

Impartiality and Fair Play Revisited

It is not fair to ask of others what you are not willing to do yourself
Eleanor Roosevelt

Picture the following:

Park: As a runner, Miguel benefits from the expansive neighborhood watch that keeps his local park safe for nighttime jogs. Yet, his neighbors complain, he never takes a turn on patrol.

Something seems troubling about Miguel's behavior. Yet it is hard to say what he is doing wrong. He did not ask anyone to act to his benefit. He never agreed to any park-walking plan. Given the number of people involved in the watch (imagine it is a town with thousands of volunteers at the ready) he is not meaningfully adding to anyone's burden.

A common explanation is that Miguel violates duties of *fair play* by refusing to participate in a scheme from which he has benefited. Such free-riding, many argue, is unfair. As John Rawls writes, "when a number of persons engage in a mutually advantageous cooperative venture according to rules, and thus restrict their liberty in ways necessary to yield advantages for all, those who have submitted to these restrictions have a right to a similar acquiescence on the part of those who have benefited from their submission."¹ Put more precisely:

When a person has:

- (1) accepted (or received)²
- (2) the benefits
- (3) of a reasonably just and fair
- (4) cooperative practice
- (5) that requires a sacrifice from participants
- (6) that person is bound to do their part as defined by the rules of that practice.

Much about this claim is controversial: does the mere receipt of benefits really trigger obligations? Does this hold if beneficiaries do not acquiesce? Must the relevant benefits track objective or subjective good?

¹ John Rawls, *A Theory of Justice* (Cambridge, MA.: Harvard University Press, 1971), pp. 108-114.

² It is controversial whether acceptance is required, and if so, what qualifies. See, for example, A. John Simmons, 'The Principle of Fair Play', *Philosophy and Public Affairs*, 8(4) (1979); Edward Song, 'Acceptance, Fairness, and Political Obligation', *Legal Theory*, 18(2) (2012), pp.209-229. We can set this debate aside since our argument reveals something interesting on either account.

But my interest lies in a further puzzle, one that arises once we accept that something in this vein explains the wrongness of Miguel's actions.

Consider another scenario:

Snow: Neda hates shoveling snow. One morning after a big storm she wakes up to learn that enterprising elves have cleaned her sidewalk and driveway for her. She is delighted. She is less delighted when they drop off their (reasonably priced) bill.³

Many scholars treat *park* and *snow* as different in kind. While the former is said to involve wrongful free-riding, the latter is viewed as a *predatory demand*. Consequently, while Miguel is said to have a duty to join in, Neda is thought to do nothing wrong if she refuses to pay the bill.

The problem is that the two scenarios look remarkably similar. In both situations a group of people provide an unrequested benefit and take their doing so to trigger an obligation for beneficiaries to repay in a manner specified by their benefactors. My goal in this essay is to make sense of these competing intuitions by developing an account of what differentiates predatory demands from practices that properly generate duties of fair-play. In fact, I will argue, cases like *snow* and *park* are even more similar than theories of fair play have acknowledged. Nonetheless, we can distinguish the two by properly situating fair-play in the broader moral landscape. Doing so better grounds the duty and more precisely illuminates its scope—but it requires profoundly reimagining what fair-play asks of us in a way that calls into question long-standing assumptions about civic ethics.

My argument proceeds as follows. In section one, I detail an account of the moral motivation that underlies the duty of fair play. Building on recent work by Garrett Cullity and others, I argue that such obligations arise from a concern for fairness best understood as a demand for appropriate impartiality. Those who free-ride make unjustified exceptions by granting themselves a privilege that they would deny to others. In section two I raise a challenge to recent attempts by Isabella Trifan to flesh out the relevant notion of impartiality. We can, she suggests, distinguish cases of free-riding and predatory demands by looking to participants' attitudes. On her account people are similarly situated such that non-contributions constitute violations of impartiality so long as they share a preference for receiving the same good without contributing to its production. But this approach, I show, fails to capture widespread and appealing beliefs about fairness. In section three I propose an alternative. Fairness concerns arise

³ This is based on a case suggested by Garrett Cullity, 'Moral Free Riding', *Philosophy and Public Affairs*, 24(1) (1995), 3-34 at p. 10.

whenever people are willing to accept others working to their good but unwilling to return the favor. This approach, I show, makes better sense of our intuitions. However, as I reveal in section four, it suggests significant revisions to our understanding of fair play. Accepting it requires upending long-standing claims about our responsibility to vote, pay taxes, and undertake other civic acts. In section five I defend this view against objections. The *reciprocity approach*, I argue, provides a more parsimonious, grounded, and instructive account of fair play, one that better explains and distinguishes cases of wrongdoing and predatory demands.

Section One: Fair Play as a Failure of Impartiality

Underlying defenses of fair play is a concern for fairness. Beneficiaries are said to treat benefactors *unfairly* when they fail to participate in the scheme from which they have benefited. Rawls, for example, writes that, “We are not to gain from the cooperative labor of others without doing our fair share.”⁴ Klosko holds that non-cooperation is problematic because “th[e] situation is unfair.”⁵ Jeffrie Murphy regards lawbreakers as acting wrongly because they enjoy an “unfair profit.”⁶

Just what defines something as unfair, and the features in virtue of which an act qualifies as such have remained largely unspecified in discussions of fair play. In recent scholarship only Garrett Cullity and Isabella Trifan have sought to offer a systematic account.⁷ Fairness, they argue, is a matter of *appropriate impartiality*. A judge ought not prefer one convicted felon over another in sentencing because of the former’s religion, a professor should not grade her spouse, all the participants in a soccer game should be held to the same offsides rule. Free-riders, they argue, act wrongly because they violate this standard. In refusing to repay the benefits that they have received such actors permit themselves a privilege they would deny to others.

I think this focus on impartiality captures something important about transactional fairness. The request that others treat us *fairly* is importantly comparative. In this way it is distinct from the demand that we receive what we want or even otherwise merit. The worry is that we not be treated *differently* to our detriment. Of course, not all differential

4 John Rawls, *The Law of Peoples* (Cambridge, MA: Harvard University Press, 1999), p. 96.

5 George Klosko, *Political Obligations* (Oxford: Oxford University Press, 2005), p.5.

6 Jeffrie Murphy, *Retribution, Justice, and Therapy* (Dordrecht: Reidel Publishing, 1978).

7 Garrett Cullity, ‘Public Goods and Fairness’, *Australasian Journal of Philosophy*, 86(1) (2008), 1-21 at p. 2-5; Isabella Trifan, ‘What Makes Free Riding Wrongful?’, *The Journal of Political Philosophy*, 28(2) (2020), 158-180 at p.163.

treatments fail this standard. If I enter the childrens' race I will not be awarded a medal even if I run faster than my toddler opponent. The question is what qualifies an act as instantiating an unjustified privilege?

