

Having Trumped the Wall: A Theory of our Special Obligations to
Admitted Refugees

by

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INTRODUCTION

“The World Loves Refugees, When They’re Olympians¹.” This was the title of a 2016 New York Times article written by journalist Robert Cohen. When the world welcomed Team Refugees for the first time at the 2016 Rio Olympics, the irony could not be more apparent: when they are not competing at a high profile, international event, we are not just unmoved by their plight, we decry their presence. We call for walls to be erected, we label them as terrorists, and we elect national representatives who adopt an anti-immigration stance as part of their political agenda. Yet there seems to be a power surrounding the symbol of the Olympics—the five rings, halos perhaps—that casts a different light on these refugees, such that they are no longer the problem that we see on the news, but instead the heroes of our time.

While the phenomenon that Cohen observed is indeed intriguing, the purpose of my thesis is not to study the complex psychology of human beings that leads to this seemingly inconsistent behaviour. Instead, the purpose of my thesis is to engage in the broader discussions that surround the current refugee crisis. In particular, I am motivated by the following questions that are not widely discussed within the philosophical literature: What kind of relationship do we, as citizens and state actors, have with admitted refugees? What are the kinds of demands that are considered reasonable to respond to in this relationship? To what extent should we fulfil these reasonable

¹ This New York Times article can be retrieved using the following permanent link:
<https://nyti.ms/2kp6mHI>

demands? I hope that through exploring these questions I will be able to add on to the vast literature on our duties towards refugees, with a focus on our duties towards those whom are present in our society.

The broad outline of my thesis is as follows: In Chapter 1, I aim to find a plausible framework of our obligations towards admitted refugees. In order to do so, I will first look at various attempts at arguing for obligations to a group that we perhaps think it uncontroversial that we owe obligations to, namely, fellow citizens, to see if I could adapt these attempts for my purposes. Some philosophers disagree on who counts as “citizens”, and thus distinguish the category of “citizens” from “compatriots”. For my purposes, I think it will suffice to use “citizens” and “compatriots” interchangeably, as it does not affect my broad argument. Minimally, I will take “citizens” to include individuals who are legally recognised as members of a country and to which they owe allegiance to. This citizenship may be physically tracked by the ownership of a country’s passport. While I ultimately argue that none of these accounts get at the basic idea that I need to construct my theory, nonetheless each has a particular feature that is needed in order for my theory to be a fitting account of our obligations to admitted refugees. In concluding Chapter 1, I explore an account that emphasises the primacy of inter-personal relationships—Stephen Darwall’s second-personal standpoint—in arguing for obligations to others, and argue that it is the most plausible framework to build my normative theory on.

In Chapter 2 I build my normative theory of our obligations to admitted refugees that is inspired by Darwall’s second-personal standpoint. I start by outlining the important features that a good normative theory should have and the questions that it should be expected to give an answer to. I then propose a model that is built upon the second-personal framework—the gratitude model—and further elaborate on how this

model should first be understood, and then be applied. Subsequently, I assert that if we accept this model, then the *pro tanto* obligations that are derived from this model take on a special characteristic, that is, the derived obligations are reciprocal in nature. This is a substantive point of my thesis. In closing Chapter 3, I provide a few examples of what kinds of obligations can be derived from my gratitude model.

In the beginning of Chapter 3, I comment that we are able to derive a wide-range of obligations from the gratitude model proposed in Chapter 2. However, not all of these obligations might be considered “fitting” in the context of our relationship with admitted refugees. Thus, an aim of this chapter is to determine what kinds of obligations can be considered reasonable by first understanding what can we be expected to be morally responsible for in this relationship. Another aim of the chapter is to determine the extent of these obligations to admitted refugees. Here, I borrow from the works of Peter Strawson, Thomas Nagel, and Stephen Darwall to create a framework that will help us determine what are the reasonable obligations that we can be expected to fulfil from a second-personal standpoint. An important part of what I want to argue for in this thesis is the applicability of my thesis in real-life scenarios. Hence, in this chapter, I also motivate how my theory is psychically realisable through a mediating factor, such as trust. By showcasing studies done in the fields of economics and psychology, I attempt to argue for the plausibility that trust motivates us to action, allowing my theory to be applicable to real-life scenarios. I conclude this chapter by proposing an approach to elucidating the extent of our obligations to refugees; namely, Martha Nussbaum’s capabilities approach, and argue why it is a “fitting” approach to adopt in the context of our relationship with admitted refugees.

CHAPTER 1

Groundwork for Special Obligations to Admitted Refugees

1. Introduction

2016 appears to have been an important year in the politics of refugees—both in revealing the complicated and seemingly inconsistent attitudes of citizens (across countries) toward refugees and in revealing the political stance of nations toward the refugee crisis. In 2016, the Danish government passed a law requiring all admitted refugees to surrender their valuables to help “pay for their stay in the country”, if they possessed approximately more than US\$1,450 worth of valuables. Further, families of admitted refugees can only be considered for admission three years after their kin had been accepted into the country (Bilefsky, 2016). In that same year, the Canadian government announced plans to admit more refugees as compared to previous years as it vows to uphold “Canada’s humanitarian traditions to resettle refugees and offer protection to those in need”. Moreover, it was announced that approximately half of these admitted refugees would be receiving financial sponsorship from the government for a year (Khandaker, 2016). An Associated Press/GfK Knowledge Networks poll found 53% of Americans perceiving the US goal of admitting 10,000 refugees per year to be too high (Enten, 2016). This is in contrast to more and more local communities and individual families in Canada coming forward to either adopt Syrian families into their

homes, or help resettle Syrian refugees into their communities, despite having to first pledge CA\$40,000 (approximately US\$30,700) worth of sponsorship (Kantor and Einhorn, 2016).

The question here is: Why is there such a difference in treatment of refugees across different nations? One suggestion that I have is that their disparate treatment of refugees stems from having different underlying perceptions of their moral obligations towards refugees. The stronger a country, or her citizens, perceives their moral obligations towards (admitted) refugees, the more generous they are in their aid and resettlement efforts.² Conversely, if a country, or her citizens, perceives their moral obligations to be weak, then we can expect that their treatment towards (admitted) refugees will not, so to speak, go the extra mile.

If it is indeed the case that differing opinions lead to the different treatment of refugees in various countries, one would then be motivated to ask whether these opinions lead countries to meet the demands of morality in the context of their relationship with refugees. To be certain, there are other factors, apart from moral demands, that countries have to consider when it comes to refugees, say, insufficient resources to support their own citizens, the problem faced by developing nations. Nonetheless, the question remains for other countries that do not face similar constraints (e.g. Denmark, the US, and Canada)—are they doing enough to aid the refugees in their country?

² While this claim might seem understandable to a moral philosopher, an economist might argue otherwise: that the *stronger* a country takes its obligations to admitted refugees to be, the *less likely* it will be to take in refugees, or at least it will admit refugees only after onerous screening. I owe this insight to Peter Railton. In Chapter 3, I suggest why might economists likely support greater aid to admitted refugees, regardless of a society's belief regarding the strength of its obligations.

To begin answering that question, we must first know what does morality demand from us in this situation. Before that, I would like to disambiguate between two key questions that might be conflated when one discusses the current refugee crisis: First, one might ask what does morality demand in the context of admitting refugees at national borders. Second, one might ask what does morality demand in the context of our duties towards refugees who have been admitted into the country.

Most philosophers, when thinking about our duties towards refugees, gravitate towards finding an answer to the first question. As such, to the best of my knowledge, there has not been much work done to address the second question. There are several plausible reasons, I think, why so much focus has been on finding an answer to the first question. One reason could be because problems of immigration at the border are more visible, due to frequent news coverage and political speeches, say. Another reason could be because people perceive the consequences of not addressing the question to be dire—an individual seeking asylum who is turned away at the border faces an immediate threat to her physical security.

However, in recent years, there has been an increase in the number of admitted refugees who find themselves in protracted situations. The Office of the United Nations High Commissioner for Refugees (UNHCR) defines a protracted refugee situation as one where “25,000 or more refugees from the same nationality have been in exile for five or more years in a given asylum country”³. At the end of 2015, approximately 11.9 million admitted refugees are considered to be in protracted situations (U.S. Department of State, 2016). There are many harmful consequences of being in a protracted refugee situation.

³ This definition was taken off the U.S. Department of State website: <https://www.state.gov/j/prm/policyissues/issues/protracted/>

To name a few, these refugees may face limited freedom of movement and a lack of access to legal employment, all of which we would normally consider to be important rights that individuals ought to possess. Because of this, I believe it is important to start a discussion on the second question—what are our duties towards admitted refugees—as there is currently an equally pressing need to ensure that we are not accepting refugees to purportedly save them from an imminent threat in their own country, only to have their lives curtailed in other ways in ours.

Therefore, the aim of my thesis is to propose a theory of our moral obligations towards admitted refugees. In order to provide a satisfactory theory, I will first suggest what is the origin of our moral obligations towards admitted refugees. Next, I will propose my positive view of what I take to be a plausible framework and model of our duties towards admitted refugees. Finally, I will evaluate what special obligations derived from the model are appropriate obligations to have and elucidate to what extent should we fulfil them in order to meet the demands of morality. These three aims will form the foundations of Chapter 1, 2, and 3 respectively. By expounding on these three themes, I hope to present to the reader a unified theory of what are our duties towards admitted refugees, from the perspective of both governments and citizens.

2. Human Rights

Before I am able to elucidate the origin of our obligations towards refugees, I will first broadly describe how we typically come to have obligations. Usually, when we speak of moral obligations, we find that they are intimately connected with the rights that we recognise that other agents possess. In order to respect these rights, we have moral obligations to *not* violate them; when we do violate these rights, we have moral obligations

to *compensate* this violation. Although we do not consciously think about it often, upon reflection, we see this general rule played out in everyday life. For example, in recognising that A has a right to her property, say a car, then I am obligated to not steal A's car. If I do steal it, then I am obligated to compensate for this violation.

Philosophers make a distinction between two types of rights—positive rights and negative rights. Broadly speaking, positive rights are one's entitlement to the provision of some good (e.g., the right to social welfare assistance); negative rights are one's entitlement not to be subjected to an action from another person or group (e.g. right to physical security). When we say that a right is 'basic', it suggests that we can expect it to be something of fundamental importance to us and common to all persons. Basic rights, therefore, are positive or negative rights that we have in virtue of the fact that we are human beings.

In his book *Basic Rights*, Henry Shue expounds on our basic rights as human beings. Shue sees basic rights as the minimum reasonable demands that individuals impose on others (Shue, 19). To this effect, Shue identifies two types of basic rights: the basic right to physical security and the basic right to subsistence (Shue, 20-23). If these basic rights are rights that everyone possesses *qua* persons, then we should expect that everyone *qua* persons have an obligation to respect both of these rights. Because each individual has these obligations, they are thus called *general* obligations.

2.2 *The Distinction Between General and Special Obligations*

Earlier, I mentioned that general obligations are obligations that every individual owes to others in virtue of recognising them as human beings. Some examples of general obligations would be Shue's two basic rights outlined above. In contrast, special

obligations are duties that we owe to a certain group of individuals because we stand in certain special relations to them. For example, having the same citizenship status might be a good reason for special obligations.

If we took the upshot of Shue's suggestion that everyone has a basic right to physical security and subsistence, then we should think that for the case of admitted refugees, we ought to ensure that these rights are met. However, one might worry that there could be a concern when it comes to satisfying refugees' right to subsistence. Typically, we might think that the right to subsistence means that an agent ought to be given the means to be able to support herself. By "given the means", I mean that one should be allowed to find employment in the country she's in and be given the opportunity to receive relevant training in order to seek employment. For citizens of a country, this would not be an issue as we think that a government has a duty towards her people to ensure that they remain self-sufficient. This duty is a justified special obligation as the government stands in a special relation to her citizen. For an admitted refugee, this duty does not seem as obvious. Instinctively, one might not assume that the host government has a duty promote a refugee's subsistence the way conceived above because she is not a citizen, thus she does not stand in that special relation to the government.

