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# A Complete Special Goods Theory of Filial Obligations

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## Abstract

Until recently little philosophical attention has been paid to ethical issues arising within the family. This has changed in the past few decades, and a growing body of literature has developed on the obligations that exist within families. However, one area of family ethics that remains under-theorized is the nature of children's obligations to their parents. What, if anything, do children owe their parents? And, on what parts of the filial relationship are obligations based?

My argument runs along three major lines that correspond to the chapters of this dissertation. In the first chapter, I claim that the two dominant theories of filial obligation, the friendship theory and the gratitude theory, have serious flaws. Both theories fail to account for a significant part of the filial relationship.

In the second chapter, I argue that special goods theories of filial obligations are the most promising in the current literature. Special goods theories claim that we have obligations to provide our parents with those goods that can only be obtained from a filial relationship. I then argue that there are two important problems for which current formulations of the special goods theory do not provide solutions. First, we need to know what special goods can only be obtained in filial relationships and why these goods cannot be obtained in other relationships. Second, we need to know how the ability to provide special goods to one's parents leads to an obligation to provide those goods.

In the third chapter, I argue for my positive thesis and develop a complete special goods theory of filial obligations. I begin by proposing solutions to the two major problems for existing special goods theories I outlined in the previous chapter. First, I demonstrate that there are special goods attainable only in a parent-child relationship. I argue that love, purpose, fun, and several other goods have unique variations that occur only in parent-child relationships. Second, I argue that we have a duty of beneficence to provide our parents with special goods.

In the fourth chapter, I address several worries and questions about my special goods theory.

## Keywords

Family ethics, filial obligations, special goods, gratitude, parent-child relationships

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## Introduction

Until very recently little philosophical attention has been paid to ethical issues arising within the family.<sup>1</sup> This has changed in the past few decades, and a growing body of literature has developed on the obligations that exist within families. For example, David Archard (2003), Samantha Brennan and Robert Noggle (1997), Colin MacLeod (2002), Francoise Baylis and Carolyn McLeod (2014), and Harry Brighouse and Adam Swift (2014) have all written recent articles or books on family ethics.

These authors have discussed parents' and children's rights, and the obligations of parents, but one area of family ethics that remains under-theorized is the nature of children's obligations to their parents. In *Family Values*, Brighouse and Swift say, "We have shied away from concerns about what children owe their parents... Questions of filial obligation raise different problems, and the issue of what adult children owe their elderly parents in particular is clearly very important (2014, 175)." I agree with Brighouse and Swift and think that there are many questions about the nature of filial obligations that still need answers, including: What, if anything, do children owe their parents? And, on what parts of the parent-child relationship are filial obligations based? My aim is to answer these questions and to provide a theory of filial obligations.

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<sup>1</sup> This is true of philosophy in the modern Anglo-American tradition. Eastern, and particularly Confucian, philosophy has long been concerned with the family. See (Confucius 1979), (Wee 2014), and (Sarkissian 2010).

My argument runs along three major lines that correspond to major chapters of this dissertation. In the first chapter, I claim that the two dominant theories of filial obligation, the friendship theory and the gratitude theory, have serious flaws. Both friendship theories of filial obligations and gratitude theories of filial obligations fail to account for a significant part of the filial relationship.

Advocates of the friendship theory claim that we have obligations to our parents insofar as we share a friendship with them. If the relationship is healthy, then we have the same obligations to our parents as we do to our good friends. If the relationship is not healthy, then we have reduced obligations, and if no friendship exists at all, we have no obligations.

I argue that friendship theory is an inadequate theory of filial obligations because filial relationships aren't much like friendships. Friendships are transient while filial relationships are almost never transient and friendships usually have a relatively equal balance of power, while filial relationships do not. The analogy between filial relationships and friendships is weak, and this makes the analogy that the friendship theory tries to draw between filial obligations and obligations of friendship weak as well. Since the friendship theory depends on a strong analogy between friendship and filial relationships, if that analogy is weak, then so too is the friendship theory of filial obligations.



Gratitude theories of filial obligations claim that we have obligations to our parents based on the gratitude we feel, or should feel, for their past sacrifices or for the benefits they have provided to us. Parents who provide many benefits to their children are owed strong obligations of gratitude. Parents who didn't provide many benefits to their children are owed weaker obligations of gratitude, or no gratitude at all.

