the end of saving Victim's life. Consequently, deception cannot only be permissible when it is aimed at those who have forfeited their rights in some way. This makes the claim that we can deceive the socially deprived more promising.

On one view,[195] agents can become liable to bear costs merely by being the cause of some rights-violation, even if they are not culpable *or* responsible. I do not find this an intuitive view. Famously, it could tell us that a person who turns off their bedroom light which, unbeknownst to them, will give someone a fatal electric shock, would make themselves liable to bear significant – perhaps lethal – costs to avoid that harm. This would tell us that Innocent Murderer *may* be lied to, to but only because he is liable by virtue of his causal relationship to a potential rights-violation. I find this hard to believe.

[193] Seana Shiffrin, *Speech Matters: On Lying, Morality, and the Law* (Princeton, NJ: Princeton University Press, 2014), https://doi.org/10.1515/9781400852529; Cécile Fabre, *Spying through a Glass Darkly: The Ethics of Espionage and Counter-Intelligence* (Oxford: Oxford university press, 2022).
[194] Fabre, *Spying through a Glass Darkly*.
[195] Judith Jarvis Thomson, *The Realm of Rights* (Cambridge, Mass.: Harvard Univ. Press, 1990).

Presumably, we want principles that allow agents to control – as much as is possible and fair – what they make themselves liable to, and how others may treat them.[196] Such a responsibility-independent view would thereby expose agents to liability to harm that they had no chance of foreseeing, let alone intending and, for this reason, we should reject such a view. I think *Innocent Murder* therefore tells us that sometimes agents will be required to deceive others even when they are non-liable.

Perhaps deception is forbidden, however, when the beneficiary of deception is also the person being deceived. In *Murderer*, one agent was deceived to benefit a third-party, and this might distract us from intimate association cases where the person being deceived is also the person the deception intends to benefit. But I do not think this difference matters much, at least in core cases. Consider

> Spy: Spy is an intelligence officer. If those close to her knew her secret, they would be exposed to a high risk of harm by members of other intelligence agencies. Father asks Spy what she does for work.

I find it highly intuitive that Spy is required to lie to Father in order to keep him safe, and protect him from the very high risks that he would face if he knew the truth. This is because there are good reasons for Father to be kept in ignorance, and for him not to have the power to create a duty that Spy shares this information when he requests it.[197] There are a few ways to deepen this thought. One way is argue that it is not rational for Father to have his desire to be told the truth satisfied given that he has (or ought to have) a stronger desire to

[196] Thomas Scanlon, *What We Owe to Each Other* (Cambridge (Mass.): the Belknap press of Harvard University Press, 2000); Tadros, *The Ends of Harm*.
[197] Victor Tadros, 'Appropriate Normative Powers', *Aristotelian Society Supplementary Volume* 94, no. 1 (1 July 2020): 301–26, https://doi.org/10.1093/arisup/akaa009; Victor Tadros, 'Beyond the Scope of Consent', *Philosophy & Public Affairs* 50, no. 4 (October 2022): 430–66, https://doi.org/10.1111/papa.12222.

avoid exposure to a high risk of serious harm.[198] Another possibility is that, even though it could be rational for Father to have this desire, it is not reasonable, given that the objective value of risking serious harm to oneself is incomparable to the value of having his question truthfully answered. Finally, we might appeal to the idea that Father has self-regarding duties not to expose himself to serious harms or other kinds of treatment when doing so is reasonably avoidable, and Spy's deception therefore enables Father to satisfy those duties. More could be said, but I think these brief remarks show that it is highly plausible that deception can still be required in cases when the person being deceived is a non-liable, intended beneficiary of the deception.

An interesting point to add here is that it is likely even *easier* to justify imposing costs on the individual who stands to benefit from the creation of a necessary cost, than it is to justify imposing that cost on an unrelated third party.[199] This makes deception in the associative cases we are considering even easier to justify. Consider

> Victim or Bystander: Victim is drowning in a shallow pond. Rescuer can save Victim in one of two ways. Method 1 would cause Victim to lose a finger. Method 2 would cause Bystander to lose a finger.

I find it intuitive that Rescuer should opt for Method 1, and save Victim in the way that makes Victim bear the necessary costs of his rescue instead of a bystander. One explanation might be that Victim stands to directly gain from the costs generated, which makes it easier to justify the imposition of the cost to *him*, as opposed to an innocent third-party. Perhaps this is because the cost is in some sense more relevant to Victim and his life, and we might think it is more appropriate to allocate costs on the basis of such relevance where

[198] Derek Parfit, On What Matters: Volume One (Oxford: Oxford Univ. Press, 2011).
[199] McMahan, *Killing in War*.

possible. Alternatively, perhaps we should generally favour principles that allow agents to decide what costs they bear and risks they expose themselves to *ceteris paribus*. We might do better to enhance this value of control by allocating costs to those who stand to directly benefit from them: in this case, such a principle will lessen the impact of serendipity to the distribution of burdens, which seems like a good thing. I do not press hard on these potential explanations though and, if I have provided two wrong explanations of the underlying principle, I hope that the appeal to intuition is forceful enough for the reader to at least bear this in mind in the following sections.

Detours aside, the main lesson is this: it might be intuitive to think that deception is always wrongful, at least when launched against innocents, even when it is intended to do good, and especially when it intends to benefit the target of the deception. But this is mistaken. When deception is a proportionate means of achieving a valuable moral end, such as the prevention of serious harms, one will be required to deceive. With this account of deception in hand, we now have the basic theoretical ingredients to defend deceptive intimacy.

§4.3 – Deception and intimate association

To keep the analysis clean, let us begin with a clear case of social deprivation: a socially needy agent A faces ongoing psychological suffering and a lack of autonomy, and this will continue if they are not furnished with the belief that they enjoy non-defective relationships. Let us also assume that deception is necessary to inculcate and sustain this belief: B cannot feasibly provide A with a non-defective relationship, nor the true belief that A is not socially deprived, even if they tried.

