

Obligation to Society, Loyalty to Community

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Abstract

Obligation is displayed *toward* rules or requirements of formalized roles stemming from membership in society, whereas loyalty is shown *to* persons and is founded upon communal commitment to them. Loyalties entail obligations, but the converse does not necessarily hold. While one may have obligations toward everyone, it is neither conceptually nor psychologically possible to be loyal to all persons. Thus, loyalty is particularizing in a way that obligation is not. Loyalty is more likely to exist in communal cooperation, whereas obligation is typically prominent in social, that is, contractual, cooperation. The claim that loyalty is a virtue is criticized, since loyalty can be displayed on behalf of malevolent individuals or pernicious requirements associated with them. Finally, the distinction between a found community and a community of choice is explored; and the loyalties of residents in the latter are argued to be more enriching.

The aim of this article is to distinguish between the concepts of obligation and loyalty by explicating their respective relationships to society and to community. Examination of the former relationship will call attention to the category of rules and regulations, which mandate obedient compliance; examination of the latter will focus upon vital commitments to persons and to the community, of whatever size, of which they are a part. My interpretations may on occasion be somewhat unconventional, but I believe they are clear and consistent and serve to undergird important normative assessments.

I

The distinction between obligation and loyalty might be stated schematically in terms of that with which, respectively, they are connected: obligation is displayed *toward* rules or requirements of more or less formalized roles and is derived from acceptance

of either the legitimacy of the rules or the appropriateness of the roles, or both, whereas loyalty is shown *to* persons and is founded upon solidary commitment to them. An accepted obligation toward what is legitimated need not, however, presuppose an affirmation of loyalty, conventionally understood, to it or to its source.

A case in point is that one can voluntarily (accept an obligation to) obey laws of a foreign country that one is visiting without extending “loyalty” to that country. So also, I contend, one may apply the same principle to the country of one’s citizenship. At least, one may obey this or that law enacted in one’s country without viewing such obedience as an expression of unstinting loyalty to country, but rather as due either to prudential regard for the consequences of disobedience or to pragmatic compliance while aiming or working for change in the law. Indeed, due to the motivation of principled civil disobedience, one may intentionally disobey a law considered profoundly unjust or immoral. In short, obligations may be accepted without any concomitant involvement of loyalty, although, on the other hand, loyalties inherently imply obligations toward those to whom one is loyal, for example, obligations to do or to refrain from doing certain things. Provisionally, it might be said that obligation is more associated with justifiability (or legitimacy), while loyalty is more associated with the kind of caring that gives rise to the solidarity of commitment. Obligation posits compliance, but loyalty posits adherence.

A further difference between obligations and loyalties is that, roughly speaking, disintegration of the former can occur when they are deliberately repudiated, whereas the latter are more likely to deteriorate through aversion or disinterest. This distinction is not meant to be exclusivistic, especially in cases where an obligation is founded upon a loyalty. However, if a loyalty (to someone) has fallen into desuetude, then there will probably be a coordinate change in attitude concerning one’s obligations toward that person.

Connecting with the terms ‘obligation’ and ‘loyalty’ are those of ‘allegiance’ and ‘fidelity’. As Judith Shklar asserts, there is a need “to make clear the distinctions between obligation, commitment, loyalty, allegiance, and fidelity” (Shklar, 1993, p. 21). In response, I suggest that allegiance is manifested paradigmatically in dutiful obedience with respect to institutions and their articulated obligations, while fidelity – which may be seen as somewhat overlapping with allegiance – is evidenced also in faithfulness to persons about whom one cares deeply. Thus, pledging allegiance to a country and to its iconic symbols is not the same as affirming fidelity to those who are the objects of one’s devoted commitment.

An essay by John Ladd states that “the object of loyalty is ordinarily taken to be a person or group of persons” and that “it is conceptually impossible to be loyal to people in general (to humanity) or to a general principle, such as justice or democracy” (Ladd, 1967, p. 97). Given the definition of ‘loyalty’ that Ladd advances (and with which I agree), it is indeed impossible to be loyal to ideals or ideologies. Whether or not it is conceptually impossible to be loyal to humanity as a whole, it is, in my opinion, affectively not possible. However, a related claim made by Ladd is, I submit, erroneous. It is not true that “the conditions of loyalty abstract from the personal characteristics of the individuals concerned” (Ladd, 1967, p. 98). On the contrary, loyalty is typically motivated by emotional involvement with particular persons having particularized characteristics.

