

GROUNDING FAMILIAL
OBLIGATIONS: A CRITIQUE OF
JESKE'S AND HARDIMON'S
ACCOUNTS

CARMEN CHEE

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Introduction

Common sense morality claims that individuals owe special obligations to their family members. Attempts to ground familial obligations have appealed to several aspects of the family. Some argue that individuals are obligated to care for their elderly parents because their parents have contributed greatly to the nurturing of their identity.¹ Other advocates like Diane Jeske (1998) and Michael Hardimon (1994) have appealed to the nature of familial relationships and the roles we play in the family respectively. Jeske argues that we have familial obligations and these obligations are grounded in the intimate character of familial relationships.² Hardimon on the other hand, argues that we have non-contractual role obligations that are attached to familial roles.³

Existing literature on familial obligations is mainly concerned with the voluntarist principle. The voluntarist principle holds that the only way that we can acquire special obligations is through some voluntary action, which we know, or ought to know, signals the assumption of special obligations.⁴ The voluntarist will grant that special obligations are acquired through promises and contracts. In the act of making a promise, Jeske

¹ Belliotti, Raymond (1986). *Honor thy father and thy mother and to thine own self be true*. The Southern Journal of Philosophy. Vol. 24. Wiley-Blackwell. USA. P.152

² Jeske, Diane. (1998). *Families, Friends and Special Obligations*. Canadian Journal of Philosophy, Vol. 28, No.4. P.528

³ Hardimon, Michael (1994). *Role Obligations*. The Journal of Philosophy Vol.91 No.7. USA. P.334

⁴ Jeske, Diane. (1998). *Families, Friends and Special Obligations*. Canadian Journal of Philosophy, Vol. 28, No.4. P.532

explains that an individual voluntarily agrees to bear a certain burden for the person to whom he makes the promise.⁵

However, individuals acquire familial obligations in a very different way. While promiser-promisee relationships are entered into voluntarily, Jeske claims that individuals acquire familial obligations just by being born into a family.⁶ Hardimon raises a similar point; he claims that familial obligations are non-contractual role obligations because individuals do not actually sign on to their familial roles in advance.⁷

Since many familial relations are not entered into voluntarily, the voluntarist will deny that individuals in familial relationships have familial obligations.⁸ It is also important to note that not *all* familial relations are entered into involuntarily. Spousal relationships for example, are entered into voluntarily and spousal obligations can be accounted by reference to a marriage contract or some other explicit exchange of vows.⁹

The voluntarist principle challenges the commonsense view that individuals in familial relationships have familial obligations. This essentially leaves us with two options. We could either deny that we have special obligations to our family members or we could claim that there is something unique about familial relationships that generate obligations even though they are not

⁵ Jeske, Diane. (2008) *Special Obligations*. Stanford Encyclopedia of Philosophy. Retrieved on 15th April 2014. <http://plato.stanford.edu/entries/special-obligations/> P.8

⁶ Jeske, Diane (2004). *Special Obligations*. Stanford Encyclopedia of Philosophy. Retrieved on 15th April 2014. <http://plato.stanford.edu/entries/special-obligations/> P.8

⁷ Hardimon (1994) P. 377

⁸ Jeske (2008) P. 8

⁹ Jeske (1998) P.527

voluntarily entered.¹⁰ In light of these considerations, a good account of familial obligations has to establish whether or not we have familial obligations, and if we do, the view has to find a way through the voluntarist principle.

The primary goals of this paper will be to (i) present Jeske's and Hardimon's attempts to deal with the challenge put forth by the voluntarist principle, and (ii) to explain why both attempts fail. The scope of my thesis will be limited to parent-child relationships since these are the kind of relationships that generate familial obligations even though they are clearly not voluntarily entered.

I will argue that the accounts of familial obligations offered by Jeske and Hardimon are seriously incomplete. The main line of critique that applies to both Jeske's and Hardimon's accounts analogously is that both of them have given an account of why individuals might *feel that* they have obligations, but not an account of why individuals might *have* familial obligations.

From my critique of Jeske and Hardimon's views, I hope to shake up common sense notions about special obligations owed to family members. It is pertinent that individuals continue to question *why they should* go over and above to fulfill their familial obligations, when it is not entirely clear whether they even have these special obligations to their family members.

¹⁰ Jeske (1998) P.528

I will start by presenting Jeske's account of familial obligations. Jeske is mainly concerned with familial relationships that do not appear, *in any cases*, to be voluntarily entered. She argues that individuals owe familial obligations to their children, parents, siblings and grandparents.¹¹ In this chapter, I will expound on her treatment of the voluntarist principle, followed by her appeal to intimacy.

In her treatment of the voluntarist principle, Jeske seeks to accommodate the principle by reducing parent-child relationships to intimate relationships.¹² She argues that intimate relationships can be entered into voluntarily, and it is the shared character of such relationships that generates familial obligations.