Would B act wrongly if he deceived A into believing they shared a non-defective relationship?

I think not. We have already established that deceit is not inherently wrongful. Further, even in cases involving the deception of an innocent agent who is the intended beneficiary, deception is not wrongful when doing so is a necessary and proportionate means to a great good. In cases of social deprivation, the harms of intimate deception and the disvalue of the defective relationship it produces seems to pale in comparison to the significance of the harms of psychological distress and autonomy diminishment that weigh on the other side. It therefore becomes hard to give a principled account for why it would be wrong for B to deceive A in this case. On the contrary: deceiving in this way is seemingly *required* by the lights of the preceding analysis concerning deception. In light of this, I believe the burden of proof should shift: we should assume intimate deception is permissible, at least in cases involving serious harms, notwithstanding a decisive argument to the contrary.

This thought, while striking, becomes more plausible once we analyse a relevant case. Consider

> Grandma: Grandma is socially isolated most of the time. Grandson is the only person who visits her regularly, and this makes her feel loved and appreciated. Grandson does not care about Grandma, though, and only visits her because he believes he is required to. He has deceived her into believing he really does cherish the time they spend together. If Grandma did not have this belief, she would cease to value Grandson's company, and her isolation would cause her to experience emotional agony and depression.

I find it intuitive that Grandson is required to deceptively associate with Grandma and give her the false belief that he has relationship-apt intentions. This is because his deceptive association would prevent Grandma from experiencing agony and losing the will and confidence to pursue meaningful projects. Plausibly, these two considerations are of a *much* greater value to Grandma than the harm of deception is to Grandma and Grandson[200] and, therefore, deception is a proportionate means to this end. If Grandson were *not* permitted to deceive, he would be required to allow Grandma to experience these great harms – but the costs of this to Grandma are severe. It is clear to me that it is much better from Grandma's point of view – and the impersonal point of view – for Grandson to visit and deceive than it is for Grandma to know the truth. In this way, Grandma is akin to Father in *Spy*. For these reasons, I believe Grandson is required to deceptively associate.

There are many reasons to feel uneasy about the case and the conclusion I have drawn. However, I do not think any of these worries are decisive against the claim that Grandson is required to deceive.

First, we may lament the defective nature of the relationship, and its resulting disvalue, as we did in *Fake Friend*. It is true that the love present in the relationship is one-sided, and the relationship cannot be considered intrinsically valuable on this score. We might feel sorry for Grandma for this reason. This is a regrettable fact. However, if we assume that giving Grandma a genuine relationship is not possible, the question of whether Grandson can be required to deceive Grandma remains. Given the preceding analysis, I think it is highly plausible that Grandson is required to deceive.

Second, we might wonder whether the deception is truly proportionate. Grandson's deception is *particularly* harmful in this case because it causes Grandma to lack a fundamental kind of self-

[200] I include both because there are costs relevant to both being deceived *and* deceiving.

knowledge: she is misled about Grandson's intentions, and therefore comes to form false beliefs not only about her relationship with Grandson, but also about the shape of her life and the value it contains as a whole. This puts pressure on the permissibility of deception in this case: it clarifies that the deceptive costs imposed to secure the goods intended are more grave than may appear.

Even if this is true, though, I find it hard to believe it could be so weighty a consideration as to render deception forbidden. This is partly because the costs Grandma would experience without the false belief would be *much* worse than the cost of her ignorance, even on this wider analysis. It should go without saying that both Grandma *and* Grandson have very strong reasons to alleviate or prevent Grandma's emotional agony, and inability to pursue projects. If the deceptive relationship did not exist, all of these things of great value to Grandma would disappear, and she would be reduced to a painful life devoid of much good. Therefore, even if there is a material cost to Grandma's self-knowledge as a result of Grandson's deception, it's going to be a struggle to persuasively argue that this renders Grandson's deception forbidden, given that the harms of social deprivation are so weighty, and the benefits it enables Grandma to enjoy are so great. I do admit this is a difficult objection to grapple with, however. To do it justice, I investigate a similar thought in more detail below during my discussion of Brownlee's experience machine.[201] To flag: I do not find it decisive even on that closer examination.

Third, we might think that associating with Grandma is unacceptably paternalistic, and therefore forbidden, because it aims to benefit her

[201] Kimberley Brownlee, 'I—The Lonely Heart Breaks: On the Right to Be a Social Contributor', *Aristotelian Society Supplementary Volume* 90, no. 1 (June 2016): 27–48, https://doi.org/10.1093/arisup/akw008.

without appropriately taking into account what she wants for herself.[202] The basic thought here is that even if it would be *very* bad for Grandma if she were not deceived, the choice of whether or not she is deceived – and whether or not she bears those costs – should be down to her. By lying to her, and keeping her in ignorance, Grandson wrongs her not because the deception is disproportionate, but because Grandma's rightful control over her life and the relationships therein has been trampled on.

Whilst I am sympathetic to the objection, I do not find it decisive. For one, objections to paternalism, or defences of a very wide permission to consent to, or refuse, certain kinds of treatment are implausible when weighty objective harms weigh in the balance. Consider

> Boulder: Two boulders are rolling down a cliff towards Victim. Big Boulder will kill Victim, whereas Small Boulder will break Victim's arm. Bystander only has the power to destroy one of the boulders, averting *that* harm from befalling Victim. Victim tells Bystander that she wants him to destroy Small Boulder, given that she would rather die than have her leg broken.[203]

Bystander is clearly required to destroy Big Boulder, even though Victim is asking for him to destroy Small Boulder, and has a preference for death. This is most easily explained by appealing to the view that the consent or refusal of a certain kind of treatment is only valid under certain circumstances.[204] Some plausible limits on such validity, as we saw in *Spy*, are whether or not it is rational, reasonable, and in-keeping with self-regarding duties. On any

