



PERSONAL MERIT AND THE POLITICS OF GRATITUDE¹

Julen Ibarrodo Murguialday

Autonomous University of Madrid

RESUMEN:

La mayoría de los filósofos reconocen que hay casos en los que individuos particulares tienen que estar agradecidos con aquel que les haya beneficiado de forma que tengan razones para tratarlo de forma diferenciada. De igual manera, argumento, hay casos en los que es la sociedad como tal la beneficiada por la conducta de un individuo de forma que se genera una obligación colectiva de gratitud que debe expresarse a nivel político y socioeconómico. La preocupación política por el mérito no debería ser meramente instrumental, sino también moral: una sociedad no puede ser justa si ignora sus obligaciones colectivas de gratitud. Critico el famoso argumento de la lotería natural de Rawls mostrando que depende de una concepción problemática de la responsabilidad moral y desarrollo algunas consideraciones en torno al papel que la gratitud debe desempeñar en el diseño de instituciones y políticas públicas.

Palabras clave: Gratitud; Justicia distributiva; Lotería natural; Meritocracia.

ABSTRACT:

Most philosophers recognize that sometimes particular individuals have to be grateful to others who have benefited them in a way that provides reasons for treating them in a differential way. In the same way, I argue, there are cases in which society as such benefits from the actions of a person, which gives rise to collective duties of gratitude that must be expressed at the political and socio-economic levels. The political concern about merit should not be merely instrumental, but also moral: a society cannot be just if it disregards its collective duties of gratitude. I criticize Rawls' famous Natural Lottery Argument showing that it relies on a problematic unders-

¹ [Recibido: 2016-10-04 Aceptado en su versión final: 2017-01-02.]

tanding of the notion of moral responsibility and develop some considerations on the role that gratitude should play when designing both public institutions and policies.

Key Words: Gratitude; Distributive justice; Natural Lottery; Meritocracy.

INTRODUCTION

Many times the fact that someone has benefited us is a strong reason for treating them differently. There are plenty of available cases that show the relevance of gratitude when it comes to interpersonal relations- such as face-to-face interactions and small social institutions such as the family, the workplace and so on- and most of philosophers have accepted that sometimes we do have duties of gratitude that arise from other people benefiting us. The question I would like to address here is whether gratitude should also play a role in public institutions and policy-making. Whether justice requires that we shape our public institutions in such a way that they respond to the gratitude the community owes to those who most significantly contribute to our common goals.

Traditionally most political theorists have agreed that gratitude should not be confined to the private realm of interpersonal relations. Instead, they thought that it should also play a key role when designing political institution and shaping collective agency. There is a long tradition that goes back to Plato and Aristotle according to which justice requires that people are treated differently according to their contributions to society. Even Marxism, with its emphasis on the undeserved privileges of capital owners retakes a moral intuition in favor of praising merit through social and political means. As far as I can tell, for most of the history of Western thought this has being a shared idea among almost the entire political spectrum.

Nevertheless, there has been an important change on how philosophers and political thinkers conceive gratitude in politics since the 1970's. These days there is a significant consensus on the opposite side; that we should never extrapolate the concept of gratitude we have in our interpersonal relations (which they still subscribe) to the political realm. Rawls is responsible for this turn, thanks to an argument (The Natural Lottery Argument) that has been accepted

by most contemporary philosophers.² I will try to show that his argument is not plausible at all, and that we should start thinking about a political theory that has a place for gratitude and merit, as we had been doing since Plato and Aristotle. It is an important aspect of political morality that we should never have forgotten.

Since duties of gratitude arise when people do meritorious things, there is a strong conceptual connection between caring about gratitude and implementing meritocratic principles for social arrangements. As I will argue, our communitarian duties of gratitude demand some meritocratic policies and institutions. “Meritocracy” is a vague notion, and there is an important sense-related to efficiency-in which it has not been abandoned by Rawlsians. Here I am concerned with defending only one side of it, the one that is directly derived from the duties of gratitude. That there is something inherently good – that is, regardless of its good consequences- in distributing in accordance with merit. If this is so, then some non-instrumental formulation of the Meritocratic Principle has to be accepted.

I merely want to point out that rewarding meritorious people, and therefore introducing meritocratic considerations, should be an important element in any satisfactory political theory. There are reasons based on merits that can sometimes ground social inequalities, and thus, a fully egalitarian scenario is not morally desirable. If I am right then radical egalitarian societies cannot be just, as there are some forms of inequalities that have moral worth.

Unfortunately I cannot develop here a complete theory that weighs these considerations with others, although I give some basic remarks I take to be relevant for this task. I also leave aside what specific institutions and policies are required for fulfilling these principles. This is so because the effectiveness of different institutional and political strategies depends on the socioeconomic and historical circumstances, which require a case by case analysis of the available alternatives. There are many times in which the best way for a society to fulfil its duties of gratitude is not through direct government intervention but through the encouragement of particular forms of organizations in civil society (museums, scientific institutions, non-profit organiza-

² Nozick (1974) constitutes a notable exception to this general trend. However, his criticism differs greatly from mine. In fact, they exclude each other. This is so because my criticism of Rawls is based on an anti-egalitarian principle of distribution of social goods (the meritocratic principle) while Nozick’s entitlement theory explicitly rejects any such principles.

tions, local associations, and so on). There are no *a priori* arguments in favor of a specific policy that can fulfill these goals independently of how our current society has managed to respond to other duties and common concerns. As with many other topics of political philosophy, there is a gap between abstract moral judgement and the particular decisions of daily politics that only experience-related knowledge and practices can bridge.

