

FOUR ARGUMENTS AGAINST POLITICAL OBLIGATIONS FROM GRATITUDE

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SCHOLARS presently disagree about whether considerations of gratitude can ground general political obligations.¹ I will explore four arguments why they cannot. The first two, to which I will refer as the "vagueness" and "stringency" arguments (Sections I and II), are directed against specific aspects of a gratitude theory.² In Section III, I argue along more general lines, that, because of its attitudinal or "interior" aspects, gratitude is not an appropriate basis for political obligations. This is the only one of the four arguments that a defender of gratitude should be able to counter. I then (Section IV) attempt to show that even if gratitude is a suitable basis for political obligations, the attitudes that people actually demonstrate in connection with political obligation are not attitudes of gratitude.

The four arguments to be considered raise questions concerning the relationship between obligations of gratitude and of fairness. There is obviously a close connection between political obligations and the receipt of benefits from the state. The fact that the state provides important benefits should play a central role in grounding obedience, while failure to provide them should be a strong consideration in dissolving obligations. It is, however, difficult to identify the precise moral principles involved. The two main possibilities are gratitude (*A*'s obligation to obey state *X* derives from his gratitude for benefits it provides) and fairness (roughly, it would be unfair for *A* to profit from the benefits of *X*, which stem from the cooperative labors of the other *X*-ites, without doing his fair share).³ Accordingly, my criticisms of a gratitude view should reinforce a fairness position, unless some other moral link between obligations and benefits can be identified. An hypothesis that I will suggest but cannot argue for in detail (in Section V), is that a fairness position not only avoids the weaknesses of a gratitude view but is actually at work in many familiar cases that may appear to turn on gratitude. In other words, many political obligations that may appear to derive from gratitude can be shown actually to stem from fairness.

A familiar problem of gratitude obligations is their "vagueness." Let us assume that Grey confers some benefit upon Aqua. This generates an obligation on Aqua's part to confer some similar benefit upon Grey should the occasion arise.⁴ The immediate problem is determining the precise nature of Aqua's obligation. Even if we grant that he has an obligation to perform some appropriate action out of gratitude to Grey, ordinarily it is not easy to say exactly what the action in question must be. The difficulty for political obligations based on gratitude is that a theory of political obligation demands a specific response; the recipient is not under a *general* obligation to express his gratitude to the state in some appropriate way but has a *specific* obligation to obey the law. This specificity appears to be out of keeping with the nature of gratitude. As A. D. M. Walker says: "The grateful response has about it a gratuitous and indefinite quality which aligns it with generosity rather than justice."⁵ The need to show that obeying the law is the "uniquely suitable" way to fulfill gratitude obligations can be referred to as the "specificity requirement."⁶

Probably Walker's greatest contribution to a gratitude theory of political obligation is his handling of this problem. He argues that the receipt of benefits constrains the recipient's future behavior in two ways. First, the recipient must demonstrate to his benefactor that he is grateful. This requirement is satisfied through expressive or declarative actions, such as thanking the benefactor. The second requirement is substantive. The recipient must not behave in ways that are incompatible with possession of the attitudes that constitute the grateful response. Therefore, he must "avoid harming [the benefactor] or acting contrary to his interests" (Walker, "Obligation," p. 202). If, as Walker believes, (p. 204), disobeying the law is harmful to the state then the recipient has an obligation to obey the law.

But does all disobedience to the law harm the state's interests? A range of problem cases can be adduced which involve actions that, if performed by relatively few individuals have slight or imperceptible effects, though if performed on a large scale can have serious, even catastrophic consequences. In a large country with a budget in the trillion dollar range, the damage done by Green's failure to pay his taxes would be at best negligible and most likely undetectable. The same would be true of his failure to register for the draft, or to obey anti-pollution laws.

In response, proponents of a gratitude theory can argue either (a) that actual harm is not necessary to satisfy the specificity requirement, or (b) that despite appearances to the contrary, these problematic actions actually do cause harm. The claim that actual harm is not necessary depends upon a distinction between harming the state and a somewhat broader notion, such as damaging its interests.⁷ If we make this distinction, an act of disobeying the law is ruled out, not only if it would actually harm the state

but if it would not be consistent with the state's best interests. At first sight, this approach appears to get around the problem cases. There is an obvious sense in which Green's failure to pay his taxes is not consistent with the state's best interests, even if it causes only imperceptible harm.

One can ask, however, about the specificity of this approach. The notion of "a state's best interests" is vague, apparently encompassing a wide range of activities. For instance, a case can be made that the arousal of patriotic emotions has beneficial effects, and so individuals should express their gratitude to the state by marching in parades, singing patriotic songs, wearing military uniforms, and flying the flag on their front lawns. But it is obviously out of keeping with our intuitions about political obligation to hold that individuals have strong moral requirements to behave in these ways.