I argue that gratitude theories of filial obligations are inadequate because they cannot explain the continuous nature of filial obligations. Gratitude theories require that all duties of gratitude must be dischargeable, but many filial obligations are continuous. For example, if I have a filial obligation to keep in touch with my parents<sup>2</sup>, it's difficult to see how I could discharge it. My obligation is to maintain contact, and this obligation doesn't end regardless of how many times I call or visit my parents. If gratitude theories are unable to account for continuous duties, then they will be unable to account for many filial obligations.

In the second chapter, I argue that special goods theories of filial obligations are the most promising in the current literature. Special goods theories claim that we have obligations to provide our parents with those goods that can only be obtained from a filial relationship. These are called special goods and are contrasted with generic goods, which are those goods that can be obtained from other sources. We have an obligation to provide our parents with special goods because we are uniquely able to provide those

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<sup>2</sup> I borrow this example from Simon Keller (Keller 2006).

goods. However, we do not have an obligation to provide our parents with generic goods, because our parents can obtain them from other sources.

Special goods theories have an advantage over gratitude theories because they can tell us that we have filial obligations, why we have the obligations we do, and the content of those obligations. According to Simon Keller, an advocate of the special goods theory, children have filial obligations for two reasons. First, children are in a unique position to provide certain special goods to their parents. Second, children have benefitted, or continue to benefit, from special goods provided by their parents (Keller 2006, 268). Keller also claims that the content of filial obligations is for children to provide their parents with whatever special goods can be derived from the reciprocal relationship they share.

While special goods theories are the most promising theories of filial obligations, they are not without problems. I argue that there are two important problems for which current formulations of the special goods theory do not provide solutions. First, we need to know what special goods can only be obtained in filial relationships and why these goods cannot be obtained in other relationships. While it's helpful to know that children have an obligation to provide their parents with special goods, it would be much more helpful to know specifically what goods these are. Current special goods theories provide a few examples of special goods, but nothing extensive or systematic. Second, we need to know how the ability to provide special goods to one's parents leads to an obligation to provide

those goods. We have the ability to provide goods to many people every day, but we typically don't have an obligation to benefit everyone we could potentially benefit.

In the final section of the second chapter, I defend Keller's version of the special goods theory against two objections posed by Brynn Welch. Welch argues that Keller's special goods theory cannot justify the limits he tries to place on filial obligations and that his theory will produce counter-intuitive results when applied to an example she constructs. I argue that Welch's objections are uncharitable and that Keller's theory has the resources available to defend itself.

In the third chapter, I argue for my positive thesis and develop a complete special goods theory of filial obligations. I start by discussing the nature of special obligations and why filial obligations must be special obligations to be meaningful. I then propose solutions to the two major problems for existing special goods theories I outlined in the previous chapter. To solve the first problem, I demonstrate that there are special goods attainable only in a parent-child relationship. I start by examining several potential special goods including love, purpose, and fun. I then argue that these goods have unique variations that occur only in parent-child relationships making them special goods.

Next, I argue that my special goods theory can explain why certain goods are unique to parent-child relationships. The concern here is that even if we accept that there are certain goods that are only obtainable in the right kind of relationship, we might think that someone else could fill the role of either the parent or child. For example, a particularly

close uncle and niece might have a relationship very similar to the one the niece shares with her parents. If certain special goods are supposed to be unique to filial relationships, then the special goods theory must be able to explain what distinguishes the uncle-niece relationship from the parent-child relationship. My response is to suggest that some people may have more than two parents. In this case, the uncle is essentially his niece's third parent, and she has the same obligations to him as she would have to her biological parents.

To solve the second problem, I argue that the principle of beneficence is a general moral principle that can explain why we have special duties to provide special goods to our parents. I use a Kantian version of the duty of beneficence to explain why children have a duty of beneficence to provide their parents with special goods. The special goods theory requires children to provide their parents with the special goods that can only be obtained in the parent-child relationship they share. A Kantian duty of beneficence requires us to provide benefits to others and gives us some choice about who we benefit. When applied to the special goods theory, the duty of beneficence can explain our duty to provide our parents with special goods. We can, at least partially, fulfill our duty of beneficence by providing special goods to our parents.