Consequently, proponents of this idea might contend that while Shue's right to physical security is a general obligation that we ought to fulfil to all persons, the right to subsistence may be seen as an obligation within a certain polity, i.e. the right to subsistence is not a general obligation. I believe that Shue would caution these proponents on potentially conflating their idea of subsistence and his idea of subsistence. He wants to argue that, minimally, when he conceives of the right to subsistence, he is thinking that one should "have available for consumption what is needed for a decent chance at a

reasonably healthy and active life” and leaves open the question of whether people have “economic rights that go beyond subsistence rights” (Shue, 23). Thus, Shue might concede that while the host country does not have an obligation to give admitted refugees skills training in order to help them find employment, he could still argue that the right to seek employment should be given to admitted refugees as a requirement to meet subsistence needs.

Nevertheless, conceding that the right to subsistence is not a general obligation that we have to others might be disastrous. For starters, it means that if we are unable to justify that we do have special obligations to admitted refugees, then all it takes to fulfill the demands of morality is to ensure that we preserve a refugee’s physical security. But I do not think that most of us will find that conclusion satisfying, for admitting refugees into a country and placing them in refugee camps without doing anything further meets that minimum. But I believe that this treatment of human beings feels unsatisfactory because we do not think that that is the sort of life that should be lived. Indeed, it fails to meet the “active life” standard that Shue’s notion of subsistence recommends.

However, even if we do manage to give an explanation of how we come to have justified special obligations towards admitted refugees, we must also show how these special obligations have the same force as their general counterparts. In other words, we need to show how these special obligations are expected from all members of the polity who are capable of contributing as individuals or as institutions. For it is only in this case, I think, would it make sense to ask whether countries are doing enough to meet the demands of morality in the context of our relationship with admitted refugees. Thus, the project for the remainder of this chapter is to look at how other philosophers have attempted to argue for special obligations towards others. By doing so, I aim to examine

whether their attempts can also be plausibly extended to the context I am primarily concerned with, that is, our relationship with admitted refugees.

3. Accounts of Special Obligations

In what follows, I outline four accounts that philosophers have proposed that argue for our special obligations to others, namely, the Principle of Fair Play, the Distributed General Duties model, the Intrinsic Value model, and the Second-personal Standpoint. I will point out that each of the first three accounts display characteristics that I believe should be featured in a theory of our obligations to admitted refugees; however, only the Second-personal Standpoint has the basic idea that I need for my theory—that of the primacy of interpersonal relationships. In addition, I will argue that the Second-personal Standpoint encompasses each of the characteristics gleaned from the first three accounts. Although I understand that none of the accounts I raise here are considered dominant views under the umbrella of deontology or consequentialism, nonetheless I believe that they get at something intuitive and fundamental about our relationship with admitted refugees—concerns about fairness, efficiency, and the value of our relationship with refugees—which is why I chose to consider these accounts for my thesis.

3.1 Obligations to Compatriots based on the Principle of Fair Play

One account that attempts to argue for special obligations, at least to compatriots, comes from Richard Dagger who propose that our special obligations to compatriots are derived from the Principle of Fair Play. According to this Principle, individuals who find themselves in a just and mutually cooperative society, and who furthermore benefit from it, have the obligation to bear their fair share of burdens of said society (Dagger, 443).

This comes in the form of contributing to the production of benefits that society has to offer. Fulfilling such obligations need not necessarily happen immediately after every benefit gained from society; instead, it follows broadly that ultimately, an individual should find herself owing a net zero to society. Moreover, our special obligations to compatriots arise in virtue of joining this venture, as one “incurs an obligation *to the others* to bear a fair share of the burdens of the enterprise in exchange for a fair share of the benefits” (Dagger, 443). Hence, if we join this cooperative venture but end up failing to bear our fair share of burden constitutes acting unfairly in a mutually cooperative system. This in turn entails that our behaviour is morally wrong as we are taking advantage of those who cooperate.

Although there is an intuitive appeal to accepting Dagger’s justification as to why we owe special obligations to our fellow citizens, I believe that there are some aspects of his account that leaves me wanting more explanation.

Most importantly, Dagger does not draw a distinction as to why such special obligations are only owed to compatriots, as opposed to other individuals in the country who do participate and contribute to the cooperative enterprise. Examples of such individuals include expatriates and long-term residents. These groups do benefit from the society they are in, and they also contribute back to society as a result of their employment, monetary investments or social contributions. Therefore, on Dagger’s model we ought to owe special obligations to these individuals as well. However, Dagger seems to deny this as he contends that we only owe special obligations to fellow citizens, although he fails to justify why it only applies to them. This example reveals a shortcoming of Dagger’s conception of fair play—it focuses too much on citizenship status as opposed to the contributions of parties in a polity. A fair play principle ought to be

more sensitive to the latter as opposed to the former. This poses a problem in the context of admitted refugees, as it means that no matter what they do for the society they find themselves in, their efforts will not be reciprocated if we are operating based on Dagger's Principle. Consequently, instead of improving their situation, admitted refugees, under this Principle, will not find reprieve from their suffering. Nonetheless, the Principle offers an important insight: considerations of fairness demands that one earns a fair share from the polity by contributing a fair share.

3.2 Obligations to Compatriots as "Distributed General Duties"

A second account of special obligations that I turn to is Robert Goodin's account of special obligations as "distributed general duties" (Goodin, 678).

Goodin has a similar worry about Dagger's Principle, in that it is under-inclusive of the people that the Principle accommodates. Specifically, Goodin worries that if we strictly go by Dagger's logic, then we ought not have special obligations to the severely handicapped in our society, as they do not contribute to the mutually cooperative enterprise (Goodin, 677). But we clearly believe that we do have special obligations to the severely handicapped as evidenced from government policies that aim to help the physically disabled and our personal donations to charities that serve the physically disabled. Hence, he attempts another argument for our special obligations to compatriots. His approach is slightly more interesting as he conceives special obligations as "distributed general duties", thus denying the "specialness" of special obligations. These general duties are assigned to specific agents, who were chosen by the people, to discharge. An example of a specific agent is the country's government, where all political duties towards citizens are discharged by this entity.

The reason why Goodin thinks duties ought to be specifically assigned to certain agents is because this would be the most efficient way to fulfil these moral obligations. Essentially, Goodin believes that his approach solves a coordination problem of carrying out our moral obligations (Goodin, 681). For example, governments are assigned the responsibility of looking after the needs of their citizens, because that is the most efficient way to ensure that every single person in the world is taken care of. But how would Goodin respond to a natural question that arises: who has the responsibility to take care of those who lack a specified agent, namely refugees (and in general the helpless)? He thinks that because refugees are assigned to no particular agent for protection, it is the responsibility of “the set of states, taken as a whole” to care for these refugees (Goodin, 684). As Goodin says, “it is the boundaries around people, not the boundaries around territories, that really matter morally” (Goodin, 686). Once we see that “special” obligations are not that “special” after all, the same considerations that we give to our compatriots should be given to others as well.

Although Goodin’s model is more inclusive as compared to Dagger’s, it still faces some important drawbacks. While in theory it is an enticing idea that all governments, taken together, have a general duty to care for refugees, I question whether this would be the most effective model of discharging our duties towards refugees. If our duties towards refugees were shared between states, and not a duty of any particular state, it could result in refugees being neglected by every country because they were not assigned to a particular protector. This might not be the result of an ill-formed intent to shirk one’s duties, but merely might be a manifestation of a psychological phenomenon known as “diffusion of responsibility”—one is less likely to take action if there are other agents present who share the same responsibility. Hence, it is unlikely that Goodin’s model will

solve the coordination problem that his model is supposed to address when it comes to refugees. That said, one key characteristic that it has is that it has its inclusiveness. It is an approach that is able to accommodate duties to both citizens as well as refugees, for it is not fixated on the status of citizenship in according duties to individuals.

3.3 Obligations to Compatriots as Fulfilling Intrinsic Value of Citizenship

Andrew Mason took a different approach from Dagger and Goodin as he was unsatisfied with both of their accounts. He argues that it is highly unlikely that our special obligations stem from either distributed general duties or the Principle of Fair Play. Instead, Mason contends that we have special obligations to compatriots because of the intrinsic value of citizenship—in virtue of being a citizen an agent is entitled to the full political rights and equal status shared among citizens (Mason, 442-443). He asserts what it means to be a citizen *is* to have special obligations. This is because fulfilling these obligations is what “gives content” to the meaning of being a citizen, as performing these obligations allow her to contribute to the cultural environment while reinforcing the traditions of her country (Mason, 442). For example, contributing to social welfare systems allows one to contribute to those in need while reinforcing her commitment to the ideology of a welfare state, thus reaffirming her identity as a citizen of the state.

While it might seem at first that Mason’s view precludes the possibility of deriving special obligations to admitted refugees, I would like to suggest a broadened understanding of “citizenship” that might give weight to the claim that helping admitted refugees is also affirming one’s identity as a citizen. That is, I would like to suggest that we could extend our notion of “citizenship” as being a citizen of a global community, while maintaining that this does not mean we give up our current notion of citizenship as

nationality. This might not be a far-fetched idea, considering how interconnected countries are in the world today as a by-product of globalisation. The large volume of human immigration across countries, the entwinement of global economies, the exchange of ideologies through communication, all indicate that there is an emergence of a world community. The idea of a global citizen, then, is that one's identity transcends geographic boundaries; further, that the obligations that one has is not derived from citizenship, but from humanity. Perhaps one of the hallmarks about being a global citizen is that she is one who is committed to ensuring that every global citizen shares the same rights and status. This entails that she acquires duties to other global citizens, and in the fulfilment of these duties, she affirms her identity of being a global citizen. If we count admitted refugees as being members of this emerging global community, then it follows that a global citizen acquires duties towards these admitted refugees.

However, an opponent to this suggestion might raise two worries. First, citizenship usually comes with political participation. If we extend our understanding to include "global citizenship", it does not seem that globalisation supports political participation when there is no global state. To respond to this, I rely on Alan Tomhave's work on global citizenship, where he suggests that although political participation in a direct democracy on a global scale is problematic, political participation with representative democracy (e.g. the European Union, the United Nations) appears feasible (Tomhave, 294). Second, that if we extend our understanding of citizenship to include global citizenship, then the set of our special obligations towards citizens is now the set of our general obligations to other human beings, which means we give up the distinction between special and general obligations. I attempt to allay this worry by noting that we can still have a distinction between the two types of obligations if we distinguish people

who are near and dear to us in our social circle, and people who are, so to speak, on the periphery of this social circle. By distinguishing these two categories of individuals, we are able to admit that we have special duties to people who are closer to us while maintaining that we do have general obligations to those who are not as close.

While I have argued above that it is plausible that we are able to generate special obligations towards admitted refugees using the model that Mason proposed, I nevertheless acknowledge that there are limitations to this model that detract me from using it as the basis of my theory. First, I worry that this liberal conception of citizenship is not psychically realisable (at least for now). Again, one of the more common special obligations that we have towards citizens as opposed to foreigners is that we ought to help them seek gainful employment. However, if we use this concept of global citizenship, it follows that we perhaps should also help non-citizens find jobs in our country as we share this membership in a global community. While that is a lofty ideal, I doubt that society has reached that stage of progress. It is not difficult to find news reports of protectionist measures employed by governments that help their citizens obtain jobs over foreigners. These measures could be in the form of hiring incentives for companies to employ locals instead of foreigners, or work visa quotas, among others. Therefore, the current evidence indicates that the concept of a global citizenship cannot sustain the special obligations that we ordinarily think that we have to compatriots.

Second, I believe that if we just conceive of our relationship with admitted refugees as a relationship between global citizens, it washes out certain key aspects of the situation that ought to be featured. For example, we disregard their identity—as that of a refugee—and the baggage that comes with it. We might ignore the fact that our country might have been complicit in causing their situation in the first place. And that factor

should weigh in on what morality can demand from us as agents. Moreover, by treating them as mere global citizens, we also look over the fact that assuming the identity of a refugee ought to be temporary, as opposed to the protracted situation that millions of refugees are facing today.

Nevertheless, this account displays an important characteristic that should feature in my theory. That is, the theory that I propose cannot disregard the identities of these refugees and wash away the baggage that comes with it. Instead, it must recognise the relevant features of the relationship that we have with refugees while still respecting the value that they have as persons.

3.4 Special Obligations from Second-Personal Reasons

From the earlier discussion of the three accounts I have identified several basic ingredients that need to go into my theory: the idea of a fair share principle, the need for inclusiveness to encompass all those present in a polity, and the respect that we ought to show for the status refugees as refugees, and refugees as persons. Thus, there needs to be a lynchpin that holds these three elements together. That lynchpin, I suggest, is the primacy of interpersonal relationships in the context of our relationship with admitted refugees.