[202] Jonathan Parry, 'Defensive Harm, Consent, and Intervention', *Philosophy & Public Affairs* 45, no. 4 (September 2017): 356–96, https://doi.org/10.1111/papa.12099.
[203] David J. Clark, 'Refusing Protection', *Philosophy & Public Affairs* 51, no. 1 (January 2023): 33–59, https://doi.org/10.1111/papa.12226.
[204] Victor Tadros, 'Consent to Sex in an Unjust World', *Ethics* 131, no. 2 (1 January 2021): 293–318, https://doi.org/10.1086/711210.

of these metrics, it is fairly obvious that consenting to being crushed to death when this can be avoided at the cost of a broken leg is not valid. If this is true, I think that we should conclude that the socially deprived may not validly refuse deceptive intimate association in the relevant cases, either. Deception is harmful, of course, but it is not sufficiently harmful compared to the harms of social deprivation to make a refusal of it valid when it is necessary to prevent the latter. The socially deprived are reliably faced with such harms, so this point seems to be instructive for the cases at hand.

Of course, this is not to say that one's preferences or attempts at refusal – even when one is being irrational or unreasonable– are to be ignored. Such things also create sometimes decisive reasons for persons to be treated in certain ways. But to argue that such reasons will be decisive to render deception forbidden when such serious harms are on the line is a difficult argument to make, and I am not sure how one could go about persuasively making it.

For another thing, it is generally unfeasible to use deception as an effective means *after* you have improved an agent's epistemic options, meaning that the prospective deceiver must often decide whether or not to deceive independently of giving the target an opportunity to refuse. Consider

> Paramedic: Paramedic arrives on the scene of a motorcycle crash, and begins to assist Victim. Victim has suffered serious injuries, and may not walk again. Given the nature of Victim's injuries, more severe complications are likely if Victim becomes anxious or upset. Victim asks Paramedic how bad his injuries are.[205]

[205] I thank Johann Go for this case.

Bracketing the question of whether Paramedic is permitted or required to lie in this case – I happen to think she is required – it is clear that granting Victim the opportunity to refuse the deception is not possible while retaining deception as an effective means. Suppose that Paramedic was unsure of what to do and, worried that deceiving Victim would wrong him, responded by asking: "Do you want me to be honest?" Asking this implies that Victim may be in trouble, and invites Victim to believe that Paramedic's subsequent answer will be unreliable. In other words, giving the option to refuse makes later deception ineffective and may impede Paramedic from saving Victim from very serious harms. As a result, one will often be unable to improve an agent's ability to refuse deception without undermining one's ability to deceive, which may be the only means one has to save. Agents will thereby often be required to decide whether to deceive or not *without* giving the agent in question the actual opportunity to refuse.

In light of this, we should try and capture the force of this consideration – without foregoing deception as an effective means entirely – through an appeal to hypothetical consent: we might consider whether the claimant would refuse deception *if they were asked*. In some cases, such a consideration will likely be decisive if we care about respecting others' preferences for how they are treated, which we should. A limited duty to gather evidence on the preferences of the target may also exist on this score. However, when great harms are on the line, and the objective costs of deception are relatively small, the question of whether even hypothetical consent will constitute a valid refusal is crucial, and the previous discussion casts doubt on this view.

Return to *Boulder*. Suppose Victim is now unconscious, and we are unable to ask him what his preferences are. Bystander is, however, evidence-relative justified in thinking that Victim would want to be

crushed to death rather than having their leg broken. Clearly, this would not constitute a valid refusal. This is for the same reason that an *actual* attempt at refusal did not: the considerations which render Victim's refusal invalid are still present. Further, I suspect that most people – if push came to shove – would prefer to live a life containing deceptive relationships compared to a terrible and painful life without such relationships. Practically, this consideration may therefore not have much importance, at least in serious, social deprivation cases.

Fourth, one might be sceptical of my conclusion in *Grandma* because our intuitions might be piggy-backing on the familial relationship – "is it *really* true that Grandson does not care for Grandma?".[206] If they are, *Grandma* might not tell us much about permissions to deceive strangers, given that *Grandma* is relevant only to potentially valuable familial relationships. A related worry is that our intuitions may be responding to notions of reciprocity or familial duties, which might be misleading us. But I do not think this is true. For one, the duty to deceive is already observed in cases between strangers, such as *Murderer*. For two, it is independently plausible that an agent will sometimes be required to deceptively associate with a stranger, whether this is a role-based obligation or not.

Reconsider *Paramedic*. Let us again suppose that the only way to avoid serious harm is for Paramedic to deceive Victim into forming the belief that he is not paralysed. To do this, Paramedic must be reassuring, speak calmly, and pretend that he is not worried. Imagine Paramedic must ask Victim about his day, be friendly towards him, and create a positive social interaction that is pleasant and ostensibly genuine. Further, let us assume that Paramedic is not naturally gregarious, and pretending to be pleasant and cheery is a chore for him. Despite this, it is clear to me that Paramedic is required to

[206] I thank Zosia Stemplowska for raising this concern.

deceptively associate, for comparable reasons we observed in *Grandma*. Moreover, for present purposes, it does not matter whether or not Paramedic believes he is so required because it is part of his job, or because he feels the pull of an impersonal moral duty. The case merely highlights that one is plausibly required to socially deceive others when grave harms are on the line, and doing so is reasonable. Perhaps reciprocity and/or role-relativity can increase the burdens one must bear in such cases, and ground decisive reasons for why the duty should fall to *them* rather than others. However, assuming that duties of aid need not be dependent on these things to get off the ground, it is plausible they are not fundamentally dependent on such considerations. What this tells us, I think, is that the intuitions and related principles we observe in *Grandma* are likely generalisable to cases involving strangers, so long as the basic facts remain the same: proportionality, necessity, and reasonable sacrifice.

Consequently, when deception is a proportionate, effective, and necessary means to prevent the serious bads of social deprivation, individuals will be required to do so. Moreover, this thought also applies in the context of strangers and, *a fortiori*, those who we know of but do not know intimately: classmates, neighbours, colleagues etc. With this in hand, we can answer the original question: A *is* required to deceive B.