I begin by giving an introductory characterization of the duty of gratitude and summarizing Rawls' views on merit and the Natural Lottery argument, on which it relies. Then, in section 2, I argue that Rawls' position fails by showing an internal contradiction in his conception of moral responsibility. It is often believed that caring about merit unjustly undermines the position of the worse-off. I face this concern in section 3. In section 4 I discuss two relevant possible objections. One deals with the kind of intentions the benefactor must have when performing *qua* benefactor, the other with the asymmetry between rights and duties. I hope that by dealing with them I further clarify some fundamental aspects of my account of the role of gratitude in politics. Finally I present a brief conclusion that summarizes my line of reasoning.

I-THE DUTY OF GRATITUDE AND THE ARBITRARINESS OF TALENTS.

In what is now regarded as a classic in moral philosophy W.D. Ross presented a list of the types of duties moral agents have. He writes:

Some [duties] rest on previous acts of other men, i.e. services done by them to me. These may be loosely described as *duties of gratitude*. Some rest on the fact or possibility of a distribution of pleasure or happiness (or of the means thereto) which is not in accordance with the merit of the person concerned; in such cases there arises a duty to upset or prevent such a distribution. These are the *duties of justice*. Some rest on the fact that there are other beings in the world whose condition we can make better in respect of virtue, or intelligence, or pleasure. These are the *duties of beneficence*. (Ross, 1930, p.21).

And later he adds:

...there are special obligations. These may arise, in the first place, incidentally, from acts which were not essentially meant to create such an obligation, but nevertheless create it. From the nature of the case such acts may be of two kinds- the infliction of injuries on others, and

the acceptance of benefits from them. It seem clear that these put us under special obligations to other men, and that only these acts can do so incidentally. From these arise the twin duties of reparation and gratitude. (Ross, 1930 p.27).

Regardless of whether this characterization of our duties is right or not, it seems to capture three very relevant moral intuitions regarding distributive justice. 1) That justice requires us to give to each one what he or she deserves, 2) that talented individuals who make valuable contributions to society require special recognition and reward, and 3) that if we are in a position that allows us to improve the quality of life of our fellow citizens in need,³ then we have reasons to do so.

Members of society are very different in talents and also make different levels of effort. Some work very hard and produce very little, while others are so naturally skilled that they can make the greatest contributions to humankind easily. Of course a large majority of individuals are between these too extreme cases, not forgetting those who, because their initial circumstances (by having serious mental or physical disabilities), cannot make almost any contributions at all. It does not seem hard to see how an argument in favor of treating these people differently could arise from Ross' duties of justice, gratitude and beneficence. It could be said: "Because of his valuable contributions, Mozart surely deserved at his time some kind of social recognition in terms of honors and resources on which other people -for example an idle Viennese aristocrat- could not have a claim" and also "Because these people are starving, or because they are illiterate and have no possible access to education, we need to spend some of our resources on them".

The first judgment is based on acknowledging a duty of gratitude to a particular person, while the second on one of beneficence.

Now, although almost all contemporary approaches to distributive justice accept that political communities have duties of improving the situation of the worse-off (*pace* libertarians), most of them reject any duties of gratitude. Many of them also oppose any characterization of justice similar to the one sketched above, according to which

³ Here I am addressing distributive justice in the domestic realm only. It is hard to see how an international principle of gratitude could be defended without admitting first a domestic one. However, I will remain neutral on whether my argument also supports expanding the principle beyond state borders.

what people *are* and *do* is essential to determine what they *deserve*. This opposition is most of the times based on an egalitarian concern. Social equality is believed to be a significant political value that the principle of gratitude would easily override, for it requires us to make distinctions according to peoples' merits, giving more to those who do better, and thus generating inequalities between the more-talented and the less-talented. It is also feared that this may specifically harm those who are already worse-off, as their situation makes very hard for them to make as relevant contributions to society as those who started better-off.

One of the most famous arguments against taking into account people's talents when thinking about distributive justice is that given by Rawls (1971, p.70), which has become by far the most popular one. He affirms that the principles for the distribution of "primary goods" -those things that individuals have reasons to value because they are necessary for a decent life, whatever life project they may choose (Rawls, 1982) - should be distributed impartially. By this he means that we cannot choose any principles that could be reasonably rejected by those who could be benefited if other principles were chosen. On these grounds principles such as "let us give more resources to the blond" would be unfair, for there are no reasonable grounds on which the non-blond could accept such discrimination. This seems almost trivial if justice is taken to be a relevant moral value all reasonable people can be expected to affirm. Doing otherwise would mean equalizing justice with arbitrariness, and therefore, with the mere imposition of rules by the powerful on the weak. No morally irrelevant considerations can ground justice. It is for this reason that features such as one's place of birth, race, gender, or hair color cannot be a source of distinction between individuals when distributing wealth and social positions. To this Rawls adds that the reason for which those who do not have these characteristics can reasonably reject them as differentiating considerations is that they are the product of luck. Those who have them cannot give an argument of why they deserve to have these characteristics, and, thus, neither are they able to provide reasons for receiving more resources in virtue of having them.

In the same line, more talented people cannot argue in favor of giving special weight to their contributions to society, as the results of their actions are determined by a range of features that go beyond their control. Social and natural conditions, such as being born smar-

ter than average people or in a family in which science and art are valued and promoted, are not the result of the free actions by those who would be benefited by the principle of gratitude.