My critique of Jeske's account will highlight two problems. Firstly, Jeske does not account for parental obligations that are acquired by individuals in certain familial relationships that are not genuinely intimate. Secondly, I will show how her appeal to intimacy fails to explain why the shared character of intimate relationships generates moral requirements.

In my presentation of Hardimon's account, I will be elaborating on his treatment of the voluntarist principle as well as two crucial concepts in his account – reflective acceptability and role identification.

¹¹ Jeske (1998) P.527

¹² Ibid. P.532

According to the voluntarist principle, individuals do not acquire non-contractual role obligations because they do not voluntarily sign on to their non-contractual roles. If we endorse the voluntarist principle, then we would have to deny that we have non-contractual role obligations. However, abandoning the idea that we have non-contractual role obligations would require a 'radical revision' of our self-conception.¹³ Hence, to preserve both the voluntarist principle and our commitment to these non-contractual roles, Hardimon confines the application of the voluntarist principle to the sphere of civil society.¹⁴

Reflective acceptability is an important concept in Hardimon's argument for non-contractual role obligations. According to Hardimon, non-contractual role obligations are not morally binding unless the roles to which they attach are reflectively acceptable.¹⁵ Hardimon also introduces the notion of role identification as a 'vital factor' to our understanding of non-contractual role obligations.¹⁶ He claims that an individual who identifies with his non-contractual role conceives of himself as someone for whom the norms of the role function as reasons.

My critique of Hardimon's account will show that his appeal to roles is problematic in three ways. Firstly, Hardimon fails to ground non-contractual role obligations in reflectively acceptable roles. In his explication of reflective acceptability, Hardimon does not adequately

¹³ Hardimon (1994) P.346

¹⁴ Ibid. P.352

¹⁵ Ibid. P.350

¹⁶ Ibid. P.357

explain *why* an individual regards a role as reflectively acceptable. Moreover, he does not explain why reflective acceptability is morally significant.

Secondly, Hardimon does not explain why role identification is necessary for the assumption of non-contractual role obligations. In this sense, the notion of role identification is superfluous to his account. Thirdly, Hardimon's account only explains why individuals are motivated to carry out the duties of their role.

In my concluding section, I will be making a few final remarks about Jeske's and Hardimon's accounts. I will also offer an insight on another account of familial obligation that appeals to biology. In doing so, I hope to shed some light on how future advocates could provide a more comprehensive and defensible account of familial obligations.

Chapter 1: Jeske's Account Of Familial Obligations

In *Families, Friends and Special Obligations*, Jeske attempts to show why the intimate relationships we have with our family members generate familial obligations. She says:

“Relations between family members are partly constituted by various forms of interaction, mutual attitudes and intimacy, and, once we stand in such relations to other persons, we are obligated to promote the interests in ways and degrees in which we are not obligated to

promote the interests of persons who are not intimately related to us.”¹⁷

Jeske claims that the intimate nature of our familial relationships determines the content of familial obligations. Roughly, our familial obligations require us to care for and promote the interests and well being of our family members.¹⁸

The concept of intimacy is central to Jeske’s attempt to accommodate the voluntarist principle. According to Jeske, a relationship must meet three precursors before it qualifies as a genuinely intimate relationship. Genuine intimacy demands (i) a history of casual interaction; where individuals interact with one another regularly over a long period of time. Genuine intimacy also demands (ii) a revealing of a person’s self-understanding (e.g. personality traits, preferences, motivations) and (iii) a mutuality of such revelations, whereby individuals are able to confide in each other their thoughts and interests.¹⁹

1.1 Accommodating The Voluntarist Principle

Jeske notes two features of intimate relationships; she claims that intimate relationships are like ‘shared projects’ between individuals²⁰ and intimacy in such relationships is not coerced.²¹ In light of these considerations, Jeske argues that familial relationships are genuinely intimate relationships. We

¹⁷ Jeske (1998) P.530

¹⁸ Ibid. P.543 -545

¹⁹ Ibid. P. 538

²⁰ Ibid. P.540

²¹ Ibid. P. 539

are involved in a myriad of casual interactions with our family members and for many people these interactions are mutually caring and intimate.²²

Jeske claims that while most familial relations are unchosen, relationships of intimacy between family members are not.²³ Since genuine intimacy cannot be coerced, it follows that family members can voluntarily enter into an intimate relationship with one another.

According to the voluntarist principle, individuals do not acquire familial obligations because many familial relationships are not entered into voluntarily. However, Jeske's account accommodates the voluntarist principle because it grounds familial obligations in the intimate relationships between family members. Since intimate relationships between family members are voluntarily entered, it follows that individuals can acquire familial obligations.