§4.4 – Lesser social needs

Before moving on to unpack the importance of this claim for the social rights literature, it will pay to examine how these thoughts apply in cases involving weaker social needs than those relevant to social deprivation.[lv] Indeed, when the stakes are very high, it is relatively easy to justify the costs of deception to duty-bearers and victims. Are agents also required to deceptively associate when lesser social needs are on the line? What if the potential benefits of social deception were

just making another person's day, or helping them become more confident when starting a new job? Could these kinds of lesser social needs also trigger duties to deceptively associate?

I certainly think such duties are possible in principle. To motivate this thought, consider

> *Nettle*: A has been distracted while riding his bicycle, and is about to crash into a bush of stinging nettles. B sees this, and can save A by walking at pace and waving his arm at him.[207]

My view is that B is required to alert A to the danger, and he would wrong A if he failed to do this. This is because i) A is facing a non-trivial cost, ii) B can prevent A from bearing this cost at a relatively much lower cost to himself, and iii) the cost B must bear to achieve this end is sufficiently low in absolute terms. That is, this is a classic rescue case, and we should treat it accordingly. Of course, the stakes are much lower than in the other cases we have considered. Consequently, the severity of B's wrongdoing would be commensurably lower: perhaps he would only be liable to a mild ticking off or a disapproving gesture if he failed to assist A. Nevertheless, I still think we are right to acknowledge a wrong in this case.

If this is true, we should – by parity of argument – draw the same conclusion in cases involving intimate deception: so long as the costs of deception are reasonable to bear, B is required to deceive, even when the potential gain is relatively weak. Consider

> *Lunch*: A does not have any friends at work, and so he faces eating lunch on his own again in the office canteen. Eating on his own makes A feel very awkward and embarrassed given

[207] I thank Victor Tadros for giving me a case like this to consider.

> that it makes him believe that nobody likes him. B notices A's predicament, and could prevent A's loneliness by giving him the belief that he values his company: sitting down, exchanging some friendly words, and pretending that he enjoys chatting with B while he eats his lunch. B finds A quite boring, however, and would rather sit with his good friend C.

My sense is that B is required to eat lunch with A for the same reasons that B is required to alert A to the danger of the nettles: a sufficient net-good can be achieved for another at a reasonable cost to oneself. Indeed, while eating lunch with someone you find boring and pretending you are enjoying their company for 30 minutes is a chore, it is not a grave cost, nor is it an unreasonable or disproportionate one given bearing it will prevent another from a sufficiently greater harm. (For what it is worth, I think many social norms regulating our interactions with older family members, in-laws, and colleagues reflect something like this general intuition.) Moreover, I think this is true even if we assume that A is not socially deprived: even if we suppose he has friends and loving family outside of work, I still find it intuitive that B is required to spend time with A. In principle, then, I do think lesser social needs can conjure duties to deceptively associate, so long as the costs of deception are appropriately less.

One point of complication, however, is that deception also represents a cost to the one who is deceived. How should we make sense of this? A rough and ready way is to consider the prospective net-benefit of deception to the victim (deceptive gain versus the deceptive loss) against the costs of deceiving for the duty-bearer, checking that the costs are proportionate and reasonable for the duty-bearer in the circumstances. This method is intuitive: what reason would A have to prevent some cost x to B, if the only way to achieve this was to simultaneously cause a cost equivalent (or greater) than x to B? Obviously, this would be pointless.

Moreover, the net-benefit of deceiving must be *sufficiently* great relative to the costs to the duty-bearer in deceiving – the mere existence of a net-benefit is not sufficient. To motivate this point, consider

> *Fingers*: A can prevent B from having her fingers crushed for *x* months by diverting a boulder. A can only do this by allowing his own fingers to be crushed for *y* months.

In cases where *x*>y, but only by a slight margin, I do not think A must save B. To tease this out, suppose that A can prevent B from 5 months of broken fingers, only at a cost of 4 months of broken fingers for himself. I find it implausible that A is required to suffer this cost *even though* this would bring about a better situation from the impersonal point of view. Presumably, what explains A's permission to refrain from bearing this lesser cost for the greater good of another is the existence of an agent-relative prerogative[208] that allows A to weigh what is good from her personal point of view more heavily when considering what tdo. This explanation of the intuitive phenomena is supported by the fact that in a variation of the case where a bystander has the power to divert the boulder to either A *or* B, it is he ought divert to whoever faces the lowest cost (A). There is no agent-relative prerogative to consider here, meaning B should simply do what is best.

Applying this to intimate deception cases, I believe we can say the following. When A can satisfy a social need of B's through deception, the satisfaction of this need will bring about a sufficient net-good – calculated according to what B stands to gain from the deception

[208] Thomas Nagel, *The View from Nowhere*, First issued as an Oxford University Press paperback (New York London: Oxford University Press, 1989); Samuel Scheffler, *The Rejection of Consequentialism: A Philosophical Investigation of the Considerations Underlying Rival Moral Conceptions*, 1st ed. (Oxford University PressOxford, 1994), https://doi.org/10.1093/0198235119.001.0001; Quong, *The Morality of Defensive Force*.

versus what A *and* B stand to lose as a result of the deception – *and* the costs of deception are reasonable for both A and B to bear, A will be required to deceptively associate. As I have said, this will be true even when the social need in question is not particularly weighty in absolute terms.

Practically, such a duty will require individuals to engage in a number of "petty" deceptions when associating with others. That is, deceptions which do not intend to give the impression of wanting a full friendship, but nevertheless containing some relationship-apt feelings. Further, given that allowing an individual to hold a false belief about your feelings towards them is likely much easier to justify than actively taking steps to inculcate such a belief in others – as per the general doing and allowing distinction[209] – it is also likely that agents will often be required to refrain from correcting those who benefit from their false beliefs regarding their relationships. *Allowing* one to hold a false belief is also, generally, much less costly to the duty-bearers' interests than would be required by active deception, and so it passes through the criteria more easily on this score. Maybe, once the hard work is done deceiving, one can coast along by allowing the ignorance to continue. If this is true, such duties would be even *easier* to justify, even in serious cases.