There is no more reason to permit a distribution of wealth and income to be settled by the distribution of natural assets than by historical accident and social fortune. (...) The extent to which natural capacities develop and reach fruition is affected by all kinds of social conditions and class attitudes (...) It is impossible in practice to secure equal chances of achievement and culture for those similarly endowed, and therefore we need to adopt a principle which recognizes this fact and which also mitigates the arbitrariness of the natural lottery itself. (Rawls, 1967, p.162)

According to the argument, from the fact that our actual performance in society is heavily conditioned by our initial social position and our innate biological capacities it follows that this cannot have any role in a theory of distributive justice. Individuals are not responsible for their talents, they have them only because of luck. Hence, as in the case of the blond, we cannot expect those less advantaged by our principle (those who make little or no valuable contributions) reasonably to accept it, so it constitutes an arbitrary principle that cannot belong to the realm of justice.

Two important conclusions follow from this argument. The first one is that individuals cannot make a fair claim based on their own contributions to society: Arguments of the form “I deserve *X* as a matter of justice because I did *Y*” are not allowed.⁴ No individual can say to have special rights in virtue of the valuable profits derived from exercising her talents. Second, there is no such a thing as a moral right to private property, for owning property certainly involves having special rights derived either from transfers (therefore, depending on the social lottery, as in inheritance) or acquisitions through the exercise of an activity that requires at least some minimal talents

4 It is important to keep in mind that according to Rawls there is another sense in which these claims are allowed. Once the institutional and legal setting are established according to the principles of justice, people can make these type of claims. But they are not grounded on relevant moral considerations as such, but on the instrumentalist account of meritocracy and property rights. They are legal rights, but their validity does not depend on their status as moral rights. They are not part of Rawl’s basic structure. Same thing applies to utilitarian liberals like Bentham and Mill, since they also recognize these rights as long as they are the byproduct of a morally justified legal system.

(assigned by a combination of the natural and the social lotteries). If the argument stopped here Rawls would be committing himself to a radical form of egalitarianism, according to which all forms of inequalities that go beyond one's control are politically unacceptable. This is precisely the view defended by G.A Cohen (2008) and the other so-called "luck-egalitarians". His conclusions are, nevertheless, significantly moderated by efficiency related considerations; we can establish a capitalist economic order based on private property, free enterprise, and meritocratic principles if they all render in the benefit of the worse-off. It would be mistaken, however, to believe that Rawls ends up affirming something similar to our initial (although, vague) understanding of the duty of gratitude. We may find ourselves giving more resources to those who make the most valuable contributions, but Rawls' reasons for doing so have nothing to do with gratitude. They are mere incentives for increasing productivity in the benefit of the worse-off.

In this very particular aspect Rawls' conception does not differ from that of liberal-minded utilitarians. It is a key idea of utilitarianism since Bentham that no other reason can be given that justifies a particular scheme of distribution but its social convenience in terms of the expected maximization of socially valued outcomes. Rawls disagrees with classical utilitarians on what these socially valued outcomes are, but keeps the idea that the only justification for meritocratic principles is one based on their tendency to promote this goal. He shares with utilitarianism some sort of fictionalist understanding of our impulses to reward merit: It might be the case that we have a very strong tendency in favor of benefiting the meritorious –whether this has a social or psychobiological origin is irrelevant- but these "moral impulses" can only be justified in politics as long as they are proven to be effective strategies for the improvement of the wellbeing of the community as a whole. Strictly speaking, we owe nothing to the meritorious; it just happens to be the case that there are independent reasons that lead us to behave as if we did.

2- ARE OUR MERITS REALLY OURS?

I have begun by presenting in a very general way what- following Ross- I have called duties of gratitude. Now, before facing Rawls' argument, some clarifications regarding the concept of gratitude may be required.

The first thing that needs to be said is that it entails a relation between two or more moral agents. No one can be said to have a duty of gratitude towards an umbrella, her childhood, or *Madame Bovary*, even if she was greatly benefited from them, and even if there might be a sense in which she is thankful for them being the way they are.⁵ Neither can anyone have a duty of gratitude towards himself. It is true that many people reward themselves for carrying out unpleasant or tedious tasks, but whatever motivational force these strategies may have they have nothing to do with gratitude as such.

Second, the duty of gratitude arises only in the specific situations in which a person, or a set of them, performs consciously an action that is known to be valuable by those who are subjected to that duty. It is a necessary condition that the action is known to be valuable for at least two main reasons: 1) because no one can be compelled to be grateful for something whose existence he is not aware of (which, of course does not override his duty to acquire true beliefs about it) and 2) since he cannot properly have this duty unless the performed action is, and not merely thought to be, valuable⁶.

Third, there must be a proportion between the value of the reward and the value of the action performed, a fact that was already pointed out by Aquinas (*Summa Theologica*, II–II, q. 104, art. 3).

Fourth, the obligation arises for all of those that are benefited by the valued action, if its value consists in benefiting anyone in particular; or to society as a whole, if it does not directly benefit anyone in particular but, nevertheless, it is valuable. Because of this last characteristic the duty of benevolence is not only ethical, but also political, for it sometimes requires society as a whole to benefit someone through political institutions.

This definition does not pretend to be exhaustive, but only to point out what I believe are the essential characteristics of any understanding of gratitude that, as in the case of Ross, aims to have a relevant role in our account of justice. Of course many questions are still unresolved here, but I believe this account should be enough for our

⁵ Some philosophers have argued that we can have duties of gratitude towards institutions too, specially towards the State. See McAleer, 2012 and McConnell, 1993.

