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GRATITUDE FOR WHAT WE ARE OWED

Aaron Eli Segal

GRATITUDE occupies a central place in our moral landscape. We tend to feel gratitude when others benefit us out of good will, and we tend to express gratitude to others out of our recognition and appreciation of such good will. Strawson claims in "Freedom and Resentment" that gratitude, in playing this role, stands opposed to the reactive attitude of resentment, which we feel in response to displays of ill will.[1] But many hold that gratitude and resentment stand opposed to one another not just in relation to good and ill will but also in their relation to the demands of morality. Concerning resentment, many hold that *A* is warranted in resenting *B* only if *B* wrongs *A*, i.e., if *B* treats *A* in a way that *B* owes it to *A* not to treat them.[2] And further, many philosophers hold that gratitude likewise has an important connection to what we owe to each other: *A* never owes *B* gratitude for *B*'s treating *A* in a way that *B* owes it to *A* to treat them.[3] I will call this latter claim the *Orthodox Thesis*. These two claims about the relationship between gratitude, resentment, and what we owe to each other jointly characterize a conception of the role of good and ill will in interpersonal morality: ill will is displayed in someone's failing to live up to the demands of morality in their treatment of us, while good will is displayed in someone's going above and beyond the demands of morality in their treatment of us.

In the first part of this paper, I argue that the Orthodox Thesis is false—or at least that its scope must be restricted in an important way if it is to be plausibly maintained. That is, I argue that we sometimes owe others gratitude for treating us in ways that we are morally owed or, equivalently, for treating us in ways that we have a claim to.[4] I begin by presenting a range of cases that, I

1 Strawson, "Freedom and Resentment."

2 See, for instance, Wallace, *Responsibility and the Moral Sentiments*; and Darwall, *The Second-Person Standpoint*.

3 See Camenisch, "Gift and Gratitude in Ethics"; Lyons, "The Odd Debt of Gratitude"; Weiss, "The Moral and Social Dimensions of Gratitude"; Feinberg, "The Nature and Value of Rights"; and most recently, Macnamara, "Gratitude, Rights, and Benefit."

4 Some philosophers put this view in terms of owing others gratitude for their respecting our "rights." See, e.g., Macnamara, "Gratitude, Rights, and Benefit." I will avoid the term 'right' due to complications concerning the relation between rights and enforceability, and instead

claim, intuitively have two features: (1) one agent treats another in a way that the first owes it to the second to treat them, and (2) the second agent owes the first gratitude in response. By virtue of having these two features, these cases represent counterexamples to the Orthodox Thesis.

I then argue that these cases have a further feature in common: part of what the duties in question require of an agent, in context, is to act in such a way that they display a kind of good will to a second, and specifically to act in such a way that they treat the second as an end in themselves, taking the ends of the second as ends of their own. And it is this feature—that the agent acts on a duty that requires them to display good will to another agent—that explains why the second agent owes the first gratitude in response: the first displays good will of the kind that triggers a duty of gratitude. Some moral duties—including certain duties of beneficence, gratitude, and apology—require us to act in ways that display precisely this kind of good will to others. While the Orthodox Thesis may be true when restricted to other duties—in particular, when limited to what some have called "juridical" duties—it is false when asserted in full generality, due to the existence of duties that require us to express good will to one another.

I conclude by addressing an objection to my argument. It appeals to the central premise in an argument commonly given in favor of the Orthodox Thesis, which claims that feeling gratitude involves representing what one is grateful for as something to which one was not normatively entitled. If this premise were true, then the purported counterexamples to the Orthodox Thesis would involve morality requiring agents to represent the moral landscape incorrectly, or requiring agents to ignore the fact that in these cases, they are treated in ways that they are owed. But I argue that we can explain both the intuitive appeal of the claim that feeling gratitude involves representing what one is grateful for as something to which one was not normatively entitled, as well as why this claim is false. My account does not imply that agents are required to represent the moral landscape incorrectly in feeling grateful.

1. FOUR COUNTEREXAMPLES TO THE ORTHODOX THESIS

In this section and the next, I will provide a series of cases that, I argue, are counterexamples to the Orthodox Thesis. Each case has two features: (1) one agent treats another in a way that the first owes it to the second to treat them, and (2) the second agent owes the first gratitude in response. In particular, the

use 'claim' as the theory-neutral correlate to directed obligation. For a different argument against the Orthodox Thesis, according to which we owe someone gratitude when they respect our rights in a way that is "notable" or makes them a "moral standout," see McConnell, "Gratitude, Rights, and Moral Standouts"; and Helm, "Gratitude and Norms."

first agent provides a benefit to the second in a way that expresses good will, thereby triggering a duty of gratitude despite the first agent merely doing what is required of them. Afterwards, I will look more closely at what unifies these cases. But first I will provide the series of cases, arguing that each has features 1 and 2.

> *Supermarket*: *Y* is in line for the cashier at the supermarket, and while walking up to the cashier, *Y* trips and drops the cans that they were carrying. *X* is standing behind *Y* in line and notices that *Y* will have a difficult time trying to pick up the cans themselves. Holding only one item themself, *X* picks up the cans and helpfully places them next to *Y*.
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> *Beach Rescue*: *Y* is swimming in the ocean, gets caught in a riptide, and begins to struggle to stay afloat after fighting against the current. *X* is nearby on a small boat and is trained in water rescue. While rescuing *Y* would no doubt be difficult, *X* is a sufficiently strong swimmer that *X* does not face any significant risk of drowning or serious injury. *X* notices *Y*'s peril and jumps into the water. *X* reaches *Y* before they drown and successfully hauls *Y* back to the boat, saving *Y*'s life.
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> *Business Competition*: Years ago, *Y* heroically saved *X*'s life, and the two have not encountered one another since. *X* now owns a business and is trying to expand into new markets. *X* is choosing between two areas in which to open a new store, and while they predict the first area to yield marginally higher profits, they also recognize that opening the store there will drive a small store out of business. But while *X* is considering opening the new store, *Y* comes to *X* and informs *X* that *Y* is the owner of the small store, and asks *X* not to open their new store in this area. Out of recognition and appreciation for what *Y* did for them years ago, *X* refrains from opening the store in *Y*'s area.[5]
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> *Hurtful Joke*: *X* and *Y* are at a party, and the attendees are enjoying each other's company by laughing and telling jokes. Some of these jokes involve making good-natured fun of one another. *X* makes one such joke at *Y*'s expense, but the joke hits a sore spot for *Y*, who becomes quiet and soon leaves the party. While *X* didn't know that *Y* had this particular sore spot, *X* was in a position to know that jokes of this kind can be hurtful and that even when friends make jokes at one another's expense, this type of joke is considered over the line. The next day, after another

5 This case is from Manela, "Obligations of Gratitude and Correlative Rights," who uses it to argue that there are genuine obligations of gratitude.

attendee informs *X* that their joke was hurtful to *Y*, *X* reaches out to *Y* and apologizes. *X* acknowledges that they were inadequately sensitive to the hurt that their joke was liable to cause, sincerely expresses that they value their friendship, and promises to be more sensitive to *Y*'s feelings in the future.

Each case has a few important features. First, in each, *X* provides a kind of help or benefit to *Y*, and does so in a way that expresses good will to *Y*. Importantly, the provision of a benefit from good will is what triggers a duty of gratitude.[6] And this seems to match our intuitions about the cases: *X* provides the kind of help or benefit that calls for gratitude in response. However, contrary to the Orthodox Thesis, *X*'s conduct also seems required: *X* owes it to *Y* to treat *Y* as they do. A defender of the Orthodox Thesis must, then, do one of two things: either claim that *Y* does not actually owe *X* gratitude, or else claim that *X* treats *Y* in a supererogatory rather than required way. In order to forestall both types of response, I will argue in some detail that both feature 1 and feature 2 are present in each case.

I will begin in this section by arguing that feature 1 holds in each case—that is, that in each case, *X* owes it to *Y* to treat *Y* in the way that *X* does. And in order to establish that feature 1 holds in each case, I will first argue that in each case, *X* is required to act as *X* does and will then argue that *X* owes it to *Y* to do so.

In these four cases, we are presented with four different moral duties: in Supermarket, *X* has a duty of (minor) aid or beneficence; in Beach Rescue, *X* has a duty of rescue; in Business Competition, *X* has a duty of gratitude; and in Hurtful Joke, *X* has a duty of apology.[7] Let us take each in turn.

In Supermarket, if *X* fails to help *Y* by picking up the cans, *X* would express a kind of indifference to *Y* that would warrant blame. Especially when it is so easy to help someone who is clearly in need, this kind of indifference involves failing to take account of someone's interests. Of course, if it would be relatively onerous for *X* to provide aid, then failing to pick up the cans would not express this indifference and would similarly fail to warrant blame. But given that it is easy for *X* to help, failing to do so would be *prima facie* blameworthy, indicating

6 For an important early paper that identifies the grounds of gratitude as the provision of a benefit from good will (or "benevolence"), see Berger, "Gratitude." Note that while it is controversial whether a duty of gratitude requires an *actual* or merely an *attempted* benefit, and it is controversial what precise motives are sufficient to trigger a duty of gratitude, it is uncontroversial that duties of gratitude are triggered by the provision of a benefit from good will *in some sense*. See the helpful discussion of these points in Manela, "Gratitude."

7 Depending on how you count, however, there may be three rather than four types of duties in these cases, since the duty of rescue involved in Beach Rescue may be thought to be a special case of the duty of aid or beneficence, which is also involved in Supermarket.

that *X* is required to help.[8] Granted, the stakes in this case are quite low—*Y* will not suffer any great misfortune if *X* does not help by picking up the cans. But this does not show that failing to help would not be wrong; rather, it shows that the wrong would merely be a fairly minor one in the grand scheme of things. Accordingly, *X* is required to help *Y* by picking up the cans.