One final word on all this. I mentioned above that the objection from paternalism is generally defeated in social deprivation cases given that weighty objective harms will void attempts at, or preferences for, refusal. Plausibly, this thought does not extend to the lesser cases I have mentioned, because they lack serious harms. I admit that it *could* be rational, reasonable, and in-keeping with self-regarding duties to prefer a lonely lunch over a deceitful yet pleasant encounter. Duty-bearers must therefore consider seriously the preferences and beliefs of a given target when deciding whether or not to deceive them

[209] Kamm, *Intricate Ethics*.

in these petty cases: they must consult the evidence available to them regarding what the individual in question would prefer, and whether they would likely refuse deception if given a fair opportunity to do so. Depending on the general state of beliefs, this might rule out very many petty deceptions, rendering them largely *forbidden*, or permit a great many of them. This must be taken case by case, and will largely depend on different cultures and contexts. Of course, the thought that what justice requires will depend on the preferences and beliefs of those subject to it is not a novel one.[210]

§4.5 – What does this mean for social rights?

I think accepting the preceding argument has important implications for some prominent views in the social rights literature.

First, the account defuses some worries about the feasibility of social rights, and gives us good reason to consider a wider class of social rights feasible. Some have argued, for instance, that one cannot love in a valuable way unless loving is spontaneous and responds to the loved as a particular, and the right to love is – and rights to enjoy meaningful relationships in general are –therefore conceptually invalid for similar reasons to those outlined at the start.[211] This might be true, but the present account shows that even if it is, social rights will still feasible given that this point has no force against duties to make someone *believe* they are loved. As noted above, such beliefs can be feasibly and permissibly achieved through deception and, therefore, so long as the right in question is not to a non-defective relationship as such, there is no issue. The feasible set

[210] Ronald Dworkin, ed., *Justice for Hedgehogs* (Cambridge, Mass: Belknap Press of Harvard University Press, 2011); Tom Parr and Andrew Williams, 'Fair Insurance: Defended, Amended, and Extended', in *Oxford Studies in Political Philosophy Volume 8*, ed. David Sobel and Steven Wall, 1st ed. (Oxford University PressOxford, 2021), 69–102, https://doi.org/10.1093/oso/9780192856906.003.0003.
[211] Cowden, 'What's Love Got to Do with It?'; Gheaus, 'Love and Justice'.

of social rights is therefore much wider and more robust than sometimes thought.

Second, the account shows that Liao's claim that children have a right to be loved, and that this right cannot be properly satisfied with merely deceiving someone into thinking they are loved, is a bit too quick.[212] As clarified above, this depends on what the ultimate justification of the right to love *is*. Liao himself argues that in the absence of feeling loved, children face serious harms, and that this is a core justification for the right in question. But he says that giving someone "fake" love would be ineffective given that it would be akin to giving someone who is owed money fake bank notes: they would *believe* that they have been given what they are owed, but they have been conned. Their social needs are therefore left wholly unsatisfied.

I think this analogy fails to say much because it relies on a concealed tautology: we are told one cannot satisfy the right to be loved through deception because the right to love is the right to non-deceptive love. Analogously, the right in the example, for Liao, is to real notes and not fake ones. But let us imagine that the justification of my giving you the notes just *is* that you can go and use it to buy yourself some food. Imagine you're starving: I only have fake notes on me, and I know that if you knew they were fake, you would let yourself starve to death, or would be unable to successfully deceive the shopkeeper into giving you some food. Consequently, I give you fake notes instead of nothing at all, because doing so is a means to save your life. In this case, I feel strongly that my deception is a proportionate means to securing the end of preventing serious harm from befalling you, and I do not owe you anything else, even if we regret the fact that I had to deceive you in giving you what you were owed. This makes Liao's analogy look strained if we assume – as we should – that at least one

[212] Liao, 'The Right of Children to Be Loved'; Liao, *The Right to Be Loved*.

key justification for the right to be loved is a child's need to believe they are loved to prevent serious harms.

As a result, children – and adults – have a less contentious right to *feel* loved than actually be loved, and this avoids some potentially thorny issues of feasibility that beset Liao's account. Further, on Liao's view, if you try to love and fail, you have done your duty, and may give up. Alternatively, I say this: you should first try to love and, if you don't succeed, you should pretend you have succeeded.

Third, Brownlee suggests that social rights entitle people not only to believing that they have decent social connections and opportunities, but to actually enjoying decent social connections and opportunities.[213] By "actually enjoying", I think Brownlee (at least) means persons enjoying social connections which are non-defective. She asks us to consider

> *False World*: Imagine that Sophie is coercively confined to an experience machine, and consequently has no human contact. Once in the machine, she is unaware that she is totally isolated. She believes she is leading a life populated with normal people.

Sophie is seemingly wronged for various reasons in this case. It is highly plausible, though, that one key bad-making feature of the case is that Sophie does not have any access to non-defective social connections – or, indeed, any real connections at all. From this, we might conclude that it would be wrong to deceive persons in the way discussed here given that this would mean that they would not be enjoying "actually decent" social opportunities: they would be coercively placed in something like Brownlee's experience machine. If this is true, perhaps deception is forbidden after all, and social rights ought to be more limited in their scope and justification.

[213] Brownlee, 'I—The Lonely Heart Breaks'; Brownlee, *Being Sure of Each Other*.

I do not buy this, however. Even if I agree with the intuitive force of *False World*, and think that coercively confining people into experience machines is wrongful, this does not show that people are wronged by virtue of their not being provided with non-defective intimate relationships. As I have already stated, it is doubtful that such relationships can be provided *by right* given the necessity of holding the appropriate intentions in forming and sustaining such relationships, and the intention of doing one's duty being inapt for this purpose. Whilst a lack of non-defective relationships might be a serious bad-making feature of Sophie's life in *False World* then, this is not enough to establish that failing to provide people with such things constitutes an injustice.