Stephen Darwall's recent work on the second-personal standpoint might be that lynchpin. According to Darwall, the second-personal standpoint is "the perspective you and I take up when we make and acknowledge claims on one another's conduct and will" (Darwall, 3). In other words, Darwall encourages us to take up a second-person perspective of our relationship, and from this perspective reason what can be expected from either you or me. It calls on both of us to put aside subjective biases and personal desires to elucidate what are our moral obligations in that relationship by asking ourselves

from an unbiased point of view what can we reasonably demand from each other. By doing so, we acquire a “distinctive kind of (normative) reason” (second-personal reasons) to address the demands that can be expected from us, which gives our addressor authority over us (Darwall, 4). This in turn suggests that we are held accountable if we decided not to address the demands that we have second-personal reasons for.

So far, with what has been said about Darwall’s project, it appears to me that it has the potential to be the lynchpin that I am looking for as it can both accommodate these important ingredients while being the structure that holds these ingredients together. First, it does not preclude us from having special obligations towards refugees because it is not a model that requires citizenship as a basis to derive special obligations, thus satisfying the need for inclusiveness that I took from Goodin’s account. Second, by elucidating our obligations from a second-personal standpoint, it is likely that part of our reasoning process is considering the idea of “fair share” mentioned earlier. That the valid demands that you can make from a second-personal standpoint should be proportional to what you have invested or will invest in the relationship. Therefore, the second-person standpoint also can accommodate the idea of fair share within its framework. Third, Darwall’s account allows us to see the relationship as it is—between a citizen and an admitted refugee, or between a state actor and an admitted refugee, etc. It does not wash away important features that we think ought to feature in a relationship. When we take up the second-personal standpoint, we ask ourselves what either party (us or refugees) could demand in such a relationship, factoring into our reasoning process background information about both parties, which could include the circumstances that led the refugee to be in this position, whether one has the capacity to aid without hurting themselves, and so on. In this manner, we consider all relevant aspects of the relationship

that we have with admitted refugees, seeing both parties as they are with the baggage that they each bring along.

But it also seems to me that Darwall's account offers further advantages. It possibly gives us an efficient way of discharging our duties, both on an individual level and at a state level, as moral obligations derived from the second-personal standpoint is at least sensitive to the types of relationship between the two parties. This means that, in theory, if different types of relationships generate different obligations, Darwall's project achieves an efficient output by generating different kinds of obligations, which could turn out to be complementary. For example, a reasonable obligation that a state actor could have from the second-personal standpoint is the obligation to assimilate refugees into their communities by introducing state-funded assimilation programs. Citizens, on the other hand, could come to reason that their obligation from the second-personal standpoint would be to volunteer for these programs. Thus, both state actor and individuals in this case have different but complementary duties that increase efficiency.

Before I conclude this chapter, I will note that it is important that ultimately, as I aim for my theory to be a practical one, it has to be plausibly psychically realisable. In other words, I must be able to show that my theory can be applied to instances in real life by motivating people to action. For now, the question of whether Darwall's account is psychically realisable is still up in the air. Much more analysis needs to be done before a more reliable conclusion can be obtained. Such work is best left for Chapter 3, where I consider what is the extent of our moral obligations towards admitted refugees, as realisability is a factor to take into account when deducing the extent of our obligations. However, for now, it is suffice to say that Darwall's account is *possibly* psychically

realisable, and that is all that it takes for my present purposes to claim that it is worth exploring as the framework for my theory in the next chapter.

4. Conclusion

I started this chapter by noting that there has been much attention to the question of the extent of our obligations to admit refugees at the border of countries. But because of recent developments in the refugee crisis, there is now a pressing need to start a discussion on what are our duties to refugees who have been admitted into our country, so that they do not find themselves in a protracted situation where their lives are stuck in limbo. Hence, the aim of my thesis is to develop a theory of our obligations towards admitted refugees. In order to do that, I first surveyed various attempts at special obligations proposed by philosophers to learn important elements of their accounts that ought to be featured in my theory. Then, I suggested that Darwall's second-person standpoint is the most plausible account to serve as a framework for my theory as it is able to hold these important elements together in its framework as it emphasises the primacy of interpersonal relationships. Finally, noting the possibility that Darwall's account is psychically realisable in the background, the aim of my next chapter is to propose my positive view of the model we can use to determine our obligations towards admitted refugees using Darwall's framework. Through this process of normative theorising, I also aim to show that Darwall's account is not only a plausible one, but it further makes sense in the context I am interested in, thus providing further evidence that it is a good framework to use to formulate my theory.

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CHAPTER 2

Developing a Model of our Obligations to Admitted Refugees

1. Introduction

When we consult our intuitions on what are our special obligations to refugees, most of us might find ourselves in uncharted waters. On the one hand, we might believe that we ought to help those in desperate need, especially when such aid does not put us in a situation of destituteness ourselves (Singer, 234). On the other hand, we might be worry that having special obligations to refugees leads to domestic problems, such as a depletion of resources or a diversion of resources that harm our own citizens; or even cultural and security concerns, given the state of the current refugee crisis.

However, as mentioned earlier, we currently have approximately 11.9 million refugees in the world who are living in a situation of protracted uncertainty and need. This is a startling number of human beings who are currently in limbo, ones who neither have the ability to independently support themselves nor have the security of a permanent residency. Hence, we might think that having these special obligations, and spelling them out, is necessary to highlight the difference between where we are now from where we ought to be when it comes to helping refugees within our borders. The aim of this chapter is thus to provide a model of our special obligations to admitted refugees.

2. What Should Our Theory Have?

A good normative theory should achieve certain desiderata. First, it should outline the relevant important questions that it seeks to answer. Second, it should have a framework that it uses to build a model that guides our actions. I will assume that this framework should be one that captures most of our commonsense intuitions about the subject matter. That said, I acknowledge that in the current refugee situation, our intuitions might be systematically biased towards citizens and against refugees, in part perhaps due to unfavourable media reports and political rhetoric. Therefore, we might have conflicting intuitions that arise from sympathy and empathy and those that arise from self-protectiveness and self-interest, necessitating an open-mindedness to go against some of our commonsense intuitions. Third, after establishing a plausible framework, a normative theory should then propose a model of how this framework can be applicable in informing our actions. Lastly, a good normative theory should also explain the grounds of valid claims, and how one adjudicates the extent of these claims, as much as possible. With these considerations in mind, I arrange the following sub-sections to sequentially address these aspects.

2.1 Important Questions that Our Theory Should Answer

In particular, for my theory of our special duties towards admitted refugees, there are a few critical questions that need answers. I will present these questions in this sub-section. But before that, I would like to clarify my use of the terms ‘we’ and ‘our’ for the remainder of this chapter and, unless specified, this thesis. When I use ‘we’ and ‘our’ in what follows, I am taking them to include citizens, governments, and other inhabitants of a country who are in a position to offer aid. This is a necessary simplification of the use of such terms as the plight of refugees could have been caused by governments in ways that

the population could not either have known about or have prevented, thus I will talk about these parties as a collective group.

Firstly, there are questions about the admission process—do we have a special obligation to admit refugees? If we do, do we only have obligations to admit them if we were guilty of causing their plight in the first place? These are great questions, ones that have encouraged lively debate among moral and political philosophers in recent years. However, this will not be the focus of my thesis as I think that excellent work has been done in this area⁴. Instead, I will take the upshot of the work of previous philosophers and grant that we have some special obligations to admit refugees at the border.

A further question arises if we grant that we do have special obligations to admit refugees: is it the case that our special obligations cease once they have been granted entry, or do our duties continue beyond the border⁵? The answer to this question impacts an admitted refugee's claim to remain in the host nation. If the answer were the former, the main concern would be how to justify a refugee's claim to remain in the country after a certain amount of time—can we solely rely on general obligations to give us the conclusion that admitted refugees can continue to live in the country? Here is one reason why I do not believe so: There are other transient parties in countries, e.g. tourists, whom we owe general obligations to. However, we do not think that our general obligations to tourists include a protracted stay. This is suggested by the existence of tourist visas that limit the number of days she can stay in a country. Thus, if the answer were the former, we would have a problem of justifying a refugee's claim to stay in a country beyond a

⁴ For excellent discussions of the reasons why we have special obligations to admit refugees at national borders, I encourage readers to look at the works of Michael Walzer (1983) *Spheres of Justice, A Defense of Pluralism and Equality* and David Miller (2007) *National Responsibility and Global Justice*.

⁵ See Section 3.2 for a detailed discussion.

period that is normally considered as transient. If the answer were the latter, then we are able to justify an admitted refugee's claim to protracted stay by citing that it is a special obligation to the refugee. However, a corollary concern would be the question of how do we decide whether refugees continue to have a claim to remain in the country—is their right to remain conditional on certain responsibilities they have⁶? Or is their continued claim also sensitive to the options that they have available? It seems that if there is no other country that will admit them, it places a *prima facie* claim on us not to deport them. By posing the above questions, I want to point out that in this thesis, unless otherwise specified, I take our special obligations to admitted refugees to be *pro tanto* obligations rather than *all-things-considered* obligations, meaning that in practice there may be competing obligations, resource limitations, or moral considerations that need to be weighed against these *pro tanto* obligations.

Finally, are our special obligations towards admitted refugees the same as our special obligations towards citizens? Or can we, perhaps, have *pro tanto* special obligations towards admitted refugees that outweigh our obligations to citizens because of certain overriding reasons⁷? It seems that the answer is obvious: in most cases our obligations to citizens override our obligations to admitted refugees. However, this obviousness might come from a tempting assumption that we make—that citizenship *entails* obligations that are difficult to be contravened, but this is more controversial than it appears to be. Hence, through normative theorising, we may arrive at a conclusion that at first pass evades our common intuition, but one that we must accept if we do not reject the premises that get us the conclusion. Moreover, the answer to this question will advise us on certain

⁶ See Section 5 for a detailed discussion.

⁷ See Section 4 for a detailed discussion.

controversial topics about our treatment of refugees. For example, should we grant refugees who are in our borders access to subsidised, or even free, healthcare in the short-term?

With these questions in mind, I now move on to identifying what I take is the most suitable framework for building our special obligations to admitted refugees.

2.2 Framework for Our Special Obligations

In Chapter 1, I introduced various views of our special obligations, either to compatriots or otherwise. At the end of the chapter, I argued that of the views that I presented, Darwall's second-person standpoint is the most promising account that accommodates our intuitions about our special duties towards admitted refugees. In this sub-section, I spell out why the second-person standpoint makes sense in explaining our obligations towards these refugees.

Let us first consider the case of parents having a duty to raise their child. We might say that during a child's formative years, a parent has a strong obligation to care for her child under all circumstances, even if her child does not reciprocate in an equal measure. This is because we do not think that the duty to care for one's child is conditional upon reciprocity; that if the child does not reciprocate, the parent ceases to have special duties toward the child in her formative years.

This is different in the case of admitted refugees⁸. When we think about our duties towards refugees, I believe that it is normal to think that there is a reciprocal relationship

⁸ Here I exclude from this group refugees who are children. I believe that when it comes to the case of children, we (governments and citizens) acquire responsibilities that are not conditional on reciprocity, much like the case above. I will not go into a full defense of this position in this

inherent in them. That is to say, we do not owe these special obligations to admitted refugees such that we ought to perform these obligations under *all* circumstances. Conceiving our duties in terms of a reciprocal relationship as such, we believe that we are justified in not fulfilling our end of the deal if they do not hold up to their end of the bargain.

The second-personal standpoint by Darwall captures this intuition that our duties towards refugees and their duties towards citizens of the country are reciprocal. Darwall writes that there can be “rights and moral obligations, only if any second-personally competent being is accountable to any other just by virtue of the capacity to enter into relations of mutual accountability” (Darwall, 225). This reciprocal nature of rights and obligations between refugees and citizens does fit nicely with the earlier exposition of what our commonsense intuitions are regarding our obligations towards admitted refugees. Thus, this is one reason why it makes sense to use the second-personal standpoint as a framework for our special duties towards admitted refugees.