Loyalty to (comprising solidarity with) some may well take precedence over ostensible obligations to everyone. Correlated is the principle that partiality to some can, under certain circumstances, defensibly override impartiality toward all. A corollary of this is that, whereas obligation can be universalized, (particularizing) loyalty cannot. Nonetheless, although I cannot universalize the attachment or disposition of loyalty, I can still consistently universalize the maxim that loyalty commits one to partiality. Moreover, universalization of the partiality embedded in

loyalty is quite compatible with the logic of any “Golden Rule”. The logical grammar implicit here is not “Do unto all others...”, but “Do unto some others...” I neither want nor expect all other persons to be loyal to me anymore than I intend to be loyal to all of them. It may be remarked, as a perhaps useful example, that there is a considerable applied difference between saying “Be fair to (all) others, if you want them to be fair to you” and “Be loyal to (some) others, if you want them to be loyal to you.” In both cases, consistency is at work: either that of impartiality or that of partiality.

I believe it is correct to say that “[b]oth consequentialist and Kantian universalism have some difficulty in accommodating particularist virtues such as loyalty” (Kleinig, 2007). On the one hand, taking utilitarianism as representative of consequentialism and assuming, as above, that it is impossible to be loyal to people in general, given the particularism of loyalty, it is difficult to see how utilitarianism could, in this specific context, enjoin a greatest good distributed over the greatest number of people, especially when the relevant calculus comprises people not bound by firm loyalties. For loyalty, the greatest good, in particular, is not necessarily the most general good. The focused attitude and practice of loyalty parallel neither an egoistic nor a universalistic version of utilitarianism. Moreover, whereas both act utilitarianism and rule utilitarianism appeal to feelings of generalized benevolence, the affect of loyalty emphasizes feelings of particularized and preferential benevolence. In addition, as Andrew Oldenquist has stated: “it is not obvious that wider loyalties always take moral precedence over narrower ones” (Oldenquist, 1982, p. 181). The significance of loyalty lies in its quality (for example, strength of personal involvement) rather than in its quantity (scope); and the good on which it focuses is not a distributive good for all but an aggregate good for some. To be sure, presiding loyalty to a few should not involve arbitrary denigration, contemptuous disregard or malevolent attitudes toward the many.

On the other hand, as noted above, whereas it is possible to universalize the particularism resident in loyalty, this is not compatible, I think, with Kant's orientation. Specifically, loyalty does not, and cannot, involve treating all of humanity as ends-in-themselves but only those to whom one is loyal; nor does it require respect for all individuals—which, in any case, is psychologically improbable. Furthermore, although lying is normally wrong if directed to the individuals of one's loyalty, it may be considered morally permissible in other contexts; and promises made to loyalty's subjects should be kept, if possible, but promises directed elsewhere are pragmatically defeasible. The integrity embedded in loyalty is superordinate to any honesty and sincerity expected elsewhere.

Partiality need not be a manifestation of injustice. Justice mandates equal treatment, not in the sense of equality of outcomes that one tries to produce, but in the sense of treatment that is differential only when persons or circumstances are relevantly different. Of course, the notion of "relevant difference" has been subject to vigorous contestation and interpreted in manifold ways. For rules and regulations applied, for example, by the state, the kinds of differences judged relevant are one thing; and they may be postulated on the basis of dissembled bias. The kinds of differences valorized in interpersonal relationships – particularly those reflecting care, commitment, and thus loyalty – are, however, another thing; and so long as the treatment of persons avoids subjugation, oppression, exploitation or abuse of anyone, both of those involved in such relationships as well as anyone else, the treatment is just. Indeed, the status of persons to whom one bears a special loyalty of solidarity in care and commitment *is* a relevant difference under the provisions of a formal principle of justice.

It might be thought that partiality to (some) persons is inconsistent, in general, with reciprocity between individuals. Such is not the case. I may have a mutually fair, trusting, even respectful relationship with another individual who is not a focus of my

particularizing loyalty, at the same time that I understand myself likewise not to be a focus of that individual's loyalty. Reciprocity, at its best, is a relationship of mutually equitable interaction that conforms to criteria of justice and fairness. Loyalty does foster reciprocity, though the converse does not necessarily obtain. Consequently, there is no severance as such between loyalty and reciprocity but only a categorial distinction.