In the fourth chapter, I address a few worries about my special goods theory and pose questions for future research. First, I address a concern raised by Maria C. Stuifbergen and Johannes J. M. Van Delden (Stuifbergen and Van Delden 2011) that the special goods theory may be paternalistic because it can force children to be in a relationship

they don't want to be a part of based on family values they may not share. I respond to Stuifbergen and Van Delden's worry by arguing that they mischaracterize paternalism. Once this mischaracterization is resolved, it's difficult to see how special goods theories are paternalistic.

Second, I discuss how we can apply sanctions to bad children who refuse to discharge their filial obligations. The existing literature on filial obligations, my work included, largely ignores the problem of bad children. My special goods theory provides us with the resources to identify bad children, but it doesn't say much about what we can do to remedy the problem when it occurs.

Third, I discuss a concern that the language of rights and duties might not be sufficient to describe filial obligations. For example, love is a key component of most theories of filial obligations, but you might think it is odd to have a duty to love someone or a right to be loved by someone.

Fourth, I consider what the law in Canada does and should require children to do for their parents. I evaluate the Canadian Criminal Code and Ontario's Family Law Act to determine if current Canadian laws align with my special goods theory. I then provide a few suggestions for further research on legal filial obligations.

Fifth, I consider how filial obligations might be different outside of a contemporary North American setting. There are two interesting research projects that could arise in

addressing this question. First, one could examine filial obligations in contemporary societies in other parts of the world. Second, one could examine filial obligations in societies of the past.

## Chapter One: Friendship and Gratitude Theories of Filial Obligations

There are three major theories of filial obligations. First, there are *friendship theories* which focus on the current relationship between a parent and child. These theories attempt to form an analogy between obligations of friendship and filial obligations. Friendship theories encourage us to think of filial obligations as a kind of obligation of friendship. Second, there are *gratitude theories* which focus on the past relationship between a parent and child. These theories encourage us to think of filial obligations as a kind of obligation of gratitude. Third, there are *special goods theories* of filial obligations. Special goods theories claim that there are certain goods that can only arise within parent-child relationships. Children have obligations to provide their parents with whatever special goods can be obtained from the relationship they share. I'll discuss special goods theories in more detail in chapters two and three. In this chapter, I will argue that both friendship theories and gratitude theories have inherent weaknesses that make them poor theories of filial obligations.

My goal isn't to show that friendship and gratitude play no role in filial relationships, but rather to show that neither can serve as the basis of filial obligations. In both cases, I object to the reduction of filial obligations to other kinds of obligations, specifically obligations of friendship in the case of friendship theories or obligations of gratitude in the case of gratitude theories. This attempted reduction makes filial obligations seem simpler than they are. As I will argue in chapter three, filial obligations are grounded in special goods that arise in filial relationships and nowhere else. Friendship and gratitude

may both play a role in a strong filial relationship, but filial obligations are not reducible to obligations of friendship or obligations of gratitude.

It's worth noting that I'm focused on contemporary accounts of filial obligations. Plato, Aristotle, Aquinas, Hobbes, and Locke all offer an account of filial duties; however, since I'm interested in making sense of contemporary common-sense morality, I don't think historical accounts of filial obligations have much to offer.<sup>3</sup> For example, Hobbes offers an account of filial obligations in which children are in absolute subjugation to their parents (Hobbes, *The Elements of Law Natural and Politic*, 23.8). In *Leviathan* he argues that if a mother chooses to nourish her child, rather than exposing it, the child then owes its life to the mother and is obligated to obey her (Hobbes, 2.20). While this may have seemed plausible in 17<sup>th</sup> century England, few today would accept that children are contractually bound to obey their parents.<sup>4</sup>

Of the historical accounts of filial obligations, Locke's account is the most similar to contemporary accounts. Locke argues that children owe their parents honor and respect. According to Locke, children have both negative duties to avoid harming their parents and positive duties to care for them. Children must never "...injure or affront, disturb or endanger, the happiness or life of those from whom he received his... (Locke 1980, Chapter VI)" Additionally, children must engage "...in all actions of defense, relief, assistance and comfort of those, by whose means he entered into being, and has been

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<sup>3</sup> For a summary of these historical philosophical views see (Brakman 1994).