⁶ We can already infer from this that it is not a mere contingent consequence of the Social Lottery that some contributions are better considered than others. Even Rawls has to accept this since “primary goods” have to be produced regardless of the “conceptions of the good” individual citizens have.

current concerns. In the following pages I will face some problems which, I hope, will help to provide a clearer picture of both the nature and the scope of the duties of gratitude.

Having said this, let us retake Rawls' argument against claims based on talents.

There is a key point to keep in mind: that according to Rawls, effort is somehow also determined by the natural and social lotteries, and therefore it is not deserved either. If this was not the case, the Meritocratic Principle that Rawls rejects could be still justified, for it would allow us to give rewards to those who, having a natural and social predisposition make the necessary effort to bring about valuable results, in opposition to those that keep their talents *in potentia*. The duty of gratitude as I have just defined it takes this distinction into account, for it takes as morally significant only the results of actions, not the mere capacity to carry them out.

Whether our talents are completely shaped by our natural and social initial conditions, and therefore, completely outside our control, is a difficult question to answer. There is little agreement among biologists, psychologists, and sociologists on to what extent biology and environment shape our skills in such a way that there is nothing we can intentionally do throughout life to improve them. The vast majority of them do support the commonsense view that there is something we can do about them. However, it is hard to see how Rawls could maintain his argument if self-improvement was less than impossible. For as long as there is a little room for responsibility it would have an impact for at least a limited understanding of the duty of gratitude. It seems quite counterintuitive that such a radical account can be right, for it is a common belief based both on experience and self-knowledge that people do, at least to some degree, have the capacity of improving their own skills outside their initial social and natural constrictions. Nevertheless, even if implausible, it would not be fair to reject Rawls' argument just because it is based on a premise that is not shared by everyone. We do not have clear answers at this point. Thus we must choose a different strategy than doubting his strong psychological and metaphysical assumptions.

The alternative line of reasoning I would like to present here is one that is not based on a factual claim but on a moral argument. Because of the reasons stated above, I claim that Rawls cannot disregard the performance of individuals when thinking about distributive justice unless he takes an understanding of the person, according to which

neither his talents nor his efforts are, in any way, the result of a responsible choice. Now, the reason for which this account is relevant is that, as Rawls himself seems to acknowledge, it vanishes all moral responsibility regarding how much each of us is contributing to society. If this is so, what differentiates the person who- according to Rawls- is treated unjustly because others are rewarded for their merits and the criminal who is punished for breaking the law? It seems plausible to say that the attitudes and motivations that make many people commit a crime are both shaped by natural and social circumstances. However, at least when it comes to the social ones, almost no one seems to admit that they are strong enough for overriding moral responsibility. Rawls himself seems to support this view when writing about the moral justification of punishment:

... a particular man is punished, rather than some other man, because *he is guilty*, and he is guilty because he broke the law (past tense). In this case the law looks back, the judge looks back, the jury looks back, and *the penalty is visited upon him for something he did*. That a man is to be punished, and what is punishment is to be, is settled by its being shown that *he* broke the law and that the law assigns that penalty for the violation of it. [Emphasis added] (Rawls, 1955)

How could such institution be established if we did not admit that criminals are, at least partially, responsible for their actions? If whether one ends up being a murderer or not was determined by pure luck -because it is taken to be the unavoidable result of social and natural conditions assigned randomly- no reasonable person under the veil of ignorance would choose the moral principles that inspire our current penal system. There would be no moral difference between being a criminal and having mental or physical disabilities.⁷ Of course, something would have to be done to handle crime, but anything based on the notions of guilt and punishment would be completely inappropriate. Fighting crime would no longer mean dealing with responsible human beings that consciously break the law and do wrong to others, but something closer to preventing natural disas-

⁷ There are some people who have taken this view. However, accepting that there is no moral difference between the criminal and the mentally disturbed would banish all attempts of grounding political principles on the moral powers and equal dignity of citizens. For radical attempts of abolishing the moral dimension of crime see Menninger, 1972.

ters, calamities in which no responsibility or wrongdoing are involved.

It seems that even for Rawls reasonable people under the veil of ignorance would choose to establish a penal system because they must regard each other as free and equal moral agents. This means that they must assume that they are at least partially responsible for their actions regardless of the limitations they may have. Initial circumstances are constraints that shape individuals' capacities and behavior, and some social policies aiming to reduce their impact may be justified, but they do not override moral responsibility. In the same way, if people are to be understood as autonomous moral agents, they must also be regarded as morally responsible for their good works. Why should people under the veil of ignorance accept that those who harm society in any relevant sense are to be punished, as responsible moral agents, but reject that those who do good to society to be rewarded as if their actions had nothing to do with their good will?

Someone could argue that while a penal system is a necessary condition for maintaining a well-ordered society, a principle that assigns more resources to those who make more valuable contributions is not. We may have duties of gratitude as individuals, but they cannot take them as one of our political principles. But why not? If members of a community know that certain things are valuable and ensure equal opportunities to everyone so they can contribute to their achievement, how could it be unjust for them to reward anyone who ends up making such contributions? Surely the principle of gratitude is impartial, for it does not benefit anyone *a priori*. It just affirms "when sharing the benefits of our common project of living together let us take into account who provided those things that are recognized as most valuable". Formulated in this way it is a principle that people who are not benefited by it cannot reasonably reject.