Furthermore, given the constraints of the specific situations we face, we can be required to desire events that it would be irrational for us to desire in other circumstances.[214] If Sophie had a choice the feasible-set of which was living under the facts of *False World*, or living a life full of non-defective relationships, it would in my view be irrational – and perhaps violating of self-regarding duties – if she chose to stay in the former. It would also be wrong for someone to make that choice for Sophie, or refuse to bring her into the better situation if doing so were reasonable. However, if the feasible set consisted of staying in *False World*, or living a socially isolated world beset by psychological agony and a severe diminishment of autonomy, it is clear to me that it would then be irrational and potentially wrongful to *leave False World*. This shows, I think, that while Brownlee has a point, the importance of her point depends on what the feasible set consists of for socially deprived people and those well-placed to help them in the here and now. This will vary case by case, but the point of principle should be clear.

[214] Parfit, *Reasons and Persons*; Parfit, 'On What Matters. 1'.

Some may reject my view because they believe a decision to stay in the experience machine – let alone put someone into one! – is *always* worse for that agent than living in the real world, regardless of what that reality might look like:[215] better authentic, isolated misery than manufactured, socially abundant happiness, we might say. Let us call this the *pro-reality view* (Reality). If correct, Reality would put serious pressure on my defence of the permission to deceive – especially, we might think, when the stakes are high and the deceptive relationship has great significance for one's life, as it does in *Grandma*. Luckily, I do not think Reality is correct.

For one, Reality cannot plausibly be justified by appeal to what would be best for people, in the sense that refusing *False World*-style "deception" would always improve how good an agent's life goes relative to being deceived. Consider

> *Agony or Bliss*: A and B each have a medical condition which means they will live in torturous agony for their whole lives. B, however, can plug himself into an experience machine which will make him believe that he is living a different life free of pain. B decides to plug himself into the machine.[216]

I think it is obvious that B's life goes *much* better than A's. This is because torturous agony is incredibly bad for a person's life, and great pleasure is incredibly good for a person's life, regardless of whether these mental states are "manufactured" or not. Presumably, this is because the respective mental states (and their inherent value) would always be authentic, and therefore of genuine (dis)value; the real cleavage between the experience machine and unfiltered reality would not be about the authenticity of one's mental states, but instead between the authenticity of the *cause* of those mental states i.e. one's

[215] Nozick, *Anarchy, State, and Utopia*.
[216] I thank Rob Cheah for the doubts which produced this case.

beliefs about what has happened in their life, and so on. I assume that everyone believes that undeserved pain and inoffensive pleasure are inherently (dis)valuable, and are important factors in determining how well a person's life has gone, so I am not sure how a Reality defender could plausibly avoid this point. Therefore, if the choice is between authentic abject misery, or simulated bliss, one's life will surely go better all else equal with the latter choice. Plausibly, this is true whether we are hedonists or pluralists about value, given that pleasure will always be an important determinant of overall wellbeing, and the authentically miserable life has little else going for it.[217] Ergo, when the stakes are high, the experience machine will make a person's life go better than uncompromising reality will: Reality cannot therefore plausibly be a claim about what would make one's life *actually* go better.

The justificatory idea behind Reality, then, must be something like the following: choosing authentic misery, whilst potentially making one's life go much worse, is always required because we have a self-regarding duty to respect our status as beings that are more than mere vessels for pleasurable experiences, or containers of impersonal value.[218] Plugging into the experience machine – or plugging someone else into one – is therefore forbidden even if it makes one's life go better, because it fails to treat that person appropriately *qua* person: it violates their dignity as a human being. While somewhat mysterious, I find something like this thought quite attractive. But I still think it fails to justify Brownlee's insistence on non-defective relationships.

Firstly, I am not sure why taking steps to make one's life go as well as possible (especially when the stakes are high) does not express respect for oneself, and one's status, as a person. I would even go so

[217] Eden Lin, 'Pleasure, Pain, and Pluralism about Well-Being', *The Philosophical Quarterly* 75, no. 2 (24 March 2025): 632–51, https://doi.org/10.1093/pq/pqae007.
[218] Nozick, *Anarchy, State, and Utopia*; Immanuel Kant, *The Metaphysics of Morals:*, ed. Lara Denis, trans. Mary Gregor, 2nd ed. (Cambridge University Press, 2017), https://doi.org/10.1017/9781316091388.

far as to say that allowing one's life to go very badly despite being able to do something to make it go objectively much better would also potentially violate one's self-regarding duty to respect oneself as a person. Is the ability to experience and embody certain kinds of value in one's life not also important to one's status as a person? The same applies, I think, to allowing one to stay in experience machines, or to place them there – if this is *really* the best thing for them and their life, why do we disresect them by taking steps to help them, assuming that their preference for refusal is not decisive? Surely, if we take their interests seriously as persons, and respect them as such, it is at least plausible that we respect people by doing what is good for them, as opposed to leaving them to their fate.

Secondly, intimate deception would not be a totalising illusion as the experience machine in *False World* is, and would in fact *enable* persons to pursue more things of authentic value: social and non-social. This is because social deprivation diminishes one's autonomy. With a sense of belonging, people are *more* likely to form non-defective relationships, take on and grapple with challenges, and pursue meaningful projects. The experience machine, in this case, is therefore one that will almost always enable an agent to experience more authentic value overall than they would without it, because it grants the confidence and self-esteem necessary for autonomy. Why should plugging into this limited experience machine wrong us? Is it rational to choose a life containing less authentic value just to minimise the prevalence of the inauthentic causes of that value? To me, this is a perplexing and harsh requirement. I therefore reject even this status-centric rendering of Reality, and maintain that deceptive intimacy, even if experience machine-like, will often be required.