<sup>4</sup> For more discussion of Hobbes's views on childhood and filial obligations see (King 1998). For why the obligation is contractual for the child, see (King, 11-16).



made capable of any enjoyments of life... (Locke, Chapter VI)” In contrast to Hobbes, Locke does not require obedience from adult children, only honor and respect.

Locke’s justification for filial obligations is quite different than contemporary accounts. Locke argues that filial duties come from the laws of God and of nature. According to Locke, God has given parents an obligation to raise and nourish their children, and in turn, God has given children an obligation to honor their parents. It seems that children acquire obligations to their parents because their parents begat and raised them. As we will see later in this chapter, this is not entirely dissimilar to some versions of the gratitude theory of filial obligations. However, no contemporary theory of filial obligations attempts to justify the obligations by referring to the laws of God and of nature.

Locke’s account of what children owe their parents is not immediately counter-intuitive, like Hobbes’s account. However, it is difficult to call his account a *theory* of filial obligations because it is so brief. Locke provides very little detail about either the content of, or the justification for, filial obligations.

## 1.1 Friendship Theories of Filial Obligations

### 1.1.1 Jane English’s Friendship Theory

The renewed interest in filial obligations began with Jane English’s “What Do Grown Children Owe Their Parents?” (English 1999). English argues that the relationship

between parents and their adult children is a form of friendship. According to her friendship theory, whatever filial duties a child might have are grounded in the current relationship with his or her parents. If a child enjoys a healthy and happy friendship with her parents, then she has the same kind of obligations to them that a good friend would have. If she doesn't enjoy a friendship with her parents, then she will have no filial obligations to them at all.

English responds to the common usage of debt terminology when discussing filial obligations. She thinks that children don't strictly 'owe' their parents anything, though there are many things that most children ought to do for their parents. She says, "The duties of grown children are those of friends and result from love between them and their parents, rather than being things owed in repayment for the parents' earlier sacrifices (English, 267)." Theories of filial obligations that use debt terminology often claim that children's debts are derived from the sacrifices their parents made when the children were young.<sup>5</sup>

English's argument against debt terminology relies on making an important distinction between favors and friendly gestures. Favors generate debts, while friendly gestures promote friendship. According to English, favors are generated when one person asks another to do something for him or her, and the other person agrees (English, 267). In English's example, Max asks Nina to mow his lawn for him while he is on vacation and Nina agrees. In this example, Nina does a favor for Max and, as a result, Max incurs a

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<sup>5</sup> See my brief discussion of Hobbes above for an example.

debt to Nina to do something similar for her should she ask. If Nina were to ask Max to mow her lawn while she's on vacation, barring any unusual circumstances, Max would be obligated to agree. However, imagine an alternate scenario in which, while Max is on vacation, Nina mows his lawn without him asking. In this case, English argues that Nina has made a friendly gesture toward Max. She has done something nice for him in the interest of forming a new friendship or furthering their existing friendship. Since Max did not ask for Nina's help, he does not incur a debt to repay Nina, though he ought to be appreciative. This distinction is important because it allows English to explain why friendly interactions shouldn't be explained using debt terminology.

English admits that the distinction between favors and friendly gestures can be murky. Friends tend to perform favors for one another and people who frequently exchange favors tend to become friends. English suggests that one test to determine into which category an action falls is to determine the motivation for the action. If Max's motivation is simply to be nice to Nina, then his action is very likely a friendly gesture. On the other hand, if Max's motivation is based on something Nina did for him in the past, then his action is likely a favor.