Cullity's claim—again compelling—is that the answer depends on the context, that is, on the aims that properly apply to particular goods.⁸ Road races are different than medical supplies. In the context that triggers concerns for fair play—that of others doing burdensome labor to our good—he holds that non-cooperators exhibit unjustified partiality when three conditions are satisfied:

1. *Benefit*- The person receives a net-benefit from the scheme in which they are asked to participate.
2. *Morality*- The person does not raise a legitimate moral objection to the scheme.
3. *Generalization*- The practice of honoring demands like the one at hand would not make virtually everyone worse off.

When these features are present, a person who avoids contributing unjustifiably exempts herself from rules that she would apply to others. But those who do so in cases that lack these desiderata exhibit no such bias: they would take *everyone* to have good reason to act in the same way.

This account, Cullity argues, succeeds at our aim: it distinguishes cases where fair-play applies from those to which it does not, permitting us to identify wrongful demands. Situations like *snow*, he suggests, violate the third requirement. To take Neda to have to pay the elves, “would mean holding everyone liable to pay for all unsolicited benefits that are worth their cost.” This, he contends, would be destructively inefficient.⁹

Here is the problem. *Park* can be read as having the same form as *Snow*: A group of people provide an unsolicited benefit and demand reasonable payment (in the former case, that Miguel join the patrol, in the latter that Neda pay the bill). If this behavior violates the generalization requirement in the latter case, why not in the former?

On such grounds Isabella Trifan argues that Cullity's account is too vague. It does not distinguish the features that are salient for the purposes of generalization. Thus, she worries, it cannot tell us how to think about cases like:

⁸ Cullity, 'Public Goods and Fairness', (2008) at p.3.

⁹ Cullity, 'Moral Free Riding,' (1995) at p. 14.

Enterprising Scientists: Everyone in our town runs the risk of contracting a mild chronic illness because the water supply is tainted with a dangerous chemical. One day, I am delighted to find that the water is safe to drink, thanks to a group of scientists who passed through our town and implemented a water purifying mechanism overnight. I am less delighted when I receive the (reasonably priced) bill.¹⁰

Like the neighborhood watch, the scientists provide a good (enhanced health) that improves everyone's lives. Framed this way, the case passes the test. Contributing both to this and to any similar future efforts would make each person better off. At the same time, the scientists did *precisely* what the elves were doing- providing drive-by benefits and hoping to get paid. According to Cullity, such behavior flunks the test. The account thus fails to provide conclusive guidance: which features should we treat as salient for the purposes of generalization?

Trifan offers a way of cutting across this confusion. We can, she suggests, clarify what makes contributors and their counterparts similarly situated such that non-contribution constitutes a failure of impartiality. This is the case, Trifan argues, when we can ascribe to each a qualified preference for free-riding, that is when it is true of each that they have:

The Free Rider's Preference (FRP) I prefer that others pay for this valuable collective good that I can enjoy for free and for which I would be prepared to pay, in the conditions under which it is offered, if I had to.¹¹

They share this attitude, she holds, so long as—and only so long as—their preferences are ordered:

Shared Preferences

1. I receive the benefit without bearing the benefits-producing costs.
2. I receive the benefit and I bear the benefits-producing costs.
3. I do not receive the benefit and I do not bear the benefits-producing costs.
4. I do not receive the benefit despite having borne the benefits-producing costs.¹²

Trifan takes this view to provide the clarity we seek. On this reading both Miguel and the townsfolk act wrongly if they refuse to pay

¹⁰ Trifan, 'What makes free-riding wrongful', (2020) at p. 165

¹¹ *Ibid* at p. 167

¹² *Ibid*, at p. 167.

up. Each shares with their benefactors the right point of view; that the park and the water supply be made safe without their contributions (in the case of the scientists because—or so Trifan posits—they share in a duty to keep consumers healthy). In contrast, the elves are not interested in the benefit that they provide (or so we are to presume). What they want is not to have the sidewalk shoveled: it is *to be paid*.¹³ Consequently, Neda violates no rule of impartiality in failing to pay their bill.

Section Two: Fairness and Unshared preferences

Here is the problem. Many cases that fail *shared preferences* trigger concerns of fairness. Consider the following:

Garden: You go out of town for a few weeks and forget about your garden. Mary notices the plants wilting away. She steps up and waters the garden daily. Mary does not own any plants.

This case violates the FRP as Trifan understood it. Mary does not desire the benefit of having you water the plants that she does not have. According to the shared preferences account you thus have no obligation to repay her efforts. But that seems silly: there doesn't seem anything predatory if Mary expects you to return the favor with cat-sitting, cookies, a ride to the airport. Indeed, the stakes here precisely echo fair play scholars' complaint: if you do nothing to Mary's benefit you enjoy an unfair profit. You are better off and she worse off because of work that she did to your good. Far from being fair, if Mary were (for example) to ask you to check in on her cat while she was away, the declaration that "I owe you nothing because you don't have a garden" would ring almost bizarrely churlish.

If Cullity's explanation is unduly vague, Trifan's thus proves unduly narrow, cutting out cases that seem to generate real considerations of fairness. There is, however, a way to revise the view that avoids this mistake. We can capture the sense that Mary's efforts deserve reciprocation by recasting the FRP. As formulated the approach presumes that persons are similarly situated only insofar as they share an interest in particular goods—watered flower garden, washed cars. This vastly limits the set of cases to which fair-play applies. Our tastes and aims are diverse. You love dark chocolate, I hate it. You care about arias; I only like Norwegian death metal. But we need not view ourselves as operating in such distinct spheres. Despite our differing views on Zumba classes or DIY home renovation, there is something we share—a broader mutual concern for a world where people *provide benefits that enrich our lives*. My life goes better when you go out of your way to return

¹³ *Ibid*, at p. 169.

my lost wallet; your life goes better when I refill the printer paper or drop off cookies in the break room. Each of us equally desires others not take advantage of our own such efforts. You do not want your work on my behalf to go unanswered, I want the same for my efforts.