Perhaps some help is provided by the fact that Walker's formulations are generally expressed as prohibitions. Rather than saying that the recipient has an obligation to promote the beneficiary's interests, Walker generally (though not always) says that he has an obligation not to damage them (e.g., "Obligation," pp. 203, 204, 205). Such formulations do not generate requirements to perform the kinds of actions just noted and so might coincide with our intuitions, while still justifying compliance in the problem cases.

Once again, however, the notion of the state's "interests" is unacceptably vague. An injunction that demands compliance in the problem cases would prohibit a large array of actions that are also arguably inconsistent with the state's interests. For instance, one could argue that criticizing aspects of one's country, or telling jokes about its high officials, such as the Vice-President or Speaker of the House of Representatives, is harmful to the state's interests, as a healthy measure of respect is essential to their abilities to govern. It is similarly damaging to criticize specific laws that are passed or the President's budget or foreign policy proposals. Indeed, Walker notes that, though we ordinarily feel little reluctance to gossip about acquaintances, we do feel an obligation not to gossip about people who have benefited us substantially, as this would be disregarding their interests ("Obligation," pp. 203-4). Accordingly, though the damage caused by such actions would probably be negligible, they may still be out of keeping with the state's interests.

Because "the state's interests" is an embracing notion, it would not be difficult to draw up a list of actions that could be construed as inconsistent with it. A gratitude theory of obligation would appear then to have the undesirable effect of requiring individuals to refrain from all of these actions, though many would ordinarily be viewed as inoffensive or trivial, and we do not generally believe that we have moral requirements not to perform them. Because we surely do not have obligations to refrain from *all* actions that fall into this class, we must make distinctions. Perhaps our

obligations extend only to actions with non-negligible effects. Reformulated along these lines, the content of gratitude obligations becomes not to damage the state's interests *substantially*. But on this approach the problem cases are no longer ruled out. Because non-payment of taxes does not appear substantially to harm the state, this formulation is not able to require compliance with tax laws, or the other laws noted above.

Perhaps, it is because of these difficulties that Walker tackles the vagueness problem by arguing (b) that the harm caused by an action need not stem from its consequences alone. Though a given action, if performed alone, would have imperceptible effects, we must view it in the context of the large number of similar actions that are performed along with it. Walker supports this principle by appealing to the recent work of Derek Parfit.⁸ According to this line of argument, Aqua has a gratitude obligation to pay his taxes, not because his failure to pay will itself damage the state but because of the great damage caused by all those who fail to pay ("Obligations," pp. 206-7).

There are severe problems with this argument. Though I cannot discuss these here, I believe that there are difficulties with Parfit's position that he has been unable to overcome, and is unlikely to overcome.⁹ Thus Walker is not on firm ground in contending that actions that appear to have negligible consequences actually significantly damage the state's interests. His problems with the problem cases remain.

Walker's problems with the specificity requirement raise a larger point concerning theories of political obligation. As it is discussed throughout this section, the argument from gratitude can be termed an "Actual consequence view." An actual consequence view is able to justify adherence to the law only if a given act of non-adherence would actually harm the state.¹⁰ Different actual consequence views are possible; what all share is the premise that compliance is required because of the actual damage caused by non-compliance. Actual consequence views become problematic when we apply them to large societies. If a given society is sufficiently large, an actual consequence view will have trouble requiring compliance in the problem cases discussed above, because the actual consequences of a given individual's actions in a society of many millions, or tens of millions, are often negligible or undetectable. Thus the problem cases constitute an important range of counter-examples to actual consequence views, appearing to defeat many consequentialist or utilitarian theories of obligation.¹¹ As we have seen in this section, the problem cases appear to defeat a gratitude theory as well.

The obvious conclusion is that only theories of obligation that are not actual consequence views are likely to succeed. For this reason, an argument from fairness appears immediately preferable to one from gratitude.¹² The moral principle involved in a fairness argument is not the recipient's obligation to express and to behave in conformity with a set of appropriate

attitudes, but the obligation not to profit from the cooperative efforts of others without doing one's fair share. Though arguments from fairness and gratitude are closely related, the former have the significant advantage of being able to ground obligations to perform specific actions, even if their non-performance would have insignificant or undetectable consequences.¹³

II

The main claim of the stringency argument is that, even if political obligations rooted in gratitude could be shown to exist, they would not be sufficiently strong to function as political obligations in the usual sense.¹⁴ To use language made familiar by W. D. Ross, political obligations are generally viewed as *prima facie* rather than absolute, which means that they constitute strong moral reasons to behave in specific ways, but can be overridden by conflicting moral requirements.¹⁵ However, though they are not necessarily binding, *prima facie* obligations should be presumed to hold in all but exceptional circumstances and should be sufficiently stringent to require individuals to bear such onerous burdens of citizenship as paying taxes and providing military services. Even if the specificity requirement could be satisfied and so gratitude obligations to obey the law shown to exist, I believe that they would not have the strength to ground compliance with burdensome laws such as these.