1.2 Exceptional Cases

Jeske recognizes that there are some familial relationships that do not accommodate the voluntarist principle because they do not qualify as intimate relationships. She claims that individuals may sometimes find themselves in circumstances that necessitate interaction.²⁴ For instance, young children are forced, through their dependency, to interact with their

²² Jeske (1998) P.541

²³ Ibid. P. 536

²⁴ Ibid. P.541

parents.²⁵ These children are not free to change their circumstances to avoid this dependency. In some cases, young children are unable to reveal self-understanding, and the interaction between these children and their parents are far from mutual. Even when children do confide in their parents, it is rare for parents to reveal themselves to their children.²⁶

According to Jeske's account, the young child-parent relationship does not accommodate the voluntarist principle because it falls short of being a genuinely intimate relationship. Hence, the young child-parent relationship does not generate familial obligations. However, Jeske claims that parental obligations in the young child-parent relationship can be construed as voluntarily acquired because parents are assumed to have voluntarily entered into relationships with their children.²⁷

Jeske claims that the nature of intimacy that develops between family members is often based on the knowledge each individual gains about one another under certain conditions.²⁸ In this view, the intimate knowledge that parents have of children is something that is necessitated by the dependence of the children.²⁹ Take for example, the relationship between infants and their parents. Infants are wholly dependent on their parents for survival. Through daily interactions, parents develop an understanding of

²⁵ I will call this relationship the 'young child-parent relationship'.

²⁶ Jeske (1998) P. 542

²⁷ It is clear that infants do not have the capacity to actively reveal self-understanding (e.g. their personal interests and character traits). Moreover, it is highly unlikely that infants and parents can develop a mutual understanding between each other.

²⁸ Jeske (1998) P.342 For instance, the intimacy that develops between siblings is often based on knowledge about one another that could not be avoided given the conditions under which the siblings were raised.

²⁹ Ibid. P.542

their infant's specific needs and preferences. Despite the absence of mutual intimacy, these facts about their infant will create reasons to develop genuinely intimate relationships.³⁰

Another exceptional case Jeske considers is the relationship between an adult child and his parents. Genuine intimacy does not always develop between adult children and parents. In some adult child-parent relationships:

“Parents are unable to let go of their roles of authority, thereby *precluding any intimacy between them and their adult children.*

Thus, in order to live their own lives adult children begin to distance themselves away from their parents.”³¹

Apart from the absence of genuine intimacy, Jeske asserts that individuals involved in such adult child-parent relationships do not share any mutual projects.³² Since such relationships are neither genuinely intimate nor shared projects, these relationships do not accommodate the voluntarist principle. Therefore, adult children do not have familial obligations to their parents even if those parents have cared for them throughout their years of dependency.³³

³⁰ Jeske (1998) P.542

³¹ Ibid. P.543

³² Ibid. P.543

³³ Ibid. P.542 When Jeske uses the term ‘adult’; she does not have a specific age in mind. Roughly, the term to refer to ages at which persons can begin to develop ‘friendships with parents’

1.3 Grounding Familial Obligations in Intimacy

The idea of an intimate relationship being a mutual project between individuals forms the crux of Jeske's argument for familial obligations. Once an intimate relationship is established, each individual is expected to know that they have a project that essentially involves one another. Jeske argues that it is the shared character of the project of an intimate relationship that creates the demands to continue to care for and to sustain the project. She says:

“Persons can be expected to know that, when they develop an intimate relationship with another person, they have developed a shared project.... it is the shared character of the project of an intimate relationship that creates the demands to continue to care for and to sustain the project.”³⁴

Therefore according to Jeske, if an individual is in an intimate relationship, then he is morally required to care for and sustain the intimate relationship. She says:

“[The intimate relationship] creates obligations, types of moral requirements to continue to care for and the sustain intimacy”³⁵

³⁴ Jeske (1998) P. 540

³⁵ Ibid. P.540

The logical flow of Jeske's argument is as follows:

(P1) Two individuals X and Y are in an intimate relationship if and only if they have a relationship that involves a long history of casual interaction, revealing of one's self-understanding, and mutuality of revelations.

(P2) If two individuals X and Y have an intimate relationship, then X and Y have a shared project.

(P3) If two individuals X and Y have a shared project, then X and Y are subject to moral demands to continue to care for and sustain this project.³⁶

(P4) Therefore, if two individuals X and Y have a relationship that involves a long history of casual interaction, revealing of self-understanding, and mutuality of revelations, then X and Y are subject to moral demands to continue to care for and sustain this relationship. (From P1, P2, P3)

Chapter 2: Hardimon's Account of Familial Obligations

In *Role Obligations*, Hardimon defines a role obligation as a moral requirement that attaches to an institutional role, whose content is fixed by the function of the role, and whose normative force flows from the role.³⁷ He distinguishes between the two kinds of institutional roles - contractual and non-contractual roles. A non-contractual role is a role into which we are born. Unlike contractual roles, individuals do not choose to enter non-

³⁶ Jeske (1998) P.540 "It is the shared character of the project of an intimate relationship that creates the demands to continue to care for and sustain the project."