In this way, Mary and you find yourselves in the same position despite your divergent hobbies. Both of you have an interest in other people advancing your projects. While you need help with your faltering garden, Mary may find herself requiring assistance with her car or somebody to take in the mail before it is stolen. At a more general level, your preferences thus align precisely as Trifan would desire. Each of you share the preference ordering that (for simplicity's sake here and going forward I will focus on the first two preferences since Trifan takes them to encompass all the elements relevant for the FRP):

Shared labor

1. I receive the benefit [of others doing labor on my behalf] without bearing the benefits-producing costs.
2. I receive the benefit [of others doing labor on my behalf] and I bear the benefits-producing costs.

This view rescues our intuitions about fairness. If, given this preference ordering, you are willing to have Mary work on your behalf without doing the same, you do precisely that which Cullity and Trifan found to violate impartiality: make an unjustified exception of yourself by holding others to standards you would not yourself employ.

The challenge is that this formulation of the FRP no longer answers our original puzzle in what we took to be the right way. While *Garden*, *Enterprising Scientists*, and *Park* all qualify as demanding a return, so too does *Snow*. After all, the elves really do work to Neda's benefit at a cost that all-things-considered she is willing to pay.

Section Three: Impartiality Reconsidered

The solution lies in further revising and refining the *FRP*. There are, I think, two improvements required: the first to the way the approach conceptualizes costs, the second to the way it conceptualizes benefits. Let's start with the former.

Recall that our aim is to identify the ways in which parties must be similarly situated for non-contributions to count as violations of impartiality. As currently formulated the FRP takes parties to have this status so long as they both share a preference for receiving a benefit at the price of "bearing the benefits-producing costs," though they would prefer to receive it for free. This focus on the cost of producing the

benefit is, presumably, itself intended to reflect a concern for fairness. After all, the thing that is said to trigger the obligation is the fact that one party has taken on those very costs to the advantage of the other. To equalize the situation, we are to infer, the beneficiary should join the benefactor in paying the price *by joining in the production of the good from which they have benefited*.

It is worth noting that though this repayment structure is baked into the FRP and often taken for granted by scholars of fair play, it is not, in fact, something that Trifan seems to accept, though she offers no explanation. After all, her view is not that having benefited from the work of the scientists the townspeople are duty-bound to study water safety and take up a practice of roving do-gooding, but rather that they ought to pay the bill with which they have been presented. In light of this, there are two ways to read the FRP. On one reading, the cost that beneficiaries must be willing to bear involves joining the processes required to produce the relevant goods, as Hart and Rawls suggest. On another, beneficiaries are duty bound to pay a reasonable price for the good that they have received, as determined by the benefactors.¹⁴ The two readings are linked since benefactors presumably play some part in determining the structure of the benefits-producing practice.

For our purposes, selecting between these readings is irrelevant: both violate impartiality. In either case benefactors reserve a privilege for themselves that they would deny to beneficiaries. The issue is this. Benefactors choose the good that they will provide *at their own discretion*. Your neighborhood watch, your city's road builders, your garden-watering neighbor do not—in many cases *cannot reasonably*—ask whether you would prefer they build park trails or lay new train lines. This is in part what distinguishes fair play from consent or contract. All that matters in generating the obligation is that the resulting good is genuinely beneficial and the cost not too high. By contrast, beneficiaries are said to enjoy no such freedom. They are required *either* (on the first reading) to contribute to the production of the good they received (selected at the benefactor's discretion) *or* (on the second) to pay the price (set by the benefactor.) In this way the parties are *not* similarly situated: benefactors exercise discretion over how they advantage beneficiaries, beneficiaries lack this privilege.

¹⁴ We are given no sense of what qualifies a price as reasonable—is it by comparison to the value of the good, to the costs involved in its production, to the producers' reserve price, or some other measure?

It follows from this unequal status that not all failures to act as fair-play is said to require involve making an unjustified exception of oneself. Consider:

Baking: Many of the residents of Jane's apartment building decide to create a scheme for repainting the hallway walls. Jane knows that she will benefit from the improved décor but refuses to participate because she hates the smell of paint. Instead, she bakes cakes for all the participating residents and leaves them in the common area for them to enjoy, which they very much do.¹⁵

According to the classic account of fair play reflected in the FRP, Jane acts wrongly. Despite her distaste for the smell she would (we can imagine) prefer assisting in repainting to leaving the walls undone. She is thus said to possess the free-rider's mindset. *But*, Jane could say, *she is not making an exception of herself*. She is doing *precisely* what her benefactors are doing—contributing to their good at her own discretion. In this way her behavior is consistent and impartial: she would take *everyone* to have reason to act in the same manner.

Contrast that with:

Inaction: Many of the residents of Jane's apartment building decide to create a scheme for repainting the hallway walls. Jane knows she will benefit from the improved décor and would prefer the cost of having to contribute to or otherwise repay the efforts to not receiving the good. However, she refuses to join in or do anything to benefit the residents who take on this labor.

Here Jane *does* make an unjustified exception of herself. She wants others to labor to her good while she does nothing to benefit them.

Taking the wrongness of unfair-play to consist in violations of impartiality thus supports a revised version of the FRP, one that takes a more open-ended approach to payment:

Mutual Exchange

1. I receive the benefit [of others doing labor on my behalf] without bearing the cost of doing equivalent labor on their behalf.

¹⁵ This case builds on a similar example suggested by Jianfeng Zhu, 'Fairness, Political Obligation and the Justificatory Gap', *Journal of Moral Philosophy*, 12(3) (2015), 290-312 at p. 6.

2. I receive the benefit [of others doing labor on my behalf] and I bear the cost of doing equivalent labor on their behalf.

This version of the FRP maps more neatly onto the cases that we have explored, with greater explanatory power. On this reading, Jane acts appropriately in *Baking* and *Apartment Building* but behaves unfairly when she does nothing to her neighbors' benefit. Miguel's neighbors equally have cause for complaint when he benefits from the neighborhood watch but does nothing for them. Unlike *shared preferences*, this approach makes sense of the intuition that Mary's work watering your garden triggers a real concern for fairness. And unlike that account, it can sensibly explain what went wrong in *Snow*. The problem isn't that the elves didn't want sidewalks shoveled (perhaps they did!) Rather, the issue is that the elves *took themselves to have the right to dictate the terms of repayment*. Their error lay in *presenting a bill*. By doing so they took themselves to have the right to impose obligations to act *in particular ways* over their beneficiaries—a right they did not take their beneficiaries in turn to have over their behavior. This violates impartiality.