Reciprocity is found in social cooperation, which need not embody the loyalties (namely, to persons) that are characteristic of what I will label as communal cooperation. Social cooperation, optimally involving mutual agreement, trust, reciprocity and fairness, presupposes, minimally, no consensus other than the willingness to cooperate, comprising revisable agreement about the ends of, and the means for, such cooperation. Consensual social cooperation can take place in the absence of friendship, principled benevolence, compassion or anything of the sort. Individuals or groups socially cooperate when, acknowledging relations of mutual dependence and realizing the augmented potential of collaborative action, they work together in order to produce results that are expected to be of some benefit for everyone concerned. It must be admitted, however, that when some groups "co-operate" (that is, at least minimally work in conjunction), the impetus thereto and the benefits deriving therefrom are exceptionally one-sided. In general, the reciprocity of non-invidious social cooperation is primarily instrumental, in other words, "contractual", a relationship that, in the most positive sense, calls for impartiality in the implementation of procedures, techniques and responsibilities agreed upon, but not necessarily mutuality in personal affiliation.

Communal cooperation, for its part, in addition to presupposing the equitableness of social cooperation, also, in particular, depends upon essential factors of care, commitment and solidarity, that is, factors of personal affiliation typical of loyalty. For this reason, communal cooperation can probably exist only in relatively small-

scale contexts. Within the ambit of the nation-state, a socially cooperative type of adversarial democracy is, in principle, feasible for the purposes of mitigating conflicts, overcoming impasses, making decisions and carrying out certain kinds of tasks. However, the democracy of communal cooperation is, in practice, unitary rather than agonistic. Thus, communal cooperation is not merely a strategic arrangement and technique for producing collectively desirable outcomes or for accommodating factiously divergent positions, but an activity that importantly supports positive freedom, understood as human enablement or empowerment. Communal cooperation can exist only in the context and on the scale of a community circumscribed by the loyalties therein. Thus, communal cooperation is not manifested at the level of the nation-state (or beyond), since the latter cannot be constituted as a genuine (humanistic) community.

II

At this point, I wish to consider briefly whether loyalty is a virtue. Of course, an answer depends upon how the term ‘virtue’ is understood. Put summarily, a virtue might be interpreted as a character trait that enables an agent to act well in appropriate circumstances. Without doubt, the locution ‘acting well’ is rather amorphous; and, for that matter, other definitions of ‘virtue’ may be adduced that have different implications. For example, R. E. Ewin avers that “a virtue is a complex quality that makes it possible or easier for them [individuals] to live with each other” (Ewin, 1992, p. 415). I consider this a very inadequate definition of ‘virtue’, since people can sometimes live together more easily because of shared illusions, mutual consent to relationships of domination and subordination, commonly held fanatical allegiances, or indifference to what is going on. Nevertheless, I will remain with that interpretation for the time being.

Several qualifications need to be introduced. First, the good of virtue is instrumental. Further, a ‘moral virtue,’ as I understand the expression, is either pleonastic (a ‘good

virtue') or else signifies an excellent capacity in disposition or behavior. Accordingly, loyalty, whether or not deemed a virtue, is "good as a means" but not a "good-in-itself". Something has value because it is valued; and thus the parameters of 'good' are capacious enough to comprise loyalty.

Second, it should be recognized that loyalty, in the specific connotation of an effective and propitious means ('good'), can be directed toward ends that are inhumane and baleful and to individuals who are brutal and oppressive. Consent to, even enthusiastically loyal support for, totalitarian regimes is not unheard of (Partridge, 1971, pp. 23-4). In addition, malignant individuals can elicit, to a considerable extent, feelings and expressions of loyalty. Such an attitude existed in Germany under Hitler (Kershaw, 1987) and in the Soviet Union under Stalin (Medvedev, 1989, especially pp. 617-23).

Third, some commitments of nominal loyalty (to persons) may be, in fact, pernicious in intent or in practice. The concerns and solidarities of loyalty can be, in disposition or in results, elitist, collectively egoistic, or hostile and abusive toward the "Other". At its best, loyalty is distinguished by care and concern that is *humane*, that is, non-exploitative and fair, in relation not only to the (community of) persons to whom one is loyal but also, in general, to other individuals as well.