English argues that friendships are defined by mutuality, rather than reciprocity. When we owe someone a debt, there is an expectation that our repayment will be reciprocal. If this debt is financial, then we owe our creditor the same amount as we borrowed. If the debt is nonfinancial, then we owe our creditor something of roughly reciprocal value in time or effort. English argues that friendships operate differently, "[F]riends offer what

they can give and accept what they need, without regard for the total amounts of benefits exchanged (English, 353).” In other words, friends do not keep score. If Max and Nina are friends and Max invites Nina to his house for dinner on three occasions, while Nina only invites Max on one occasion, then it’s not the case that Nina owes Max two dinners. The dinner is just a means to a friendly evening they both enjoy.<sup>6</sup>

The final difference between favors and friendly gestures is that any duties associated with a friendship end when the relationship ends. English’s example involves a husband, Elmer, who donates blood to his wife, Doris, for an operation. The operation is successful, and Doris uses Elmer’s blood during her recovery. If Elmer and Doris later get a divorce, then Elmer cannot claim that Doris owes him a blood donation, even if he needs it to live. Elmer’s donation of blood was a friendly gesture, not a favor. If Elmer and Doris remain friends after the divorce, then Doris should give him blood as a friendly gesture to maintain the friendship, but if they are no longer friends, then Doris doesn’t have a duty to donate blood to help Elmer.

Once English has made clear the distinction between favors and friendly gestures, she then argues that filial obligations should be grounded in the friendship parents and children may share. In fact, English’s view seems to be that filial obligations are simply

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<sup>6</sup> English acknowledges that while friends should not keep track of benefits exchanged, it would be suspicious if one friend is always sacrificing her time and money while the other friend sacrifices nothing in return. Assuming the friends have roughly equal resources and needs, we might be concerned that someone is being taken advantage of in this case. However, if the friends have greatly different resources and needs, then it might make sense that one friend is providing far more than the other because that friend has far more resources or far fewer needs.

obligations of friendship (English, 354). Filial obligations are ‘filial’ only in the sense that they are obligations of friendship that have parents as their subject.

A consequence of English’s view is that past parental sacrifices are not relevant when determining the duties children have to their parents. Suppose Luka was a very difficult child who was often ill and bad tempered, while his sister Mia was easy-going and rarely ill. The fact that Luka’s parents had to sacrifice more for him while he was a child than they did for Mia does not mean that Luka owes his parents more than Mia does. English suggests that what children ought to do for their parents depends on two factors. First, the extent to which there is an ongoing friendship between the parents and the child. Second, the respective needs, abilities, and resources of the parents and the child. If Mia is wealthy and lives near her parents while Luka is poor and lives far away, then Mia will have a stronger obligation to help her parents than does Luka. Similarly, if Mia has remained emotionally close with her parents while Luka has drifted apart from them, then Mia will have stronger obligations to her parents than does Luka.

While English doesn’t think that past parental sacrifices create debts for children, she does accept that parental sacrifice might play a causal role in developing a friendship. Her idea seems to be that good parents are likely to do a lot for their children and the children are likely to find this valuable. Past parental sacrifices will serve as a good foundation for many children to develop and maintain a friendship with their parents when they are adults, though ultimately it is the current friendship that grounds any filial duties that may exist.

The last part of English's theory I'll discuss is the principle that all duties of friendship end if the friendship ends. In English's example, Vance's parents refuse to speak to him after he marries Lola. Vance's parents oppose the marriage because Lola does not belong to their religious group and they think it is important for Vance to marry someone from their religious group. After the marriage, Vance's parents miss out on all of the subsequent significant events in his life, and the love that once existed between them slowly disappears. In this case, English thinks that Vance is under no obligation to help his parents beyond any general duties he might have to help strangers in need. Vance's parents cannot come to him when they are in need and argue that he owes them something for all of the sacrifices they made for him when he was young. When his parents decided to end the relationship, they effectively absolved Vance of any filial obligations to them.

The principle that all duties of friendship end when the friendship ends is a problematic aspect of English's friendship theory. In the case of Vance and Lola, the consequences might not be problematic, that is, we might think that Vance shouldn't be under any obligation to help his parents. His parents are ultimately responsible for eroding their relationship by placing unrealistic and overburdensome demands on Vance. However, if we apply the principle more broadly, it can create some counter-intuitive results. Suppose that a parent and child enjoy a long and healthy friendship throughout the child's life, but as the parent gets older, he or she develops severe dementia. The dementia eventually gets so severe that the parent can no longer recognize his or her child or engage in any

meaningful interactions. Once the parent reaches this stage of dementia, it's difficult to see how a friendship can continue.<sup>7</sup> Certainly a child can continue to love and care about his or her parent, but the mutuality required for friendship is no longer possible. If we apply English's principle to a parent with severe dementia, then his or her child would have no obligations to the parent because the friendship between them has ended.