Critics might raise two objections to *mutual exchange*: that it is unjustifiably partial, and that it fails to reflect persons' actual shared preference-rankings. Let's consider each in turn.

First, detractors might deny that Jane and her neighbors occupy the same position in *baking* or *apartment building*. While the neighbors are bound to abide by the painting scheme, Jane has retained for herself the right to repay their efforts in whatever form she desires: cakes, plumbing, a communal garden. She thus enjoys a freedom that they lack. But notice, if the neighbors are bound to the painting scheme, it is only because they *committed* to doing so.¹⁶ Like Jane, they had the freedom to choose a

¹⁶ A critic might argue that this fails to capture goods whose provision is morally required, not discretionary. However, as I discuss on page twelve, the decision to act as a provider of such goods nonetheless routinely involves a form of voluntary commitment. So long as there is reason to believe that sufficient people will work to produce the relevant benefits—the very situation that generates worries about fair play—the choice to serve as a direct provider remains an exercise of discretion. A non-participant thus acts in a manner all can endorse so long as she adopts the following rule: choose alternative repayment over action only insofar as doing so is not expected to disrupt the relevant good. Should binding oneself to direct provision prove additionally burdensome it simply follows that beneficiaries must repay the additional costs involved, as Justin Tosi notes. Though the provision of healthcare is morally required, it would be odd if a highly compensated neurosurgeon complained that his patients treated him unfairly by not performing brain surgery themselves. Justin Tosi, 'Rethinking the Principle of Fair Play', *Pacific Philosophical Quarterly*, 99(4) (December, 2018), 612-631 at p. 623. I thank an anonymous reviewer at the Journal of Political Philosophy for noting this concern.

different path. Even if we were to treat this loss of freedom as a cost that must be included in our calculation, surely it too can be re-paid by taking on additional burdens.¹⁷ Imagine that Jane builds her neighbors a new laundry room, plants a rose garden, and bakes them weekly treats. Something would seem very off if Jane's neighbors were to complain she acted unfairly while happily eating her cakes amongst the flowers she laboriously nurtures.

Still, opponents might insist that *mutual exchange* fails to capture participants' and non-cooperators' *actual* preferences. Both, they might argue, prefer receiving goods at the cost of being bound to (depending on your preferred reading) adopt the same practices as those who benefited them, or pay producers' reasonable demands. Consequently, a person like Jane who acts otherwise grants themselves an unjustified exception. As we will see in section four, I think the revised FRP can answer the real concern at the heart of this objection—the worry that we will not be able to work together to produce valued goods. Nonetheless, it is important to see that this concern is not foundational to our account of impartial action as this critique would have us believe.

The idea that people wish to be *bound* to act as their benefactors demand is both unrealistic and utterly unappealing. Why would I take it to be a given that simply because somebody has done *something* to my benefit, at their own discretion, they get to tell me exactly how to behave? The distastefulness of this notion is precisely what lends force to many famous objections to fair play.¹⁸ It seems *unfair* that one party could come in this manner to exercise such control over another—an intuition that makes sense only if this is not a realistic measure of the relevant shared preferences. Of course, I have reason to *consider* my benefactors' requests—I am well inclined towards those who benefit me—but that is quite different than being *obliged* to obey their dictates.

We can make better sense of the notion that people desire to be bound to replicate the benefit-producing behavior from which they have profited, especially in the kind of cases long-favored by advocates of fair play—complex cooperative ventures such as those necessary to advance public health or safety. In such instances, participants and beneficiaries might each fear that others exercising discretion will vitiate the relevant benefit: too few people will show up for jury duty, vote, serve in the military. Consequently, they may prefer others be bound to act as the

¹⁷ Tosi notes this possibility. Justin Tosi, 'Rethinking the Principle of Fair Play', *Pacific Philosophical Quarterly*, 99(4) (December, 2018), 612-631 at p. 623.

¹⁸ For example, I think this explains the visceral antipathy many experience at Nozick's famous book-thrusting case. Robert Nozick, *Anarchy, State, and Utopia* (Newark, NJ.: Basic Books, 1974) p. 95.

scheme requires even at the cost of being so required in turn and despite their lack of control over the initial selection of the relevant good or the precise manner of its provision.¹⁹

But the claim that this captures our preferences seems mistaken on several grounds. We have already seen one example. It is commonplace to feel we have moral reason to act on others' behalf in ways different than they acted to our benefit: we rely on them when our car breaks down, they on us when they need to carry a couch up on the stairs. If these exchanges are subsumed into a single practice the restrictions lose all relevant purpose—they do not hold people to advancing specific benefits. If they do not, then this approach either altogether rejects an ordinary feature of our moral experience or demands that we develop a distinct further theory to explain such cases.

But perhaps we can succeed at the latter. Critics might argue that this preference ordering applies to a very specific set of cases—large scale interactions which lend themselves to free-riding because we need *enough*—but not everyone—to undertake a task if we are to succeed at producing the relevant good. Such circumstances are routine: we need enough people to serve in the military, vote, go carbon neutral. However, it does not make sense to conclude on these grounds that all of us prefer that *everyone* be bound to take up the relevant task. Indeed, such a demand would be absurd. It would require that *everyone* be farmers, dentists, school-crossing guards, sewer-system experts.²⁰ That isn't just unattractive—it is impossible.

What we really want is not for everyone to take up such roles but for everyone to be attentive and responsive to whether enough people are doing the necessary work.²¹ What we would like even more is that those who do not themselves undertake the relevant acts (having satisfied themselves that sufficiently many are doing so) perform further valuable labor to our benefit. When they do so we *each* end up both equally situated and better off—all have paid a price necessary to produce goods and all have benefited from such work. Fair-play is not a leveling down principle. The demand is not simply that others suffer. I

¹⁹ Trifan herself obviously does not endorse this as a complete account of fair play since she offers cases where participants reciprocate in ways other than joining a scheme and does not take duties of fair play to arise only in the presence of an existing cooperative scheme. Still, this reflects a widely-shared intuition among advocates of fair play. See, for example, George Klosko. *Political Obligations* (Oxford: Oxford Press, 2005).

²⁰ Loren Lomasky and Geoffrey Brennan, 'Is there a duty to Vote?' *Social Philosophy and Policy* 17(1) (2013).

