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Duties, Perfect and Imperfect

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The distinction drawn between perfect and imperfect duties is important to the history of political philosophy, since the distinction is typically taken to say something crucial about which obligations are enforceable and which are not. Before illustrating this point in contemporary literature on global justice, let us outline how the distinction between perfect and imperfect duties was treated in early modern and modern philosophy.

Generally, the thought is that perfect duties are enforceable, whereas imperfect duties are not enforceable. In some of Locke's writings (1690), imperfect duties are considered not enforceable, because their enforcement is inconsistent with freedom (see the entry on [Charity](#) in this encyclopedia). If one is under an enforceable obligation to act on imperfect duties, such as the duty to beneficence or generosity, then one cannot be seen as having the right to be free to set ends of one's own with one's means. Rather, one is under an enforceable obligation to set others' ends as one's own and to use one's means to accomplish those ends. In other writings (1667), though, Locke affirms imperfect duties as enforceable insofar as necessary to ensure that everyone can subsist. Unless a person's

extreme need as such is seen as giving rise to in principle enforceable claims on other affluent persons' property, there is no right to subsist. But there must be a right to subsistence, Locke argues, for the fundamental principle of morality is the right to self-preservation. Thus, there is a tension in Locke's position, which we will see is exploited in contemporary theories.

Kant adds some complexity to modern liberal efforts to understand the distinction between perfect and imperfect duties. Kant argues that the enforcement of imperfect duties is inconsistent with each person's innate right to freedom, namely the right to set ends of one's own with one's means as subject to laws of freedom. Therefore, imperfect duties – whether duties to assist others in their pursuit of happiness or duties to perfect one's own talents and abilities – are not rightfully enforceable. Even if it is imprudent or immoral not to perfect oneself or assist others, not doing so is not wrong from the point of view of justice. Another reason why, for Kant, imperfect duties are not enforceable is that they require persons to act on maxims of assistance or self-perfection from a motive of duty, both of which (maxims and moral motivations) cannot in principle be enforced. Hence, whatever one is doing when one, for example, forces a rich person to give money to a poor person it is not to force the rich person into acting charitably or beneficently. A final nuance Kant brings to discussions surrounding perfect and imperfect duties concerns his argument that not all perfect duties are enforceable. In the *Doctrine of Right*, Kant argues that most cases of speech – the main exceptions being defamation and libel – do not involve wrongdoing from the point of view of justice, since speech as such cannot deprive others of what is theirs. Therefore, despite the immorality of lying, it is not wrongful from the point of view of justice, even though one is responsible for the bad consequences of lies.

In *Utilitarianism*, Mill (2001) famously takes Kant to task for his stand on the unenforceability of morally required actions. Mill argues that morally good actions, say performing charitable actions if one can, do not require persons to act on a moral motivation but only to do the right thing. Yet in this work, Mill also defends the view that the class of enforceable duties – or duties of justice proper – is coextensive with the class of perfect duties, even though we may for prudential or practical reasons decide to enforce only a subset of them. For Mill, the distinction drawn between perfect and imperfect duties such that the former is enforceable but the latter is not issues from the fact that a person's perfect duties directly correspond to other particular persons' rights, whereas a person's imperfect duties do not match up

with another particular person's rights in this way. Consequently, it is a matter of "our choice" when and in relation to whom to perform an imperfect duty.

Contemporary responses to these historical discussions focus mostly on whether or not the imperfect duties of charity are enforceable. Some Kantians, for example Onora O'Neill (1996), argue that imperfect duties are enforceable, because the existence of institutions, states, and transnational institutions can match up the needs of some and the resources of others in the right ways. Other Kantians argue against O'Neill on this point and also that Kant's views on poverty and redistribution are found not in his discussion of duties of virtue, but in his discussion of public right in the Doctrine of Right. For example, Helga Varden argues that Kant in this work maintains that the state's obligation to provide unconditional poverty relief for its citizens issues from its need to reconcile its monopoly on coercion with each citizen's innate right to freedom. Other Kantians who utilize Kant's account of public right, albeit in different ways, to justify the state's obligation to provide poverty relief include Sarah W. Holtman (2004) and Arthur Ripstein (2009). Only recently have issues concerning global economic justice and related redistribution begun to garner attention by Kantians. Contemporary utilitarians such as Peter Singer do not follow Mill by arguing that the performance of imperfect duties is left to our choice. Instead, they tend to agree with other, so-called positive duties accounts in maintaining that our duties to assist others are constitutive of justice. Indeed, much of the current discussion concerning issues related to the traditional distinction between perfect and imperfect duties is undertaken in terms of the distinction between negative and positive duties.

Related Topics

- ▶ [Charity](#)
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- ▶ [Kant, Immanuel](#)
- ▶ [Kant, Immanuel: Contemporary Kantian Responses to](#)
- ▶ [O'Neill, Onora](#)
- ▶ [Singer, Peter](#)
- ▶ [Utilitarianism](#)

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Duties, Positive and Negative

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The distinction between negative and positive duties captures some of the important controversies in recent discussions on economic justice. Somewhat simplified, theories that affirm the so-called negative duties conception of justice are committed to the fundamental assumption that justice primarily requires that we not harm or wrong others. Positions affirming this view also typically defend the assumption that the best liberal theory of justice justifies rights and duties insofar as they are fundamentally compatible with individuals' rights to "self-ownership" or "freedom." Specific rights are seen as grounded in an individual's right to set and pursue ends of one's own, including with one's own person, and with one's means insofar as one respects others' rights to do the same.

The kinds of rights and duties that are particularly important from the point of view of economic justice include rights of private property appropriation and of the sick, the poor, the disabled, and children to access or be provided with material resources. Among liberal thinkers, right-wing libertarians always affirm a negative duties conception of justice. According to right-wing libertarian accounts, such as the ones often attributed to Kant and Locke and also explicitly defended by F. A. Hayek, Jan Narveson, and Robert Nozick, enforceable rights of justice cannot include rights beyond individuals' rights to appropriate private property through some, suitably specified actions. Justice merely requires that everyone respect everyone else's private property rights, including everyone's right to appropriate a fair share of the natural