³⁷ Hardimon (1994) P. 334

contractual roles.³⁸ Under this definition, familial roles are non-contractual roles.

According to the standard view of role obligations, non-contractual role obligations are problematic because it is unclear whether such obligations exist at all.³⁹ Hardimon's attitude towards the standard view is complex. On one hand, he claims that there is a clear sense in which it is correct. On the other hand, he thinks it conveys a picture of role obligations that is misleading and distorted.⁴⁰

Hardimon attempts to undermine the standard view of non-contractual role obligations. He argues that despite the standard view, most individuals think of themselves as having non-contractual role obligations.

“.... It seems natural to say that we have obligations toward our parents. It is clear that some of these obligations are role obligations. They are obligations we have because we are our parents' children, obligations we have in our capacity as sons and daughters. It is equally clear that these roles are non-contractual”⁴¹

Hardimon notes that while the precise content of familial obligations is unclear, most of us are still strongly inclined to accept that we have some obligations of this sort.⁴²

³⁸ Hardimon (1994) P.351

³⁹ Ibid. P.337

⁴⁰ Ibid. P.337

⁴¹ Ibid. P.342

⁴² Ibid. P.342

2.1 Treatment of the Voluntarist Principle

Hardimon also addresses the voluntarist principle in his account. He says:

“The notion of morally binding non-contractual role obligations stands in stark opposition to the familiar idea that the only way we can acquire role obligations with genuine moral force is by signing on for the roles to which they are attached.”⁴³

Yet, while individuals are inclined to endorse the voluntarist principle, they are also inclined to acknowledge their morally binding non-contractual role obligations.⁴⁴ Given that the voluntarist principle and the notion of non-contractual obligations are incompatible, Hardimon suggests that individuals would have to either abandon the voluntarist principle, or abandon the belief that there are morally binding non-contractual role obligations.⁴⁵ Hardimon considers the latter option and argues that it would require a radical revision of our self-conception.⁴⁶

Most individuals tacitly conceive of themselves as family members and this self-understanding is *central* to our own general self-conception.⁴⁷

Hardimon claims that it would be impossible for individuals to regard themselves as family members without regarding themselves as having familial obligations.⁴⁸ Therefore, if individuals want to sustain their self-

⁴³ Hardimon (1994) P.343

⁴⁴ Ibid. P.343

⁴⁵ Ibid. P. 344-345

⁴⁶ Ibid. P. 346

⁴⁷ Ibid. P.345

⁴⁸ Ibid. P. 346

conceptions, they must maintain their beliefs about having morally binding non-contractual role obligations.⁴⁹

Non-contractual roles do not accommodate the voluntarist principle because individuals do not sign on to such roles voluntarily. In his treatment of the voluntarist principle, Hardimon challenges the ‘metaphor of impressment’ implied in the voluntarist principle. Given the way in which individuals acquire non-contractual roles, there seems to be a sense in which the role is ‘forced upon’ the individual. Consider the roles individuals occupy within the family. Familial roles are unchosen, and advocates of the voluntarist principle would say that individuals are ‘impressed’ into the roles of sons and daughters.⁵⁰ Hardimon challenges this view by saying:

“Much of the force of the voluntarist principle depends on the assumption that the alternatives of choice and impressment are exhaustive.... The fact that one has not signed on for a social role does not entail that one has acquired it against one’s will. Signing on is not the only alternative to being impressed. The other alternative is birth.”⁵¹

Within the family, individuals are *born into* their roles rather than *forced into* them. Hardimon argues that the ‘metaphor of impressment’ implied in

⁴⁹ Hardimon’s consideration seems excessively severe. In his view, our idea of non-contractual role obligation is an essential element of our conception of being a family member. However, Hardimon does not explain why the idea of non-contractual roles is *necessary for* our self-conceptions. A role obligation is a moral requirement that is *attached to* a role. My guess here is that Hardimon’s view conflates the meaning of terms ‘attached to’ and ‘necessary for’.

⁵⁰ Hardimon (1994) P.347

⁵¹ Ibid. P.348

the voluntarist principle is particularly ‘ill suited’ to the roles associated with the non-contractual role obligations that we are inclined to take seriously.⁵² Hence, he rejects the application of the voluntarist principle within the family because our commitment to the idea of familial obligations makes it impossible to retain the voluntarist principle.