This is a problem for the friendship theory because we're inclined to think that a parent suffering from severe dementia is precisely the kind of situation where children should be obligated to help. This intuition is especially strong when the parent and child have enjoyed a long and healthy friendship up to the parent's development of severe dementia. We want to think that children do something wrong if they abandon their parent with severe dementia, but if we accept English's friendship theory, then we have no grounds to criticize the children.

### 1.1.2 Dixon's Residual Duties

Nicholas Dixon, another proponent of the friendship theory of filial obligations, is similarly concerned with English's claim that duties of friendship end if the friendship ends. Dixon suggests that English is mistaken when she claims that all duties of friendship end when the friendship itself ends. He thinks that there can be residual duties of friendship, that is, duties that continue even after the friendship has ended (Dixon

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<sup>7</sup> This concern applies to any situation in which one friend is permanently unable to participate in a reciprocal relationship.

1995, 79). Dixon's example of a residual duty of friendship is to prioritize giving blood to a former long-term friend instead of a stranger.<sup>8</sup>

Dixon argues that residual obligations to former long-term friends are based on the respect we still have for that person and the respect we have for our past friendship with them. He argues that treating a former long-term friend as if she were a stranger serves to devalue the former friendship and the people involved in it.

Dixon argues that residual duties of friendship only apply to long-term friendships because only friendships that have existed for a long time can be deep enough to support residual duties. He theorizes that English might have missed residual duties of friendship in her initial theory because most friendships are too short-lived and superficial to generate residual duties (Dixon 1995, 80). Dixon isn't specific about how long or deep a friendship must be to create residual duties of friendship, though his speculation about why English may have missed them suggests that most people will have very few appropriately deep friendships. I speculate that childhood friends or perhaps friends from high school or university, depending on one's age<sup>9</sup>, are what Dixon has in mind. However, since many parent-child relationships are very long-term, they are ideal candidates for residual duties of friendship.

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<sup>8</sup> Though this example may seem strange, I take it Dixon is building on the Elmer and Doris case from English's paper.

<sup>9</sup> Here I simply mean that as one gets older one has more opportunities to have long-term friends. Someone who is 20 might reasonably count their friends from elementary school as long-term friends, but not someone from high school. Someone who is 70 might reasonable count someone they met when they were 40 or 50 as a long-term friend, but probably not someone they met when they were 65.



Dixon cautions that whatever duties can be grounded in residual duties of friendship will be much weaker than those that can be grounded in an active friendship (Dixon 1995, 80). He argues that the extent and strength of the residual duties generated from a past friendship depend on three factors. The first factor is the need of the former friend who requires assistance and the resources available to the former friend who can assist. Stronger need on the part of the person requiring assistance and greater resources on the part of the person capable of assisting both increase the strength of the residual duty of friendship. In parent-child relationships, greater parental need and greater resources available to the children will increase the strength of residual duties of friendship.

The second factor is the duration and depth of the former friendship. All else being equal, the longer and more intimate the friendship was, the greater the residual duties of friendship will be. In parent-child relationships, the closeness and length of the relationship will influence residual duties of friendship.

The third factor is the manner in which the friendship ended. Though Dixon is not explicit about this final point, I take it that the more sudden and hostile the end of the friendship was, the weaker the residual duties of friendship will be. For example, if a friendship dissolves slowly due to a lack of contact, then there will be relatively strong residual duties of friendship. If, on the other hand, the friendship ends suddenly after some terrible betrayal, then the residual duties of friendship will either be very weak or non-existent. That is, you probably don't have residual duties of friendship to your enemies, regardless of their former status as friends. In parent-child relationships,

children who were abandoned by their parents would have weaker, or non-existent, residual duties of friendship, while children who gradually grew apart from their parents would have stronger residual duties of friendship.