²¹ This further addresses the worry about discretionary choice and mandatory goods raised in footnote 16.

don't *really* want other people to make their way to the polls when the right candidate's election is secured—I want them to do something actually productive to help bring about good social conditions. Miguel's neighbors don't really desire a 400th person on nightly patrol in the medium sized park—what they want is *a sufficient number* of people at the job, and others promoting the good through further more efficacious means—improving the lighting on local streets, planting a flower garden. The challenges of coordination give us a reason to be humble and careful in our assessments of where our participation is required but not a reason to accept that we be duty bound to undertake innumerable actions that add no value. This is especially true because public goods are rarely one-shot deals. We receive regular feedback as to whether enough people are going on patrol or using solar panels.

Finally, this do-as-I-do approach overlooks an important worry for impartiality: the fact that persons are routinely *not* similarly situated. It is more costly for a single mother working two jobs to get to the polls than a tenured professor on sabbatical. It seems fundamentally unfair to ask they do the same task in response to the same benefit when the burdens involved differ so dramatically. One person might reasonably balk at being asked to take on an unequal cost. Now, proponents might say that schemes with this feature fail the *morality* standard and thus do not activate concerns for fairness. Still, this would in practice apply to almost any realistic large-sale cooperative scheme. Such practices are slow-moving and often inattentive to individual circumstances in a way that makes it unlikely they will ever in themselves fully succeed at laying out rules that divide work in a fully equitable fashion. It is thus reasonable to conclude that people might share a preference for taking on a fair-share of the labor of working to others good without being willing to undertake precisely the same acts as others, or the dictates of the scheme in which they have participated.

Though these objections fail, they do reflect an important way in which *mutual exchange* proves discordant with our intuitions. Earlier, we treated *park* and *scientists* as clear instances of wrongful free-riding. Indeed, our central task was explaining what distinguished these cases from inappropriate demands like *snow*. That is precisely what the FRP was intended to do. But our revised approach classifies both as predatory demands. Neither the participants in the watch nor the scientists have the right to specify the form in which their efforts are repaid. Both behave no better than the elves when they require the townsfolk pay up, Miguel show up.

There is a sense in which I think that this is correct. None of these benefactors have a right to specify the way beneficiaries' debts are satisfied. *Park*, *scientists*, and *snow* thus share the same moral mistake.

Nonetheless, I think there is more that can be said to explain our sense that the former cases generate concerns for fairness absent in the latter. I will say more to reconstruct *park* in section four. For now, let us focus primarily on *scientists*. Understanding how their claims differ from the elves pushes us to further refine the FRP.

Earlier I suggested that each of us share an interest in “others laboring on our behalf.” Read that way, the elves and the scientists have the same merit. Both work to others’ benefit—in ways that we have reason to believe constitute a net gain to recipients. However, our interests are not *quite* so straightforward. To see this, we need to situate fair-play in the broader moral landscape.

Free-lance do-gooding is not the only way we seek to advance our projects or call on others to do the same. In many cases institutions beyond others’ kindness—the market, contract, consensual negotiation—better track our interests, are more effective and efficient means of benefit. They provide what we want at lower cost with greater control over our circumstances. Each of us thus shares an interest in the success of these institutions. Actions that undermine them are not to our benefit. Still, these institutions have their gaps and limits, in both ideal and non-ideal conditions. There are spaces where non-market actions do better at advancing what we care about, for any number of reasons. There is no company that notices my forgotten flower garden; markets do poorly at preventing pollution; in many places there exist no affordable child-care services for the quite poor, nor reasonably priced green-spaces. Fair play is suited to these interstitial gaps, to the spaces where other institutions and practices fail to best advance our interests. When people act to fill in these gaps they provide a great benefit. Conversely they threaten our well-being when they act to undermine institutions better suited to promoting the good, even when their immediate action technically provides a benefit.

This suggests a further revision to the FRP. Contributors and would-be free-riders are similarly situated insofar as they share the following attitudinal-ordering:

Reciprocity Approach

1. I receive the benefit [of others doing labor on my behalf to fill in gaps where alternative practices are poorly suited to advancing my ends] without bearing the cost of doing equivalent labor on their behalf.
2. I receive the benefit [of others doing such labor on my behalf] and I bear the cost of doing equivalent labor on their behalf.

Unlike *shared preferences* or *mutual exchange* this approach successfully captures and explains our deeply held views about fairness in a way that makes sense of the felt difference between *snow* and *scientists*.

Consider the fact that discussions of fair play typically focus on public goods, benefits defined (among other things) by jointness in supply such that the provision of the good to one person entails furnishing it to all.²² The reciprocity account explains this emphasis. These goods are poorly suited to consent or market-based approaches. It is simply too hard to negotiate terms, communicate agreement, or limit benefits to those who assent. The same is true of cases like *garden*. Because Mary does not know where you are traveling she would have a difficult time seeking consent to water your wilting plants. Many ordinary actions have this flavor: the return of lost keys, the carrying of printed papers from the copying room, the casual exchange of favors between friends are all for different reasons relatively poorly suited to the precise pre-negotiation and consent of formal market or contractual exchanges.

By contrast in *snow* we confront (or so we are told) an otherwise ordinary commercial case from which the usual avenues of consent and negotiation have been deliberately removed. Trifan herself says of a similar case, that it is, “a straightforward commercial transaction...more appropriately governed by explicit consent to receiving and paying for a benefit.”²³ The would-be shovelers could easily have knocked on the door and asked if Neda was willing to pay their price (as someone did to me this morning). If Neda cared enough, we have every reason to believe that commercial shoveling services are easily on offer. Consequently the elves are best read as acting *with the aim of getting a profit they might not be due in the efficient market system they would seek to prevent or disrupt* rather than as *contributing to the well-being of others in a way that does not operate to upset otherwise beneficial practices*. Consequently, their behavior does not satisfy the reciprocity approach. As Cullity writes, “a commercial system that recognized this sort of liability would be so cripplingly inefficient that it would impoverish us...”²⁴

Scientists offers a more challenging case. The complication is not—as Trifan suggests—that the scientists share a moral obligation to provide clean water. Plenty of appropriately commercial transactions address issues of moral concern. The existence of a commercial pharmaceutical industry, for example, helps to protect the health of billions in good part

²² Garrett Cullity, ‘Public Goods and Fairness’, (2008) at p. 9.