If our hostile assumptions about the feasibility of granting others non-defective relationships is correct, the social rights to love and connection that Liao and Brownlee articulate are perhaps more

plausibly operative as rights to *believe* one is loved or socially connected. I admit that there is something regrettable about this. But what we owe people is sensitive to what is possible for us, and them, and when we cannot give someone a non-defective relationship, giving them a false-belief that they enjoy such a relationship will be required.

§4.6 – The costs to duty-bearers

I want to end by briefly considering how we should understand the costs for duty-bearers.

Even if one is convinced of the above argument, there may be concern regarding how dismal the situation is for those who must deceive. Plausibly, deception will represent both welfare and resource costs: deceiving someone, especially over time, will not only be sometimes an uncomfortable experience – boring, perhaps stressing for those who value honesty – but it will also place demands on our time and energy. How should we think about these costs?

I think the short point to make here is that, sometimes, morality requires agents to bear real costs for others. Sometimes we have to give up our fingers, and other times we have to give up on our preference not to deceive, and in yet others we may have to take on the mental burden of keeping a lie. All of these things are costs that help inform the ethics of a situation.

Of course, the general rule of positive duty between strangers is that when prospective costs are reasonable, and a great good can be achieved if one bears them, one must do so.[219]

[219] Singer, 'Famine, Affluence, and Morality'; Kamm, *Intricate Ethics*; Tadros, *The Ends of Harm*; Frowe, *Defensive Killing*; Quong, *The Morality of Defensive Force*.

The key question is therefore whether the costs of deception are reasonable for duty-bearers to shoulder, and whether a great good can be achieved if they bear them. The answer to this is “it depends”. In some cases, deception will be too great a cost to one’s integrity, or too painful to keep up. Sometimes a great good will not be achieved if the costs of deception are paid – when someone is just socially under stimulated, or wishes they had more interesting friends, for instance. In these cases, prospective duty-bearers will not be required to bear any costs. But sometimes, in Goldilocks cases, when prospective costs are reasonable in light of the goods at stake, one will be required to deceptively associate. All I can say here is that I hope the preceding account has done a good job at explaining why and when cases of deceptive association will be just right to produce a duty.

An objector may press again: but where is the limit? How much can a duty-bearer really be expected to give up in the name of others’ social needs? On the one hand, if we set the bar of demandingness very low, the duty looks more intuitive, but it does so at the expense of relevance: it fails to really satiate the underlying social needs which motivate the duty in the first place. Petty, one-off deceptions cannot a friendship make, we might think. Alternatively, if we stipulate that such duties can be very demanding, we have the opposite problem: the duty looks counterintuitive yet retains its efficacy in satisfying the relevant rights. Could it really be true that I must dedicate so much of my time and energy into someone I do not care about? There is, then, perhaps an inescapable and unpalatable trade-off no matter how we select our level. Furthermore, this objection is even harder to meet given that deception is ongoing, meaning the costs duty-bearers will be required to bear will also be repeated. The account we have been discussing may not tell enough, then, to fully assess its contours.

Whilst a lively and important concern, I do not think it is decisive. It is, however, illuminating, so it will pay to take some time to respond to it.

First, while this is a tricky problem for this account, it is not endemic to it. Indeed, I think it is a problem for all moral theories that recognise (impersonal) positive duties. To illustrate, consider *Pond*:

Victim is drowning in a shallow pond. Bystander can save at the cost of his expensive suit.

Almost all accept the verdict that Bystander is required to save at the cost of his expensive clothes. But is Bystander required to lose a finger? A foot? A leg? As the costs increase, the duty of rescue becomes less intuitive, while the patient's underlying interest is increasingly protected (and vice versa). The same could be said about the duty I have outlined here. What counts as a reasonable cost depends on our underlying normative theory and how we spell this out. But this is not a worry for the account as such: all we need say is that whatever the right view of moral demandingness is, we are required to bear costs up to that point in order to discharge our doxastic social duties. This might be a highly demanding duty, or it might not be; this will depend on the best theory. The objector is correct, though, that the more which is demanded of us in service of this end, the more revisionary the duty will be for common sense morality.

Second, the costs of deceptive intimacy need not be very high to retain efficacy in satiating even important social needs. This defangs the worry to some extent as it shows that we need not adopt highly counterintuitive views on moral demandingness for the doxastic duties I have covered here to be practically important.

For one thing, most “friendships” do not require much more than taking the odd phone-call, replying to text messages, meeting up occasionally, and maybe helping out with an errand now and then. To be sure, these are costs. But these do not strike me as obviously supererogatory ones, especially in light of the serious harms which weigh on the other side, at least when social deprivation is concerned.

For another thing, it is plausible that others will be required to share these costs with you, at least when doing so would otherwise be supererogatory. Consider

> *Well*: Victim is starving at the bottom of a well. Annie and Betty can each pull her up alone, but if they do so they will break their backs. If they pull together, they will be able to save at the cost of being bed-bound for a few days.

Let us stipulate that breaking one’s back to save another constitutes a supererogatory cost. Neither Annie nor Betty is therefore required to pull up Victim on their own. However, they can share the total burden, and render the cost they each bear a reasonable one. It is intuitive that they are required to cooperate in this way, assuming neither was willing to bear the supererogatory cost. This is because their respective options are: a) leave Victim to die or b) save Victim at the cost of being in bed for a few days. Assuming that a few days in bed is a reasonable cost, they are required to bear it by the lights of the duty of rescue. Indeed, they would be so required if these were the options they faced in a rendition of the case where they were alone. Therefore, agents are required to share costs when doing so is reasonable and necessary, for the same reason they are required to bear costs alone when doing so is reasonable and necessary to prevent serious harm.

These thoughts apply, mutatis mutandis, to the deceptive association case. Sometimes, deceiving will be supererogatory, either at the start or at some point later. In these cases, others will be required to share the burden with you, in order to bring costs down to a reasonable level. This makes it more likely that costs can be reasonable for each *and* efficacious. One upshot here is that it is likely more plausible that *groups* of friends, family members, or co-workers, say, have collective obligations to deceive the socially needy, and include them in their shared activities in order to give them a sense of belonging, than individuals do. (This does not mean individual duties are *im*plausible.)