But not only is *X required* to help *Y* by picking up the cans; further, *X owes* it to *Y* to pick up the cans. That is, *X* would not just act wrongfully by failing to help but, further, would wrong *Y* by doing so. In order to tell whether and to whom some duty is directed, recall the claim about the relation between resentment and the demands of morality described above. This is the claim that *A* is warranted in resenting *B* only if *B* wrongs *A*, i.e., if *B* treats *A* in a way that *B* owes it to *A* not to treat them.[9] Because this claim provides a necessary condition on warranted resentment, it provides us with a test for identifying whether and to whom some duty is owed: if *B* would be warranted in resenting *A* for acting in some way, then *A* owes it to *B* not to act in this way. Accordingly, if *Y* would be warranted in resenting *X* for failing to help by picking up the cans, then *X* owes it to *Y* to pick up the cans. (Call this way of determining whether and to whom some duty is owed the *resentment test*.) And indeed, *Y* would seem to be warranted in resenting *X* for failing to pick up the cans. We wouldn't consider *Y*'s resentment to be misplaced, for in failing to pick up the cans, *X* would show *Y* the type of indifference or disrespect described in the previous paragraph. So not only is *X* required to help *Y* by picking up the cans, but further, *X* owes it to *Y* to help by doing so. Appealing to the resentment test thus confirms that *X* owes it to *Y* to help by picking up the cans.

Before moving to the other cases, I want to preempt two worries about my appeal to whether *Y* would be warranted in resenting *X* for failing to pick up the cans. The first concerns the role and dialectical effectiveness of the resentment test, and the second concerns indifference, ill will, and social expectations.

1.1. Resentment and Other Hallmarks of Wronging

First, in appealing to the resentment test, I infer from the claim that *Y* would be warranted in resenting *X* for failing to pick up the cans (itself justified by appeal

8 *X* is only *prima facie* blameworthy, since *X*'s failure to help could be justified or excused by other factors concerning *X*'s circumstances, knowledge, etc. In what follows, I will simply say that *X* is blameworthy, since we can stipulate that in none of the four cases would *X*'s failure to act be justified or excused by other factors.

9 We can modify this necessary condition on warranted resentment into a necessary and sufficient condition on warranted resentment by adding a clause to this claim: *A* is warranted in resenting *B* only if *B* wrongs *A*, i.e., if *B* treats *A* in a way that *B* owes it to *A* not to treat them, absent excuse or special justification.

to intuition) that *X* owes it to *Y* to pick up the cans. But one may worry about relying on the resentment test in this way, since the connection between resentment and obligation described by the resentment test is itself both substantive and controversial. If defenders of the Orthodox Thesis do not antecedently accept the resentment test, what reason do they have to accept that *X* owes it to *Y* to pick up the cans? Further, this worry takes on added significance in virtue of my argument in the next section that in each of the four cases, *Y* owes *X* gratitude in response. In short, I there use the resentment test to argue that in each of the four cases, *Y* owes *X* gratitude for treating them in a way *Y* is owed, and thus that the Orthodox Thesis is false. But a defender of the Orthodox Thesis may use the same sort of reasoning in the other direction: on the basis of the Orthodox Thesis, they may infer from the fact that *Y* owes *X* gratitude in each case that *X* must not have owed it to *Y* to treat *Y* as they do, and thus that the connection between resentment and obligation described by the resentment test is false. This objection, in sum, suggests that one can reason from the Orthodox Thesis to the falsity of the connection between resentment and obligation described by the resentment test just as easily as one can reason from the resentment test to the falsity of the Orthodox Thesis.[10]

In response, I will briefly note some of the main points in favor of the connection between resentment and obligation described by the resentment test, before describing how my argument can be modified so as not to rely on the resentment test at all. Recall that the resentment test holds that *B* is warranted in resenting *A* only if *A* wrongs *B*, i.e., if *A* treats *B* in a way that *A* owes it to *B* not to treat them.[11] The basic reasoning behind this claim concerns the connections between resentment, ill will, treating someone with proper regard, and wronging. We can provide an argument for the connection between resentment and obligation described by the resentment test as follows:

1. *B* is warranted in resenting *A* only if *A* displays ill will toward *B*.
2. *A* displays ill will toward *B* just in case *A* fails to treat *B* with proper regard.
3. *A* fails to treat *B* with proper regard just in case *A* wrongs *B*.
4. Therefore, *B* is warranted in resenting *A* only if *A* wrongs *B*.

10 Thank you to an anonymous reviewer for raising this objection.

11 Note that the resentment test relies only on a necessary condition for warranted resentment, not a sufficient condition. Just because *A* treats *B* in a way that *A* owes it to *B* not to treat them, *B* would not necessarily be warranted in resenting *A*. *A* could, for instance, have a good excuse for treating *B* in this way, or it could be hypocritical for *B* to resent *A* for treating them in this way.

This argument provides at least *prima facie* support for the resentment test. Its premises are intuitively plausible and entail the conclusion. Indeed, some have argued that its premises express conceptual truths about reactive emotions like resentment and their relation to moral obligations and accordingly that the content of and conditions of justification for resentment cannot be understood independently of the notion of treating others in accordance with the demands of morality.[12] Nevertheless, both the resentment test and this argument in favor of it are controversial, and much more would need to be said to adequately establish the connection between resentment and obligation described by the resentment test. Thankfully, my argument can be modified so as not to rely on the resentment test at all. While the resentment test provides perhaps the most direct method for establishing that in each case, *X* owes it to *Y* to treat *Y* as they do, we can establish this fact in a different way, avoiding reliance on the resentment test.

In particular, for each of the four cases, we can identify other hallmarks or identifiers of directed duties, thus sidestepping issues about the precise relation between resentment and wronging. There are two main alternate identifiers for directed duties that are present in each case. First, in each case, *Y* alone has the standing to remonstrate or complain if *X* does not comply with their duty. And *Y* has the standing to remonstrate against *X*'s noncompliance only if *X*'s duty is directed toward *Y*. Second, in each case, if *X*'s noncompliance triggers duties of apology or repair, these duties would be directed toward *Y*. And *Y* is owed a duty of apology or repair by *X* only if *X* wrongs *Y*.[13] I will first explain why both the standing to remonstrate and being owed apology or repair are tied to being the claimholder of a directed duty and then argue that each is present in the Supermarket case.

Let us first consider the relation between the standing to remonstrate and directed duties. To say that *Y* has the standing to remonstrate with *X* is to say that *Y* has the standing to attempt to influence *X* by citing normative reasons

12 See especially Wallace, *Responsibility and the Moral Sentiments*, ch. 2.

13 Arguably, there is a third alternate identifier we could appeal to: in each case, *Y*'s interests ground *X*'s duty, and according to the interest theory of directed duties, *Y*'s interests ground *X*'s duty just in case *X*'s duty is directed toward *Y*. Although the interest theory delivers the right verdict in each case about whether and to whom *X*'s duties are owed, I will not lean on it as an identifier for directed duties since it is even more contentious than the resentment test. In particular, its main opponent is the will theory, which holds that *X*'s duty is directed toward *Y* just in case whether *X* is obligated is dependent on *Y*'s will—that is, *X*'s duty is directed toward *Y* just in case *Y* has the power to waive *X*'s duty. And the will theory does not return the right verdict on the cases presented here, since duties of gratitude have notably been argued not to provide those to whom they are owed with the power of waiver. See Herman, "Being Helped and Being Grateful."

that *X* already possesses but that may be motivationally silent to them. For example, *Y* might remonstrate by saying such things as "Are you seriously just going to stand there?" or "You know, I could use a little help here." By remonstrating, *Y* would attempt to exert more force on *X* than by merely requesting *X*'s help.[14] Importantly for my purposes, not just anyone has the standing to remonstrate with someone about their noncompliance with some obligation. If I notice that you are not complying with a promise you made to a third party, I might remind you of the promise or describe how the third party might feel when they learn of your noncompliance. But I lack the standing to remonstrate with you about your noncompliance. In particular, only the person to whom your duty is directed has the standing to remonstrate with you about your noncompliance. That is, *Y* has the standing to remonstrate with *X* about whether *X* ϕs only if *X* owes it to *Y* that they ϕ.[15]

Next, let us consider the relation between directed duties and duties of apology and repair. Here the connection is even more straightforward than with the standing to remonstrate. Owing someone an apology or some other form of repair such as compensation is explained by having wronged them or by having violated a duty that was owed to them. When we wrong someone, we can sometimes do harm to third parties. For instance, suppose that I promise to give you some apples, and you lead a third party to believe that you will give them the apples so that they can bake an apple pie. If I break my promise to you, I set back both your interests and the third party's interests. But my subsequent duties of apology and repair pertain only to you, not to the third party. And this is because being owed duties of apology and repair coincides with being the claimholder of a directed duty. More specifically, *A* owes *B* duties of apology and repair only if *A* wrongs *B* or if *A* fails to comply with a directed duty owed to *B*. Accordingly, the standing to remonstrate and duties of apology and repair stand as apt alternative identifiers for being the claimholder of a directed duty,

14 For more on the standing to remonstrate, as well as its connection to "imperfect rights," see Manela, "Obligations of Gratitude and Correlative Rights."

15 Often, the individual to whom some duty is directed has not only the standing to remonstrate but further the standing to *demand*. Like remonstrating, demanding involves an attempt to bring about someone's compliance with a duty, but demanding is more forceful than remonstrating and constitutes an attempt to *enforce* one's claim. But we cannot appeal to the standing to demand as an identifier of directed duties in the present context, since duties like gratitude and apology notoriously do not provide their claimholders with the standing to demand. On the relation between the standing to remonstrate and the standing to demand, see again Manela, "Obligations of Gratitude and Correlative Rights"; and for an account of why duties of gratitude do not provide their claimholders with the standing to demand, see Segal, "Gratitude and Demand."

independently of any claims about the connection between directed duties and resentment.