To preserve both the voluntarist principle and our commitment to these non-contractual roles, Hardimon confines the application of the voluntarist principle to the sphere of civil society. The civil society refers to the domain of private association distinct from the family and the state. It is governed by the norm of voluntary association and comprises of the network of voluntary associations, private clubs, social movements, and neighborhoods.⁵³ Whilst actual choice is required for obligation within civil society, it is not required for obligation within the family and the state.

2.2 Reflective Acceptability

The notion of reflective acceptability figures centrally in Hardimon’s account of non-contractual role obligations. To say that a role is reflectively acceptable is to say that one would accept it upon reflection.⁵⁴ In his paper, he distinguishes reflectively acceptable and unacceptable roles. A role is reflectively acceptable if one would judge the role as rational, good or meaningful, and one that people ought to occupy and play.⁵⁵ He also claims that a role can be reflectively acceptable despite the fact that it has not been

⁵² Hardimon (1994) P. 347

⁵³ Ibid. P.352

⁵⁴ Ibid. P.348

⁵⁵ Ibid. P.348

reflected on because reflective acceptability calls for a form of acceptance that is hypothetical.⁵⁶

A reflectively unacceptable role on the other hand, is one that requires a systematic suppression of all personal feeling, thought and conscience. If a role imposes such demands, then individuals have a good reason to reject the role.⁵⁷ Hardimon claims that reflectively unacceptable roles are heteronomous. To occupy the role that is reflectively unacceptable is to occupy a role that is ‘foreign’ and ‘external’ to an agent’s will.⁵⁸ To illustrate this point, Hardimon briefly considers the roles of acquired by women in society as reflectively unacceptable because the process by which women acquire these roles is unacceptably constrained.⁵⁹

Certain roles in society are ‘external’ to an agent’s will because they are unchosen. Take gender roles for example, individuals do not decide on their gender roles, they are simply born into it. Furthermore, the content of these role obligations is not defined by the role’s occupants, but by certain gender norms in society.

⁵⁶ Hardimon (1994) P. 348 “To say that a role is reflectively acceptable is to say that one would find it acceptable were one to reflect upon it in suitably specified circumstances. In contrast to the voluntarist principle, which calls for a form of *choice* that is actual, the ideal of the reflective acceptability calls for a form of acceptance that is hypothetical.”

⁵⁷ Ibid. P.348

⁵⁸ Ibid. P.349

⁵⁹ Ibid. P.349 “A woman raised along traditional gender lines might reasonably conclude that her female roles (daughter, wife, mother) are reflectively unacceptable even though they fit harmoniously with her existing desires, preferences, and aims, because the process through which she acquired them was unacceptably constrained.”

The basic underlying concern about non-contractual role obligations is that non-contractual role obligations, being unchosen, are inherently heteronomous.⁶⁰ In which case, individuals have a compelling reason to reject their non-contractual roles. However, Hardimon asserts that the real source of heteronomy is not unchosenness, but reflective unacceptability.⁶¹ In this view, heteronomy can be addressed without rejecting the idea of non-contractual role obligations.

He addresses the problem of heteronomy by introducing the principle of reflective acceptability (RA): ‘non-contractual role obligations are not morally binding unless the roles to which they attach to are reflectively acceptable.’⁶² According to RA, the duties of the role are regarded as obligatory only when an individual regards his role as reflectively acceptable.

2.3 Role Identification

Hardimon claims that role identification is a vital factor to the understanding of role obligations.⁶³ To identify with a role is to (i) occupy the role, (ii) recognize that you occupy the role and most importantly, (iii) conceive of yourself as someone for whom the norms of the role function as reasons.⁶⁴

⁶⁰ Hardimon (1994) P.349

⁶¹ Ibid. P.349

⁶² Ibid. P.350

⁶³ Ibid. P.357 and P.362

⁶⁴ Ibid. P. 358. By ‘norms’, Hardimon refers to evaluative standards associated with a role, its rights, duties, virtues, ideals and supererogations

To expand on (iii), Hardimon claims that by regarding the norms of their roles as providing reasons for them act in a certain way, individuals do at least *implicitly* conceive of themselves as the sort of people for whom the norms of the role functions as reasons. For example:

“If you are a judge who identifies with the role of judge, the fact that this is something judges do (in the normative sense) will give you a reason for doing it. And conversely, if you regard the fact that this is something judges do as giving you a reason to do it, you conceive of yourself as a judge.”⁶⁵

In this view, the process of identifying with a role *is at once* the process of coming to regard one’s role duties as obligatory *and* the process of coming to conceive of oneself as person for whom the norms of the role function as reasons. ⁶⁶

By identifying with a role, an individual’s self-conception is informed the set of things that his role does, and his moral self-conception is transformed. For example, if a man identifies with the role of father, the fact that he is a father provides him with a reason he sees as a ‘moral reason’ to care for his children. Although Hardimon does not explain what he means by the term ‘moral reason’, my guess is that the individual -upon identifying with his role of father - will conceive of himself as someone who *should* take care of his children because it is the morally right thing to do.