²³ Trifan, ‘What makes free-riding wrongful’, (2020) at p.170.

²⁴ Cullity, ‘Moral Free Riding’, (1995) p. 14. Here I think strict generalization goes too far. It matters whether there is or likely could be an actual commercial system, not whether it would be bad if this were a widespread practice compared to some merely *possible* alternative.

because of the informational, efficiency and incentive-generating advantages of a market system. Indeed, we could read the elves as sharing in a moral responsibility to clean the snow—I certainly take myself to have an ethical in addition to a legal responsibility to make my sidewalk safe for passersby.

Rather, what matters are the details Trifan inserts in the case. The scientists are “passing through” not a permanent fixture in town. They implement the fix “overnight.” And, of course, they are scientists, not professional plumbers. We are given the impression of a one-off incident that required rare specialized expertise possessed by a group of people who had to act with little time on an important issue in conditions in which they could not realistically ask consent and who do not seek to gain from the exercise, not a roving band of entrepreneurs attempting to set up a hit-and-run business model that subverts normal bid-and-contract procedures to acquire a profit they could not guarantee in an ordinary commercial transaction. The more this story rings true, the more the case seems to trigger genuine fair-play concerns, the less so, the more it seems a predatory demand—just as the reciprocity approach predicts.

Section Four: Fair Play Reconsidered

The reciprocity approach thus achieves what we set out to do. It distinguishes predatory demands and actions that trigger fair play in a way that explains the distinction and grounds it in a broader systematic account of fairness. In doing so, however, the approach points to the need to quite radically revise our understanding of the resulting duty.

At issue are two features long considered central to fair play: the *cooperative scheme* and *rules* conditions. Duties of fair play are typically said to apply only when a group of people coordinate to produce specific goods and be satisfied only by undertaking practice-designated roles. As Justin Tosi writes, “To play fair is to follow the rules of the cooperative scheme to which one owes a debt of fairness. Submission to the rules is the only return that qualifies as fair, just as doing one’s part as required by the terms of an agreement is the only way of keeping to an agreement to which one offered one’s consent.”²⁵

²⁵ Justin Tosi, ‘Rethinking the Principle of Fair Play,’ *Pacific Philosophical Quarterly* (2018), p. 8. Most proponents of fair play accept these conditions, though few explicitly defend them. For example, H.L.A. Hart ‘Are There Any Natural Rights?’ *The Philosophical Review* 64(2) (1955), 175-191 at p. 187. George Klosko, ‘The Principle of Fairness and Political Obligation.’ *Ethics* 97(2) (1987) 353-362; Idil Boran, ‘Benefits, Intentions, and the Principle of Fairness’, *Canadian Journal of Philosophy*, 36 (1) (March 2006) 95-115; Paula Casal and Andrew Williams, ‘Rights, Equality, and Procreation’, *Analyse and Kritik* 17(1) (1996), 93-116 at p.

Our account challenges both these features. Let's begin with the cooperative scheme requirement. This attribute of fair play is oft-stated, but little defended. Instead, it is repeated like a mantra—though one that is (tellingly) violated in many famous examples, from Nozick's worry about book-pushing friends to Cullity's concern about shoe-repairing elves.²⁶

The reciprocity approach rejects this requirement. Individuals do not need to receive benefits that result from collective schemes for the production of particular goods to trigger fairness concerns. Indeed, they need not even share an interest in the same goods. It is enough that one or more people do the right kind of work to others' profit. There is no moral distinction between our generous gardener Mary and the collection of neighbors who patrol Miguel's local park. Both reflect the same *duty of reciprocity*, an obligation to repay the burdensome labor others do to your benefit. Concerns for fairness thus arise equally in ordinary interpersonal exchanges and collective schemes.

If anything, what the reciprocity approach tells us about the rules condition is even more revolutionary. It is typically taken to be a central feature of fair play that it requires beneficiaries *abide by the rules of the practice from which they have benefited*. This purportedly fundamental aspect of the duty has been taken to explain why citizens are obliged to vote, obey the law, pay taxes, take their turn at the public broadcast. But the reciprocity account rejects this requirement as contravening fairness. For benefactors to take themselves to have the right to dictate the way in which beneficiaries return their efforts while reserving for themselves the right to provide goods at their own discretion violates impartiality. While beneficiaries are duty-bound to return the good they that have received to their benefactor(s), the precise form in which they do so is up to them.

This suggests a very different picture of our civic obligations, one where tax-avoiding non-voters may escape moral critique. Nonetheless, I will argue that it is not as radical as it might seem. What follows is less a sweeping revision of how we should *behave* than a profound rethinking of the *reasons* that guide our behavior. While the classic account holds that citizens must obey the law or vote because fairness by nature requires they abide by the rules of the practice from which they have benefited, the reciprocity approach is more practical. It holds that citizens must *often* behave in these ways because doing so is in many cases the

106. For exceptions, see Garrett Cullity, 'Public Goods and Fairness' (2008); Jianfeng Zhu, 'Fairness, Political Obligation and the Justificatory Gap', (2013), at p. 23.

²⁶ I think it is notable that though these cases are used in discussions of fair play they are typically employed as evidence against the presence of such obligations.

only workable way to provide a benefit to all those to whom a debt is owed.

Remember that while the reciprocity approach does not require that beneficiaries obey the dictates of their benefactors, it does demand that they work to advance benefactors' interests. In small scale cases the options for doing so are near endless: I know that my colleague is worried about getting her car started in time to get her kid to school, wants to become a better runner, needs comments on a paper. But in large scale cases such efforts come up against two problems: reach, and diversity. As a citizen, I owe the millions who have paid taxes and showed up at the polls to my benefit. These people are not only numerous—they are very far apart, and they have very different interests and needs. Sam loves brownies, Jim is gluten-intolerant. Mary wants her house repainted; Jenn lives in a yurt. Lauren's dog requires walking, Fred hates animals and wishes they remain far away. As one person, it is nearly impossible for me to reliably know—much less seek to satisfy—these needs.

There is, however, one set of goods that I know is valued by every person who has worked to my benefit—the very goods they themselves worked to advance. Whatever their other differences Sam, Jim, Mary, Jenn, Lauren and millions of others see benefit in public safety, health, environmental cleanliness, and the other goods that their compliance with the law or exertions at the ballot box are intended to promote.²⁷ Efforts to advance these goods thus constitute a benefit to each person whose work to promote those very same good has put me in debt.