The insufficient stringency of gratitude obligations is seen in one of Walker's examples. He notes that as a member of a committee Aqua may feel "an obligation not to vote for a proposal which would significantly damage [his] benefactor's interests" (Walker, "Obligation," p. 204). However, as Walker notes, Aqua's obligation to his benefactor "will *almost always* be outweighed by [his] duty as a member of the committee to some wider good" (Walker, "Obligation," p. 204; my emphasis). Though in a case such as this, as Walker says, Aqua would have to apologize to his benefactor for going against his interests, thereby indicating the existence of *an* obligation, the point remains that he would "almost always" have to go against them.¹⁶ An obligation to obey the law that would almost always be overridden by other moral requirements would not be able to serve as a *prima facie* political obligation in the usual sense.

In his "Response," Walker argues that the duty to one's committee is an exceptional requirement, and so it would be wrong to attribute the overriding of the gratitude obligation to its weakness (Walker, "Response," p. 262). But consider the example in a different light. *If it were against the law* for Aqua to perform his committee duty, his obligation to obey the law would surely outweigh this duty in almost all cases. Clearly, there are substantial differences in stringency between political obligations and obligations of gratitude.

The general weakness of political obligations based on gratitude can be

explained by an examination of the factors that gratitude obligations involve. As numerous theorists have argued, obligations of gratitude arise when conditions of two main kinds are satisfied. These bear upon the nature of benefits supplied, and the means through which they are supplied.¹⁷ We can label the former "content-factors" ("CFs") and the latter "benefactor-factors" ("BFs"). Typically, an obligation of gratitude arises when Smith confers a benefit upon Jones, with (CF) the benefit of at least some value to Jones, and (BF) Smith does so for appropriate reasons and at least some effort or sacrifice is required on his part. The obligation can result from an action as trivial as Smith's bending down to retrieve Jones' hat blown off by the wind, or as significant as rushing into a burning building to save Jones' life and those of his children. Numerous different kinds of cases, involving different kinds and combinations of factors, are of course possible. Though it is difficult to make blanket declarations about all cases, it appears that particular levels of both CFs and BFs must be present in any given case for stringent obligations of gratitude to arise.

The relationship between CFs and the stringency of gratitude obligations appears to be one of rough proportionality. Call Smith's retrieval of Jones' hat *Case 1* and his saving the lives of Jones and his children *Case 2*. We can also posit an intermediate case.

Case 3. Jones is broken down on a remote road and is unable to change his flat tire himself. Smith stops to help and changes the tire, allowing Jones to go on his way.

We can see from these three examples that as the value of the benefits conferred increases, the stringency of Jones' obligation of gratitude does so as well. In *Case 1*, etiquette requires that he thank Smith. But this is merely a matter of etiquette.¹⁸ Little in the way of subsequent substantive performances on Jones' part seems to be required. *Case 2* is altogether different. Here profuse thanks are due. Moreover, Jones would appear to be under a profound debt of gratitude to reciprocate Smith's heroism. Though, as noted in Section I, it is not clear exactly what this obligation commits him to, he would undoubtedly have a substantive requirement to come to Smith's aid should suitable occasion present itself. *Case 3* is obviously intermediate. Jones would owe Smith sincere thanks, and though the subsequent substantive requirement would not be as great as in *Case 2*, Jones would be subject to censure if he subsequently saw Smith broken down on the highway and simply drove by.

The correlation between the stringency of obligations and CF level is doubtless rough. As Simmons notes, one would not contend that what Jones owes a man who saves his life and what he owes a man who saves his house is equivalent to the difference in value between his life and his house.¹⁹ But though there is no precise equivalence, a rough proportionality appears to hold.

The relationship between the stringency of gratitude obligations and CF

level is complicated by "benefactor-factors" (BF's). For Smith to generate an obligation of gratitude he must not only confer a benefit upon Jones but he must do so in an appropriate way. In particular, first, he must do so for appropriate reasons, roughly not out of self-interest but in order to benefit Jones as an end in itself. He must also go out of his way, or make some effort or sacrifice to benefit Jones. Though the requirement of proper motives is not unimportant and affords one possible argument against political obligations from gratitude, for reasons of space and simplicity I will set this aside and concentrate on considerations of effort, under the general assumption that if Smith makes some effort to confer a benefit upon Jones that he does so for proper reasons. Thus the BFs I will discuss center upon benefactors' effort and sacrifice.

Once again, as we vary the amount of effort involved in a given case, it appears that the stringency of the obligation of gratitude will vary as well. Consider variants of *Cases 3* and *2*.