The analogy with the penal system is relevant because it shows an inconsistency in Rawls' moral reasoning. There is an unavoidable internal contradiction between understanding individuals as free and equal reasonable agents with moral powers and holding- as it follows from the Natural Lottery Argument- that they are not responsible before the community for their own actions, especially when these are rightly valued by fellow citizens. But according to Rawls' theory of justice we must think of citizens as free and equal persons ruled by im-

partial principles. And this is the sort of impartiality that we find in the Meritocratic Principle derived from collective duties of gratitude.

Rewarding valuable contributions is not like privileging males or blonde people, because it is not linked to what people *are* but to what they *do*. Of course our chances of bringing about a valuable contribution is constrained by talents that are not in all cases the product of a process of self-improvement. But neither are criminal actions. If justice requires that we think of citizens as free and equal, then we must think of them as responsible too. Those who do not make valuable contributions do not have reasonable arguments for opposing the principle of gratitude. It is a principle that is shared in our daily moral life which can be formulated in an impartial way; it does not benefit anyone in particular *regardless of their conscious behavior*.

The price to pay for rejecting that we are responsible for our valuable products is to stop conceiving ourselves as free and responsible subjects. Punishment is not like preventing natural disasters; there are responsible individuals involved. Benefactors are responsible for their actions too. Nevertheless, Rawls applies the Natural Lottery to them-but not to criminals-in order to treat their valuable outcomes as a communitarian product that gives no special status to their real producers. The concept of moral responsibility in politics has two sides: the possibility of harming the community and that of benefiting it. You cannot take one side of it and reject the other.

3-MERIT, EQUALITY, AND BENEFICENCE.

There are many considerations that can be inferred from the previous counterargument against Rawls' position. The first one is that, as Rawls (1967, p.160) himself thought, we need to make a sharp distinction between the question of the moral relevance of merit and how to understand the principle of equality of opportunities. The second refers to the way in which different offices and social positions are to be distributed among individuals, and the policies that are defensible for changing our current ways of doing so.

As I said before, one of the motives that leads many philosophers to disregard the importance of gratitude in politics is that it seems to justify huge inequalities among citizens, which are condemned for many different reasons. It could be argued that caring about merit would mean giving up the concern for equality of opportunities, since it entails overriding the relevance of external factors in the name

of individual responsibility. This, however, is an unfair charge. The principle of gratitude is neutral regarding how people achieved the social position that helped them to make their contributions to society. It only states that the fact that those individuals have brought valuable outcomes is a strong reason for beneficiaries rewarding them, which applies to private individuals, associations, or even the State, as the sovereign institutional framework for collective agency.

The principle of gratitude is not only compatible with the principle of equality of opportunities but it seems to support it against views that oppose any redistribution policies for initial circumstances, either because they regard those inequalities in themselves to be just (like in the case of the traditionalist defense of aristocracy or any other form of natural hierarchies) or their reparation as morally unacceptable (libertarianism). The argument could have the following, yet oversimplified structure: It follows from the principle of gratitude that society must reward those who make valuable contributions, not because of their social position but because of what they do. Therefore, what people do matters regardless of their initial circumstances. People who are born in bad circumstances have more difficulties in making valuable contributions. By assigning social positions regardless of people's capacities we are minimizing the possible outcomes of valuable contributions. Thus, we need to avoid these forms of unfair discrimination so that talented people can maximize the total amount of valuable outcomes. This differs from the traditional liberal argument, since it focuses not on the first-person view of the personal fulfillment of the individual- with which it is compatible- but on the third-person view that takes the agent as one contributor to the common good of civil society. The argument does not give us enough information for setting a specific understanding of the principle of equal opportunities. However, it compels us to look for a principle of equal opportunities. The fear that caring about merit vanishes a reasonable concern for the redistribution of opportunities is simply unjustified.

There is another important consideration that is linked to the one above: that society in general, and public institutions in particular, should not be only concerned with equality and efficiency. According to the principle of gratitude, individuals can make valuable contributions that generate special duties for other people which compel institutions to treat them differently. This is so because society is justified in trying to maximize valuable outcomes that do not necessari-

ly involve improving the conditions of the worse-off. The promotion of art, culture, and scientific knowledge are communitarian goals in which public institutions need to play a role. It would be silly to say that these things are valuable only as long as they improve the living conditions of the worse-off, for it seems clear that a possible world A in which these valuable things are greater is better than an alternative world B in which they are less, even if in both cases the living conditions of the worse-off remain the same. In the same way, it would constitute a tremendous monstrosity to sacrifice all these for insignificant gains in the living conditions of the worse-off. There are many achievements that leave a valuable legacy to the entire human-kind that are independent from how they benefit the specific needs of the worse-off, and there is a degree in which it is right to prioritize these goals.

It would be wrong, however, to infer from here that the principle of gratitude has just an instrumental justification, establishing a mere system of incentives. This is the result of Rawls' weakened meritocracy. We must oppose this view for two reasons. First, it is very doubtful that many of what we regard as the greatest contributions of individuals to their communities and to humankind in general have directly increased the total amount of primary goods, and more precisely those for the worse-off. Newton's *Mathematical Principles of Natural Philosophy*, Verdi's operas, Russell and Whitehead's *Principia Mathematica*, or Cervantes' *Don Quixote* are good examples. Second, when society rewards those who have contributed to its legacy it does not do it only in order to encourage them to keep working hard. If this was the case it would be extremely irrational to reward those people who, because of their age or other reasons, are not expected to contribute anymore. But it is not. We justly reward those individuals because the past valuable things they have done, not because of the things we expect them, or other people, to do in the future. In fact, we even reward through honors and memorials those who already passed away.