One more thing is that empirical studies have shown that spending time with people repeatedly, informally, and centred around a common project or interest often leads to the formation of decent social bonds.[220] One important implication of this research for the present point is that, so long as one chooses to interact in the right way, the net-costs of interacting with someone – even if one was not disposed to be friendly towards them at the start – are likely to decline over time. This gives us evidence that the costs of deception will likely diminish as our reasons for associating become more compatible with our own self-interest. This can be true even if one does not actually become the other's friend, and the interaction is not an overall benefit to one's life: the margin of cost will simply decrease..

So, all in all, while the challenge from the cost to duty-bearers is a powerful and illuminating one, it does not point to any unresolvable issue for the account. We must look to the best normative theory for some answers on demandingness, but we have good reason to think such duties will not need to be highly demanding to be efficacious in any case.

[220] Mario Luis Small, *Unanticipated Gains: Origins of Network Inequality in Everyday Life*, First issued as an Oxford University Press paperback (Oxford: Oxford Univ. Press, 2010); Cordelli, 'Distributive Justice and the Problem of Friendship'.

One final thought. What might the costs be to society if intimate deception of this kind was normalised as a moral requirement? If most people agree with the account, and act accordingly, deception may become more frequent, less frowned upon, and more a part of intimate life than it already is. This will plausibly have an impact on one's motivations and perspective on social life. Would this be for the best? This is a difficult question to answer, but it may be an important one: perhaps *this* change to our way of life would be too much, collectively, to bear. Given this potential for social degradation and suspicion, perhaps any duty to deceptively associate must always be seen as a regrettable thing, in order to guard other spheres of value from its wider effects. I leave this troubling and complicated thought here, and merely reiterate that the moral case in favour of deceptive association is powerful, and we must at some point come to fully grapple with what it might mean.

§4.7 – Conclusion

The ostensible unfeasibility of forming non-defective relationships out of a sense of duty poses a serious challenge to social rights. Doxastic associative duties to cause another to *believe* they enjoy non-defective relationships present a potential functional solution to this problem, but they raise difficult ethical questions. Promisingly, these questions can be answered: deceptively causing another to hold false beliefs about their social reality is not only permissible but morally required when it is a necessary, proportionate, and effective means of satisfying a target's social needs.

As a result, we should not see the necessity of deception to effective, dutiful intimacy as an insurmountable problem for social rights. On

the contrary, it helps demarcate the most plausible scope of social rights, and should give us confidence in their feasibility as a class.

Chapter 5

Conclusion

The three papers which comprise this thesis have advanced the view that social rights constitute an important part of our normative landscape, and that such rights have more radical and revisionary implications than often thought.

Here are the key takeaways. Social rights are often demanding, and are not trumped as a matter of principle by freedom of association (Chapter 2). Social rights are generally feasible, including those which require the performance of affective social labour on the part of duty-bearers (Chapter 3). Finally, social rights are not subject to self-defeat, even if we make inhospitable assumptions about their practicality, given that they can permissibly require us to deceive others in their service (Chapter 4).

In addition to these core contributions, the articles also make a number of other contributions.

The first paper delivers, in my view, an interesting *theoretical* contribution to the philosophy of altruism: the curtailing of normative powers can, quite independently of their second order costs, render an action supererogatory. This places pressure on some of the more radical views on altruism that typically proceed by considering only more immediate costs and benefits. If our normative powers are also distinctly valuable, this gives more scope to resist the idea that we ought, say, pursue careers or life projects that we would not mind doing, and would be much better for humanity, without implausibly denying positive duties altogether. Such powers are not sacrosanct, however. The

libertarian impulse to treat freedom as a matter of precepts rather than degrees is shown to be implausible in the paper, and sometimes giving up some freedom for the welfare of others will be required, too. Clarifying these matters enables more careful and sophisticated analysis when it comes to assessing our altruistic duties towards others.

The second paper makes an important *conceptual* contribution: it sets out a crucial distinction between thick and thin social rights. This helps to clarify that different philosophical problems beset different sorts of social rights and goods, and careful conceptual disambiguation is crucial for a sensitive theorization.

The third paper makes a *philosophical* contribution to the social rights literature, in that it shows how intuitive and pragmatic a more consequentialism-friendly justification of social rights, and other sorts of political and/or moral theorising, can be. Taking problems such as social deprivation seriously sometimes means accepting difficult trade-offs, given the deeply challenging social environments we and others find ourselves in. Getting our hands dirty for the greater good is sometimes best, and we should perhaps be more willing to revise the norms which govern our behaviour when doing so achieves significant benefits.

However, while these contributions help deepen our understanding of what we owe each other socially, there is of course much work left to be done.

For one thing, unique and interesting philosophical questions are raised about sociability in the era of AI: can our social needs be met by intelligent machines? Do we have reason to resist the lure of artificial sociability? Can AI agents “socialise”? As AI-enabled technologies necessarily become more advanced, and political decisions made about how human life is organised around them, such questions become more urgent and pressing.

Another consideration is that social rights operate within a context of social desires: preferences about who persons socialise with and

why. A current deficit in the social rights literature – these essays included – is a lack of engagement on a great number of thorny ethical and political issues which attach to the notion of social desires. The most important question among them for political philosophy, in my opinion, is whether collective agents like states are permitted – or even required – to try and shape the social desires of their members in ways more compatible with social interests, or for beneficent ends more generally. A natural extension of this thought can easily be made to the matter of whether propensities to altruism in general are subject to preference-forming duties of this kind. This is, of course, a controversial thought. It is nevertheless, to me, a fascinating one.

Most work on social rights ends eloquently with a nice word on the importance of friendship, love, and social decency, alongside a wish for a better world. Hopefully, this thesis has added in a small way to the credibility of such a world, and to our understanding of what we all owe to each other, here and now, in its service.