III

It is an ideological and ritualistic commonplace that one's 'loyalty,' alternatively 'allegiance,' should be fixed upon the country of which one is a citizen. Concretely, the psychological dynamics of allegiance, verbally accorded to country, are orientated upon nation or state, or both. In either case, a form of nationalism frequently manifests itself. Thus, for example, nationalism can occur as a zealous valorization of the nation and its allegedly distinctive culture, comprising social and political habits.

Yet, what defines a given national culture – to the extent that one exists – is complex and problematic. National culture can perhaps be delineated only vaguely or in a tendentiously selective manner. It may be neither unique nor original, consisting instead of values, ideals, styles, performances, artifacts, and so on, borrowed from elsewhere. Besides, the claim that there is some set of unified and unifying intellectual, moral, spiritual and material factors composing a national culture could well be based either upon gratuitous assumption or upon the exigencies of desired socio-cultural assimilation. Sometimes the idea of a national culture has been correlated with that of a national community, the latter having found expression in standpoints as varied as German *Volksgemeinschaft* (people's community), Russian *Slavianofil'stvo* (Slavophilism) and Communitarianism.

The German prototype of a national (people's) community was a model of purified chauvinistic assimilation in which existing and emerging conflicts were to be dissolved and all members of the community felt secure, confident and useful. This community was noted for its collectivistic identities (as members of a common "German family") and shared antipathies (Peukert, 1987 & 1992).

Russian Slavophilism, which maintained that Russia should be an organically unified community, not merely a society of collected people, also asserted that personal identity is constituted by and in this community rather than by means of individual autonomy. Such a community, rehabilitating traditional Russian institutions and practices, abjured any universal human ideology and understood equality in terms of the shared possibilities and responsibilities resident in the unitary community (D'iakov, 1997 & Walicki, 1989).

(American) Communitarianism has declared that American society should resuscitate a strong sense of community at the national level, guided by communal models and traditions found in various sectors of civil society. For Communitarians, communal

attachments serve as the foundation for personal identity and bestow meaning upon one's life. The loss of community today in diverse spheres of social life, together with the decay of traditional values and commitments, allegedly foster the most debilitating social malaise. Notably, Communitarians accentuate the imperatives of civic virtue more than the generic claims of individualizing rights. As Slavophiles celebrated the "Russian Idea," so, it seems, Communitarians honor an "American Idea" (Etzioni, 1995 & Bell, 1993).

Although none of these three became fully embraced in any country (*Volksgemeinschaft*, for a time, rather widely, Communitarianism much less so), each aspired to define and determine a national culture. Within the respective contexts, loyalty to others of like mind did indeed exist; but this loyalty was as much as anything fidelity to principles and practices considered beneficially obligatory. Thus, one was loyal to those who also accepted what was ideologically prescribed, emotionally supported and behaviorally reinforced.

Later I will argue for the value of community (or communality) that differs in at least two important respects from the types of community just addressed. First, the communality valorized is not, and cannot be, a community at the national level or any kind of surrogate for it. Second, the communality does not necessarily aim to preserve traditionally or conventionally prescribed types of personal relationships and social structures. Communal choices and arrangements are open, not preordained.

Further, the nationalistic exaggeration of culture is fraught with untoward consequences. To begin with, it strongly tends to sanction efforts to homogenize national culture, at least within official public space, relegating multicultural differences often to private spaces. Invidious comparisons, motivated by cultural egotism, are frequently present in these efforts. Moreover, there emerges, with respect to the international domain, what I will call 'cultural evangelism' (it might be

designated as ‘cultural imperialism’) – reinforced overall by ideological hubris – a conatus, more or less imperious, to, so to speak, convert other nations to, or at least persuade them of the superiority of, salient values, principles, practices and goals of one’s own culture. Even if something less totalizing than conversion is envisioned, even if the chosen nation represents itself only as a soteriological light unto the other nations of the world, the situation is, in my opinion, still objectionable. As a case in point, consider the arrant confidence and pride expressed by Benjamin Barber in “American exceptionalism,” in its “global appeal,” and in its reputed role as the “last best hope” for the people of the world (Barber, 1996, pp. 31 & 38). ‘Exceptionalism’ as a descriptive term is subject to the polysemy of vagueness as well as ambiguity. As a normative term, it often carries the content of national conceit.