Probably one of the main reasons for which some philosophers reject the notion of gratitude as politically significant is that it seems to prioritize the wellbeing of those who are talented in opposition to the weaker, and therefore requiring us to spend resources on our meritorious elite instead of helping those who suffer the most. Of course it would be politically unacceptable that our public officers decided to give huge rewards to the talented when millions of people

remained incapable of meeting their most basic needs. It would be totally insane to prioritize paying huge sums to Nobel Prize winners while the vast majority of citizens are starving. But is this what the gratitude principle compels us to?

The answer is no. Two things need to be kept in mind for avoiding such an extreme conclusion. First, duties of gratitude require us to give proportional rewards (Card, 1988). By “proportional” I mean, not only that they have to be related to the value of the outcome, but also to the available welfare that society has in that particular moment. Secondly, the duty of gratitude is not the only duty that political institutions have towards the members of their community. Among many others, it has to be balanced with the duty of beneficence that was stated at the beginning. The fact that some people are living under unbearable conditions combined with the State’s capacity to relief them sets up a duty that can many times override duties of gratitude. My intention has not been to prove that rewarding merit is the only thing that matters, but that it is one of the many aspects that a theory of justice needs to take into account.

4- TWO OBJECTIONS.

In the previous sections I have defended that public institutions and civil society should take merit into account when distributing goods and social positions so that benefactors are rewarded for the valuable contributions they have made. My argument relies on the analogy between interpersonal relations and relations between individuals in a political community in which public institutions- among other functions- have to articulate at least some of the moral demands and obligations that correspond to that society as a whole. However, there are at least two possible arguments that seem to put this analogy into question. I hope that by discussing them I will provide a farther development of my views while making them at the same time more convincing.⁸

The intentionality argument: Previously, I have defended that the fact that someone consciously realized a valuable action for the community is a sufficient condition for a duty of gratitude to arise. This notion might seem ambiguous or not demanding enough. Most of us

⁸ I want to thank Gerrald Verhoef for our fruitful discussions over these issues. Many of the following points were inspired by him.

think that it is not enough for having a duty of gratitude in interpersonal relations that someone does something aiming to benefit us. Sometimes it is hard to tell what really moves people to behave in a particular way. This is remarkably so when it comes to individuals acting in a complex social environment where no one in particular is benefited. Many times meritorious people make valuable contributions for reasons that have nothing to do with intentionally benefiting anyone. And even when they do it is almost impossible for public institutions to know when this is the case. So, according to this argument, my view entails at least two problems: 1) it has an ambiguous and not demanding enough conception of the intentions of the benefactor, and 2) it generates an unsolvable epistemic problem for public institutions.

Some of the points of this argument rely on a misunderstanding of the duty of gratitude in a way that applies both to interpersonal relations and to the political realm. First of all, it is very doubtful that you should only be grateful in those cases in which the action that benefited you was combined with the intention of doing so. Think for instance in the following case: A person is at the beach and sees a drowning child, he gets into the ocean, and rescues him. Now, the parents of the child should be grateful to the person that saved the child, even if they know that the person that saved the child did not have the intention to benefit them in particular. Actually, he might have not thought about the child's parents at all. This, however, has no relevance when it comes to deciding whether the parents of the child should or should not be grateful. Probably, the person who saved the child was motivated by the thought that the child was in danger, not that he could benefit Jesús and María, or any relatives of the child, by keeping him alive.

The claim that the duty of gratitude requires that our benefactor has the intention of benefiting us is appealing because it avoids scenarios in which intuitively no duties of gratitude seem to arise (Simmons, 1979); cases in which by a matter of luck someone ends up benefiting us. A "matter of luck" is a quite ambiguous expression in this context, since there is a sense according to which it was a "matter of luck" that Jesús and María were benefited by the man at the beach; if the child had happened to be someone else's, then they would not have been benefited. There seems to be a morally significant difference between this case and others *in* which a person performs an action that benefits others without having the intention. I believe

that the crucial distinction here is the following: For someone to be a benefactor he does not have to know who he will benefit. However, they are two necessary conditions he must meet: that he knows that his action is valuable and that he takes this fact as one of his fundamental reasons for doing it. So, the parents of the child must be grateful to the man at the beach, not because he had the intention of benefiting them, but because he did something that was good and beneficial for others, because he thought preventing the child's death was the right thing to do.

This could lead us to say that the relevant aspect for communitarian duties of gratitude is that the benefactor behaves moved by "altruistic considerations" which do not point to anyone in particular. Here we need to keep in mind that acting for reasons that do not maximize selfish desires is not the same thing as acting motivated by a concern for the wellbeing of others, however distant and abstractly we can think of them. If this is so, if you are motivated to do something that is valuable for society because you believe it to be valuable, then you are acting for "altruistic reasons", which can ground duties of gratitude. Take Dostoyevski as an example. Someone could argue that no one – including the Russian people- owed him gratitude because he had economic considerations and his own pleasure as the main reasons for him to write. But this way of describing the facts is misleading, as one of the strongest motives that Dostoyevski had- and this applies to most cases in which people make significant valuable contributions- was simply that he thought he was making valuable literary works (not only aesthetically, but also moral and religiously), on which he was right. Thus, his works made him a benefactor of society even if it was true -which is very implausible- that he never thought about benefiting anyone when writing. His reasons for performing the activity were the same for which we consider him a great benefactor to humankind: the immense value of his contributions to literature.