⁶⁵ Hardimon (1994) P.358

⁶⁶ Ibid. P. 358

Hardimon claims that individuals gain a special kind of motivation when they identify with their role.

“When people identify with their roles, they acquire reasons for carrying out the duties *distinct* from those deriving from the fact that they have signed on for them.”⁶⁷

According to Hardimon the basic form of motivation provided by role identification with contractual and non-contractual role obligations is the same. When an individual conceives of himself as an occupant of a role, he acquires a reason to carry out the duties of his role.⁶⁸

Chapter 3: Critique

3.1 Jeske’s Treatment Of Exceptional Cases

Jeske grounds familial obligations in the intimate character of familial relationships. However, her main thesis fails to account for some obligations that are generated by familial relationships that do not qualify as intimate relationships.

In section 1.2, I presented the young child-parent relationship as one that fails to qualify as an intimate relationship. Young children are forced to interact with their parents because they are dependent on them for survival. These children may not have the capacity to reveal anything about their

⁶⁷ Hardimon (1994) P.360

⁶⁸ Ibid. P.362

self-understanding to their parents, and even if they could, such revelations may not be mutual. Since the young child-parent relationship is not an intimate relationship, it does not accommodate the voluntarist principle. Thus, it follows that individuals in the young child-parent relationship *do not have* familial obligations.

However, Jeske suggests that this is not the case. She claims that parents voluntarily assume the obligation to care for their young child. If these parental obligations are not grounded in intimacy, then there seems to be *something else* about the young child-parent relationship that generates these obligations.

In her attempt to ground these parental obligations, Jeske appeals to the knowledge parents have of their young children's dependence. In the example given in section 1.2, parents learn about their child's needs through their daily interaction. According to Jeske, the knowledge that parents gain creates *reasons* to develop a genuinely intimate relationship with their child.

Jeske's appeal to knowledge is inadequate because it fails to ground parental obligations in the young child-parent relationship. The appeal only manages to show how the relationship *might become* genuinely intimate. The knowledge that parents gain about the dependence of their children does not *lead to* a genuinely intimate relationship. Knowledge about their

child's dependence only gives parents *reasons to develop* a genuinely intimate relationship with their children.

Thus, the young child-parent relationship remains to be a relationship that does not generate familial obligations because it is not a genuinely intimate relationship. In this view, Jeske's appeal to knowledge fails to account for parental obligations acquired by individuals in the young child-parent relationship.

3.2 The Explanatory Gap In Jeske's Argument

Jeske argues that an intimate relationship is a shared project, and it is the shared character of intimate relationships that creates the demands to continue to care for and sustain the relationship. Therefore, if an individual is in an intimate relationship, then he is morally required to care for and sustain the relationship. However, it is not entirely clear *why* the shared character of an intimate relationship generates moral obligations.

The explanatory gap can be seen clearly in (P3) of Jeske's argument. (P3) reads: 'If two individuals X and Y have a shared project, then X and Y are subject to moral demands to continue to care for and sustain this project.' (P3) assumes that there is something morally significant about a shared project that grounds the moral obligation to preserve it. However, Jeske's account does not adequately justify (P3).

One way to plug the gap in (P3) would be for Jeske to elaborate on the source of moral requirements. This would entail a comprehensive explanation of the nature of the shared project, and how it generates the demand to care for and sustain the relationship. Jeske highlights that a shared project is a project that is central to many persons' lives and it is one of the most valuable that people can develop.⁶⁹ However, even if these claims about shared projects were true, they do not actually explain why the shared character of an intimate relationship generates obligations.

3.3 Hardimon's Problematic Explanation of Reflective Acceptability

Hardimon claims that a role is regarded as reflectively acceptable when individuals judge that the role is (i) rational, good, meaningful, and (ii) one that people *ought* to occupy and play. Looking at (ii), Hardimon makes two assumptions:

1. If a role is *regarded as* obligatory then the role is *regarded as* reflectively acceptable
2. If a role is obligatory, then the role is regarded as reflectively acceptable

To say that a role is/regarded as obligatory is to say that one should occupy and play a role. However, to say that a role is/regarded as reflectively acceptable is to say that one would accept the role upon reflection. In this

⁶⁹ Jeske (1998) P.541

view, Hardimon seems to be saying that the acceptance of a role follows from a prior obligation to occupy the role. However, Hardimon's account does not explain why individuals might have an obligation to occupy a role. Since Hardimon does not account for why individuals *should* occupy a role, the connection between reflective acceptability and the obligation to occupy a role seems arbitrary.