In itself this does not explain why citizens have special reason to vote or pay taxes. After all, there are lots of things you might do to advance the relevant goods. Fixing the pothole in front of your house promotes transportation; donating to a local free-clinic could improve public health. However, these responses fail to account for both the breadth and the complexity of the relevant goods. Many good-promoting works have a localized effect. Your pothole repair may benefit Lauren, who lives on your block, but will do nothing at all for Jim who lives on the other side of town and never drives your way. Other actions provide value only if they align properly with fellow citizens' efforts. Your brilliant education plan is of little value if nobody implements it.

Beneficiaries of large-scale civic goods can thus see themselves as repaying their benefactors only insofar as they act as part of a joint-effort

²⁷ For similar reasons scholars like George Klosko have treated these goods as enjoying special status because they are *presumptively beneficial*. George Klosko, 'Presumptive Benefit, Fairness, and Political Obligation', *Philosophy and Public Affairs* 16(3) (1987) 241-259.

to provide the relevant goods to the entire population to whom they owe a debt. In small-scale cases such collective action is easy to achieve. You and I can build a bookshelf with a brief chat about parts or tango by keeping an eye on how each other moves. But such structure is far more challenging to achieve in large-scale cases. It is difficult to imagine sustaining an effective system of public safety or health without structured efforts at harmonization; the tens of thousands of actions that play a part are unlikely to align absent formal coordination. To commit to the success of these goods is thus to aim at advancing an organized plan for their achievement.

And here we can see the value of practice-rules. The dictates of the applicable cooperative practice just are the central features of the shared plan. That people pay these taxes or follow these laws are the pathways by which we have chosen to together produce the relevant goods. That we might have arranged ourselves so as to generate these goods through other means does not detract from the fact that this is our plan. Consequently, those who do not abide by the rules cannot see themselves as advancing the arrangement and thus cannot take themselves to benefit their benefactors as the reciprocity account requires.

This gives each of us good reason to obey the rules of large-scale practices from which we benefit. In turn—to return to our earlier discussion—this explains why cases like *park* feel different than *snow*. It isn't just that the elves are providing the wrong kind of benefit. It also matters that Neda has a greater range of options easily available by which to return the elves favor. By contrast, Miguel will find it challenging to benefit all the members of his neighborhood watch without taking his turn on patrol. Because his individual efforts to bake cakes or light the sidewalk will almost certainly lack sufficient breadth of interest, reach or alignment, he is likely to find that joining in is the only way that he can pay his debt.

Still, it is important that Miguel's reasons are *pragmatic*, not a fundamental feature of fair-play. It follows that there can be exceptions. If Miguel manages to knit a warm sweater for every winter walker or fix the dangerous cracks on the park trails, he can genuinely say that he has repaid his debts. His helpful neighbors cannot complain that he gave himself an unjustified exception if he fails to show up flashlight at the ready. This matters because the rule of complex practices like those from which we benefit as citizens often have limitations, inadequacies or incomplete features that open opportunities for us to pay our debts without participating as the practice demands. Lawmakers, for example, often lack the knowledge, skill set, or attention span to adequately provide a blueprint for the production of goods like health or public

safety.²⁸ The successful production of these goods thus routinely depends on others undertaking legally discretionary actions to fill in the gaps— not taking advantage of legally available loopholes, taking lower paid jobs to promote effective public policy, and so on. Those who do such work advance the scheme even if they fail to otherwise participate by showing up for jury duty or taking a turn at the ballot box. The reciprocity approach thus demands a more precise and nuanced account of fair citizenship.

Section Five: Objections

This account has many advantages. Most notably, it demonstrates greater and more parsimonious explanatory power. Though discussions of fair play focus on fairness, they have traditionally provided no systematic account of the nature of this value. The reciprocity approach does so, grounding our demands for fair play in a deeper concern for appropriate impartiality. In doing so, the approach provides a singular theory, one capable of speaking to both individual and collective exchanges and of distinguishing in each instance between predatory demands and fairness-generating benefits. Unlike more recent attempts to draw such distinctions, the view can capture and explain what have long looked like conflicting intuitions about the nature of fairness and our duty to others, in a manner that begins to make clear the value of non-voluntarily acquired obligations.²⁹

Still, critics might raise several concerns.

The first has to do with the scope of our obligations. There has long existed a lurking worry as to the potentially endless reach of fair-play. This worry, I think, has in part motivated efforts to restrict such duties, whether to public goods, to cooperatively produced benefits, or so on. Consider Justin Tosi's comment that, "Positive externalities of others' actions are all around us, yet we do nothing wrong by enjoying these free benefits of social life without contributing to their production."³⁰ To hold otherwise, he suggests, would be "absurd." Or take Ronald Dworkin's declaration that, "There is no general moral principle that requires me to contribute to the cost of producing what benefits me: I may be selfish when I pass a street musician by without tossing him a bill, but I violate no obligation even if I have enjoyed his

²⁸ Jody Freeman, 'The Private Role in Public Governance', *New York University Law Review* 65 (June, 2000), 543-675.

²⁹ Since they work to make our lives better in precisely those gaps where consent operates poorly.

³⁰ Justin Tosi, 'Rethinking the Principle of Fair Play,' (2018) at p.5.

music—even if I have paused to hear more of it.”³¹ Both can be read as efforts to stave off the conclusion that we are subject to an endless array of demands from others’ work on our behalf. The reciprocity account, opponents might worry, denies just these restraints, generating too weighty a moral obligation.

While fair-play advocates like Tosi and Dworkin succeed at limiting our obligations, they do so by drawing unexplained – and I think unjustifiable—boundaries. Why do we owe some people who provide us with non-requested benefits repayment for their work but not others? No reason is provided. The reciprocity approach offers a more attractive response. There are no artificial limits. We *do* owe others for the benefits they provide, at least when they are consistent with our general good and come at a cost. But it does not follow that we are required to pay the price our benefactors demand or take up the same actions in turn. We are merely obliged to do *something* to their benefit, at our discretion, just as they did for us. That your life is made better by a street musician does not mean you must toss him a bill. But this is not because you owe him nothing. It is because you can pay your debt in any number of ways: Perhaps you support the arts, perhaps you lobby to allow busking in the subways or vote for politicians who want to expand musician licensing or join the musician’s efforts to provide joy and beauty by contributing in your own way. All can satisfy your duty.