But what about the epistemic dimension of the problem? I think this is of much less importance than what it may look like at first view. Most of the times public officials and civil society in general do have enough information to judge whether a benefactor was acting consciously and for the same reasons that make society grateful to him. Actually, in the vast majority of cases, this is the most plausible explanation, and thus, it should be the default one. It would be unreasonable to ask a war hero for evidences in favor of the claim

that he was acting for the right reasons when he saved the lives of his compatriots. The burden of proof relies on the other side, and it entails no further difficulties than finding any other socially relevant piece of information, since nothing but facts about his behavior and environment could be provided for building a case against him. We know that Dostoyevski wrote for the right reasons because nothing justifies a reasonable alternative explanation of his behavior.

The essence argument: If someone is meritorious when he does something beneficial to others for the right reasons, then it looks like he cannot do it because he expects a reward. If this is so, the person benefited cannot have the duty to reward his benefactor, although it would be better if he did it, since it would be a sign of a virtuous character (Wellman, 1999, p.292). In this sense, being grateful is not mandatory but superogatory. The benefactor cannot have a claim against the beneficiary. It goes against the very nature of gratitude to turn into a source of rights for the benefactor. This fact, important as it is in interpersonal relations, becomes even more relevant in the political domain, where citizens' rights and duties are to be established. No one can demand in contemporary democratic societies either for his community to be virtuous in this way, nor to be rewarded by State policies because of it. Gratitude is a moral concept of such a kind that it cannot establish claims of justice, as it does not determine mandatory actions. It is beyond justice and, therefore, exceeds the limits of legitimate State's intervention in the moral life of its citizens.

There are several mistakes in this view. First of all, it wrongly infers from my claim that sometimes the State has to reward benefactors of the community that the State has a duty of gratitude. It does not. Sometimes the State has to reward particular individuals *because* society as a whole has a duty of gratitude. It is not the State who must show a virtuous character by rewarding benefactors, but society. Public institutions are just a means of the community for expressing the gratitude of the community. Therefore, even though the benefactor might not rightly demand anyone to be virtuous, the State still has strong reasons to benefit her. From this confusion between what individuals can legitimately claim and what the State must do it also follows that, since individuals sometimes have the superogatory duty of expressing gratitude then giving rewards must be superogatory for the State too. It would be mistaken to assume then that adopting these policies is just optional, since there are no such things as

supererogatory duties when it comes to choosing among alternative public policies.

Moreover, even if it was showed that it was wrong for the benefactor to complain (Weiss, 1985) it would not imply that there were no decisive reasons for the State to reward her. It could still constitute cases of ingratitude that any impartial spectator would criticize (Berger, 1975). It might be the case for the benefactor not to be in a moral position that allowed her to make such complain and still be the best course of action for the State. Here we find a sort of moral asymmetry between the meritorious and the State. From the viewpoint of the meritorious, she might not have the right to be rewarded. However, society should be grateful to her, which compels public institutions in a mandatory way. In other words, sometimes it is possible for the State to do wrong without violating anyone's rights.⁹

There are some historical remarks that explain why this view is not popular among political philosophers. For the last decades there has been a strong tendency in political philosophy in favor of taking for granted two very implausible assumptions: that the moral requirements that should guide politics only deal with justice and that justice can be understood solely in terms of rights. This is precisely what leads some to believe that since gratitude does not give anyone the right to have a claim of justice- we are committing no injustice by not rewarding her- then gratitude cannot play any role in shaping our public institutions and policies. It is because both of them take these two ideas for granted that G.A Cohen is able to defend luck-egalitarianism against Rawls' instrumental meritocracy. Cohen argues that talented people should not expect any incentives if it is the case that they truly care for social justice (2008, pp.181-223; 2009). I agree with him that virtuous benefactors should not stop contributing if incentives were taken away from them. However, it does not follow from this that the State should not reward them. As Raz (1986, p.199) has showed with his account of public goods, public institutions many times have very strong reasons to promote

⁹ The fact that the gratitude-based account of meritocracy does not requires duties/rights symmetry is a clear advantage over desert-based accounts such as Sandel's (2009) or Miller's (1989), since it avoids an important Rawlsian objection without *ad hoc* strategies while it remains loyal to our intuitions about the moral significance of rewarding merit . Of course one could still defend that the benefactor has a right to be rewarded, but this polemical point is not required by the gratitude-based account.

certain social goals to which no individual can have a claim of justice. I do not want to discuss here what scope we should give to justice, whether it entails a right to complain, and if this is one of those cases. My point is that you may think that the benefactor does not have the right to be rewarded and still believe that it is wrong for the State not to do it in a particular case.

Nevertheless, it would be still possible to argue that I have not shown yet why society should reward people like Dostoyevski –generating social inequalities- just because we rightly feel grateful for what he did. Remember, I am not claiming for a radical principle of meritocracy that overrides all other considerations, I am just defending that under some circumstances we should take merits into account when distributing what Rawls (1982) called “primary goods”. The only way I can answer to the question of why we should sometimes distribute resources in such a way that it benefits those that make valuable contributions is by affirming that we normally agree that doing good to the community grounds sometimes a better treatment by the collective. That all of us think that it is wrong to ignore the fact that someone prepared dinner for us when deciding who will get the last share; or to name a public building after the brother-in-law of the major, instead of honoring someone that truly deserves it. These are cases of ingratitude that are morally blameworthy. They are conclusions that derive from taking citizens as free and responsible moral agents who can contribute to the common good of civil society.