Another matter to note is the sense in which reflective acceptability is both objective and subjective. On one hand, Hardimon claims that a role is reflectively acceptable when individuals judge that a role is rational, good and meaningful, and one that people ought to occupy and play. In this view, reflective acceptability is subjective because a role is reflectively acceptable *to an individual*. However, Hardimon also suggests that reflective acceptability is objective because a role can be reflectively acceptable regardless of whether or not it has been reflected upon. The latter interpretation is questionable.

Reflective acceptability cannot be objective because some roles might possibly be reflectively acceptable to some individuals and not to others. Consider the role of father as being objectively acceptable. In this view, Hardimon could say that the role of father *is* reflectively acceptable because the role *is* good, rational and meaningful, and it *is* one that individuals *ought* to occupy and play. However the notion of objective acceptability is not compatible with Hardimon's concept of reflective acceptability.

To say that a role is reflectively acceptable is to say that one would accept it upon *reflection*. The idea here is this; individuals cannot say that the role of father is reflectively acceptable unless they already occupy the role. It is when an individual occupies the role of father, that he can reflect on his role to determine if it is a role that is good, rational and meaningful, and a role that one ought to occupy and play. Thus, reflective acceptability has to be understood as being subjective rather than objective. Hence, to say that a role is reflectively acceptable is to say that *someone* regards the role as reflectively acceptable.

3.4 Hardimon's Failure to Ground Non-Contractual Role Obligations in Reflective Acceptability

Hardimon fails to tell us why we are morally bound by our non-contractual role obligations. He asserts that non-contractual role obligations are not morally binding unless the role to which they attach to is reflectively acceptable. However, the principle of reflective acceptability is highly problematic because it fails to explain *why* non-contractual role obligations are morally binding.

The principle of reflective acceptability assumes that the duties of the role are morally binding when the role is regarded as reflectively acceptable. From my earlier discussion in section 2.2, reflective acceptability entails a form of acceptance. When an individual regards his role 'A' as reflectively acceptable, it follows that he accepts role 'A'. In this view, the idea of a role being regarded as reflectively acceptable might explain why an individual

accepts a particular role, but it does not actually explain *why* the duties of the role are morally binding.

In order to plug the explanatory gap; Hardimon would have to explain why a reflectively acceptable role is morally significant *to someone*. In his explanation, Hardimon will need to spell out the connection between the properties of reflectively acceptable roles and moral significance. For example, a reflectively acceptable role could be morally significant to an individual *because* he regards the role as being good, rational and meaningful.

While I am doubtful about whether or not such connections can be justified, I think that the burden ultimately falls on Hardimon to ensure that these connections are not arbitrary. However, Hardimon's account does not plug the explanatory gap. Therefore, his account fails to explain why individuals are morally bound to their non-contractual obligations when their roles are regarded as reflectively acceptable.

3.5 Role Identification Is Superfluous

In his discussion on role identification (see section 2.3), Hardimon claims that an individual conceives of himself as someone for whom the norms of the role function as reasons when he identifies with his role.⁷⁰ However, he fails to explain why role identification is an *essential* factor to our assumption of non-contractual role obligations.

⁷⁰ Hardimon (1994) P.358

According to Hardimon, there are two ways in which individuals acquire reasons to carry out the duties of their non-contractual role. Firstly, individuals acquire morally binding non-contractual role obligations when they regard their role as reflectively acceptable. These morally binding non-contractual role obligations are reasons to carry out the duties of their role. Hence, individuals acquire reasons to carry out the duties of their role when they regard their role as reflectively acceptable.

Secondly, Hardimon claims that role identification motivates individuals by giving them a reason to carry out the duties of their role. When an individual identifies with his role, he comes to conceive of himself as an occupant of the role and this gives him a reason for carrying out the duties of his role.

Role identification is redundant because individuals do not need to identify with their roles to acquire reasons to carry out the duties of their role. For example, a mother, who regards her role as reflectively acceptable, would regard the duties of her role as obligatory regardless of whether she identifies with her role or not.

3.6 Accounting For Motivational Reasons Rather Than Obligatory Reasons

My critique of Hardimon's account has highlighted serious problems with his notion of reflective acceptability and role identification. The former is unable to justify why non-contractual role obligations are morally binding,

and the latter is superfluous to his account. The last problem I have has to do the kind of reasons that Hardimon claims individuals acquire to fulfill their role obligations.

From his account, individuals acquire two kinds of reasons to carry out the duties of their role. By regarding a role as reflectively acceptable, individuals acquire obligatory reasons to fulfill the duties of their role. However, Hardimon then claims that individuals, who identify with their role, acquire motivational reasons to fulfill their duties. Given that his account has failed to explain why individuals are morally bound by their non-contractual role obligations, Hardimon is only entitled to an account that explains why individuals might be *motivated* to fulfill the duties of their role.