Moreover, the second-personal standpoint captures our intuitions about “entering into relations” with the refugees whom we accept into the country. In contractarian terms, we enter into a social contract with refugees when we accept them into the country. In brief, social contract theory is the view that the moral and political obligations of persons in a polity are dependent on a form of agreement that they mutually subscribe to. This agreement might take many forms—hypothetical, implicit, or even explicit. The terms of this agreement not only shape society, but are also the minimum requirements that each individual believes is necessary to maintain and advance the polity. The ways

thesis, but I believe that such a defense can be based on the valid claims that refugee children can demand from their hosts from the second-person standpoint.

that people in a polity agree upon such rules differ among philosophers. For example, prominent contractarian John Rawls argues that persons hypothetically consent to social norms in a polity by agreeing upon rules behind a hypothetical veil of ignorance (Rawls, 584-585). Others argue that social norms are set by implicit agreements when agents subscribe to certain rules of conduct, such as the Principle of Fair Play (Dagger, 443-444).

Darwall's project is a more contemporary approach to social contract theory, where he uses two agents' relationship with each other as a justification for the claims that one can make on her counterpart. In any case, I believe that either approach—Darwall's or traditional social contract theory—would be able to support my theory that I present in the Section 3. But for my purposes I will be approaching my theory from a Darwallian standpoint, as I mentioned in the earlier chapter that it affords me the basic ideas I need when considering our relationship with admitted refugees.

The main challenge to social contract theorists is how they can account for this agreement among persons. Opponents to social contract theory raise the objection that there is no *explicit* agreement from people within a polity that they agree to all the social norms present in their society. Instead, social contract theorists rely on the assumption that there is an *implicit* agreement to these social norms. They justify this implicit agreement among citizens by citing empirical observations. For example, citizens who have lived in a country for their entire lives have experienced the social norms in a country, thus if they did not agree to these social norms, they could have left for another country (Plato, 51d-e).

However, I believe that in the context we are interested in, Darwall's second-personal framework circumvents these traditional objections in most cases. Typically, the way in which most refugees seek asylum within the borders of our country is: the refugee

applies to the United Nations High Commissioner for Refugees (UNHCR), and after going through a stringent selection process that includes interviews and security vetting, an individual is granted refugee status and is allowed to enter the country that is willing to host them (U.S. Department of State, 2016). Therefore, there is a legitimate process where refugees agree to an analog of a social contract by agreeing to accept the rules of a host nation. This gives further persuasion that Darwall's framework makes sense in the context of our obligations to admitted refugees.

But what should we say in the case where these formal institutions to obtain explicit consent have broken down or refugees enter the country illegally? For example, Turkey is currently facing a problem of having a large unregistered refugee population as localised organisations are handling the crisis in the absence of larger policy guidance from the central government (Migration Policy Institute, 2015). To get a first approximate at the answer, I believe that we have to look at the circumstances that led to their situation. Are they classified as 'illegal' because the country's formal channels are inundated with applications, because of a lack of guidance from the central government of a country, or because extreme circumstances in their home country forced them to leave immediately or their life would be at risk? If the reason refugees are classified as 'illegal' for the aforementioned reasons, then I believe that a case could be made that we are still able to "enter into relations of mutual accountability" with these refugees, on condition that these refugees manifest the gratitude required by my model that I propose in the next section. This carries the assumption that the refugee *would have* gone through the proper channels if it were not for the unforeseen circumstances. If this assumption holds, then it is not the case that we would always need an explicit agreement in order to have reciprocal obligations according to the second-personal standpoint. But if refugees

entered the country illegally not because of the earlier reasons, then I believe that we would have to rely on implicit consent that is tracked by their obedience to follow reasonable rules and regulations of the country they find themselves in. That being said, I shy away from labelling the status of this group of refugees as ‘illegal’. In a discussion between Elie Wiesel, Nobel Peace Prize winner and Holocaust survivor, and journalist Maria Hinojosa, Wiesel counselled Hinojosa on the dangers of labelling a group of individuals as ‘illegal’: “The first thing they did was that they declared the Jews to be an illegal people” (Moreno, 2016). Therefore, if we divorce the notion that the actions of these refugees were illegal from their status, I believe that my theory would be able to capture a much wider range of refugees.

Finally, there is one more advantage to using Darwall’s framework in building a normative theory of our duties to admitted refugees—it accounts for our intuitions concerning refugees who commit crimes in the country. When an accepted refugee commits a crime in our country, especially a violent crime, we feel that it is *especially* bad, worse than when our compatriots commit the same crime. And there seems to be reasons to believe that such a sentiment exists in the United States.

In the recent 2016 U.S. Presidential Election, President-elect Donald Trump has used much of his platform to highlight the “problem” of having refugees in this country. He suggests they are a danger to the country as they are “Trojan horses”, and that they are part of the problem of “criminal aliens”, thus he intends to begin “moving them out day one” when he takes office (New York Times, 2016). This sentiment was met with much applause and approval, with many of his supporters echoing his views with fervour, both in the campaign arena and in their social lives. Setting aside questions of rational behaviour, at the very least, this example shows that there is a large group of individuals

who share the sentiment that it is *especially bad* for an admitted refugee to commit a crime as compared to a compatriot. This sentiment can be explained by the second-personal standpoint: as the refugee broke the social contract that she *explicitly* agreed to abide by, we may appropriately feel *betrayed* by her. This sense of betrayal could possibly be argued to presuppose second-personal relations. Contrast this to someone whom we might think implicitly agreed to perform a certain task, if she does not do it, we might appropriately feel let down, which again may very well presuppose second-personal relations. However, I believe that being betrayed by someone feels *especially bad* when compared to being let down by that same person. Hence, as the second-personal framework allows us to explain this important phenomenon, it lends support to using it as a framework to build our normative theory.

3. Building a Model for Our Normative Theory

Now I hope that I have successfully established above that a second-personal standpoint is the most plausible framework to use when constructing a theory of our duties to refugees. Next, I will move on to building a proposed model inspired by Darwall's framework.

Consider this model: By accepting a refugee into our country, we trigger a reciprocal relationship—we accepted, and thus now have, the responsibility to care for these refugees⁹, so in return, we can reasonably expect them to be grateful to us.

When we ordinarily think of the word “gratitude”, we might associate it as a primarily psychological state where an agent feels thankful for the kindness that was

⁹ I intend to explore further the question of how should we care for refugees, and the extent that we are obliged to do so, in Chapter 3.

shown to her by another party. And we perhaps think that this psychological state may even involve a disposition to reciprocate the goodwill that she experienced. However, it is important to note that since the emotion of gratitude is non-voluntary, it cannot be an obligation to feel gratitude on the part of admitted refugees. Thus, when we use “gratitude” in the context of our relationship with admitted refugees, I worry that it would not be best understood in terms of a psychological state. Thus, I would like to extend this understanding to include a technical use of the term. In the following two subsections, I will examine both ways of understanding “gratitude” and argue that for the purposes of this thesis, “gratitude” is best understood in my proposed technical use.

3.1 “Gratitude” as a Primarily Psychological State

If we were to do an analysis, we would realise that “gratitude” is a particularly difficult psychological state to elucidate. Some people consider it as an emotion, where having “gratitude” elicits a “warm” feeling in the agent. Others think that it goes beyond a felt emotion; that it involves a dispositional attitude to reciprocate the kindness that was shown to you. But some may deny this dispositional attitude, and instead argue that expressing “gratitude” is just recognising that something good has been done for you. Because there is no unique attribute or quality that “gratitude” is associated with, we find ourselves having difficulty in elucidating “gratitude” as compared to other psychological states.

However, the average person does not perform this kind of in-depth analysis when they employ the term “gratitude”. Instead, I believe she relies on what might be most familiar to her—“gratitude” as a felt emotion. I worry that it is not the appropriate way to understand “gratitude” when used in the context of refugees. When we use the word

“gratitude” in a typical scenario, we envision a case where an agent comes to the aid of someone in need, but the agent was not the one who caused the other person to be in that position in the first place. For example, Adam sees that Bill is about to get run over by a car while walking across the crosswalk. Thus, Adam lunges forward to push Bill out of harm’s way. In this case, we think that Bill should be grateful towards Adam. And we ought to think so because Adam was not the one who put Bill in harm’s way to begin with—he was not driving the car, nor did he push Bill in front of the car.

The case of refugee situations might not be similar to the case of Adam and Bill. Often enough, countries find themselves partially responsible for the plight of refugees. Countries may have directly caused the predicament of refugees by destabilising the political and physical environment through an act of war or invasion. Countries may have also indirectly caused the plight of refugees by exacerbating economic inequalities (Pogge, 263-265). Thus, an admitted refugee would not feel justified in extending gratitude if she were admitted into a country that caused her plight; in fact, she might even appropriately feel resentful or entitled, which will undermine my theory. As such, I believe that this motivates us to extend our understanding of “gratitude”.

3.2 “Gratitude” as a Technical Use

Because of the problems facing the use of “gratitude” as a psychological state highlighted above, I would like to introduce a technical use of the term. When refugees are admitted into a country, I assert that it is reasonable for a citizen to think that they ought to be cognisant of certain things. In particular, I believe that it is reasonable for a citizen to expect that refugees recognise that they have been helped, and further, it is also

reasonable to expect that they acknowledge that there are certain expectations on their actions in light of the fact that they have been helped.

These expectations not only bear an affinity to the word “gratitude”, but more importantly for my purposes, they emphasise the structural features of “gratitude” that I think is crucial in elucidating the reciprocal relationship between us and admitted refugees, which ultimately is where we derive our special obligations. With this technical use of the word “gratitude”, we do not need to appeal to affective or emotional states of refugees, thus avoiding the worry that the existence of these special obligations is subjective; it is enough to demand that refugees recognise that they have been helped, and that they acknowledge that citizens can reasonably have certain expectations from them.

A consequence of such acknowledgement is the *voluntary* initiation of a relation of reciprocity between a refugee and us: When they extend their gratitude for accepting them into our country, we now have a second-personal reason to live up to their expectations of us—providing a safe haven, ensuring their assimilation into society, these are some of the candidate special obligations that we have towards admitted refugees. This entails continuing obligations that we have toward admitted refugees; that is to say, our duties are not exhausted after granting them asylum.

However, here I acknowledge that there are limitations to this reciprocal framework. One of which, as I have highlighted earlier in Section 2.2, is that there exists refugees present in a country who are unable to give qualified consent (children), those who illegally entered the country thus bypassing the stage of explicit consent, and those who involuntarily entered the country. For these groups of individuals, as I mentioned earlier, we would need to rest on the notion of either implicit consent or hypothetical

consent, tracked by features such as their degree of obedience to reasonable rules and regulations. Because of this, the reciprocal framework might not be applicable to our relationship with these groups of individuals; nevertheless, I argue that we still have obligations towards these refugees in view of humanitarian considerations or in view of their obedience, and that these refugees still have obligations towards citizens and their host country, it is just that these obligations are not reciprocal in nature.

Overall, understanding “gratitude” in the technical sense described above has certain advantages. First, it captures the affinity with our ordinary understanding of “gratitude” through similar structural features, thus an average individual would not be alienated by this technical use. Second, it circumvents the complaint of implicit or involuntary agreement in social contract theory. Lastly, it affords a core model of obligations to refugees in a wide range of cases.

4. Consequences of Accepting the Model

If we were to accept the model outlined at the beginning of Section 3, what does that entail for the special obligations that we owe to admitted refugees, and reciprocally, the special obligations that they owe us?

For starters, I want to note the difference between the *voluntary engagement* and the *involuntary engagement* in the social contract. Intuitively, I believe one ought to concede that a voluntary agreement to participate in a cooperative enterprise can impose stronger obligations on us than an involuntary agreement. For example, by signing a fair employment contract, one agrees to work for a company’s interests—one’s special obligation towards that company. One could even argue that this individual has strong, all-things-considered obligations to perform actions—assuming that they are at least

legal—that are in the company’s interests as her company pays her salary, which sustains her livelihood. Conversely, if an individual were forced against her will to work for somebody, there are weak grounds to think that she owes special obligations to her employer. The reciprocal relationship here is shown by the employee’s special obligation to act only in her company’s interest, and her employer’s special obligation is to compensate her to the level that is commensurate of her contributions.

There is a parallel between the examples described above and the case of the refugee and her relationship with us. If one agrees with the conclusions of both examples above, then it follows that admitted refugees have certain strong obligations towards citizens and the state. In addition, because reciprocal duties demand commensurable recompense, it follows that we owe certain strong obligations to admitted refugees. In fact, if one endorses the notion above that voluntary participation in a cooperative enterprise imposes stronger obligations than involuntary participation, then we ought to have certain stronger obligations towards admitted refugees as compared to citizens, as a wide range of the former group voluntarily participates in society while it is not clear that the latter group does.