Case 4. Seeing Jones broken down, Smith stops to flag a police car and tells the officers where Jones is so assistance can be arranged.

Case 5. Seeing Jones broken down, Smith stops to help. He changes Jones' tire, which takes an hour's labor, exerting himself and getting thoroughly dirty in the process.

Case 6. Seeing Jones' house on fire, Smith calls the Fire Department, which rescues Jones and his children.

Case 7. Upon hearing that Jones and his children are inside Jones' burning house, Smith rushes in and rescues them, at considerable risk to his life and is badly burned in the process.

Clearly the stringency of gratitude obligations will vary with the amount of effort or sacrifice involved. Though, once again, precise proportions are difficult to establish, there can be little doubt that Jones' obligations in *Cases 5* and *7* are much more stringent than in *Cases 4* and *6*. In fact, though the benefits conferred in the two pairs of cases are similar, and are sufficient to ground fairly stringent obligations in *Cases 5* and *7*, because of the slight effort involved, it appears that no more than perfunctory thanks are required in *4* and *6*, with little in the way of subsequent substantive behavior.

In this light we can return to an example discussed by Walker.

Case 8. Jones is about to drown when Smith, a strong swimmer already in the water, notices his plight and swims over and rescues him, without any special effort or sacrifice. (Walker, "Obligation," p. 208; only slightly paraphrased)

In regard to this case, Walker asks if Jones owes Smith *no* gratitude, if gratitude would be inappropriate ("Obligation," p. 208). However, though *some* gratitude is appropriate, because of Smith's minimal effort, the stringency of Jones' obligation of gratitude is slight, requiring only an expres-

sion of thanks.²⁰ If we increase Smith's effort, the stringency of the obligation increases accordingly.

Case 9. Seeing Jones in trouble, at considerable risk to himself, Smith dives into the water to save him and is successful.

Clearly, the obligation generated here is much more stringent than that in Case 8.²¹

Though one hesitates to generalize about all cases from these examples, it seems that the stringency of gratitude obligations will vary in accordance with content-factors and benefactor-factors. The examples suggest that obligations of gratitude become more stringent as either the CF or BF level increases, and of course if both do simultaneously. However, there is an apparent caveat. It seems that certain levels (thresholds) of benefit and effort must be achieved in any particular case before a stringent obligation will result. Though the benefits in Cases 4, 6, and 8 are significant, the low BF levels leave the resulting obligations of relatively slight force, able to be satisfied with a polite "thank you." In other cases, considerable effort for relatively slight benefits will leave similarly weak obligations. Consider two examples.

Case 10. Smith forges a treacherous creek, ruining his clothes, in order to retrieve a page of Jones' newspaper, blown away by the wind.

Case 11. Sir Walter Smith lays his new, expensive raincoat over a mud puddle so Jones will not muddy his shoes.

Cases such as these fall under the classification, "gallantry." Though they might reveal attractive aspects of benefactors' characters, they do not appear to generate strong obligations for recipients to constrain their subsequent behavior.

Our discussion of the stringency of gratitude obligations suggests two conclusions. First, in regard to Walker's committee example, though in many circumstances Jones' obligation to his benefactor, Smith, will "almost always" be overridden by his duty to the committee, it is overly simple to speak of obligations of gratitude *simpliciter*. Depending upon CF and BF levels, obligations of gratitude will vary in stringency. We can easily imagine cases in which the superior stringency of Jones' duty to the committee will be less apparent. Assume that the obligation of gratitude is generated by circumstances along the lines of those in Case 7, and that a certain vote by Jones will be crucial to Smith's future well-being. Here it is less obvious that Jones should stick by his duty to the committee—especially if this duty allows some flexibility. Provided that some hypothetical case has CF and BF levels of sufficient magnitude, it might well put Jones in the uncomfortable position of having to violate one or the other of two stringent moral obligations.

The conclusions for political obligations are straightforward. One reason why a gratitude theory of political obligation is intuitively plausible is

its attention to the benefits provided by governments, which are of great value. To the extent that governments provide services that are essential to citizens' survival, they would appear to generate obligations of considerable stringency. However, governments provide these benefits without the necessary degree of effort.²² Of course we are familiar with exceptions to this rule, e.g., the great sacrifices made by soldiers, policemen, firemen, and other individuals working for governments. These individuals are doubtless entitled to strong measures of public gratitude, of both expressive and substantive forms. But we should distinguish gratitude owed to them *as individuals* and gratitude to government. Only obligations of gratitude to government would be able to ground citizens' obligations to obey the law. But aside from the effort of particular individuals, governments do not appear to make the efforts or sacrifices necessary to generate stringent obligations.

In discussing political obligations based on gratitude, theorists question the propriety of extending the concept of gratitude from the private sphere of interpersonal relations to the public, political sphere. The difficulty institutions have in making the necessary sacrifice to generate stringent obligations appears to be one problem that arises in the public sphere.