Emphasis on the nation, including national culture, may well correlate with emphasis on the state. Here, nationalism is imbued with a political meaning, such that, among other things, the power of the state is seen as confirming the value of the national culture. Pride in one’s country is sustained by the enchantments of both national culture and state power. With respect to the former, the vaunted excellence of a distinctive culture, especially in its moral and spiritual aspects, is highlighted, furnishing, as it were, an imprimatur for national as well as international policies. With respect to the latter, self-serving calculations of Realpolitik are not infrequently layered over with largely euphemistic phraseology about promoting democracy, justice, security, stability and, in general, a better world.

One speaks of “love of country”. Apart from a general liking of the land and (some of) the people, this emotion is, in my view, more often than not an affect of gratifying enthusiasm or deep satisfaction derived from feelings of special identity, valued singularity and, perhaps, vicarious power that accrue to the individual. In this context, a virtually religious modality is in evidence, such that the nation and/or state functions

as something of a terrene “supreme being” to which one is devoted. Nationalism replaces the power of the sacred by the sacredness of power.

Further complication arises here. Although one’s identity is partially constituted by loyalties to persons, nationalism renders loyalty (more precisely, allegiance) a mechanism by which the sense of self may be enhanced, perhaps exaggerated, through identification with a virtually apotheosized nation. A graphic example of this occurred when the Nazis, who “offered a compelling vision of the nation as a solidaristic entity,” sought to effect an integration of personal identity and national identity (Fritsche, 1998, pp. 209 & 226).

Martha Nussbaum has wisely pointed out that the boundaries of nations are politically, but not morally, salient (Nussbaum, 1996). In the modern era, the nation-state has come to be a peremptory entity, socially and geopolitically; and its citizens are plausibly obligated, within limits, to comply with the legitimized requirements that it promulgates. A human being, however, is not just, or even primarily, a citizen. There can be, morally (that is, existentially) speaking, more valuable and worthy identities than that conferred by citizenship or membership in a putative national community.

IV

An exceedingly insightful and fruitful distinction has been made by Marilyn Friedman between a “found” community and a community of “choice.” The former type of community is based upon “what is socially assigned, ascribed, expected, or demanded,” upon given attachments – together with exigible loyalties – that already significantly configure one’s social identity and upon relationships in which one “finds” oneself situated. A “chosen” community, deriving from voluntary choice consonant with individual autonomy, is “grounded and sustained by shared interests

and values, mutual affection, and possibilities for generating mutual respect and esteem” (Friedman, 1992, pp. 101-119). This latter language, I believe, parallels my own of loyalty that expresses care for, commitment to, and solidarity with persons. I understand Friedman to be arguing that a voluntary community of choice, such as that constituted by friendship or deep-seated partnership, is able to possess greater meaning and value for a person than a community in which one has perforce found oneself, such as a family of birth, a neighborhood, a social group or a nation into which one has been originarily embedded—a point of view that I fully endorse. Of course, citizenship and concomitant membership in a national community may at times be chosen; but the contours therein of sanctioned liberty, valorized achievement and appropriate constitution of the self are, to a considerable degree, pre-established and delimited, at the same time that conventionally hierarchical relationships fostering subordination and conformity may be in place.

Shklar also recognizes that membership in a social group to which one is attached may or may not be chosen. As she explains: “Belonging to an ascriptive group to which one has been brought up, and taught to feel loyal to it, since one’s earliest infancy is scarcely a matter of choice. And when it comes to race, ethnicity, caste and class, choice is not obvious” (Shklar, 1993, p. 184). These found groupings may, for better or worse, elicit and sustain common interests, commitments, internally respectful attitudes, and so on; but much of the psychodynamics here is generated by the found awareness of obligation. Perhaps an analogy might be said to exist between loyalty to country and loyalty to family. However, I consider any such analogy flawed. “Loyalty” to country is, essentially, a perhaps qualifiedly obedient allegiance to its frequently vaguely defined ideals, often inconsistent principles, and typically expedient practices, an allegiance that is consensually obligatory and reinforced ideologically and emotionally. This is not to deny that such allegiance can be profoundly sincere and enduring. Loyalty to family, however, is, from the beginning, learned and secured by intimate positive and negative reinforcements, a loyalty that is

presented as proper and imperative, called for by the obligation to show appreciation for what has been provided. Besides, many other members of one's found country may be neither lovable nor likeable, while, usually, most other members of one's found family are lovable, even if not likeable. By contrast, members of one's community of choice are normally, even if not indefinitely, both likeable and lovable.