But why primary goods? Is not being thankful good enough? No, since there are cases in which the contribution is so significant that the only way for the benefited to express their gratitude properly is to offer a benefit back to the benefactor (Swinburne, 1989 and Berger, 1975). Sometimes public institutions have decisive reasons to give primary goods because this is what a proper expression of gratitude in the name of society requires.

It is important to remark that the non-monetary compensations by which we many times thank the benefactors of our communities constitutes in themselves important “primary goods”. Non-monetary compensations bring prestige and fame, which constitute valuable social resources. In the same way, income distribution is strongly linked to social recognition (Honneth, 1995, p.127). There is no possible sharp cut between the public sphere and the private one when it comes to a community being thankful to some of its members. These

are all valuable goods whose unequal distribution generate socioeconomic differences.

CONCLUSION

I have argued in favor of taking gratitude as a relevant dimension of distributive justice. I have defined gratitude as a special duty that arises whenever someone consciously produces a valuable outcome which requires a proportional reward. This duty is not just private in nature, it does not arise only between individuals. It is also public, for it may apply to the community as a whole. It requires that public institutions and civil society are of such a kind that they are able to canalize and express gratitude through honors, monetary rewards, and other distinctions. Merit and gratitude are important moral concepts for shaping collective agency.

Facing Rawls' objection to the intrinsic value of meritocracy (the Natural Lottery Argument) I have replied that meritocratic principles are not unjust, for they are the reasonable outcomes of taking citizens as autonomous individuals that are responsible for their actions, even if they are influenced by factors that go beyond their free choices. Actually, the relevance of gratitude is derived from taking seriously the moral freedom of citizens. This does not oppose the principle of equality of opportunities. I have also given arguments in favor of regarding gratitude not solely as an instrumental device (a system of incentives), but as a *prima facie* duty derived from the social value of performed contributions, that can, nevertheless, be overridden in particular circumstances in which other duties of justice arise. Thus, caring about rewarding merit does not put into question granting a sufficiency level for all who cannot help themselves.

Duties of gratitude only arise when benefactors have the right motivations. That is, when they consciously carry out the action, and when they do it for the right reasons. There must be at least a partial overlap between the reasons that move the benefactor and the considerations that make his action valuable. Nevertheless, there is nothing philosophically puzzling about finding out when people meet this criterion. Finally, I have questioned the sharp dichotomy between different types of rewards. All of them imply social recognition and means for developing one's life projects that generate social inequalities. There is no *a priori* argument based on the moral con-

cept of gratitude that forbids any particular kind of reward. Instead, it depends on the particular circumstances.

There are many issues I would have liked to discuss here that I had to leave aside. However, I hope that this may constitute a step towards recognizing the importance of rewarding merit in our contemporary democratic societies. Sometimes it is just wrong to treat people equally when they are contributing unequally to our common goals.

BIBLIOGRAPHY

- Berger, Fred R.: "Gratitude". *Ethics*, vol. 85 (1975), p. 298-309. <<http://dx.doi.org/10.1086/291969>>
- Card, Claudia: "Gratitude and Obligation", *American Philosophical Quarterly*, vol. 25 (1988), p.115–127.
- Cohen, Gerrald A.: *Rescuing Justice and Equality*. Cambridge, Harvard University Press, 2008.
- Cohen, Gerrald. A.: *Why Not Socialism?* Princeton, Princeton University Press, 2009.
- Honneth, Axel: *The Struggle for Recognition: The Moral Grammar of Social Conflicts*. Cambridge, The MIT Press, 1995.
- McAleer, Sean: "Propositional Gratitude", *American Philosophical Quarterly*, vol. 49(2012), p.55–66.
- McConnell, Terrance: *Gratitude*. Philadelphia, Temple University Press, 1993.
- Menninger, Karl: *The Crime of Punishment*. New York, Viking Compass Books, 1972.
- Miller, David: *Market, State, and Community*. Oxford, Clarendon Press, 1989.
- Nozick, Robert: *Anarchy, State, and Utopia*. Hoboken, Blackwell, 1974.
- Rawls, John: "Two Concepts of Rules". *The Philosophical Review* V.64, (1955), p.3-32.
- Rawls, John: "Distributive Justice". In *Philosophy, Politics and Society*. Laslett, Peter and Runciman, Walter. G. (ed.), Oxford, Basil Blackwell, 1967, p. 58-82.
- Rawls, John: *A Theory of Justice*. Cambridge, Harvard University Press, 1971.
- Rawls, John: "Social Unity and Primary Goods". In *Utilitarianism and Beyond*. Sen, Amartya. (ed.). Cambridge, Cambridge University Press, 1982.
- Raz, Joseph: *The Morality of Freedom*. Oxford, Oxford University Press, 1986.
- Ross, William D.: *The Right and The Good*. Oxford, Oxford University Press, 1930.

Sandel, Michael: *Justice: What's the right thing to do?* New York, Farrar, Strauss and Giroux, 2009.

Simmons, A. John.: *Moral Principles and Political Obligations*. Princeton, Princeton University Press, 1979.

Swinburne, Richard: *Responsibility and Atonement*. Wotton-under-Edge, Clarendon Press, 1989.

Weiss, Roslyn: "The Moral and Social Dimensions of Gratitude". *The Southern Journal of Philosophy*, Vol. 23, N.4 (1985), p. 491-501.

Wellman, Cristopher H: "Gratitude as a Virtue". *Pacific Philosophical Quarterly*, No. 80 (1999), p.284-3

Julen Ibarrondo Murguialday
Autonomous University of Madrid
e-mail: <julibamur@gmail.com>