This answers Dworkin and Tosi’s real concern: isn’t the price of acknowledging that we owe others for the work they do our benefit too high? The cost, we can now see, is rarely extensive. We can pay our debts just as easily as we acquire them. My life is routinely made better by the work of others, in ways large or small. People help me salt the sidewalk, pick up their dog poop, cheer me on as I run a marathon, donate to the local food bank. In turn, I often pay them back almost without thinking: planting flowers on the local bike trail, lending out my snowblower, racing after a father whose child has let a mitten fall unnoticed to the ground, hanging cheerful holiday decorations.³² And of course in the event that the cost of repayment ever exceeds the value I gain, such

³¹ Ronald Dworkin, *Justice for Hedgehogs* (Cambridge, MA.: Harvard University Press, 2011), pp. 303.

³² Though such actions may not provide a direct return to the original benefactor they can nonetheless constitute repayment when there is reason to believe that they advance the things that person values. Just as you can repay a friend by donating to her favorite charity so too can you repay the kindness of strangers by promoting the care for others that their own actions exemplified. It is thus a further advantage of the view that it can account for the value we place on “paying it forward.” In the face of epistemic uncertainty about the precise shape of the relevant goods our duty is—as in some sense it can only ever be—to do the best we reasonably can. I thank an anonymous reviewer at the *Journal of Political Philosophy* for raising this concern.

actions cease to generate duties of return. The reciprocity approach thus manages to restrict the weight of our duties without drawing contrived and groundless boundaries.

A second, more fundamental critique might deny that duties of fair play are rooted in fairness. Lawrence Becker, for example, writes that, “reciprocal exchanges are typically meant to sustain a particular practice or institution rather than productive social life per se...returns that are irrelevant to the special purpose so defined are not fitting, no matter how valuable they may be in general.”³³ Fair play, the claim suggests, does not concern itself with *fairness* between beneficiaries and benefactors but instead consists in a fundamental obligation to sustain particular beneficial practices. The fact that the reciprocity account accurately captures our intuitions about fairness thus does not tell us what fair play requires.

We have already seen several problems with this reading. To begin with, it lacks anything in the way of deeper explanation or grounding. While the reciprocity account finds further justification for its claims—the parties act wrongly in making unjustified exceptions for themselves—this account simply stipulates that fair play is fundamentally concerned with the preservation of specific institutions (who says exchanges are meant to sustain such practices? And how does this meaning generate obligation?)

Perhaps just as tellingly, this reading is discordant with our intuitions. In many cases we cannot make sense of our feelings about reciprocal exchange by understanding them as intended to sustain particular schemes rather than productive social life more broadly. Take the view that we ought to respond to helpful efforts like Mary’s in *gardening*.³⁴ This is a commonplace intuition: others give us rides, make

³³ Lawrence Becker, *Reciprocity* (Chicago: Chicago University Press, 1990), p. 106.

³⁴ Some people might see *gardening* as reflecting a practice of “neighborliness” and thus not view the case as favoring a fairness-based account. Even this would be important since it would suggest a much broader scope to our reciprocal duties and our potential means of repayment while pointing to the need to carefully disaggregate practices. But I think such cases tell more broadly. A neighborliness approach cannot account for the felt sense that efforts by tourists or distant strangers deserve reciprocation when they provide the requisite benefits. That somebody drives several hours across state lines to bring me my lost wallet only seems to add to my debt. I owe someone who reduces their carbon footprint for global benefit, whether they live down the street or across the planet. I think it makes more sense to take the order of operation to function in reverse. Some neighbors work to our benefit because they cherish a communal spirit. Aiding fellow community members is a way of repaying such benefactors by advancing their commitments. I thank an anonymous reviewer at the *Journal of Political Philosophy* for this point.

us soup when we are sick, feed our pets, dog-sit. We ought, we think, to return their efforts—but not necessarily in kind. Instead, we should *work to make their lives better*.

Similarly, concerns about reciprocity typically persist even when exchanges cannot possibly sustain a particular advantageous relationship. I should pay my taxes even if I am moving out of town tomorrow; I should leave my hair cutter a tip even if I intend to frequent a different salon in the future. Conversely, such obligations continue even when the preservation of a practice is guaranteed. The fact that a scholarship program from which I once received assistance has secured a massive donation that will ensure its survival does not assuage my duty to give back. Indeed, the idea that it would is confusing. After all, arguments from fair play are typically meant to explain why non-action is wrong *even when the existence of the relevant practice is secured*. The reciprocity approach thus makes better sense of our intuitions.³⁵

Finally, opponents might worry that the reciprocity approach elides important distinctions between the interpersonal and collective contexts. But they would then be on the hook for explaining just what, precisely these differences are. Surprisingly little is on offer: the existence and moral salience of this distinction is typically taken for granted. As we have seen there are, of course, morally salient features often present in the collective context—the scale and nature of large-scale schemes often make consent, promise, or contract a challenge: communication and negotiation are too difficult, public goods too challenging to limit to willing participants. But these are merely pragmatic, not fundamental to fair play. Nor do they support a strict distinction. After all, versions of these traits can also be found in the interpersonal context. If your friend notices your cat is in need of care while you are traveling she may not be able to contact you to ask permission. If your neighbor repairs the apartment building's squeaky front door, all residents will benefit. And of course, some collectively produced goods avoid these concerns—public transit provides an opportunity for consent, a collectively constructed well constitutes a private good. These ways of drawing boundaries between types of obligations thus give us no reason to cling to the cooperative scheme requirement over a more nuanced approach.

Section Six: Conclusion

³⁵ Of course, as we discussed earlier, there are various reasons why beneficiaries may rightly concern themselves with the preservation of practices—they may be the best or only way to benefit benefactors, benefactors may simply desire they do so and their desire may constitute a reason in favor. But that is not the same thing as taking fair play to be fundamentally concerned with such conservation.

Much about the reciprocity approach to fair play remains to be worked out. Are qualifying benefits defined by objective goodness, subjective goodness, or some combination of the two? What defines some effort as “equivalent labor?” capable of repaying others’ efforts? Nonetheless, the approach offers a rich alternative to the classic account of fair play, one that manages to both better capture and better explain our intuitions about fairness. Unlike the traditional approach or newer attempts at precision like those offered by Cullity and Trifan, the view grounds our concerns and provides the resources to differentiate fairness-generating benefits from predatory demands, in a way suited to provide guidance to the full array of relations we bear to the individuals and collectives who contribute to our good.