Finally, in Supermarket, we can confirm that *X* owes it to *Y* to pick up the cans by pointing to the standing to remonstrate and duties of apology and repair. As noted above, it seems that *Y* has the standing to remonstrate with *X* about *X*'s picking up the cans. Although it would seemingly be inappropriate for *Y* to launch into a full tirade in order to pressure *X* into picking up the cans, it would be appropriate for *Y* to cite the reasons why *X* ought to help by picking up the cans, in an attempt to get *X* to pick up the cans—for instance, by citing the fact that they could use a bit of help or the uncaringness of simply standing by while *Y* struggles to pick up the cans. And further, if *X* does stand by without helping, it seems that *X* would owe *Y* an apology. Given that *X* and *Y* have no personal relationship and that the stakes of the aid are quite low, *X* need not do much more than a simple verbal apology—something along the lines of "I'm sorry I didn't help you just then; I was wrapped up with going about my own day, but I shouldn't have ignored your situation." Given the low stakes of the case, it would be inappropriate for *Y* to remonstrate at great length or with serious anger, and if *X* does not help, *X* would not owe *Y* a very extensive apology or other form of repair. Nevertheless, *Y* does have the standing to remonstrate, and *X* would owe *Y* an apology if *X* fails to help. Since the standing to remonstrate and being owed duties of apology or repair serve as alternate identifiers of directed duties, we can thus establish that *X* would wrong *Y* by failing to help—without reliance on the resentment test.

The final point worth mentioning regarding this way of modifying my argument so as to avoid relying on the resentment test is that just as defenders of the Orthodox Thesis might deny the connection between resentment and wronging expressed by the resentment test, they might also deny the connections between the standing to remonstrate, duties of apology and repair, and directed duties that I have just argued for. Each of these connections represents a substantive claim about the nature of directed duties, and it is theoretically open to defenders of the Orthodox Thesis to take issue with any of them. But in order to deny my claim that *X* owes it to *Y* to pick up the cans (as well as my parallel claims for the other three cases), they would have to reject nearly all of the apparent identifiers of directed duties and would be left with a deeply controversial view of how to identify whether and to whom a duty is owed. So while it is open to defenders of the Orthodox Thesis to reject not only the resentment test but also the alternate identifiers of the standing to remonstrate and being owed duties of apology and repair, doing so represents biting a sufficiently large bullet that I take myself to have put significant pressure on defenders of the Orthodox Thesis who wish to deny that in each or all of the four cases, *X* owes it to *Y* to treat them as they do.

1.2. Indifference, Ill Will, and Social Expectations

The second worry worth discussing before proceeding to the other three cases concerns the kind of indifference that *X* would display to *Y* if *X* failed to help by picking up the cans. I claimed above that if *X* failed to pick up the cans, *X* would display a type of indifference to *Y* that, in the context of Supermarket, constitutes a display of ill will to *Y*. And because resentment is an appropriate response to ill will, *Y* would be warranted in resenting *X* for failing to help. Finally, because *Y* would be warranted in resenting *X*, I concluded that *X* owes it to *Y* to help by picking up the cans. However, one might wonder why, exactly, *Y* would be warranted in resenting *X*'s indifference, and correspondingly, why *X* owes it to *Y* to help. Importantly, we are not subject to a blanket moral prohibition on being indifferent to others. We are not morally required to spring into action whenever we see someone who we can help to complete a minor task. Suppose, for instance, that from across the street, I notice you struggling to open a bottle of water. Not only am I not required to cross the street to help you open it; you might reasonably find it strange or uncomfortable for me to approach you out of the blue to help. Refraining from helping you to open the water bottle involves a type of indifference—but a perfectly innocent type. Why should we think that helping in Supermarket is different from helping you open the bottle of water? That is, why should we think that indifference to a stranger is permissible in one case but impermissible in another?[16]

The answer lies in the presence of social expectations of a particular type. When *X* and *Y* share the right kind of expectations about when and how individuals should help one another, and *X*'s refraining from helping *Y* would violate these expectations, then the indifference expressed by refraining from helping would constitute ill will rather than merely "innocent" indifference. I will first describe the relevant type of social expectations in more detail, then explain how they derive from associated conventional norms, and finally outline the considerations that give these conventional norms moral force.

The social expectations relevant to the question of when indifference rises to the level of ill will are expectations concerning: (1) when and from whom one will receive help; and (2) the ways in which one will be held accountable for helping or failing to help others. We carry these expectations in the background of many or most of the social interactions we have: for instance, we expect (if only implicitly) that if someone sees something fall out of our pocket, they will let us know or pick it up and hand it to us. And we expect that if we violate others' expectations, we may be held accountable through reactive emotions like blame or resentment. In the absence of any such expectations to help, indifference to

16 Thank you to an anonymous reviewer for pressing me on this question.

others typically does not constitute ill will. My indifference to your difficulty in opening the bottle of water, for example, seems not to constitute ill will in part because you have no expectation that someone in my position would come to your aid. My indifference to someone rises to the level of ill will when there is an expectation that, in the circumstances, I will help them. When such expectations are present, refraining from helping is not mere indifference but a knowing violation of another person's expectation that I help them.

However, not just any such expectations seem capable of making indifference constitute ill will. Suppose that you expect others to hold doors open for you if you are within one hundred feet of a door (and also expect to be held accountable yourself for not doing so for others). Other people would presumably violate your expectation on a routine basis, but they would not thereby express ill will toward you—even if you might feel as though they do. This is because as a society, we have settled on a conventional norm of holding doors open for others only when they are (roughly) immediately behind us. The fact that people in general have very different expectations from you about whether individuals will or ought to hold doors open for others who are relatively far away means that violating your idiosyncratic expectations does not constitute ill will. Whether one individual's indifference toward another rises to the level of ill will is partly a function of whether the indifference violates the other's expectations about how they will be helped, but not just any expectations will do. Indifference toward someone constitutes ill will when it violates their expectations about how they will be helped, where these expectations are derived from generally accepted conventional norms about when and how individuals should help one another.

The ability of these conventional norms to determine when indifference is innocent and when it constitutes ill will depends on these norms having some degree of moral force. If they were strictly nonmoral norms, they could give rise to expectations that could variably be satisfied or violated by others' conduct, but violations of them would not constitute ill will. That is, if they were strictly nonmoral norms, then violations of the expectations they give rise to would not be morally blameworthy, would not justify resentment, and would not ground obligations to help one another, as in Supermarket. Accordingly, in order to explain how conventional norms can determine whether indifference rises to the level of ill will, we need to explain how these norms can take on moral force. When and why do the conventional norms that give rise to expectations concerning when and how to help acquire moral force?

Although we could explain this moral force in a number of ways, one promising route holds that conventional norms concerning when and how to help acquire moral force when and because their general acceptance solves a

certain type of coordination problem. In the absence of the general acceptance of conventional norms concerning when and how to help, individuals would be unable to rely on others helping them in any specific way or in any specific circumstances. This is because different individuals have widely divergent preferences concerning the ways in which they would like to be helped, the ways they are inclined to help others, and the amounts of effort they believe that individuals should exert to help one another. But at the same time, because none of us can avoid needing help from others in order to achieve our ends (at least from time to time), it is better from the standpoint of each individual to live in a community that has adopted *some* set of conventional norms rather than none, even if the conventional norms accepted by the community do not precisely match their own conception of how individuals should help one another. Because individuals therefore benefit from living in a community that generally accepts conventional norms concerning how to help one another, they can be justifiably held accountable in terms of these norms with respect to whether or not they help in particular circumstances.[17]

To summarize: indifference to someone rises to the level of ill will when and because it violates a social expectation derived from a conventional norm concerning when and how to help one another. These conventional norms have moral force when and because their general acceptance provides a solution to a coordination problem that would otherwise occur. In the example of you struggling to open a water bottle, there is no generally accepted conventional norm requiring individuals to cross the street to help. But in Supermarket, there is a conventional norm that requires individuals to help when they are in the immediate vicinity of someone who drops some items and needs some help (at least when it is relatively easy to do so).[18] Insofar as *X* and *Y* are both members of the social practice that generally accepts this norm, they share expectations about the circumstances in which individuals should help one another. If *X* refrains from helping, then *X* violates *Y*'s expectation that *X* helps, thus expressing not only indifference to *Y* but ill will to *Y* as well.

17 This account of the source of the moral force of conventional norms concerning how to help one another is here presented only in schematic form. For an argument that appeals to conventional norms' ability to solve this type of coordination problem to justify holding one another accountable to moral norms more broadly, see Gaus, "The Demands of Impartiality and the Evolution of Morality." And for a related but distinct explanation of the moral force of these conventional norms in terms of respect rather than coordination, see Stohr, *On Manners*.

18 If you have doubts about how widely accepted this norm is, suppose that Supermarket takes place in an area where politeness, friendliness, and courtesy are strongly held social values—like many small towns in the American Midwest.

1.3. Returning to the Cases

Let us turn back to the other cases beside Supermarket. In Beach Rescue, if *X* fails to help *Y* by jumping into the water and attempting to save *Y*, *X* would express a similar kind of indifference to *Y* as in Supermarket—but with much higher stakes. Although the kind of help that *Y* needs in Beach Rescue is much more onerous than the help involved in Supermarket, this would provide no justification for failing to help, since *Y*'s life is at stake. The fact that *Y*'s life is at stake shows that failing to help would be wrong, at least so long as *X* would not be risking their own life in the process.[19] So *X* is required to help *Y* by jumping into the water and attempting to save them. And further, the same test that we used in Supermarket indicates that *X* owes it to *Y* to try to save their life: if *X* were to stand idly by, then *Y* would be warranted in resenting *X*. Of course, if *X* were to stand idly by, then *Y* would likely perish. But the relevant question is not whether *Y* would have the chance to resent *X* but whether such resentment would be warranted. And in Beach Rescue, *X* failing to help would express a more extreme form of the kind of indifference involved in the failure to help in Supermarket. So *X* owes it to *Y* to jump into the water and attempt to save them.