4.1 Examples of Strong, Pro Tanto Duties

It will be helpful at this point to clarify what are some of these strong *pro tanto* duties by providing some examples that I feel are justified duties in this context. Perhaps it will be best to start with thinking about obligations that have to do with where admitted refugees end up first—in a refugee camp. I propose that one example of a strong, *pro tanto* obligation that the state owes to refugees is the duty to ensure suitable living space for refugees. Most of the refugees today live in refugee camps that were designed to house

refugees during the transient period during which the conditions in their home country were uninhabitable due to danger. Unfortunately, the reality of the situation is that most refugees never return home, resulting in the current problem of protracted refugees. Sadly, as countries were not expecting this reality, architecture has failed to meet the demands imposed by the influx of refugees. Refugee camps have de facto been the stagnant solution to containing refugees, but as living conditions deteriorate as the number of refugees in these camps increases, it is time to re-evaluate the use of these camps as permanent solutions to housing refugees. If we do not ensure that the space they inhabit conforms to a decent standard, then we are guilty of not living up to our end of the social contract.

Another *pro tanto* obligation that I want to briefly mention here is the duty to assist admitted refugees' efforts to be financially independent, as part of their right to subsistence. This inevitably would entail that the state has a special obligation to offer job opportunities to admitted refugees. However, as this issue raises questions about the criteria and extent of our special obligations to secure them a job, I will leave a detailed defence of this special obligation in Chapter 3.

Lastly, not forgetting the nature of reciprocity in a second-personal framework, I will propose candidate obligations that admitted refugees have towards their host nation. But what can an admitted refugee offer their host nation, considering they have a lack of material possessions, and the lack of authority to seek employment (at least in the short run)?

Because of the limited resources that they might have to reciprocate, I believe that they can minimally offer their labour (subject to principles of fair employment). There are two ways in which I conceive of this labour. First, able-bodied admitted male refugees

could be considered as equal candidates to serve the military in the event of a war¹⁰. Another way they are able to offer themselves is by providing intelligence. A good proportion of refugees today are in this plight because of the Islamic State (ISIS) terrorists, which most governments in the world today are keen to eliminate. Because these admitted refugees had their eyes and ears on the ground before they sought asylum, they might have intelligence on certain operatives or operations of terrorist organisations back home. As a first step to meet the expectations of their host nation, refugees with intelligence are obligated to inform the authorities during their interviews, not only to aid in the success of their host country's mission, but also to save the lives of those who were left behind.

5. Further Consequences of Accepting the Model

In the above section, I outlined what accepting the model as proposed in Section 3 directly entails. Here, I consider the consequences of the model that might either be less immediate or less direct. From the discussion so far, we know three things about our *pro tanto* obligations towards admitted refugees based on my model: 1) They are based on a modern approach to a social contract; 2) They are second-personal and reciprocal; 3) Refugees who enter through formal channels voluntarily accept the social contract when admitted into the country. Building on work done earlier in the chapter, these three tenets indicate that the reciprocal responsibilities both parties have are conditional upon fulfilling our respective duties.

¹⁰ Of course, whether it is a *pragmatic* possibility to conscript able-bodied male refugees is a separate question. There may be a concern as to whether conscripting these refugees to fight against their own nation will result in divided loyalties—will they be able to fight their ex-countrymen? However, what I intend to raise here is just the *permissibility* of such an action.

Asserting that our respective obligations are conditional upon the other party fulfilling their duties explains certain intuitions that we have, namely, that it seems acceptable to deport an admitted refugee if they commit a crime that is more severe than an infraction, barring any overriding reasons against this move (e.g. there is no other country that will accept the refugee). Ordinarily, when a citizen commits a crime in her country, she would not be exiled. Instead, she will be fined or jailed. We would think that exiling a citizen for a crime that is not committed against the nation (e.g. treason) is unjustified. However, when an admitted refugee commits a misdemeanour or felony in her host nation, she will be faced with deportation as a real possibility. And we think that this is justified. But if we thought that we owe stronger obligations to admitted refugees as compared to fellow compatriots in this respect, then we ought to think it unjustified to exile an admitted refugee based on a crime that does not amount to treason. Therefore, the only way our intuition can be justified is if these obligations were conditional—they are violated when an admitted refugee breaks the law, thus we are no longer obligated to uphold our end of the bargain.

One related concern would be the chicken-and-egg problem: Who is required to show good faith first? I believe that it is reasonable to say that in accepting a refugee into our borders, we took the first step to show sincerity in upholding our end of the social contract. Therefore, refugees should take this as a sign of goodwill and uphold their end of the contract.

6. Conclusion

In this chapter I have systematically laid out the framework and the model of what our normative theory of our distinctive *pro tanto* obligations to refugees should look like. I

did this by first considering the questions that our normative theory should seek to answer. In assessing the merits of the framework and the model I proposed, there were several significant sub-conclusions that I have argued for, namely that we have reciprocal obligations towards admitted refugees who came into this country via formal channels. This is because of the voluntary nature of their extended gratitude and explicit agreement to abide by our rules when they entered. But, because these are *pro tanto* obligations, these duties are conditional upon the other party fulfilling her end of the social contract. In addition, I have also proposed several candidates of strong, *pro tanto* obligations that can be derived from my proposed model. Thus, my project for the next chapter is to elucidate which obligations derived from the model are reasonable obligations, with a focus on why are they fitting in the context of our relationship with admitted refugees, and what should be the extent of these obligations.

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CHAPTER 3

Reasonable Obligations and the Capabilities Approach

1. Introduction

Activists in social justice movements have claimed that developed countries are currently not doing enough to help the global refugee crisis today, especially since we are living in a time that sees the largest number of forcibly displaced persons¹¹ recorded since World War II—65.3 million (UNHCR, 2016). Further, tracking this metric over the years, the Pew Research Center has determined that the proportion of refugees, relative to the total world population (tagged to respective year), that are forcibly displaced is sitting at 0.8% of the total world population in 2016. This is not only the highest it has been in over 60 years, this number has also more than quadrupled that proportion in 1951, when the United Nations High Commissioner for Refugees (UNHCR) first started compiling this statistic (Connor, 2016). Moreover, focusing on refugees among those displaced, 86% of the world's refugees under the mandate of the UNHCR are currently hosted by *developing* countries. Some of these countries were considered the *least developed countries*, meaning that they are not able to meet the needs of their own people and yet try

¹¹ This term tracks the persons of concern to the United Nations, namely, refugees, asylum seekers, and internally displaced persons, among others. All of these sub-groups contribute to the global refugee crisis we see today.

to meet the needs of those refugees who were granted asylum (UNHCR, 2016)¹². Armed with these data, activists claim that developed countries are not taking up enough responsibility on this matter. But their claim leads to two questions: first, the question of *what exactly* are those of us in the most developed nations responsible for, and second, the question of when are our efforts *enough*?

In Chapter 2, I presented a positive view of what I take to be an appropriate model of the reciprocal obligations that admitted refugees have towards citizens of their adopted state and vice versa: the gratitude model. In brief, the model is built on the claim that citizens ought to meet the gratitude that admitted refugees extend in full, and in turn, admitted refugees are required to reciprocate their host's kindness. This forms a repeating cycle of exchanges and interactions between host and admitted refugee. These exchanges and interactions could include both elements of duty and elements that lie outside of duty, and I would like to stress here that I am not assuming that they are symmetric.

I have argued in the previous chapter that the duties derived from this model are strong, *pro tanto* duties, such as ensuring a suitable living space for admitted refugees, or even more generally the duty of incorporating refugees into the responsibilities and benefits of citizens. This would include considering refugees as equal candidates to serve in the military in the event of a war. However, what one would soon realise is that this model could possibly churn out a whole class of obligations, where people might claim that there exists such-and-such obligation either towards admitted refugees or towards citizens in the name of gratitude. As an extreme example, one could suggest that admitted

¹² The statistic that was used to track the ability of a country to meet the needs of admitted refugees is Gross Domestic Product (Purchasing Power Parity) per capita, or GDP (PPP) per capita. This measure allows us to broadly compare the size of the refugee population to a host country's economic development, claims UNHCR. The higher the number of refugees per 1 USD GDP (PPP) per capita, the less a host country is likely to be able to meet their needs.

refugees be placed in certain traditional blue-collared jobs that most citizens do not want, or particularly dangerous jobs that most citizens are afraid of doing. And they maintain that because of gratitude these refugees should take these jobs without complaints, because they are given employment that will help to support them and their families. But we might think that there are certain claims that we should not impose on refugees, even if by imposing these claims it would in some way improve the prospects of refugees, or establish on the part of refugees an expression of gratitude. These could include claims that require working in conditions that are dangerous, demeaning, or sufficiently undesirable such that residents reasonably avoid them. These intuitions possibly arise because I have yet to say anything about how we should apply the model, such that we derive from it special obligations that we (citizens and admitted refugees) can both recognise as warranted and fitting obligations.

Therefore, my aim in this chapter is two-fold. First, I will propose what I take to be an appropriate framework—Darwall’s second-personal approach to moral responsibility—that will give us a first approximation as to which obligations derived from the gratitude model in Chapter 2 can we reasonably be expected to be responsible for, and why. Second, I intend to elucidate what is the extent of our reciprocal obligations. Here I will propose Martha Nussbaum’s Capabilities Approach.

2. Moral Responsibility

Before I introduce Darwall’s account of moral responsibility, I would like to point out that the concept of moral responsibility has been argued to be somewhat ambiguous. When we say we are morally responsible for an act, do we mean that we are responsible for all acts which we are the cause of, or do we mean that we are responsible for the acts

that we can be said to be blameworthy if we were, or were not to, commit? Here I will first make the distinction, as Gary Watson (1996) has made, between responsibility as attributability and responsibility as accountability. I believe this distinction will be important when it comes to narrowing down our wide array of strong, *prima facie* special obligations to a special sub-class of obligations. After making this distinction, I will then proceed to outline Darwall's account of moral responsibility based on the second-person standpoint, and how his framework is suited to the context I am interested in.

2.1 Attributability versus Accountability

In his paper *Two Faces of Responsibility* (1996), Gary Watson notes that in our everyday speech, we sometimes conflate two distinct notions of responsibility—responsibility as attributability and responsibility as accountability. Imagine that you are standing on a crowded bus¹³. The person standing next to you took a step backwards while she was having a conversation with her friend and, not seeing you, steps on your shoe. We can say in this example that the action of stepping on your shoe is attributable to this stranger standing beside you, that she is the cause of the pain that you are now feeling. Even though we might feel miffed at this situation, we may say to ourselves, “I guess it's just my luck.” We do not think it is reasonable for us to demand compensation for any damages that the stranger had caused. Now imagine you are in the same situation, except this time the stranger standing beside you did not accidentally step on your foot. Instead, she stepped on your foot so that she could dirty your white, limited edition Chuck Taylors, purely out of jealousy. We say in this situation that the act of stepping on your foot is attributed to this stranger, but we can also say that she is

¹³ I am indebted to Peter Railton for this example.

accountable for her action, at least because you have a right to physical security. Absent any excusing conditions on the end of the stranger, we could claim in this situation that by violating your right, you are *pro tanto* justified in demanding that she ought to be held accountable for her act and thus compensate you for your damages; that you are entitled to react this way, and that this reaction is appropriate.

The crowded bus example above broadly explains how Watson views his distinction between responsibility as attributability and responsibility as accountability. On his account, he views judgments of attributability as “imputing [a certain] behaviour to the subject, in virtue of which he is in a way answerable as its agent” (Watson, 230). It does not, however, entertain the notion that there ought to be further action taken against the agent. In other words, when we make attributability judgments, we are merely making certain “appraisals” of the agent that concerns her “excellences and faults—or virtues and vices” (Watson, 231). On the other hand, Watson views accountability as holding an agent responsible for a certain act. He sees it as a “three-term relationship in which one individual or group is held by another to certain expectations of demands or requirements” (Watson, 235). When we hold others accountable, Watson suggests, we hold that “some further response to the agent is (in principle) appropriate...in which (typically) the judge (or if not the judge, other members of the moral community) is entitled (in principle) to react in various ways” (Watson, 230). This is akin to the second version of the crowded bus problem, where we hold the stranger blameworthy for stepping on our feet out of jealousy, and reasonably demand that she compensate for the damage she had caused. In other words, when we hold others accountable, we invoke notions of blameworthiness, where we are justified in meting out certain punishments, to those who deserve them in light of what they had done.