III

In addition to the specific difficulties we have seen gratitude theory faces more comprehensive objections. We have discussed problems in the manner in which governments supply benefits. In this section we will discuss difficulties in how benefits are received.

The central difficulty is raised in a recent article by Claudia Card.²³ When Black confers some benefit upon White, she is supposed to respond with gratitude. But to require her to respond in this way is problematic. It is essential to gratitude that the grateful response be gratuitous: spontaneous and *not* required. As Paul Camenisch notes, gratitude falls somewhere between obligation and whimsey.²⁴ We can refer to the paradox that gratitude is both required and must be spontaneous as the "paradox of gratitude."

An action performed from gratitude is necessarily performed in a certain way. It is not merely *an* action but an action performed because of certain feelings, especially the desire to make one's appreciation known to the benefactor (the demonstrative requirement) and to behave in a certain way towards him, because one has regard for him and does not view him merely as a means to one's own satisfaction (the substantive requirement). Walker illustrates the internal or attitudinal component of gratitude with the analogy between gratefulness and revenge.²⁵

The fact that gratitude obligations depend upon the existence of certain feelings poses an obvious problem for a gratitude theory of political obligation. Ordinarily, the state does not require that we have certain feelings

but that we behave in certain ways. How, then, can it demand that we feel gratitude towards it?

The problem of requiring feelings of gratitude is obviously severe. Though one is tempted to think of gratitude along the model of a debt, and so to speak of "debts of gratitude," this is misleading. Unlike a debt, which centers upon the requirement of specific repayment, obligations of gratitude are gratuitous. When *A* performs some service for which *B* should be grateful, *A* cannot demand repayment, or repayment in some specific form. He most certainly cannot demand repayment in some specific frame of mind. Relationships between benefactors and recipients can be complex. If *A* is *B*'s neighbor and helps to repair his car, ordinarily, for *B* to offer to pay him for his help would be inappropriate. Obligations of gratitude between *A* and *B* exist in the wider context of their personal relationship and take on attributes of that relationship.²⁶ The internal aspects of gratitude are not present in debts. If *A* owes \$5.00 to *B*, then other things being equal, specific repayment is required regardless of their personal relationship. Thus Card writes that gratitude obligations should be construed as trusts, rather than as debts: "As a beneficiary, I can regard myself as the 'trustee' of another's good will or concern. I cannot literally return another's good will, but I can reciprocate it."²⁷

Theorists have generally responded to the problems posed by the internal aspects of gratitude by ignoring them.²⁸ But these aspects raise severe problems, which we can call the "appropriateness" and "empirical" arguments.

To begin with the former, in certain cases the paradox of gratitude is easily dealt with. For instance if Grey gives Aqua a gift, Aqua would generally have an obligation to respond appropriately, which would of course assume somewhat different forms as circumstances differ. Appropriate responses would range from the perfunctory "thank you" required by etiquette, to much more substantial expressions of gratitude, which would include significant constraints upon Aqua's future behavior. The point to note is that in many familiar cases substantial obligations of gratitude must be voluntarily undertaken—and so are "obligations" in the strict sense—by acceptance of the benefits in question. In cases in which significant benefits are involved—and the other necessary conditions are satisfied—thanking one's benefactor signifies *acceptance* of the benefits and entry into a particular relationship with the benefactor characterized by some degree of mutual regard.²⁹ Thus if Aqua does not wish to enter into the relationship, he should refuse the gift. The appropriate response to a gift that would signify a relationship that he does not believe or wish to exist is: "I can't accept that."³⁰

Because the recipient's acceptance of a gift signifies his acceptance of a commitment to reciprocate in an appropriate way, the gratitude paradox is defused in many common cases. For if Aqua believes that he would not be able to act from the appropriate attitude, he should not accept the gift.

The full force of the appropriateness argument is encountered when we consider relationships between citizens and states. The major benefits supplied by governments are public goods and so not normally accepted by citizens.³¹ It is therefore less clear that recipients have the requisite attitudes. One possible way around this problem is ruled out. We cannot ground the recipient's obligations upon a general principle of reciprocity, which requires the recipient of a benefit to requite his benefactor, "to confer on him a benefit in return for the benefit one has received" (Walker, "Obligation," p. 193). In addition to the problems encountered in filling in the details of such a principle, it is not clear that the resulting obligations would be obligations of *gratitude* (Walker, "Obligation," pp. 194-95).

Though it is difficult for the state or other benefactors to require that recipients have particular feelings, there are certain situations in which an individual should be criticized for not being grateful to a benefactor. The situations of course center upon the receipt of certain benefits, with other necessary conditions satisfied. For instance, other things being equal, if Aqua has been brought up by his parents with love and sincere regard for his welfare, he would be wrong not to be grateful to them. Because the normal circumstances of child-rearing concern benefits that are of great value, which are conferred with love in addition to effort and sacrifice, the necessary conditions for the generation of obligations of gratitude can be presumed ordinarily to exist.