In Business Competition, if *X* does not accede to *Y*'s request and opens the new store in *Y*'s area anyway, then *X* would express a lack of recognition and appreciation for *Y*'s lifesaving aid. Here and now, *X* has the opportunity to express their recognition and appreciation—in short, their gratitude—for this aid, and failing to do so would express ingratitude. Saving someone's life is such a significant benefit that, at least typically, it triggers a duty of gratitude for the person saved. And while we often have considerable latitude in determining just how to express gratitude to those who benefit us, in Business Competition,

19 One might wonder how much risk one is required to incur in order to save someone's life: surely, saving someone's life is required when doing so would take only minimal effort, and, on the other hand, we seem not to be required to sacrifice our own lives in order to save someone else. This is a difficult question even when all else is equal, and it is made more complex still when we consider other complicating factors that may matter, such as how someone came to need rescue, whether the potential rescuer has led others to rely on their willingness or ability to rescue, and the fairness of requiring individuals in the potential rescuer's position to incur the relevant risks. As a rough guideline, it seems that an individual is required to incur risks in order to save someone's life when: (1) the probability of serious harms (e.g., contracting a monthslong illness) is quite low; and (2) any harms with a significant chance of occurring (e.g., a greater than 10 percent chance) are relatively minor. Of course, even this rough guideline is not on its own enough to settle difficult borderline cases. But in Beach Rescue, because *X* is a sufficiently strong swimmer and is trained in water rescue, the risks are low enough to conclude that *X* is required to (attempt to) save *Y*.

this ordinary latitude is absent.[20] *Y* saved *X*'s life, and *X* now has the opportunity to save *Y*'s livelihood—or else to eliminate it. Insofar as opening the new store despite *Y*'s request would express ingratitude, and *Y*'s earlier lifesaving aid triggers a duty of gratitude for *X*, *X* is required to refrain from opening the new store in *Y*'s area. Further, the resentment test for determining whether and to whom a duty is directed has the result that *X* owes it to *Y* to refrain from opening the new store and would wrong *Y* by failing to do so. If *X* were to open the new store and drive *Y* out of business, *Y* might reasonably resent *X*, thinking something along the lines of "After all I did for *X*, this is the thanks I get?" Accordingly, *X* not only is required to refrain from opening the new store in *Y*'s area but in fact owes it to *Y* to do so.

One might wonder, however, whether the latitude that duties of gratitude typically provide is really absent in this case. Ordinarily, duties of gratitude allow agents to express gratitude in a variety of ways. Suppose that my car breaks down, stranding me on the side of the road, and you come to pick me up in the middle of the night. All else equal, your assistance is sufficient to trigger a duty of gratitude on my part. But this duty does not require me to express my gratitude in any particular way. Surely a verbal expression of appreciation is a good start, but beyond that, I might buy you dinner or offer to help you with a home renovation project or something else. Part of what makes an action able to express our sincere gratitude rather than our mere willingness to repay a transactional debt is the fact that we perform it freely or of our own accord. And to the extent that an action's being free in this sense is at odds with rigoristic rules about precisely how to express gratitude, we can see why duties of gratitude provide latitude in a way that many other duties do not. Why, then, should we think that this typical latitude is absent in Business Competition? That is, why not think that *X* could express their gratitude to *Y* in some way other than refraining from opening the new store in *Y*'s area?

Without defending a full account of the latitude involved in duties of gratitude (or in "imperfect duties" more generally), there are a few important features of Business Competition that make it different from other cases featuring duties of gratitude. First, the original benefit that *Y* provided to *X*—saving *X*'s life—is significantly larger than most benefits. While the magnitude of the benefit seemingly cannot on its own eliminate the latitude provided by a beneficiary's duty of gratitude, it does mean that the beneficiary's expression of gratitude must also be significant. (A casual "thank you" suffices to express gratitude when someone holds a door open for us, but not when someone saves our life.)

20 I stay neutral here on what feature of Business Competition—or of duties of gratitude more generally—explains the fact that the typical latitude involved in duties of gratitude is absent here.

Second, *X* and *Y* do not have an ongoing relationship, and *X* did not have the opportunity to express their gratitude to *Y* at any earlier point—while they may have thanked *Y* for saving them at the time, refraining from opening the new store in *Y*'s area may well be their only chance to reciprocate *Y*'s earlier benefit. Third, the cost to *X* of refraining from opening the new store in *Y*'s area pales in comparison with the benefit to *Y* of doing so. *X* only anticipates marginally better profits from opening the new store in *Y*'s area rather than another area, but *Y* would lose their business and livelihood unless *X* refrains from doing so. Fourth, *Y* requests that *X* refrain from opening the new store in *Y*'s area. While requests concerning how a beneficiary expresses their gratitude do not (at least ordinarily) make it obligatory for a benefactor to express gratitude in the specific way requested, they do provide additional reason in favor of expressing gratitude in that way rather than others—at least so long as the request is made in good faith and without making the tenor of the interaction transactional.

These four factors—the magnitude of the benefit, limitations on the beneficiary's opportunities to express gratitude, the ratio of costs to benefits, and the benefactor's request—each constrains the degree of latitude that a beneficiary has with respect to how to express their gratitude. And when each is present, as in Business Competition, they can constrain the latitude typically provided by duties of gratitude to the point of eliminating it altogether. Ordinarily, duties of gratitude allow agents to determine for themselves which specific ways to express gratitude. But when these constraining factors are present, there can be fewer actions that can express sincere and appropriate gratitude, to the point that sometimes there is only one such action. In cases like Business Competition, *X* cannot choose alternative means of expressing their gratitude—sending *Y* flowers, or even writing *Y* a check, would not demonstrate that *X* genuinely appreciates *Y*'s original rescue and wants to reciprocate it. Insofar as duties of gratitude require us to express our appreciation and (when possible) reciprocate benefits provided to us, the constraining factors can limit the extent of our latitude in doing so.[21] Accordingly, *X* owes it to *Y* to refrain from opening the new store in *Y*'s area.

21 It is worth noting that even cases in which a duty of gratitude *does* provide latitude can arguably play the same role in my argument that I claim Business Competition does. For even in such cases, a beneficiary can act in a morally required way—namely, expressing gratitude—and a benefactor can owe the beneficiary gratitude in response. And because in such cases, one agent treats another in a way that they owe them to, and the second owes the first gratitude in response, such cases would still represent counterexamples to the Orthodox Thesis. The primary difference for the purposes of my argument between such cases and those that, like Business Competition, lack the latitude typically provided by duties of gratitude concerns the level of description under which a beneficiary's action is morally required. In cases without latitude, the beneficiary's (that is, *X*'s) action is required

Finally, in Hurtful Joke, *X* inadvertently hurts *Y*'s feelings by making a joke that hits a sore spot for *Y*. To be fair, inadvertently hurting someone's feelings is no grave moral sin—it is closer to a casualty of living in a community of people who each have distinct sensibilities and vulnerabilities, making it close to inevitable that we step on one another's toes from time to time. Nonetheless, if *X* were to refuse to apologize to *Y*, then *X* would seem to express disrespect to *Y*: refusing to apologize would demonstrate that *X* does not consider *Y*'s interest in emotional well-being and feeling secure in their group of friends to be weighty enough to warrant apologizing. Further, in refusing to apologize, *X* would signal that they will not take steps to avoid hurting *Y*'s feelings again in the future. So even though we may not be inclined to blame *X* for inadvertently hurting *Y*'s feelings in the first place (or at least we may not be inclined to blame *X* very much), it does seem that *X* is required to apologize for doing so. Additionally, the resentment test yields the same result as in the previous three cases: if *X* refuses to apologize, it seems that *Y* would be warranted in resenting them. *Y* might reasonably think to themselves, "I'm sure that *X* didn't mean it, but still—doesn't it matter to them that the joke was hurtful?" As with the first three cases, then, not only is *X* required to treat *Y* in the way that *X* does; further, *X* owes it to *Y* treat them in this way.

All four cases thus have feature 1: one agent treats another in a way that the first owes it to the second to treat them. I have gone into considerable detail in arguing that for each case, *X* owes it to *Y* to treat *Y* as *X* does, in order to prevent a defender of the Orthodox Thesis from objecting to my argument on the grounds that these are cases of mere supererogation and so are consistent with their view. But in order to serve as counterexamples to the Orthodox Thesis, these cases must also have feature 2: the second agent owes the first gratitude in response.

2. GRATITUDE AND OBLIGATION

I will now argue that each case also has feature 2: *Y* owes *X* gratitude for acting as *X* does. In each case, *X* provides a benefit to *Y*, and does so in a way that expresses good will to *Y*.[22] And since the provision of benefits from good will

under the description of the specific action performed—in this case, "refraining from opening the store in *Y*'s area." By contrast, in cases with latitude, the beneficiary's action is required under the more general description of "expressing gratitude." But insofar as in both types of cases, one person's morally required expression of gratitude triggers a duty of gratitude on the other person's part, both types of cases provide counterexamples to the Orthodox Thesis.

22 The fact that *X* provides a benefit to *Y* is perhaps least straightforward in Hurtful Joke. But I take it that an apology can constitute a benefit at least when it helps to mend a damaged relationship, insofar as the relationship is valuable to each person.

triggers a duty of gratitude, it follows that *Y* owes *X* gratitude in response—despite the fact that *X* owes it to *Y* to treat *Y* as they do. But because this fact makes the four cases counterexamples to the Orthodox Thesis, it is worth finding extra confirmation of the fact that *Y* owes *X* gratitude in response. In particular, defenders of the Orthodox Thesis might try to save their view by arguing that in each case, it would be praiseworthy but supererogatory for *Y* to express gratitude. By contrast, I am claiming that *Y* owes it to *X* to express gratitude, and so *Y*'s gratitude is required, not supererogatory.

In saying that *Y* owes *X* gratitude in response, I mean that *Y* owes it to *X* to *express* gratitude, not just to feel gratitude. Expressions of gratitude, at least in the sense I mean, are primarily actions that someone performs out of recognition and appreciation of what they are grateful for, rather than verbal expressions that inform someone that they feel grateful.[23] In order to defend against the worry that gratitude in these cases would be praiseworthy but more generous than morality requires, for each case, I will argue first that gratitude is an *appropriate* way for *Y* to respond to *X*'s conduct and then that *Y*'s gratitude is not merely appropriate but in fact *owed* to *X*. Let us turn back to the four cases.