Why is it important to distinguish between attributability and accountability? I believe that in the context of our reciprocal responsibilities to admitted refugees, we should think of responsibility in terms of accountability. This is so that we are able to theorise what “expectations or demand or requirements” each party in the citizen-refugee reciprocal relationship can reasonably demand. This helps us to streamline the class of special obligations derived from the gratitude model if we are only concerned with obligations that arise out of accountability. Further, as my model is built upon the notion of gratitude, I take my model to be both present- and forward-looking—I will assume that the citizen is not accountable for the original plight of the refugee—and so the gratitude model focuses on the subsequent behaviour of both citizens and admitted refugees. A benefit of not being backward-looking, I think, is that we do not see admitted refugees as agents who seek our pity, thereby lowering their status in society. Instead, we see them both as equal persons who have the potential to be contributing factors to society and as moral agents who we can trust to be responsible. Moreover, focusing on what each party is accountable for also gives us tangible goals that influence both public policy and our individual actions. Therefore, in this chapter, when I write about “responsibility”, I am primarily concerned with “accountability”, unless otherwise specified.

2.2 A Darwallian Account of Moral Responsibility

In Chapter 2 I presented Darwall’s second-personal standpoint when formulating the model of the reciprocal obligations between citizens of a country and admitted refugees of that country. Here, I will present how Darwall derives moral responsibility from a second-personal standpoint.

When we address each other in terms of the second-personal standpoint, it presupposes that we have second-personal reasons to do so, and these reasons are associated with what Darwall calls a “distinctively second-personal kind of *practical authority*: the authority to make a demand or claim” (Darwall, 11). The reasons for the address could vary: one party violated the rights of the other; one party betrayed the other, and so on. But supposing that one has a valid second-personal reason, one then acquires the authority to address a demand against another party. Darwall further suggests that this authority to make an address does not simply imply that our addressee has reasons to act in accordance with our demand, but that she further has a responsibility to do so (Darwall, 11-12), and by acquiring responsibility, she now has a moral obligation to meet our demand as moral obligation is intrinsically connected to moral responsibility (Darwall, 91).

Darwall is able to offer a neat explanation of how all these concepts can be implied and explained by one another, as he claims that these concepts belong to an “interdefinable circle”—what Darwall calls a circle of irreducibly second-personal concepts—where “each implies all the rest” (Darwall, 12). The concepts that Darwall considers to be in this circle are “second-personal authority, valid claim or demand, second-personal reason, and responsibility to” (Darwall, 12). Therefore, if we have a valid second-personal reason to make a claim against another party, it implies that we have the required authority to do, and in doing so, it implies that the other party is responsible to meet my claim, which means that I can hold her accountable to do so. This exposition fits well with the crowded bus example brought up earlier. Ordinarily, I think that it would not be far-fetched to claim that if our foot were to be trampled on purpose, we would almost immediately think that we have a reason to demand certain kinds of

compensations because we think that the offender is responsible for her actions and thus accountable to meet our demands. Darwall's claim that one concept implies another fits well with the fast activation of all of these concepts in our minds in the crowded bus example.

A further claim that Darwall makes is that "there is no way to break into this circle from outside it" (Darwall, 12). What this means is that in order to get the kind of moral responsibility that we are talking about, we need to start with concepts that are itself second-personal in nature. Only then will we be able to have a justified second-personal standing that will allow us to appeal to other terms in the circle, as a justified second-personal standing entails either having second-personal authority or having second-personal reasons (Darwall, 13). Here are some examples that Darwall offers as second-personal concepts: trust (forthcoming), dignity as persons (Darwall, 14), rights (or more specifically claim rights) (Darwall, 16), and respect (Darwall, 84), among others. I will put a placeholder here to note that these examples will be important and will re-surface in later sections in this chapter.

In sum, on a Darwallian account, we get to moral responsibility through first having situations that have features in virtue of which irreducibly second-personal concepts are applicable. From having these concepts that are implicitly second-personal, we come to have implications of second-personal authority to address a valid demand due to second-personal reasons, which we hold our addressee responsible to uphold.

3. Evaluating Darwall's Account of Moral Responsibility

In the previous subsection I have outlined Darwall's account of moral responsibility. In what follows, I present my case for why I believe that building upon

Darwallian account of moral responsibility is appropriate in the context of our reciprocal duties to admitted refugees. In order to be fitting, I argue, Darwall's account needs to generate duties that meet three important desiderata: First, these duties need to help us bridge the gap between citizen and refugee, such that the latter are not alienated from society. This, I believe, is a first step towards realising the gratitude model that I proposed in Chapter 2. Second, as the gratitude model presupposes interaction between citizens and refugees, we need to ensure that Darwall's model is able generate duties that accommodate our everyday attitudes and behaviours that go into this relationship. Third, as Darwall's account, explained thus far, mainly works in the realm of concepts, we need to explore whether his theory can be psychically realised. If it is the case that there is empirical evidence to suggest that an average human psychology, by possessing these second-personal concepts, would then be motivated to act, then it further strengthens my claim that Darwall's account of moral responsibility is appropriate in the context of our reciprocal obligations to admitted refugees.

3.1 Bridging the Gap Between Citizen and Refugee

Broadly projectivist accounts of moral responsibility have a particular feature to them. That is, projectivist accounts presuppose taking the viewpoint of another agent to judge whether her actions were morally right or wrong. For example, Nagel's projectivist account of moral responsibility requires that we put ourselves in the perspective of the agent to figure out what were the options available to the agent at the time of the action, do a normative assessment of those options, and then judge it against an evaluation of the action taken (Nagel, 120-121). This feature of projectivist accounts present an important lesson that I believe needs to be in any appropriate theory that allows us to derive

reciprocal obligations that are reasonable and warranted. When we project ourselves into the point of view of the other party, we gain an “internal understanding” of the other party’s perspective. When we attempt to put ourselves in the shoes of others, to try and envision ourselves in their situation and how it is like to be them, this might, at minimum, help us to stop seeing the other party as “them” and thus ameliorate in-group/out-group differences, which in turn leads to better treatment of the other party. This is especially important in the case of our relationship with admitted refugees. Every so often, one sees on the news or on social media the negative labels that are put on refugees, such as “potential terrorists” and “dangerous”. These labels exacerbate in-group/out-group differences that serve as the fuel for hatred towards refugees. As a result of our hostile behaviour towards refugees, they recompense with similar distrust. This eventually leads to the formation of a vicious cycle that benefits only those seeking to spread terror in the first place. Therefore, in order to be a fitting in our context, Darwall’s account of moral responsibility must be able to generate duties that feature this aspect of projectivist accounts.

3.2 Ensuring “Oughts” from “Cans”

Another important feature that we need in a fitting account of moral responsibility is epistemic access to these duties—we want to be able to derive duties that an average person is capable of knowing that it is her duty to do so. In other words, we want to ensure that what we *ought* to do derives from what we *can* figure out from the situation at hand. This is an advantage of Strawsonian theories of moral responsibility. Strawson’s account of moral responsibility (1993) first looks at the kinds of reactive attitudes that are elicited from our experience of an event—attitudes such as gratitude and resentment—

and use those reactive attitudes as an indication of whether we acquire certain responsibilities (Strawson, 49-50). For example, if someone steps on my foot, and I knew that it was on purpose, it would elicit a feeling of resentment towards the perpetrator. Reactive attitudes, as their names suggest, are attitudes that occur naturally within us when we experience a certain event. Apart from the fact that we are familiar with these attitudes, I believe that we are also able to articulate, with reasonable confidence and accuracy, features of a situation that elicit these reactive attitudes. Hence, take any situation like the shoe-stepping example above, *mutatis mutandis*, we would get a good approximation of our duties if we would have feelings of resentment if action X were not taken by the perpetrator after-the-fact. Darwall's account must have a similar feature if we hope to apply it in everyday events.

3.3 Bridging Communities; Knowing "Oughts"

Having explained in the preceding subsections why the first two desiderata are important conditions that ought to be featured in a fitting account of our reciprocal duties to admitted refugees, the aim of this subsection is to present how Darwall's account of moral obligation meets the first two desiderata proposed in Section 3. To do that, I will highlight two important aspects of Darwall's work in the proceeding paragraphs: First, the second-personal standpoint takes into account the point of view of the other party, thus having quasi-projectivist features. Second, the set of Strawsonian reactive attitudes, Darwall claims, is a subset of the set of second-personal concepts. Hence, if Strawsonian reactive attitudes are able to give us a good approximation of our duties in virtue of recognising their presence, then perhaps, we could similarly expect other second-personal concepts to give us epistemic access to our duties too.

As mentioned in Chapter 1, what it means to occupy the second-person standpoint is to take up the perspective where we “make and acknowledge claims on one another’s conduct and will” (Darwall, 3). Thus, when we take up the second-person perspective, we are taking into account both parties’ interests and see where they intersect and where they diverge. This will eventually lead to a compromise—what can we reasonably demand from each other when we enter into a relationship that does not unfairly prioritise or penalise certain interests of one party over the other. In taking up the second-person perspective, although we are not projecting ourselves into the position of the other party, we nonetheless are asked to sequentially occupy the perspective of each of the two points of view, and reason what can each party demand in this relationship. In practice, I think that there is little difference between what we would get in this outcome and the outcome in which we “put ourselves in another’s shoe”. In Darwall’s account we will not categorise admitted refugees as “them”; instead, by occupying the second-person standpoint, we will be looking at “us”. Therefore, Darwall’s account of moral responsibility satisfies the first desideratum.

Another important aspect of Darwall’s account is that it encompasses Strawsonian reactive attitudes, as he argues that reactive attitudes such as gratitude and resentment are implicitly second-personal (Darwall, 66-70). Because Strawsonian reactive attitudes are implicitly second-personal, they are in his circle of interdefinable concepts, which allows us to move from reactive attitudes to moral responsibility. Moreover, since our moral responsibilities are connected to second-personal concepts, we also ensure that we are only deriving what we ought to do from what we can do. This is because our duties are constrained by whether we can have the appropriate second-personal concepts.

However, some might argue that while we *can* have the appropriate second-personal concepts, we might choose to *reject* them in the context of our relationship with admitted refugees for *pro tanto* reasons, and by entailment, reject any duties towards admitted refugees. Thus this might be a moot desideratum in reality. This attitude of resistance might especially feature in countries that were built by immigrants, e.g. the United States, as individuals might see immigrants and admitted refugees in a similar light. These dissenters might claim that if their immigrant forefathers could build a country from scratch when they first arrived through sheer hard work, then likewise could these admitted refugees. Further, they might argue that working hard to get what you want is “the American way”, thus if an admitted refugee wishes to be accepted by society, they should follow in the footsteps of their forefathers. The irony here is that they may not realise that they themselves might have benefited from the kindness of others or through help from the state along the way, and this is no doubt a result of our complex psychology, filled with an array of biases that obstruct the acceptance of the refugee’s reasonable demands¹⁴. While I acknowledge that this is an important issue to find a solution to for pragmatic reasons, I believe that for my purposes it is sufficient to first look at what demands *can* we claim from citizens before theorising how best can we ensure that citizens *satisfy* these demands.

Therefore, because Darwall’s account fulfils the first two desiderata proposed in Section 3, I argue that his account from here on is an appropriate one to use to derive a sub-class of special obligations that are generated from the gratitude model proposed in Chapter 2, thereby eliminating unreasonable demands, such as the one given in the

¹⁴ I am indebted to Peter Railton for his insightful comment.

Introduction of this chapter. I now move on to consider whether Darwall's account satisfies the third desiderata.

4. Moving from Concepts to Reality

So far, we have been working with second-personal concepts and how these are tied to moral responsibility and obligation. In pockets here and there, I have been broadly gesturing at how these concepts can be realised in real-life scenarios. However, I have yet to show the relationship between these concepts and psychological states, that is, to show that having these concepts has an effect on our psychological states, which will ultimately affect our actions. This is important if we think that in order for a duty to be reasonable, one of the features it has is to be motivating. My strategy to do so is to argue that a psychology that can see second-personal reasons in favour of obligations is a kind of psychology that can be motivated.