The claim that the conferral of certain benefits makes recipients wrong *not* to feel gratitude can be expressed in a principle to which we can refer as the "reciprocity principle" (RP, for short). The first version of this is as follows:

RP1: If B gives A certain benefits which (i) are of the appropriate value (CF level), and (ii) he gives them for the right reasons and there is some effort or sacrifice involved (BF level), then A would be wrong not to feel gratitude towards B.

If RP1 holds and the conditions it identifies are met, then B's receipt of certain benefits from government A could place him under an obligation of gratitude to it. But as we have seen in Section II, the requirements noted in provision (ii) of RP1 do not ordinarily obtain. Therefore, a preferable principle is RP2:

RP2: If B gives A certain benefits which (i) are of the appropriate value (CF level), then A should feel gratitude towards B.

The great advantage of RP2 is its ability to justify gratitude obligations without reference to what recipients actually feel. When benefits are of considerable magnitude, such as those conferred by parents, or by Smith in some of the cases discussed in the last section, RP2 has a good deal of intuitive plausibility. Of course, the state also confers benefits of considerable magnitude.

The following argument (to which I will refer as the "Gratitude Argument") would thus be able to circumvent the appropriateness objection.

- G1. RP2: A would be wrong not to feel gratitude for the receipt of weighty benefits.
- G2. A receives benefits of the appropriate magnitude from state X.
- G3. Therefore (from G1 and G2), A ought to feel gratitude towards state X.
- G4. A's gratitude implies an attitude of appreciation and good will towards X.
- G5. These attitudes constrain A's future behavior.
- G6. Disobeying the law would be in violation of the substantive constraints in G5.
- G7. Therefore, A ought to obey the law.

This argument seems to be about the best that a gratitude theory is capable of producing. By proceeding from RP2 instead of a general principle of requital of benefits received, the argument is able to ground political obligations on *gratitude*. However, the severe problems discussed above in Sections I and II remain. Because of RP2's lack of BF requirements, it is unlikely that the argument can generate stringent obligations. Moreover, the vagueness problem has not been dispelled (i.e., G6 is subject to dispute). For these reasons it is not clear that the argument can generate political obligations as they are normally viewed. Finally, as we have seen throughout this section, in being forced to pass over the internal aspects of gratitude, the Gratitude Argument omits the most central and distinctive features of gratitude. The Gratitude Argument centers upon obligations of gratitude in only an attenuated sense.

IV

Even if we were to concede that the Gratitude Argument is able to establish political obligations of gratitude in spite of their internal dimension, there is a related objection. According to RP2, A ought to feel gratitude toward state X for the benefits it confers upon him. However, there are good reasons to believe that gratitude is not what most citizens actually feel towards the state. It is apparent that a theory of political obligation is strengthened to the extent that the reasons it identifies why individuals *should* obey the state correspond to the reasons why they actually *do*, and weakened to the extent that they do not. On this ground, gratitude theory is damaged by the significant gap between the reasons it posits and those to which citizens subscribe. We can call this the "empirical argument."

People's attitudes towards their governments are matters of fact, at least in theory subject to empirical study. Because this area has received little attention, surprisingly so in view of its great importance in normative political theory, one must be hesitant in drawing firm conclusions. But a brief look at

some of the work that has been done reveals the improbability of gratitude theories. Perhaps the area of political obligation that has received greatest study is the question of why people pay their taxes. Thus it is revealing that in their valuable 1978 inquiry into "tax ethics"—roughly, why people feel that they have obligations to obey tax laws—Y. Song and T. Yarbrough look at multitudinous possible influences on these attitudes, while ignoring gratitude.³² Their view (or lack of same) of the role of gratitude in tax obligation is generally reflected in the empirical literature on the subject.³³ Similarly, in their 1976 study of citizens' attitudes towards political obligations, W. Reid and J. Henderson ask their respondents a number of questions bearing upon possible attitudinal components of political obligation. Though a wide variety of factors are considered, they also ignore gratitude.³⁴ Reid and Henderson's article is rough and preliminary—apparently the first published survey of attitudes towards political obligations—but, again, little subsequent research has been performed.³⁵ The attitudes revealed by these—and other—empirical researches receive strong intuitive support. When we obey the law—pay taxes, follow traffic laws, register for the draft, etc.—we do so for many reasons, but gratitude to the state is not prominent among them.