In Supermarket and Beach Rescue, *X* provides two types of help or aid to *Y*—in the former, the aid is quite minor, while in the latter, the aid is vital. And *X* helps *Y* without being externally forced or coerced to do so. Not only does *X* help *Y* in both cases; *X* does so of their own accord. And in doing so, *X* displays to *Y* a kind of good will: *X* wants to help *Y*, and (let us say) not simply in order to get something from *Y* in return. Further, suppose that in each case, following *X*'s help, *Y* both feels and expresses gratitude to *X* for the help.[24] Would such gratitude strike us as inappropriate or unfitting? I do not think so—I do not think that many people would, in *X*'s position, find *Y*'s gratitude odd or inappropriate. *X* helps *Y* and exhibits a kind of good will in doing so. In such circumstances, gratitude is a natural response.

23 Sometimes a verbal expression is sufficient to fulfill a duty of gratitude, but I am primarily interested in the sense in which we can owe others gratitude in the form of actions that reciprocate what one is grateful for. Further, there is plausibly a sincerity condition on expressions of gratitude: an action is prevented from expressing gratitude if the agent actually feels ungrateful. Still, the locus of "expressions of gratitude" as I use the phrase is action, not speech or feeling.

24 I will talk of both feeling and expressing gratitude in order to avoid the question of what exactly duties of gratitude require of us. I elsewhere argue that they should be understood as duties to act in ways that express gratitude, where "expressing gratitude" is both determined by conventional understandings of what types of behavior count in context as expressing gratitude, and subject to a sincerity condition that rules out the possibility of expressing gratitude while feeling ungrateful.

But further, *Y*'s gratitude is not merely *appropriate*; it is something that *Y* *owes* to *X*, in the sense that *Y* would wrong *X* by failing to feel or express gratitude in response. *X*'s help triggers a duty of gratitude for *Y*. Why think that this is so? To answer this question, we can turn again to the test concerning resentment: if *A* would be warranted in resenting *B* for failing to feel or express gratitude for *A*'s help, then *B* owes *A* gratitude for *A*'s help. And it does seem that were *Y*'s gratitude not forthcoming, *X* would be warranted in resenting *Y*.[25] Take Supermarket first: if *Y* does not even acknowledge *X*'s help, then it would seem warranted for *X* to resent *Y*. Admittedly, *Y*'s ingratitude in this case certainly would not warrant anything like a longstanding grudge—after all, the help only involves picking up a few cans. But some degree of resentment, perhaps proportional to the relatively minor significance of the interaction, does seem warranted. Next, take Beach Rescue: if *Y* does not thank *X* right after being saved, this seems reasonable, since *Y* would presumably be in a state of shock. But if *Y* has the opportunity to express gratitude after the shock has subsided, *X* might reasonably feel resentful of *Y*'s ingratitude. (After all, they saved *Y*'s life!) Accordingly, in Supermarket and Beach Rescue, *Y* owes *X* gratitude for *X*'s treatment of them.

Next, consider Business Competition. Here again it seems appropriate for *Y* to feel and express gratitude to *X* for refraining from opening the new store in *Y*'s area. In a sense, *X* does not have to accede to *Y*'s request: expanding the reach of one's business is fair game, so far as the competitive market is concerned. And *X* refrains from opening the new store of their own accord, rather than in response to *Y* making a demand that *X* do so, for instance, or because of coercion from some regulatory institution. *X* refrains from opening the new store in order to reciprocate *Y*'s aid years before and to express their appreciation for that aid, thereby expressing good will toward *Y*. In response, then, it is perfectly appropriate for *Y* to feel and express gratitude for *X*'s refraining from opening the new store. Further, *Y* owes such gratitude to *X*: if, once *X* decides to refrain from opening the new store and informs *Y* of this fact, *Y* neither feels nor expresses gratitude, then *X* would be warranted in resenting *Y*. *X* went out of their way to refrain from engaging in an ordinary and profitable business activity, and did so for *Y*'s sake and at *Y*'s request. If *Y* neither feels nor expresses gratitude in return, *X* might reasonably feel taken advantage of. And because *X* would be warranted in resenting *Y* for their ingratitude, we can infer that *Y* owes *X* gratitude for refraining from opening the new store.

25 Note that in all four cases, there seems to be a shared set of social expectations concerning the ways in which individuals are supposed to help one another. It is partially in virtue of both *X* and *Y* sharing these expectations that it seems warranted for *Y* to resent *X* if *X* does not help, as well as for *X* to resent *Y* if *Y* is subsequently ungrateful.

Finally, consider Hurtful Joke. Once again, it seems appropriate for *Y* to feel and express gratitude to *X* for apologizing. *X*'s joke, although hurtful, was not motivated by malicious intent, and *Y* might reasonably think that had *X* known that the joke would hit on a sore spot for *Y*, *X* would not have made the joke. Further, we can suppose that *X*'s apology did not stem from pressure from others to apologize, nor from *Y* demanding that *X* apologize—it was something that *X* decided to do of their own accord, from feeling guilty or otherwise negatively about hurting *Y*'s feelings. *X*'s apology serves to signal that *X* cares about their relationship with *Y* and takes considerations concerning *Y*'s happiness to constrain *X*'s own behavior. In apologizing, then, *X* displays good will to *Y*, making it appropriate for *Y* to feel and express gratitude for the apology in return. Indeed, *Y* might reasonably express this gratitude by forgiving *X* or even by insisting that there is nothing to forgive *X* for. And once more using the resentment test, we can see that *Y*'s gratitude is not only appropriate but genuinely owed to *X*. Following *X*'s apology, if *Y* does not feel or express gratitude, *X* would be warranted in resenting *Y*, at least to some degree. *X* might reasonably feel as though their attempt to repair the relationship and express good will had fallen on deaf ears. "I told *Y* that I wouldn't have made the joke if I had known that it would be hurtful—shouldn't that matter to them?" Of course, resentment may be out of place if *Y*'s lack of gratitude stems from the fact that their feelings are still hurt or from the fact that *Y* feels that *X* should have known better. But supposing that *Y*'s feelings are no longer hurt and that *Y* understands that *X* didn't mean to hurt *Y*'s feelings, if *Y* were not to feel or express gratitude in response to *X*'s apology, then it would be reasonable for *X* to resent *Y*. Accordingly, *Y* owes *X* gratitude for *X*'s apology.

One might worry, however, that the plausibility of the claim that *Y* owes *X* gratitude for *X*'s apology rests on the implicit assumption that forgiving someone is a way of expressing gratitude to them. According to this thought, what *Y* first and foremost owes *X* is forgiveness, not gratitude, and it is plausible to claim that *Y* owes *X* gratitude only insofar as forgiving *X* is a way of expressing gratitude to *X*. This would be a serious difficulty for my analysis of Hurtful Joke, since this gratitude-centric view of forgiveness is at best quite controversial and at worst a straightforwardly false account of forgiveness. However, we need not accept any such analysis of forgiveness in order to accept the claim that *Y* owes *X* gratitude for *X*'s apology. This is because though forgiveness in light of an apology and gratitude for the apology itself often go hand in hand, gratitude is neither necessary nor sufficient for forgiveness.

First, note that we can forgive someone without them first apologizing. Our ability to do so shows that gratitude is not necessary for forgiveness. And even when we forgive someone who has apologized, our forgiveness need not

involve gratitude for their apology—consider an apology that we suspect is not genuine, but we forgive the person nonetheless. Second, we can be grateful for an apology without thereby forgiving. If someone has deeply hurt my feelings, I might be grateful for an apology without thereby feeling ready to forgive them. (We can, then, continue to resent someone for wronging us in the first place, even while we are grateful for their efforts to make up for their wrongdoing.) Gratitude is thus neither necessary nor sufficient for forgiveness.

Accordingly, when I claim that in Hurtful Joke, *Y* owes *X* gratitude for *X*'s apology, I mean to be ambivalent about whether *Y* owes *X* forgiveness. Whether we are obligated to forgive—and indeed whether we are able to forgive—is sensitive to different emotions from whether we are obligated to express gratitude. For while we can be grateful for an apology while continuing to be hurt by or angry about the wrong done to us, it is much more difficult (if not impossible) to forgive while retaining our hurt or anger. Given that *Y*'s feelings were quite hurt, *X*'s apology might not be enough to make it obligatory for *Y* to forgive *X*. But given that *X*'s apology was sincere and that the emotional pain that *X* caused *Y* was inadvertent, *Y* does at least owe *X* gratitude for apologizing. My claim that *Y* owes *X* gratitude for *X*'s apology thus does not rest on the controversial, if not wholly implausible, view that forgiveness is a form of gratitude.

All four cases thus have both features 1 and 2: one agent treats another in a way that the first owes it to the second to treat them, and the second owes the first gratitude in response. All four cases are thus counterexamples to the Orthodox Thesis, which holds that *A* never owes *B* gratitude for *B*'s treating *A* in a way that *B* owes it to *A* to treat them. The four cases feature a number of different moral duties, with the aim of putting to the side concerns that might arise about specific cases—e.g., about whether *Y* really owes *X* gratitude for *X*'s apology in Hurtful Joke or about whether *X* really owes it to *Y* to pick up the cans in Supermarket. So long as we find at least one case that has both features 1 and 2, the Orthodox Thesis is false. Nonetheless, I think that all four cases are counterexamples and that there is a common feature that explains why cases of this kind are apt to function as counterexamples to the Orthodox Thesis. In particular, I think that the duties involved in these cases are unlike many other moral duties and have a special connection to the quality of will expressed in fulfilling them. I turn now to this further feature at issue in the four cases.