Darwall himself hints that this is his strategy when he introduces the idea of "second-personal competence", that is the idea that "those we address can guide themselves by a reciprocal recognition of the second-personal reasons we address... and act on reasons they accept from [the second-personal perspective]" (Darwall, 75). In fact, he devotes a whole chapter to the psychology of the Second Person and provides reasons why he believes that second-personal concepts are psychically realised to produce motivation. Instead of recapitulating Darwall's chapter in this subsection, I will place my focus on empirical issues, turning my attention to psychological studies that appear to converge on (and thus support) my argument: that it follows that by having certain concepts we are motivated to act in a certain way.

In recent years, numerous psychologists have become interested in testing out whether we could influence a subject's behaviour by introducing or manipulating concepts in the subject's mind. I will now present a survey of contemporary psychology literature on this topic and briefly mention the upshot of their studies. In essence, all these psychological studies seem to point to the conclusion that we are able to influence an agent's behaviour using concepts.

4.1 Self-Discrepancy Theory

One of the more influential works in contemporary psychology showcases how a subject's behaviour can be motivated by the self-concepts she identifies with. This is known as self-discrepancy theory, introduced by psychologist Tory Higgins. Higgins defines self-discrepancy theory as “a general theory relating different patterns of self-beliefs to different kinds of emotional-motivational predispositions” (Higgins, 129). The upshot of Higgins's work on self-discrepancy theory (1987, 1989) is his empirical findings that when there are inconsistencies between one's actual self versus one's ideal and/or ought self, we experience discomfort proportional to the magnitude of the discrepancy, which leads Higgins to emphasise the motivational assumption of his theory: that “people are motivated to reach a condition in which their self-concept matches their personally relevant self-guides” (Higgins, 95). Preliminary evidence from other studies supports this assumption. For example, high need achievers are highly motivated to close the gap between their current level of performance and their ideal performance (Higgins *et al.* 1986). Furthermore, the most relevant part of Higgins's body of work for my thesis is his finding that we can connect concepts of duty and obligation to motivation systems (Higgins, 97): if an agent believes there is a discrepancy between her current state and the

state that it is her duty or obligation to attain, then certain emotional-motivational states arise in her. Therefore, Higgins's body of work done on self-discrepancy theory suggests that it is possible to get motivation from the possession of self-concepts, when these lead to the formation of discrepancy beliefs.

Higgins's work shows that we can derive motivation by having the appropriate discrepancies in our beliefs, which are in turn generated by the different self-concepts we possess. But one might worry that we might not be able to arrive at this discrepancy in beliefs in the context that I am interested in, thus we would not be able to generate motivation. In order to alleviate this worry, I now present further work done in psychology and economics to propose that we might be able to establish the relationship between concepts and motivation by having the right kind of mediating factor, in particular, trust.

4.2 Trust and Motivation

In what follows, I explore how trust could be an important mediating factor that gives us motivation to act. To begin, I note that the ontology of trust in philosophical literature is still up for debate, with philosophers arguing on both ends that trust should either primarily be regarded as a cognitive state or as an affective state¹⁵. Since the philosophical community has not settled the nature of trust, I believe that it would be acceptable for my thesis to take a middle ground; to view trust as having a hybrid cognitive-affective ontology. This would work especially well for my purposes as we see how trust, steeped in both realms, can act as an effective conduit between possessing

¹⁵ On the one hand, Karen Jones (1996) argues that we should regard trust as primarily an affective state whereas Richard Holton (1994) believes that we can *decide* to trust, suggesting that trust is primarily cognitive as opposed to affective.

cognition of concepts or beliefs, to eliciting emotions that motivate action. Furthermore, as Darwall argues in a forthcoming paper, trust is an implicitly second-personal concept. Thus, the use of trust as a mediating factor would also complement the second-personal theory of moral responsibility above.

Granting that trust has the above features, I now look at whether trust can indeed motivate action. In a series of psychology studies conducted by social psychologist David Dunning and colleagues, he has found that there is “too much trust” than is expected by economists and psychologists who believe that individuals employ consequentialist reasoning when playing the “trust game” (Dunning, 135). In brief, the trust game has the following structure: a participant (A) is first endowed with \$5, and is asked whether she is willing to hand this \$5 to Person B (whom she has never met and will never meet) where this \$5 will be multiplied by a factor to yield \$20, say. Person B then has a choice of whether to split the cash with A or keep the whole \$20. Repeated studies have consistently shown that more participants chose to trust Person B even though only a much smaller fraction of them thought that Person B was trustworthy, i.e. that B would split the \$20 with them. The result of “too much trust” is that subjects were motivated to take the gamble to give up their \$5 endowment even though not many of them believe that the other person would reciprocate this trust (Dunning, 135). This shows that trust can indeed motivate an agent to act even though they have zero acquaintance with their interaction partner. If trust can motivate irrational action, then we might suppose that trust could likewise motivate rational action.

But what is the reason that motivates this situation of over-trusting that is seen consistently across these psychology experiments? In Dunning *et al.* (2014), they suggest that people trust due to a moral norm that inclines one to “avoid showing disrespect for

the moral character of their interaction partner” (Dunning, 137), even if they do not personally believe that the other person is trustworthy. Again, we see that we invoke implicitly second-personal concepts when we speak about “respect for one’s partner”. Hence, as trust is connected to other second-personal concepts that motivate us to act in a certain way, it lends further support to the use of Darwall’s theory of moral responsibility in the context of our relationship with admitted refugees.

Macro-level studies conducted by economists have also shown a relationship between countries that highly value “trust” and their respective levels of development and growth. Knack and Keefer (1997) have conducted a cross-country investigation of 29 market economies that value “trust” differently. They have consistently found that societies that value “trust” tend to have better performing government institutions and public education (*ibid.* 1253), increased levels of factor accumulation and investment (*ibid.* 1263), which are all factors of a country’s growth and development. Follow-up studies done by Zak and Knack (2001) have also corroborated Knack and Keefer’s findings and added “institutions affect growth via their impact on trust” (*Zak and Knack*, 297). While these economic studies do not show how trust directly leads an agent to action, it suggests that trust is an important ingredient needed for cooperation among peers, the aggregation of which tends to have significant macro- and micro-economic impacts.

These economic studies have a further use: persuasion. Earlier, I brought up the problem of individuals who reject the claim that they have obligations towards admitted refugees because they have a belief that they do not owe any obligations to them for *pro tanto* reasons. This behaviour might be perceived as alienating by the refugee community, which in turn decreases the level of trust and gratitude in the community. As these studies have shown, that may harm the country in the long run. However, by educating these

individuals on the benefits of building a community of trust and gratitude, it may persuade these individuals to buy into the idea that they should fulfil their obligations towards admitted refugees, if only for purely economic reasons. In order to know what their obligations are, they need to ask themselves the question, “What would I ask of others if I were in their shoes?”

Overall, in Section 4 I have systematically shown how a Darwallian theory of moral responsibility is fitting when we want to derive a sub-class of special obligations from the gratitude model proposed in Chapter 2 by explaining how our derived duties that are narrowed by this framework fulfil three important desiderata. That is the special obligations that we have are ones that builds bridges between the citizen and refugee communities in society; in addition, these duties are ones that we *can* achieve, and ones that we are motivated to perform when in an environment of trust and gratitude.

5. Extent of our Reciprocal Obligations

In the previous two sections, I was guided by the question, “How do we deduce what are *reasonable* reciprocal obligations that are derived from the gratitude model in Chapter 2?” In this section, I consider the extent of our responsibility in fulfilling these obligations?

Our analysis earlier could yield an obligation to provide suitable shelter for refugees. Without knowing to what extent should this obligation be met, we could fulfil this condition by squeezing 20 admitted refugees in a room, or we could fulfil it by having 2 admitted refugees to a room. But I doubt that many of us would think the former would really be fulfilling our obligation to them in an appropriate manner. Thus, we need to have a standard in place. In what proceeds, I will argue that Martha Nussbaum’s

Capabilities Approach (CA) is a convincing standard to use in deducing the extent of our reciprocal obligations. Because my gratitude-based approach places equal importance on the part of citizens to perform their special obligations to refugees and on the part of refugees to reciprocate these duties, I will use this standard to consider obligations in both directions. However, as I will note, there will be certain constraints on what refugees can offer towards citizens, at least in the short-term.

Nussbaum contends that the goal of public policy is “the production of combined capabilities”, which she defines as “internal capabilities combined with suitable external conditions for the exercise of the function” (Nussbaum, 290), where “internal capabilities” are defined as the “states of the person herself that are, so far as the person herself is concerned, sufficient conditions for the exercise of the requisite functions” (Nussbaum, 89). She further uses an example to clarify this view: if a woman is forbidden to leave the house, she has internal capabilities for socio-political participation but not combined capabilities, because her external environment prohibits her from exercising these internal capabilities (Nussbaum, 290). Thus, the goal of public policy should be to ensure that individuals achieve their level of combined capabilities—for the context I am interested in, I am concerned with capabilities that allow one to meaningfully engage in public life—if public policy is committed to ideals of fairness and justice.

One further claim that she makes of the CA is that we can achieve cross-cultural endorsement of it; that subjectively we might have different interpretations of what the good is, but nonetheless in each of our subjective accounts we would include the achievement of combined capabilities as being “a necessary basis” to achieve the good (Nussbaum, 286). Hence, the collective subjective endorsement across cultures makes this an objective endorsement overall.

5.1 Reasons to Adopt the Capabilities Approach

Based on the outline of the CA given above, I believe that the goal of shaping public policy to help admitted refugees achieve their combined capabilities is an intelligible goal. This is so, I argue, for the following reasons: First, if refugees are able to achieve their combined capabilities, this will likely result in the overall improvement of welfare of the host country. Second, the CA is a practical approach to shaping public policy because we can give an objective account of what it is to develop combined capabilities. As a result, the CA gives us more determinacy when developing public policy. Third, I believe that the public would likely endorse the CA if they fully understood the advantages of the first two reasons. Lastly, I believe that the CA makes the normative structure of my theory, i.e. gratitude, fitting. I will develop these points in further detail in the proceeding paragraphs.

5.1.1 Improvement of Welfare in Host Country

Perhaps because of how the media portrays refugees in general, we are more acquainted with images of them in destitution fleeing their country, rather than how they lived before troubled times. As a result, we think of them less as people who had skills to command a profession before chaos broke out in their country, and more of them as people who need our aid. But I think it is time we refashioned our impressions of admitted refugees and see them as who they really are—not as people who are helpless, but people who are of burgeoning potential. Already, we see reports on the news of how admitted refugees were doctors (Valencia, 2016), scientists (Stafford, 2015), and master tailors (Khomami, 2016) back in their home country. Moreover, a 2013 Labour

Organisation survey of Syrian refugees residing in Lebanon show that they have a wide range of skills to offer—skilled agriculture, construction, craft and trade, among many others. If we are able to actualise the potential of these individuals, it is not hard to imagine that their labour participation (which is incidentally their reciprocal special obligation to citizens) will lead to the improvement of welfare in the state (for the state’s economy, healthcare services, etc.). Therefore, it is actually to our benefit to adopt the CA as a standard to measure the extent of our obligations, if only for the desirable outcomes it produces.

However, it is not hard to see a natural worry that might arise from developing policies that channel national resources to help admitted refugees achieve their combined capabilities: How would we justify directing resources to admitted refugees when that means fewer resources to help our own citizens? The underlying principle of this worry is that helping others is a zero-sum game—in order for you to benefit I have to sacrifice my happiness. But is aiding admitted refugees really a zero-sum game? I appeal to a Rawlsian approach in response to this worry. In *A Theory of Justice*, Rawls outlined a principle that he takes to be appropriate in distributing primary goods. He writes, “All primary social goods (e.g. freedoms, opportunities, wealth, etc.) are to be distributed equally unless an unequal distribution of any, or all, of the primary social goods is to everyone’s advantage” (Rawls, 587). Endorsing this principle would ensure that even the worst-off in a polity would eventually benefit from an unequal distribution of primary social goods. Hence, if the distribution of primary social goods to admitted refugees result in an overall larger pie for everyone in the polity to share, such that even the worst-off still receives a larger portion than what she would have before, then we ought to think that it would still be in our interest to aid. Indeed, if my analysis is right, I do believe that helping refugees to the

extent recommended by the CA will be beneficial to countries in the long-term. For example, resettled refugees who are allowed employment also “set up businesses of their own and provide customers for domestic enterprises”, thus helping to stimulate growth and development in the economy (Cassidy, 2015). This provides an example to show how Syrian refugees, if allowed access to employment, could be a source of factor production and factor accumulation in their host country, benefiting the overall economy. These localised examples support the claims of the economic studies provided in Section 4, as these host countries that extend more trust to refugees, by including them in meaningful participation in domestic life, tend to be the ones that see more growth and development.