People's apparent lack of strong feelings of gratitude towards the state is supported by reflections upon the nature of gratitude. Gratitude is distinct from other moral feelings in centering upon *B*'s feelings of appreciation and good will towards *A* because of benefits *A* has conferred upon him. As Walker in particular has noted, *B*'s feelings of gratitude encompass both demonstrative and substantive elements. *B*'s feeling towards *A* is not *gratitude* unless he feels the former, an obligation to express his appreciation to *A*. Thus according to Walker: "What distinguishes being grateful from being (merely) pleased or glad is the grateful person's desire to make a return. More precisely, he wants to favour another because he has been favoured himself."³⁶ Therefore, it follows that: "the grateful person must, on the one hand, demonstrate or make clear to his benefactor that he has the appropriate attitudes, and on the other not act in ways incompatible with his possession of these attitudes..." (Walker, "Obligations," p. 200). In developing his argument for political obligation Walker concentrates on the substantive component, allowing the demonstrative requirement to drop from sight. But we should call renewed attention to this.

The demonstrative requirement is strikingly at odds with the facts. It is intuitively clear that citizens do not feel either a desire or an obligation to express their gratitude towards the state. This is not to deny the existence of any feelings of gratitude in relation to the state. Many people feel grateful *that* we live in the United States (or other countries), and are grateful *for* this good fortune. But these attitudes are distinct from gratitude *to* the state and do not clearly connect up with our reasons for obeying the law, any more than do our being grateful for a mild winter or for beautiful natural surroundings. It is also true that individuals on occasion

do express their gratitude towards the state. Something along these lines is seen in the parades and other celebrations held to honor returning soldiers who have fought for their country—to recognize both services rendered and sacrifices made. But, again, the expressions of gratitude here are generally to the soldiers as individuals rather than to the state. Under certain circumstances people do strongly express their gratitude towards their countries. Returning prisoners of war will often kiss the ground. Refugees who have settled in country X will often be visibly grateful to their adopted countries, demonstrating their feelings with emotional patriotism. But cases along these lines are unusual and serve to highlight the absence of expressions of gratitude in the more general run of affairs.

To sum up here, a principle of political obligation should give strong moral reasons why we should obey the law that bear a close relationship to the reasons why most of us do obey. On this ground a principle of gratitude appears to be wanting.

V

In closing, I should note—but can only note—that a theory of political obligation grounded upon a principle of fairness covers moral territory similar to that covered by gratitude but without the latter's formidable weaknesses.³⁷ Like a gratitude theory, a fairness view roots political obligations in significant benefits received from the state. Because the principle at work here is the requirement not to profit from the cooperative labor of others without doing one's share, a principle of fairness is able to generate obligations to take part in the specific cooperative enterprises from which benefits emerge, thereby overcoming the vagueness problem. If the benefits in question center upon the rule of law, then the recipient has an obligation to obey the law, an obligation to his fellow citizens from whose efforts the rule of law derives. The stringency of such obligations is not affected by the motives of those who supply the benefits, or by the nature of the effort or sacrifice involved—aside from the recipient's obligation to make similar sacrifices herself. In reference to the appropriateness problem, a principle of fairness does not root obligations in specific attitudes or feelings of the recipient; mere receipt should suffice. Finally, though firm evidence here is relatively thin,³⁸ it appears that the moral reasons why we should obey the law, according to the principle of fairness, are closely related to reasons why many individuals do obey. Though it is rare for someone to say that she obeys the law out of gratitude to the state, people much more frequently say that they feel they should do their part. Green believes that she should obey laws as long as most other people are willing to do the same. For if everyone disobeyed, chaos would ensue.³⁹