3. DUTIES OF GOOD WILL

What explains why *X*'s duty-fulfilling actions in the four cases presented above trigger duties of gratitude for *Y*? Duty-fulfilling actions do not in general have this property: I do not owe you gratitude for respecting my right to bodily

autonomy, for refraining from deceiving me, or for treating me in countless other ways that you owe me.[26] Why are the cases above different? The answer that I will argue for in this section is that part of what the duties involved in these cases require of *X* is that *X* acts in a way that expresses good will to *Y*. The duties at issue are what we can call *duties of good will*. In treating *Y* in the way that *Y* is owed, then, *X* expresses good will to *Y*. And it is this fact—that *X* expresses good will to *Y* in treating *Y* in the way that *Y* is owed—that explains why *Y* owes *X* gratitude in response. I will first go into more detail concerning what it takes to express good will in the relevant sense and argue that the duties involved in the four cases are duties of good will. I will then argue that this feature of the four cases is what explains why *Y* owes *X* gratitude in each, despite the fact that *X* treats *Y* in a way that *Y* is owed.

To express good will to someone is to act in a way that demonstrates one's positive regard for them: we express good will when we show others that we care about them and how they fare. Further, to express good will, it is typically not sufficient to have a mere preference or background wish that they fare well, nor to merely inform them that we care about them. Instead, expressions of good will are a matter of the ways that we treat others. It is through treating others in some ways and not others that we can reveal that, over and above having a preference or wish that they fare well, their interests and welfare are sufficiently important to us that we willingly act in ways that we otherwise would not if we did not care about them and how they fare. In expressing good will to someone, we convey that we take their interests and their ends as reason-giving, or as ends of our own.

Contrast expressions of good will with expressions of ill will. In expressing ill will to someone, we need not (or need not necessarily) demonstrate that we actively care about the frustration of their ends. That would be a form of malice that need not come along with just any expression of ill will. Rather, in expressing ill will to someone, we show them that we do not care enough about their interests and ends to weigh them appropriately in our deliberation. Both good and ill will reflect the ways in which others show up in our deliberation: while good will consists in demonstrating that we take someone's interests and ends as ends of our own, ill will consists in demonstrating that we fail to give others' interests and ends sufficient weight in our deliberation.

26 McConnell disagrees, arguing that if treating others in ways that they are owed makes one a moral standout—that is, if most people violate these duties—then doing so can trigger duties of gratitude ("Gratitude, Rights, and Moral Standouts"). This is a different route to rejecting the Orthodox Thesis from the one I pursue in this paper. I want to remain neutral here on whether gratitude is obligatory with respect to moral standouts, but for plausible considerations that suggest otherwise, see Macnamara, "Gratitude, Rights, and Benefit."

There is a general connection between directed duties and ill will. Recall the claim about resentment and the demands of morality: *A* is warranted in resenting *B* only if *B* wrongs *A*. And note further the following commonly accepted Strawsonian claim about the object of resentment: resentment is (appropriately) felt toward (apparent) displays of ill will. From these two claims, it follows that part of what directed duties require of us is to refrain from acting in ways that would display ill will to others. By contrast, there is no necessary connection between directed duties and good will. Treating others in ways that they are owed need not thereby display good will—indeed, it need not display any quality of will whatsoever.

However, there is a specific class of duties that does have a necessary connection to good will. These are duties that not only require us to avoid acting in ways that display ill will to others but, further, require us to act in ways that display good will to others. And I think that the duties involved in the four cases in section 1 are members of this class—in other words, they are duties of good will. Why think that these duties require *X* to act in ways that display good will rather than merely requiring *X* to avoid acting in ways that display ill will?[27]

Start with Supermarket: *X* owes it to *Y* to help by picking up the cans. Does doing so convey that *X* takes *Y*'s interests and ends as ends of *X*'s own? The answer seems to be yes, at least in a limited way. In helping by picking up the cans, *X* does not demonstrate that *X* takes *all* of *Y*'s ends as ends of their own, just in virtue of these ends being *Y*'s ends. But *X* does demonstrate that they take a particular end of *Y*'s as an end of their own—namely, *Y*'s end of bringing the items that they had selected to the cashier. *X* does not (unless the case is further specified in strange ways) have as an independent end of their own that *Y* brings the items that *Y* had selected to the cashier. Rather, *X* adopts this end because it is *Y*'s end and because *X* notices *Y* in need of help in achieving this end.[28] In requiring *X* to help by picking up the cans, then, *X*'s duty of (minor) aid or beneficence requires *X* to act in a way that expresses good will to *Y*.

For similar reasons, *X*'s duty of rescue in Beach Rescue requires *X* to act in a way that conveys good will to *Y*. In jumping into the water and attempting to

27 In arguing that the duties involved in the four cases are duties of good will, requiring *X* to act in ways that express good will to *Y*, I do not mean to claim that any of these duties are always duties of good will. For instance, I do not mean that all duties of beneficence require agents to express good will in the sense described. I mean only that the specific duties that *X* is subject to in these cases are duties of good will.

28 Note that it does not follow that *X* would not convey ill will in refraining from helping; rather, *X*'s choice situation involves choosing between an option that would express ill will and an option that would express good will. In situations like Supermarket, unlike others, there is no option that would be neutral with respect to the quality of will expressed in one's conduct.

save *Y* from drowning, *X* fulfills their duty of rescue. But *X* also demonstrates that they take *Y*'s interests and ends as ends of their own—*Y*'s end of staying alive, or perhaps even *Y*'s very ability to set ends at all. Now, if we specified the case differently, *X*'s lifesaving aid may not demonstrate good will—for instance, if *X* had as an independent end of their own that *Y* is saved from drowning or if *X* were coerced or otherwise pressured into helping. But *X* jumps into the water and saves *Y*'s life because *X* notices the threat to *Y*'s end of staying alive (or to *Y*'s ability to set ends at all) and adopts *Y*'s ends as ends of *X*'s own. In requiring *X* to attempt to save *Y*'s life, then, *X*'s duty of rescue requires *X* to act in a way that expresses good will to *Y*—that is, *X*'s duty of rescue is a duty of good will.

Next, in Business Competition, *X* has a duty of gratitude that requires them to refrain from opening the new store in *Y*'s area. But in refraining from opening the new store, *X* expresses good will to *Y*—*X* demonstrates that they take *Y*'s ends as ends of their own. In particular, *X* demonstrates that they adopt *Y*'s end of staying in business, and thereby protecting their livelihood, as an end of *X*'s own. Further, we can see from the case that this is not an independent end that *X* has: *X* is considering opening the new store, which would be an ordinary and (presumably) profitable business activity, and only decides not to upon learning that doing so would drive *Y*'s store out of business. So in requiring *X* to refrain from opening the new store, *X*'s duty of gratitude requires *X* to act in a way that expresses good will to *Y*.

Finally, in Hurtful Joke, *X*'s duty of apology requires *X* to sincerely apologize for hurting *Y*'s feelings. In apologizing to *Y*, *X* expresses good will to *Y*, since *X* demonstrates that *X* takes *Y*'s ends of avoiding emotional pain, and perhaps having one's friendships be mutually supportive and caring, as ends of *X*'s own. Of course, if *X* had "apologized" in other ways, *X* might not thereby express good will to *Y*—merely saying the words "I'm sorry" does not always suffice for sincerely apologizing and thus does not always fulfill a duty of apology. But given that *X*'s apology is sincere and made with an assurance of more careful sensitivity to *Y*'s emotions in the future, it does seem that *X* expresses good will to *Y*. In fulfilling the duty of apology, *X* expresses good will to *Y*, and so part of what the duty requires of *X* is to express good will.

The duties at issue in the cases presented in section 1 are thus duties of good will—part of what they require is that an agent acts in ways that express good will to another agent. I will now argue for a claim about the significance of this fact about the duties involved in the four cases: the fact that *X* fulfills a duty of good will in each case explains why *Y* owes *X* gratitude in response.

For this argument, we need not proceed case by case. Instead, we can start from a claim about what gratitude is characteristically a response to: we (appropriately) feel gratitude in response to (apparent) displays of good will. It is this

fact about the nature of gratitude that leads Strawson to describe gratitude and resentment as an opposed pair: gratitude is characteristically felt and expressed in response to displays of good will, while resentment is characteristically felt and expressed in response to displays of ill will. When *A* fulfills a duty of good will that is directed toward *B*, *A* expresses good will to *B*, and when *A* expresses good will to *B*, it is appropriate for *B* to feel and express gratitude in response. So the fact that *X* fulfills duties of good will in the four cases explains why it is appropriate for *Y* to feel and express gratitude in response.

However, even where gratitude is appropriately felt or expressed, it is not always *owed*. And I have claimed that the fact that *X* fulfills a duty of good will in each of the four cases explains not only why *Y* might appropriately feel gratitude in response but, further, why *Y owes X* gratitude in response. In order to see why *X*'s fulfillment of duties of good will explains why *Y* owes gratitude in response, it is helpful to look at a few examples of cases in which gratitude is appropriately felt or expressed but not owed. (We might think of those individuals who we would characterize as especially generous with their gratitude.) Someone might sincerely express gratitude to their boss for giving them an ordinary cost-of-living wage. Or someone might sincerely express gratitude to the organizers of a raffle upon winning the top prize. Or finally, someone might sincerely express gratitude to a pizza delivery person who delivers a pizza fairly quickly. In none of these cases does gratitude seem inappropriate or unfitting. But neither does gratitude seem owed. Gratitude is appropriate because of the benefit provided in each example, especially in virtue of gratitude's ability to maintain a happy equilibrium in the dynamics of interpersonal relationships (even quite fleeting ones, such as with the raffle organizers or the pizza delivery person).