Communities, in particular those of choice, evince more than the bare structural physiognomy of a group. A group may be merely a collection of individuals who happen to be proximately associated because of similar aims (thus people on a train or in a queue); but a community is an association of persons related by sustained interdependencies and recurrent interactions. This applies, admittedly, to both found and chosen communities. Nevertheless, genuinely humanistic communities of choice involve interdependencies that are non-subordinating and interactions that are non-alienating.

Obligations resident in communities of choice are not obligations to assume or adopt an attitude of loyalty; the attitude is already there or, if not, it cannot be mandated or manufactured, since the attitude of loyalty depends upon already existing emotions of care, commitment, and so on. Rather, they are obligations to manifest this attitude concretely in situations of caring solidarity and to nourish the reciprocal relationship that loyalty implies. Found communities may also include obligations, but they are normally not a result of the mutually voluntary consent of equal participants. I emphasize "mutually voluntarily consent of equal participants" in order to exclude other modalities of consent, a detailed and instructive taxonomy of which – extending from acquiescence under duress or threat to active approbation – has been set out by Partridge (Partridge, 1971, pp 2-6).

For a found community, there can be an obligation, explicit or implicit, both to become and to be loyal, in other words, to cognize the appropriateness of loyalty and

to exhibit it in conduct. By contrast, for a chosen community, there is no pre-existing obligation to become loyal but instead an emergent *nisus* to (continue to) be loyal, that is, to sustain the mutual affection, the special commitment and the common good that the community chosen engenders and embodies.

It should be added that, whereas the obligation to become (and consequently to be) loyal to a found community can be said to be based upon what is “owed” or “due” to existing members of that community, such a basis is not primarily at the heart of bestowed loyalty in a chosen community, since implicit or explicit calculations of mutual indebtedness therein are likely to mar the spirit of community. Moreover, fulfillment of obligations to or in a found community may be furthered by gratitude *for* what that community offers; but fulfillment of obligations arising from special commitment in a chosen community will be sustained by gratitude *to* the persons to whom one is committed. To be sure, one may be grateful to those in a found community who provide emotional and other kinds of support. Yet, I suggest, gratitude to co-inhabitants in a community of choice is more likely to be uncalculating, profound and enduring than that in a found community.

A loyalty can be bestowed upon a community, found or chosen, which is benign (family, friends, colleagues), malign (criminal gangs, autocratic or plutocratic ruling bodies, racist or sexist assemblages), or merely fascinating and enrapturing (sports teams). As noted already, loyalty may be pernicious in intent or in practice. This is surely one reason for not according it the generic status of a virtue. What is important is whether the ends being served and the means being used are humane and humanizing, and this applies to both loyalties *and* obligations.

Both found and chosen communities may resonate with appropriate loyalty. Thoughtful adherence and constructive critique can exist in each type, as well as the emergence of tensions and fractures that jeopardize the objectives of loyalty. Besides, loyalties may conflict with each other. How to resolve such a situation is complicated.

My own perception is that, in general, chosen loyalties are more personally significant than found loyalties. But if the former themselves conflict or are incompatible, a resolution may be quite difficult, involving decisions about the priorities of concrete loyalties, their ranking in terms of normative and functional importance, and the existential significance of this or that loyalty.

Within the orbit of possibilities, I submit that affectionate, respectful, solidaristic and tolerant loyalty in an interdependent community of choice, a communality incorporating, among other things, emphasis upon shared intellectual and emotional enrichment and the value of mutually respected creative endeavor, better serves human happiness and fulfillment than does that even in a (benign) found community. Moreover, a community of choice is, I contend, more capable of engendering realistic hopefulness, patience and endurance, valuable qualities for any individual who exists in this problematic world of ours.

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