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Received June 6, 1990

NOTES

1. The main discussions are A. D. M. Walker, "Political Obligation and the Argument from Gratitude," *Philosophy and Public Affairs*, Vol. 17 (1988) (cited as Walker, "Obligation," in text); and A. J. Simmons, *Moral Principles and Political Obligations* (Princeton: Princeton University Press, 1979), Chap. 7. On the concept of gratitude, see Walker, "Gratefulness and Gratitude," *Proceedings of the Aristotelian Society*, Vol. 81 (1980-81); F. R. Berger, "Gratitude," *Ethics*, Vol. 85 (1975); C. Card, "Gratitude and Obligation," *American Philosophical Quarterly*, Vol. 25 (1988); P. Camenisch, "Gift and Gratitude in Ethics," *Journal of Religious Ethics*, Vol. 9 (1981).
2. Preliminary versions of both of these arguments are found in G. Klosko, "Political Obligation and Gratitude," *Philosophy and Public Affairs*, Vol. 18 (1989). There is a response from Walker in the same issue: "Obligations of Gratitude and Political Obligation" (cited as Walker, "Response," in text). Because I concentrate on the stringency argument, Walker responds only to this.
3. On the principle of fairness and political obligations, see Klosko, "Presumptive Benefit, Fairness, and Political Obligation," *Philosophy and Public Affairs*, Vol. 16 (1987); "The Obligation to Contribute to Discretionary Goods," *Political Studies* vol. 38 (1990).
4. For different circumstances in which gratitude obligations arise, see D. A. J. Richards. *A Theory of Reasons for Actions* (Oxford: Oxford University Press, 1971), pp. 173-75, 189-90, 209-11.
5. Walker, "Gratefulness," 50-53; the quotation is from p. 50.
6. Walker, "Obligation," p. 195; Simmons, pp. 185-87; M. B. E. Smith, "Is There a Prima Facie Obligation to Obey the Law?" *Yale Law Journal*, 82 (1973), 953-54.
7. Though Walker does not present this distinction in "Obligation" (or "Response," where he does not address the question), he has suggested this line of argument to me in private correspondence.
8. D. Parfit, *Reasons and Persons* (Oxford: Oxford University Press, 1984), pp. 75-82.
9. George Klosko, "Parfit's Moral Arithmetic and the Obligation to Obey the Law," *Canadian Journal of Philosophy*, vol. 20 (1990). B. Gruzalski, "Parfit's Impact on Utilitarianism," *Ethics*, Vol. 96 (1986); Parfit's response to this, in his "Comments" in the same issue, strikes me as inadequate. Note also the criticism of Walker's use of Parfit, in Klosko, "Gratitude" (353-54), to which Walker does not respond in his "Response."
10. This is assuming that the distinction between harms and interests does not work.
11. Klosko, "Parfit's Moral Arithmetic"; for an alternative approach, see R. Sartorius, *Individual Conduct and Social Norms* (Encino, CA: Dickenson, 1975), pp. 101-09; this is convincingly criticized by Simmons (pp. 49-51). For problems with applying a utilitarian approach to large societies, see J. Fishkin, *The Limits of Obligation* (New Haven: Yale University Press, 1982).
12. The close relationship between principles of gratitude and fairness is noted by Smith, 954; Simmons, pp. 172-75; Berger, 300-01; cf. Walker, "Obligation," p. 201.
13. The principle of fairness is construed as an actual consequence view by Smith, 355-57; this is well criticized by R. Dagger, "Autonomy, Reciprocity, and Political

Obligation" (unpublished; delivered at Midwestern Political Science Association Meeting, 1988), pp. 18-19.

14. For political obligation in the usual sense, see Simmons, Chaps. 1-2.

15. W. D. Ross, *The Right and the Good* (Oxford: Oxford University Press, 1930), pp. 19-20; though Ross' specific terminology can be criticized, his main point strikes me as correct and has become common usage.

16. Walker, "Obligation," p. 204; as pointed out in Klosko, "Gratitude," p. 355.

17. This is the view of Simmons; Camenisch; Berger; Walker, "Gratefulness"; and Card.

18. D. Lyons refers to the thanks due in cases such as this as "perfunctory thanks" ("The Odd Debt of Gratitude," *Analysis*, Vol. 29 [1969], 92-94).

19. Simmons, p. 169.

20. Cf. Lyons' case, throwing a rope to a drowning man (94).

21. Cf. Klosko, "Gratitude," 356-57; Walker, "Response," 361, which misses the clear point of the criticism.

22. Simmons provides a good discussion (pp. 187-90).

23. Card.

24. Camenisch, 4.

25. Walker, "Gratefulness," 49; on the relation between gratitude and gratefulness, see Walker, 45-47.

26. Card, 122; Camenisch, 5-20.

27. Card, 121; she follows Hobbes, *Leviathan*, Chap. 15.

28. E.g., Simmons, 167; this is not to criticize Simmons, as he gives gratitude theories the benefit of the doubt before criticizing them. Walker does not raise this problem in "Obligation," despite the attention devoted to it in "Gratefulness."

29. Camenisch, p. 7; Camenisch is illuminating here (esp. 7-9).

30. On the significance of refusing a gift, see Camenisch, 17.

31. For similar problems in fairness obligations and how they are resolved, see Klosko, "Presumptive Benefit."

32. Y. Song and T. Yarbrough, "Tax Ethics and Taxpayer Attitudes: A Survey," *Public Administration Review*, Vol. 38 (1978).

33. Much of this is surveyed, with some conclusions bearing upon political obligation, in Klosko, "The Principle of Fairness and Political Obligation," *Ethics*, Vol. 97 (1987).

34. W. M. Reid and J. S. Henderson, "Political Obligation: An Empirical Approach," *Polity*, Vol. 9 (1976).

35. A recent exception is T. Tyler's *Why People Obey the Law* (New Haven: Yale University Press, 1990); "gratitude" does not appear in the index.

36. Walker, "Gratefulness," 49.

37. The account of fairness obligations presented here draws upon the articles cited in note 3, above.

38. For some empirical evidence bearing upon political obligations, see Klosko "Principle of Fairness."

39. I am grateful to A. D. M. Walker for valuable correspondence on the subject of this paper.