Why is gratitude not owed in these cases? A striking fact about these cases, as opposed to the four presented in section 1, is that in none of them does the benefactor display good will to the beneficiary. The boss does not demonstrate that they take the employee's ends as ends of their own—only that they want their employees to be fairly compensated (or perhaps only that they want to retain their employees and fear that without offering such a raise, their employees will find jobs elsewhere). The raffle organizers do not demonstrate that they take the winner's ends as ends of their own—after all, supposing that it is a fair raffle, the winner is selected randomly. And the pizza delivery person, unless they are familiar with the person who ordered the pizza and accordingly makes an effort to deliver especially quickly, does not demonstrate that they take the pizza recipient's ends as ends of their own.[29] When a benefactor does not display good

29 There is another reading of these cases in which each person does display good will—but good will to the beneficiary community as a whole (the boss's employees, the raffle participants, the customers of the pizza restaurant) rather than to individuals. If that is true, then

will to their beneficiary in the provision of the benefit, it seems, the beneficiary does not owe the benefactor gratitude in response. And when a benefactor does display good will in providing a benefit, it seems, the beneficiary owes them gratitude in response. Accordingly, with respect to the four cases presented in section 1, the fact that *X* fulfills a duty of good will directed to *Y* explains not just the fact that it is appropriate for *Y* to feel and express gratitude in response but, further, the fact that *Y* owes *X* gratitude in response.

However, one might wonder whether expressing good will is really sufficient for a duty of gratitude in response or in what sense of "good will" expressions of good will trigger duties of gratitude. More specifically, some ways of treating others seem aptly described as expressing a kind of good will, but it is less than clear that gratitude is owed in response. First, we might help someone but in such a way that we do too much to take their ends as our own, leaving them too little room or opportunity to pursue their ends themselves. Call this *paternalistic good will*. This would amount to a kind of good will but at the cost of insufficient respect for them as independent agents. Second, we might help someone but purely on the basis of duty or moral rectitude instead of any concern for how they in particular fare. Call this *righteous good will*. This too would be a type of good will insofar as it involves a desire to help others (at least when required)—but seemingly not for the reasons that make gratitude called for in response. Do expressions of paternalistic and righteous good will, in combination with the provision of benefits, trigger duties of gratitude?[30]

First, it is worth getting clearer on the sense in which paternalistic good will is a type of good will. To this point, I have described good will in fairly general terms as a quality of will toward someone that involves taking their ends as ends of one's own. And paternalistic good will does seem to involve taking another person's ends as ends of one's own. Suppose that my friend is an aspiring writer, and they have asked me to proofread a short story of theirs before they submit it to literary journals, since I have published in these journals many times. I notice not only a handful of typographical mistakes but also ways in which their writing can be improved more generally. Without their knowledge, I make changes to their word choice, dialogue, and the flow of their sentences, in the hope that doing so will give them a better chance of being accepted—while still letting them maintain the belief that the work is entirely their own. Plausibly, I have

these people may be owed gratitude in response, and in particular, the relevant beneficiary communities may owe it to these people to express gratitude. Consider, as an example of this sort of communal gratitude, organizing a lunch for volunteers who clean up a neighborhood garden. This reading of these cases would only bolster my argument: it would show that when someone displays good will of the relevant kind, they are owed gratitude in response.

30 Thanks to an anonymous reviewer for raising these questions.

taken their ends as my own, since I make the changes because I want my friend to succeed in their literary endeavors. But in doing so, I rob them of the opportunity to succeed for themselves. I help them too much, and though I act with good will toward them, I do so at the cost of not treating them with proper respect.

Suppose that despite my efforts to keep my modifications a secret, my friend discovers the changes that I have made to their story. It does not seem that they would owe me gratitude for doing so—in fact, quite the opposite. My friend would be justified in feeling angry and hurt in light of my disrespectful treatment of them. Expressions of paternalistic good will, then, do not necessarily (or perhaps ever) trigger duties of gratitude. The expressions of good will that trigger duties of gratitude are expressions of *nonpaternalistic* good will. This also has consequences for how to understand duties of good will: rather than being obligations that bear no relation to respect and direct us to help others achieve their ends in whatever ways we can, duties of good will contain an implicit obligation not to help others achieve their ends in ways that involve disrespecting them in the process. Expressions of good will (in the sense in which they trigger duties of gratitude) and duties of good will (in the sense in which their fulfillment triggers duties of gratitude) should thus be understood in nonpaternalistic terms.[31]

The second question about the sense in which good will (plus the provision of a benefit) triggers duties of gratitude concerns "righteous" good will, or helping others from the motive of moral rectitude instead of concern for how a particular person fares. Imagine a variant of Supermarket in which *X* helps *Y* by picking up the cans, and in response to *Y*'s thanks, *X* tells *Y* something to the effect of "No thanks necessary—it was nothing personal, I simply aim to help others when that seems like the morally right thing to do." In some sense, *X* displays a laudable motive, as *X* is committed to treating others in accordance with duty. And further, it seems to express at least a sort of good will, since *X* takes others' ends as ends of their own, at least when morality requires that *X* do so. But because *X* acts only from rectitude and not from sincere care for *Y*, it may also seem that *X* does not display the kind of good will that calls for

31 This nonpaternalistic account of duties of good will parallels Kant's treatment of duties of virtue to others in the *Metaphysics of Morals*, 6:448. There, he argues that good will (which he calls "love") and respect can come apart in our treatment of one another, but that they are united in what duty requires of us. They are, he says, "united by the law into one duty, only in such a way that now one duty and now the other is the subject's principle, with the other joined to it as accessory." I take this to mean that the sense in which morality requires us to treat others in ways that express good will to them is limited to ways that do not involve disrespecting them, since taking someone's ends as our own in a way that involves disrespect is tantamount to using someone as a mere means to their own ends.

gratitude in response. Does *Y* still have a duty of gratitude if *X* helps *Y* out of moral rectitude instead of good will toward *Y* in particular?

In order to answer this question, it is important to distinguish between two motives that can each be characterized in terms of moral rectitude. That is, there are two meaningfully different motives that are consistent with *X*'s helping *Y* not because *X* cares about *Y* in particular but instead because of a commitment to doing what is morally required of them. On one hand, *X* might act from a commitment to moral rectitude in the sense that *X* lacks any pre-existing relationship with *Y* and accordingly lacks a commitment to helping *Y* achieve their ends independently of the situation at hand. If so, then *X* helps *Y* not because of an antecedent concern for *Y* but instead because *X* is in a position to help *Y*, and the duty of beneficence directs *X* to help by picking up the cans. On the other hand, *X* might act from a commitment to moral rectitude in the sense that *X* is motivated to help *Y* not because *X* cares about helping people but because *X* wants to be the sort of person who fulfills their moral obligations. Either way, *X* helps *Y* because *X* is committed to doing what the duty of beneficence requires of them. The motives differ with respect to *why X* cares about doing what the duty of beneficence requires of them: on one hand, *X* might care about doing so because they care about helping people and how others fare; on the other hand, *X* might care about doing so because they care strictly about fulfilling their moral obligations, independently of the effects of doing so on others.

These two motives yield different results with respect to whether *X* expresses genuine good will to *Y* in helping and, consequently, to whether *Y* owes *X* gratitude in response. The first is a type of moral rectitude insofar as *X* cares about doing what is morally required *de dicto*, but it is a type of rectitude that is consistent with expressing good will. The reason why this type of rectitude is consistent with expressing good will is that we do not need an antecedent commitment to taking a person's ends as ends of our own in order to do so in a particular situation. What the duty of beneficence requires of *X* in Supermarket is to treat *Y* in such a way that *X* expresses good will to *Y*—that is, to help *Y*, thereby taking *Y*'s ends as ends of *X*'s own. Doing so because one cares about doing what the duty of beneficence requires of one does not rule out thereby expressing good will, since we can care about doing what the duty of beneficence requires of us precisely *because* we care about helping others in general. On the other hand, though, the second type of motive does appear to be incompatible with expressing good will. If we care about doing what the duty of beneficence requires of us solely because we want to be the kind of person who does what morality requires of us, then we do not truly take others' ends as ends of our own. We treat others' ends instrumentally, as opportunities to achieve our own end of being a morally

righteous person. This amounts to a type of fetishization of the demands of morality rather than a genuine concern for others and how they fare. And to the extent that *X* helps for this reason, *X* does not express good will to *Y*, and *Y* owes *X* no gratitude in response.[32] Accordingly, either the kind of righteous good will displayed by someone who helps because of a commitment to moral rectitude is perfectly consistent with expressing good will (if their motive is of the first type) and so calls for gratitude in just the same way as being motivated by a direct concern for how someone fares, or it involves no good will toward others and so does not call for gratitude in response at all.

Let us pause to take stock of what I have argued so far. I presented four cases that I argued are counterexamples to the Orthodox Thesis, since they each have the following two features: (1) *X* treats *Y* in a way that *Y* is owed, and (2) *Y* owes *X* gratitude in response. I then argued that these cases have a further feature in common: (3) in each, *X* fulfills a duty of good will, or a duty that requires *X* to act in a way that expresses good will to *Y*. Finally, I argued that feature 3 explains why feature 2 holds in each case. We thus have not only a case against the Orthodox Thesis but also an explanation for why it is false. The Orthodox Thesis delivers the wrong verdict in cases where an agent fulfills a duty of good will. Its plausibility depends on the assumption that we are never required by duty to treat others in such a way that we express good will to them. But this assumption is false, as demonstrated by the duties at issue in the four cases.

4. GRATITUDE, ENTITLEMENT, AND SUPEREROGATION

I now want to consider an objection to my view based on a claim about the nature of gratitude as a feeling or emotion. This objection stems from an argument commonly given in favor of the Orthodox Thesis. The argument, roughly, is this:

The Entitlement Argument for the Orthodox Thesis:

1. Feeling grateful to someone involves representing what one is grateful for as something to which one is not normatively entitled.[33] (Call this the *Entitlement Claim*.)

32 Might *Y* be grateful nevertheless that *X* cares about being a morally righteous first place, rather than simply flouting the demands of morality? While it could be intelligible for *Y* to be grateful that *X* is committed to living up to the demands of morality, especially if most people *Y* interacts with regularly flout the demands of morality, it seems that gratitude *to* X *in particular* would be out of place insofar as *X* does nothing to convey good will *to* Y *in particular*.