5.1.2 Practicality of the Capabilities Approach

A second advantage of Nussbaum’s CA is that it is a practical theory as compared to most alternatives. Its practicality lies in the fact that we can give an objective account for what it is to develop capabilities. This is compared to other accounts that try to gauge how to make someone happy and then figure out a way to impartially maximise the overall happiness for all, say. Insofar as we are talking about policy-making, we can pinpoint areas to work on using the CA, such as, skills and vocation training, re-training, and establishing recruitment centres, among others. This gives us more determinacy when we are developing policy that seeks to realise capabilities that allow one to participate in public life, such that we are able to set for ourselves realisable and achievable goals that we can measure. A by-product of this is that we held accountable for how we spend taxpayer’s money, which is an important feature to have if we want to earn trust from the public in order to get them to support this policy.

While I believe that the CA is practical in that it gives us intelligible goals to focus on, opponents to my view would argue otherwise—the CA is impractical because countries that are taking in most of the world’s refugees are *developing* countries (as mentioned in the Introduction). Given their status, they have limited resources to develop their own citizens’ capabilities, let alone develop the capabilities of admitted refugees. Therefore, these opponents believe that it is impractical to help others when a country struggles to help itself. Here, I would point out that their objection is mainly a logistical one, that the CA seems impractical mainly because developing countries are overburdened with the influx of refugees. As Oxfam International notes, in 2016 Jordan, Lebanon and Turkey host the vast majority of refugees with limited international support while richer countries such as the United States have only met 10% of its fair share of resettling refugees, and the United Kingdom only resettled 3,500 refugees. If each country took up its fair share of the burden, I believe that will free up more resources for countries to develop both the capabilities of its citizens and admitted refugees. Thus, in ideal conditions the CA is a practical approach.

But even in the non-ideal conditions that we are facing, I believe that although host countries may not have the resources to develop the capabilities of admitted refugees, they are still able to fulfil the second condition of the CA, that is, to uphold “suitable external conditions” for them to realise their capabilities. In other words, the host country should not obstruct admitted refugees’ entrepreneurial efforts to start small businesses in order to support themselves. In this approach, host countries do not divert precious resources away from their own citizens in order to help refugees, and at the same time give refugees a fighting chance to take control of their own fate. Moreover, if their entrepreneurial efforts turn out to be successful, this could create more employment in the

economy. Thus, while the CA in entirety might not be fully practical in non-ideal conditions, there are nonetheless elements that capture the CA's spirit that is practical in non-ideal circumstances, as explained above.

5.1.3 Public Support

Every society encourages members of her society, who are of a certain age, with certain skills, to seek gainful employment in order to contribute to society. People who purposely do not conform to this expectation and live off the contributions of others are deemed as free-riders of the system, and are generally frowned upon. This reflects society's desire for people within the society to contribute to the overall good of society. If this is right, then if we are able to help admitted refugees achieve their combined capabilities in their host country, so that they are put in a position where they are equipped to seek employment if given the opportunity, this ought to be welcomed by citizens as these refugees are one step closer to being contributing members of society. And the CA seeks to facilitate this development. Using resources to develop the combined capabilities of refugees are the kinds of things that society can tangibly provide for refugees, as compared to trying to help them achieve other goals, such as self-actualisation, which are much less intelligible and might not produce the same results.

Furthermore, this approach should seem acceptable to citizens, as equipping refugees to fend for themselves, as opposed to the full dependence on the state, is a goal that citizens can rally behind (following the logic presented earlier). This is especially so if citizens realise that by helping admitted refugees develop their combined capabilities, such that they are able to put them to good use, it will reap substantive rewards for even the worst-off in the country.

5.1.4 *Fittingness of the Capabilities Approach*

The previous three advantages of Nussbaum's CA focused more on the pragmatics of her account. The last advantage that I will point out about her approach is following the theme of fittingness that I have been meticulously threading throughout the course of this chapter. I believe that the CA is a fitting approach if we look at the kind of relationship that we wish to develop with admitted refugees. Both in Chapters 2 and 3, I have been mentioning 'gratitude' multiple times over the course of my discussion. But in order to make refugees' extended gratitude fitting in our reciprocal relationship, we cannot repay their gratitude with a lack of full respect. For example, imagine that we put admitted refugees to work long hours in a coal mine, without the proper safety equipment or adequate rest, and they subsequently contract black lung disease¹⁶. Suppose the refugees lodge complaints against their employer and demand proper compensation, but the employer, unwilling to provide compensation, defiantly responds by saying that they ought to be grateful as he gave them work when no one else would take them in. And it was with this job that they were able to support their families. Thus, instead of seeking compensation from him, they should be grateful to him for the opportunity. However, the refugees would claim that the employer took advantage of them by working them to death, so he is not *deserving* of their gratitude. In this case, I believe that the refugees are justified in the claim that their employer is not fitting of their gratitude.

We see that equal respect is presupposed in the CA when we fulfil its two conditions—giving everyone an equal opportunity to both develop their capabilities and exercise them respects them as equal persons—allowing us to circumvent the problem

¹⁶ I am indebted to Peter Railton for this example.

shown above. Indeed, Nussbaum's approach demands that we give admitted refugees a chance to realise their potential in the countries they find themselves in, and by doing so, we can say that an admitted refugee's gratitude is warranted.

5.2 Reciprocal Obligations from Admitted Refugees

In Section 5.1 I focused on the extent of citizens' obligations towards admitted refugees. However, as my gratitude model places equal importance on both directions of obligation, I now consider the extent of admitted refugees' obligations towards citizens. Admittedly, the extent to which one is able to carry out her duties might depend on her factor accumulation, especially if this duty is one that promotes the development of capabilities. Thus, it seems that there is a limit to what admitted refugees' enacted gratitude can reasonably achieve given their limited factor accumulation.

Nonetheless, I believe that there are certain obligations that admitted refugees could fulfil despite their limited resources. While Nussbaum proposes a positive approach of the CA—proactively developing capabilities and ensuring the environment is suited for the exercise of these capabilities—I propose a negative approach of the CA, that is, to *defend* the development of capabilities and suitable external environment. One way that refugees might play a role in this was alluded to in Chapter 2 when I mentioned that refugees could be given equal consideration as candidates to defend their host country in the event of a war. If the host country were attacked, this would cause severe damage to the country's infrastructure and economy, which will have ripple effects on the ability of the country to develop its human capital or to ensure a suitable environment for the exercise of capabilities. Hence, admitted refugees could take on roles that will help defend the conditions of the CA.

However, I acknowledge that in proposing a negative approach of the CA, I am focusing on capacity development, or creating the conditions for it. As such, this still falls short of the type of obligations that I have been arguing for in this thesis, namely reciprocal obligations that are grounded on gratitude, for gratitude requires acting on one's ability to show gratitude to benefit others. What this broadly suggests, perhaps, is that the CA could serve as a guide that focuses on the areas in the relationship that we have with admitted refugees where our reciprocal obligations are strongest, e.g. developing capabilities, as this sets the refugee up for success in the long-term. But no doubt there are other strong obligations that are not captured by the CA, and developing capabilities is by no means sufficient in this context.

But perhaps I have been giving admitted refugees too little credit above by undermining the tenacity of the human spirit in even the most adverse conditions. Refugees could also promote the CA, albeit on a micro-scale in the confines of their refugee camps. Refugees who have good business acumen could take the lead by starting small businesses in refugee camps using aid money given to them by international organisations or domestic governments. By doing so, these trailblazers will give others in the camp an opportunity to develop new skills and capabilities, thus allowing them to accumulate human capital from within the confines of the refugee camp. Of course, a caveat would be that the conditions in the camp promote a suitable environment to work and learn, thus refugees should not create internal strife in camps. These small businesses also have other positive impacts on the larger society, such as boosting the local economy. UC Davis researchers have found that when refugees in Rwanda were given aid in the form of cash, they used the money to start businesses that eventually substantively increased the real annual income of the local area, through trade interactions between the

businesses in the camp and those outside of the camp (Taylor, 2016). Therefore, one of the obligations that refugees have could be to group themselves in an organised manner that promotes the CA within the confines of the refugee camp, in anticipation that once they are given permission to seek employment outside the camp, they are equipped to be immediate productive members of society.

Moreover, once they become productive members of society, their job is to now ensure that they use their resources to develop the capabilities of citizens and ensure that they maintain a suitable environment for others to exercise their capabilities. This could take the form of education in schools, training craftsmen, or even providing agricultural resources to feed the country, while maintaining a non-discriminatory attitude. And indeed we have already seen instances of admitted refugees who have stayed in the country for a while and been given the opportunity to develop their combined capabilities act in a similar manner: from protecting citizens as law enforcement officers (Vasilogambros, 2015), to global education (Lindsey, 2015), to healing the sick (Valencia, 2016).

6. Conclusion

In this chapter, I have argued for a conception of moral responsibility as accountability grounded in Darwall's second-person standpoint and explicated why I believe that Darwall's account is suited for the context that we have at hand. Furthermore, I have also argued how his account is able generate a sub-class of special obligations from the gratitude model proposed in Chapter 2 that we think of, in the perspective of the second-person standpoint, as reasonable, warranted, and fitting; special obligations that either party can be expected to demand on grounds of impartiality and equal respect; special obligations that are deserving of gratitude. Finally, I have proposed

and defended Nussbaum's Capabilities Approach as the most appropriate approach to use when deducing the extent of our reciprocal obligations towards admitted refugees.

To conclude, I would like to emphasise that work done in this chapter was in an effort to come up with a mechanism for how we are able to deduce practical and viable reciprocal obligations for both citizens and refugees; reciprocal obligations that can be readily endorsed by both parties because these obligations are derived in part out of a recognition of mutual respect for the dignity of persons, and in part out of recognising the value of respecting such obligations. This leads to a virtuous cycle that makes gratitude a fitting response to the actions that we perpetuate, which in turn further generates acts of gratitude that are deserved and warranted.

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CONCLUSION

In the Introduction to this thesis, I mentioned a New York Times article that revealed much about our attitudes towards the refugee crisis and refugees in the world today. Throughout my thesis, I aimed to articulate the need for change in the way we conceive of our relationship with (admitted) refugees and to explore what this change entails. Certainly, the obligations derived from the gratitude model, and the corresponding extent to which we should carry out these obligations to admitted refugees are by no means easy.

But perhaps the effort pays off in the end. In another article in the New York Times¹⁷, the founder of Chobani, one of the leading yoghurt brands in the United States today, Mr. Hamdi Ulukaya, was featured for his commitment to hire admitted refugees to work for his company despite vitriol against his company for adopting such a policy. The reason for his commitment is two-fold: First, he says, “The minute a refugee has a job, that’s the minute they stop being a refugee.” While this might on the surface be an oversimplification of the matter, the spirit of his words ring true. When we allow refugees to be productive members of society, we see that they are able to contribute positively to the society they find themselves in. This has been suggested by the potential for refugees to be successful athletes in the Olympics, the economic studies highlighted in Chapter 3, and here in Chobani’s case. Further, the second reason for his commitment to hire

¹⁷ This New York Times article can be retrieved using the following permanent link: <https://nyti.ms/2jCOBRL>

refugees is because Mr. Ulukaya was himself a refugee when he first came to the United States. Thus, he is able to empathise with their predicament. Although I am not arguing that every admitted refugee will become as successful as Mr. Ulukaya, his example nevertheless showcases the *potential* that lies within individuals, potential that we sometimes easily overlook because we are too focused on what is on the surface of the individual: her label as a refugee.

To conclude my thesis, let me stress that to be a refugee is to be among the world's most vulnerable people, for they are put in precarious situations where they may be denied certain freedoms, curtailed certain rights, all while facing an uncertain future. This thesis seeks to take the first step in changing this situation by strongly encouraging the reader to rethink our relationship with admitted refugees, to consider the duties that can be expected from them, and in turn, to respect the value of these refugees by demanding reciprocal obligations in return. Always remember, refugees did not come into a country to see a better life, they come into a country to seek *a* life¹⁸.

¹⁸ A quote that I took from the title of an NPR commentary, which can be retrieved by using the permanent link: <http://www.npr.org/2017/01/28/512005140/we-werent-looking-for-a-better-life-we-were-just-looking-for-life>