Conclusion

Jeske and Hardimon's accounts have both attempted to vindicate the commonsense view of familial obligations. However, both advocates have failed to explain why individuals might have familial obligations.

Jeske's appeal to intimacy claims that individuals in an intimate relationship with their family members have an obligation to care for and sustain the relationship. However, Jeske's account fails to justify the tenuous link between the intimate relationship individuals have with their family members and the moral requirement to care for and sustain the relationship.

On a separate note, the implication of Jeske's account goes against common intuition. According to Jeske, when individual X is in an intimate relationship with individual Y, individuals X and Y are morally required to preserve their relationship. If individual X fails in his attempt to preserve the relationship, it follows that individual X has failed to fulfill his moral requirement. In this view, individual X has done something morally wrong. It seems unfair to hold that an individual is blameworthy whenever he fails in his attempt to preserve the intimate relationship he belongs to.

Hardimon's appeal to roles is problematic because it fails to explain why individuals are morally bound by their non-contractual role obligations when they regard their role as reflectively acceptable. Moreover, I have shown that role identification does not play an essential part in showing how individuals acquire non-contractual role obligations. Role identification is only entitled to being a source of psychological motivation. Hardimon claims that individuals who identify with their non-contractual roles are motivated to carry out the duties of their role. In this sense, his account only manages to explain why individuals might *feel that* they have non-contractual role obligations.

Admittedly, the implication of my critique is severe, because it leans towards the idea that individuals might not actually owe any special obligations to their family members. However, the scope of my analysis is only limited to the appeals from intimacy and institutional roles, it is in no

way an exhaustive critique of all the arguments for special obligations within the family.

Raymond Belliotti offers an alternative account of familial obligation that appeals to biology. While Jeske's account appeals to the contingent relationship holding between children and parents, the appeal to biology is concerned with relationships that are constitutive attachments. According to Michael Sandel, constitutive attachments refer to relationships that are partly constitutive of an individual's identity.⁷¹ These constitutive attachments generate obligations that go beyond those that individuals voluntarily incur and natural duties that one owes to other human beings.

Belliotti considers familial relationships as constitutive attachments. The genetic contribution of parents forms the most enduring aspect of their child's identity.⁷² He argues that individuals have moral requirements of a special sort to those who contribute to and help nurture their identities. Since, the genetic contribution of parents plays a large part in constituting the identities of their children, it follows that children owe obligations to their parents.⁷³

The appeal to biology is problematic because it assumes that constitutive attachments are morally significant. Constitutive attachments might explain

⁷¹ Sandel, Michael (1982). *Liberalism and the Limits of Justice*. Cambridge University Press. UK. P.179 According to Michael Sandel, such relationships are 'constitutive attachments' that generate obligations.

⁷² Belliotti, Raymond (1986). *Honor thy father and thy mother and to thine own self be true*. The Southern Journal of Philosophy. Vol. 24. Wiley-Blackwell. USA. P.153

⁷³ Ibid. P.152

why some individuals might hold certain ethical beliefs. However, these attachments do not explain why individuals might have special obligations.

A brief sketch of my critique of the appeal to biology is this; Belliotti argues that filial obligations are grounded in genetic contribution. However, his account does not explain why genetic contribution is morally significant.

The explanatory gap in his argument is between B2 and B3:

B1. The genetic contribution of parents plays a large part in constituting children's identities and this forms the basis of their biological connection.

B2. Children have a biological connection with their parents.

B3. Therefore, children owe certain moral requirements to their parents.

Belliotti's account simply posits that parents are owed *prima facie* obligations by their biological offspring⁷⁴, and this does not make for a compelling explanation of why individuals might have familial obligations.

The burden of having to establish whether or not individuals even have familial obligations is clearly difficult to prove. Accounts of familial obligations must be able to fulfill that burden of proof without appealing to the psychological states of the obliger. Perhaps a way forward would be to investigate the extent to which familial obligations are moral obligations. In doing so, we might be able to develop a more comprehensive and defensible way of situating the family in the moral domain.

⁷⁴ Jeske (1998) P.547

References

Belliotti, Raymond (1986). *Honor Thy Father And Thy Mother And To Thine Own Self Be True*. The Southern Journal of Philosophy. Vol. 24. Wiley-Blackwell. USA.

Hardimon, Michael (1994). *Role Obligations*. The Journal of Philosophy Vol.91 No.7. USA.

Jeske, Diane. (1998). *Families, Friends and Special Obligations*. Canadian Journal of Philosophy, Vol. 28, No.4.

Jeske, Diane (2008). *Special Obligations*. Stanford Encyclopedia of Philosophy. Retrieved on 6th March 2014.

<http://plato.stanford.edu/entries/special-obligations/>

Sandel, Michael (1982). *Liberalism and the Limits of Justice*. Cambridge University Press. UK.