33 I will interpret this claim to mean that feeling grateful to someone *necessarily* involves representing what one is grateful for as something to which one is not normatively entitled,

2. If the Orthodox Thesis is false, then we are sometimes morally required to be grateful for things to which we are normatively entitled.
3. It cannot be true that both (a) we are morally required to be grateful for *p*, where we are normatively entitled to *p*; and (b) we are morally required to represent *p* as something to which we are not normatively entitled.
4. Therefore, the Orthodox Thesis is true.[34]

Although offered as an independent argument in favor of the Orthodox Thesis, the Entitlement Argument can be repackaged as an objection to my view. In particular, it may seem that so long as we accept premise 3, I am committed to denying the Entitlement Claim, a premise that has intuitive appeal for many.[35] I agree with this objection that if we accept the Entitlement Claim, then my view is false. But I will argue that we can explain both why this premise is false as well as its intuitive appeal. I will first explain the effect that accepting the Entitlement Claim would have on my account of the interaction of moral duties in cases like the four presented in section 1 and will then provide an explanation of the falsity of this premise, which nevertheless vindicates its intuitive appeal.

Suppose for the moment that the Entitlement Claim is true: part of what is involved in being grateful is representing what one is grateful for as something to which one is not normatively entitled. More specifically, part of what is involved in being grateful for the way in which someone treats us is representing the way in which they treat us as something to which we are not normatively entitled. And for someone to owe it to me that they treat me in some way just is for me to be normatively entitled to them treating me in this way.[36] So gratitude

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rather than merely *typically* involving such a representation, since the argument is invalid if premise 1 is interpreted in the latter way.

34 See Feinberg, "The Nature and Value of Rights," for an early version of this argument. See Macnamara, "Gratitude, Rights, and Benefit," for the most developed version of it, and see Attie-Picker, "Obligatory Gifts," for endorsement of the Entitlement Claim, albeit for a different purpose.

35 Premise 3 is not best justified by appeal to intuition; rather, its plausibility is better seen as stemming from something like the claim that morality cannot require us to represent the moral landscape incorrectly. I think that more would need to be said to justify this further claim—or whatever claims we might appeal to in order to justify premise 3—but for the purposes of this paper, I am happy to grant the truth of premise 3 to those who believe the Entitlement Argument to be sound.

36 I am here and throughout this section assuming that talk of what agents are "normatively entitled" to, in the context of the Entitlement Argument, is synonymous with talk of what agents are owed. But there is another sense of entitlement that we might employ: to be normatively entitled to something might mean having the ability to claim it (in Feinberg's "performative" sense of 'claim') or having the standing to demand it. If we interpret the

is out of place when others treat us in ways that we are owed—or at least we must pretend to ourselves that we were not really owed this form of treatment at all if we are to feel gratitude.

Let us start by considering Hurtful Joke. If the Entitlement Argument is sound, and if *X* does owe it to *Y* to sincerely apologize for hurting *Y*'s feelings, then *Y* cannot owe *X* gratitude in response. But it is worth looking in particular at what is entailed by the Entitlement Claim here. This claim says that one cannot feel grateful without representing what one is grateful for as something to which one is not normatively entitled. Now, suppose that in response to *X*'s apology, *Y* feels grateful and, further, expresses gratitude and forgives *X*. If the Entitlement Claim is true, then in feeling grateful for *X*'s apology, *Y* necessarily represents *X*'s apology as something that *Y* is not entitled to. But while it certainly seems possible for *Y* to represent *X*'s apology as something that *Y* is not entitled to, it hardly seems impossible for *Y* both to acknowledge that *X* genuinely did owe them an apology—to acknowledge that it would be wrong for *X* not to apologize—and also to feel grateful for *X*'s apology. The Entitlement Claim entails, counterintuitively, that unless *Y* represents *X*'s apology as something that *Y* is not entitled to, *Y* simply cannot feel grateful for the apology.

The Entitlement Claim also delivers the same verdict in Supermarket, Beach Rescue, and Business Competition. In each case, unless *Y* represents the way in which *X* treats them as something that *Y* is not entitled to, then *Y* cannot feel gratitude in response. And while it might be true that some individuals, were they in *Y*'s position, would not be disposed to represent the way in which *X* treats them as something that they are entitled to, it certainly seems possible for *Y* both to feel grateful and to acknowledge that *X* treats them in a way they are owed. Further, for additional evidence for this claim, consider Business Competition. It is possible for *Y* to either be grateful for *X*'s refraining from opening the new store (supposing that *X* refrains from doing so) or be resentful for *X* denying their request and opening the new store anyway (supposing that *X* opens the new store) without holding different beliefs about what morality requires of *X*. If *Y* resents *X* for denying the request and driving *Y* out of business, then *Y* would represent *X* as failing to treat *Y* in a way *Y* is owed—that is, *Y* would represent *X*'s refraining from opening the new store as something to which *Y* is normatively entitled. But if *X* accedes to the request, it is possible for

Entitlement Argument using this interpretation of talk of what agents are "normatively entitled" to, then my response to this objection does not have purchase. But more importantly, if the Entitlement Argument is interpreted in this way, then it no longer provides an objection to my view, since the claim that we sometimes owe gratitude in response to others treating us in ways that we are owed does not entail the claim that we have the standing to demand that they treat us in these ways, or the ability to claim such treatment.

Y to feel grateful to *X*. Suppose that while *X* is deciding whether to accede to *Y*'s request, *Y* knows that they will resent *X* if *X* refuses, and thereby represents *X*'s refraining from opening the new store as something to which *Y* is entitled. If *X* then accedes to the request, *Y* would not need to change their mind about what morality requires of *X* in order to feel grateful. But this is exactly what the Entitlement Claim entails.

The Entitlement Claim—the key claim in this objection to my view—thus delivers implausible verdicts about the cases presented in section 1. Nevertheless, there is something intuitively plausible about it. But this intuitive plausibility, I will now argue, stems from the resemblance between the Entitlement Claim and a nearby but importantly distinct claim about the nature of gratitude. This nearby claim is what I will call the *Good Will Claim*: feeling grateful to someone involves representing what one is grateful for as expressing good will. Like the Entitlement Claim, the Good Will Claim provides a necessary condition on the feeling or emotion of gratitude. And given a further assumption, they may even seem to be equivalent claims. I think that the intuitive plausibility of the Entitlement Claim stems from the truth of the Good Will Claim, along with acceptance of a further assumption about good will and supererogation. But I will argue that this further assumption is false, that the Entitlement Claim and the Good Will Claims are not equivalent, and that only the latter is true.

The further assumption that I have in mind is this: good will can be expressed only by supererogatory actions. While this assumption is often left implicit, it captures a commonly held view of the place of good will—and, relatedly, of gratitude—in the moral landscape.[37] What might be said in favor of this assumption? One thought is that for many duties, actions that fulfill them cannot express good will, since one can be motivated by duty rather than by good will for the individual to whom the duty is owed. This is especially plausible regarding what are sometimes called *juridical* or *perfect* duties, such as duties concerning promise, property, and bodily autonomy. But these do not exhaust the range of duties that morality provides; we are subject also to *ethical* or *imperfect* duties as well. Concerning these duties, it is often suggested that we

37 Heyd helpfully makes this assumption more explicit than most. For instance, he says that "The point of supererogatory action lies … in the good will of the agent, in his altruistic intention, in his choice to exercise generosity or to show forgiveness, to sacrifice himself or to do a little uncalled favor, rather than strictly adhering to his duty" ("Supererogation," sec. 3.3). Elsewhere, connecting this assumption to gratitude, he writes, "Gratitude is generally the mark of supererogation, for it means an acknowledgement of the gratuitous, supererogatory nature of the act for which one is grateful" ("Beyond the Call of Duty in Kant's Ethics," 319).

are only required to act in accordance with them *enough* of the time—and so acting in accordance with them on any particular occasion is supererogatory.[38] But whatever the precise sense of latitude at issue in imperfect duties, we can return to the cases presented in section 1 to see that this assumption is false. In each case, *X* treats *Y* in a way that *Y* is owed. *X*'s actions are not supererogatory but required. And yet *X*'s actions express good will to *Y*; the duties that *X* fulfills are duties of good will. Accordingly, the assumption that good will can be expressed only by supererogatory actions is false.[39]

If this assumption were true, then the Good Will Claim would entail the Entitlement Claim: to represent an action as expressing good will would be to represent it as supererogatory and thus as something to which one is not normatively entitled. But without the assumption, they are importantly different claims: it is possible to represent some action as expressing good will without representing it as something to which one is not normatively entitled. Both claims seem to aim at capturing a way in which we represent an action as freely performed and indicative of how someone really feels about us when we feel grateful for their treatment of us. But while the intuitive plausibility of the Entitlement Claim depends on an incorrect assumption about the relation between good will and the supererogatory, the Good Will Claim does not. By appealing to the Good Will Claim in tandem with the earlier discussion of the cases presented in section 1, we can explain both the intuitive appeal of the Entitlement Claim as well as its falsity. The objection to my view on the basis of the Entitlement Claim accordingly does not succeed.

We have seen that duties of good will form an important class of counterexamples to the Orthodox Thesis. Duties of good will provide cases in which one agent owes it to another to treat them in a certain way, but the second nonetheless owes the first gratitude for doing so. Others sometimes owe us treatment that expresses their good will to us. And because good will is the proper ground of gratitude, when they treat us in these ways, we owe them

38 This view would make sense of Heyd's examples in the previous footnote: generosity, forgiveness, and aid all seem to fall into the category of the ethical or imperfect. I argue elsewhere that this view faces a significant challenge in its ability to explain cases in which imperfect duties appear to require agents to perform particular actions (Segal, "The Indeterminacy of Imperfect Duties").

39 I suspect that the considerations described in this paragraph provide the bulk of the rationale for this assumption: many either think of all duties on the model of juridical or perfect duties, or else think of all actions performed in accordance with imperfect duties as supererogatory. But this is nothing more than a suspicion. Regardless, my arguments in sections 1–3 suffice to provide an independent argument for the falsity of the assumption.

gratitude in return. If this is right, then the domains of gratitude and duty are much closer than we often think.[40]

Kansas City University
asegal@kansascity.edu

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