Dixon's residual duties of friendship strengthen the friendship theory of filial obligations, but not enough to overcome my initial objection. While residual duties of friendship might be able to account for situations where parents and children have drifted apart over time, they don't help with the dementia case. Residual duties of friendship are always weaker than current duties of friendship. In the case of a parent who develops severe dementia, it still seems counter-intuitive to think that their children have weaker duties than they otherwise would have. We don't only want to say that the parent should have priority over a stranger if the children want to perform a caring act. We want to say that the children have an obligation to care for their parent who has developed dementia that is at least as strong, if not stronger, than when the parent was healthy. It's deeply counter-intuitive to think that children's duties to their parents get weaker as the parents' need for care becomes stronger. Since residual duties of friendship cannot provide a satisfactory account of the dementia case, we still have reason to question the friendship theory of filial obligations.

### 1.1.3 The Problem with Friendship Theories

The reason friendship theories of filial obligations run into trouble is that parent-child relationships aren't much like friendships. The viability of the friendship theory relies on a strong analogy between friendships and filial relationships. If friendships aren't much

like filial relationships, then it will be impossible to reduce filial obligations to obligations of friendship. If I can show that there are strong disanalogies between friendships and filial relationships, then the viability of the friendship theory of filial obligations is greatly reduced.

There are at least two strong disanalogies between friendships and filial relationships. First, friendships are often transient while filial relationships are almost never transient. Second, friendships usually have a relatively equal balance of power, while filial relationships do not. The analogy that friendship theories try to draw between duties of friendship and filial duties is weak, and this makes friendship alone a poor basis for filial obligations. If friendship alone isn't a good basis for filial obligations, then no amount of tweaking is going to make friendship theories compelling.

The transient nature of friendships makes them a poor basis for filial obligations. Friendships often change and end as the people involved in them change their life circumstances. One common example of this type of change is the transition many people go through from high school to university. If your high school friends don't attend university, then your lives often become increasingly divergent, and this can lead to the end of many friendships. Another common example of a change in life circumstances occurs when people change jobs. Many people have 'work friends,' who are people that you share little in common with outside of your current job.<sup>10</sup> You see these people every

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<sup>10</sup> I'm not sure how common this relationship is among people who have careers that allow them to stay in one place with a relatively stable group of peers. That environment is probably more conducive to deeper friendships. However, this relationship is quite common in the retail, sales, and service sectors, due to job instability and frequent turn-over.

day, and you might go to dinner or other social events with them, but they don't often overlap with your regular friends. If you then change jobs, the only thing connecting you to your work friends disappears, and the friendship between you often weakens or ends. Friendships can also end as the result of an argument or disagreement. In these cases, the friendship might end suddenly and create animosity between former friends.

I agree with English that when friendships end so too do the obligations of friendship. Or, as Dixon suggests, at best I owe an old friend a residual duty of friendship. No one would have reasonable grounds to criticize me if I chose not to help a friend from high school with whom I've lost contact.<sup>11</sup> Filial relationships don't work like this. Suppose, for example, that Maja is raised well by her parents, but when she goes to university, she comes to see her parents only as a source of financial support. Maja refuses to do anything for them, and won't even call them unless she needs money. Maja's relationship with her parents is no longer mutual, and so, according to English's theory, the relationship is not a friendship.

I agree that the relationship Maja has with her parents is not a friendship, but the consequence of this conclusion is problematic for English's friendship theory. Since Maja is no longer friends with her parents, she no longer has any obligations to help her parents if they are in need. Even though they raised her well for many years, she owes them nothing because she has decided to end the friendship. Unlike in cases of friendship, it seems that we do have reasonable grounds to criticize Maja for ending the relationship

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<sup>11</sup> Assuming the help they require is not of the kind I might owe to anyone. I might justifiably be criticized were I to refuse to save them from drowning in a shallow pond when I could do so easily and without risk.

with her parents. Maja seems to be doing something wrong when she cuts her parents out of her life. She is devaluing their contribution to her development and the importance of the relationship they shared. That English's friendship theory cannot provide any grounds to criticize Maja gives us reason to think that something is wrong with English's attempt to reduce filial obligations to a type of friendship.

It might be possible to salvage some weak residual duties of friendship from Maja's relationship with her parents. If the relationship had been strong before Maja's decision to end the friendship, as we're supposing, and her parents' need was great, then residual duties of friendship would likely apply. However, residual duties of friendship are much weaker than duties of active friendship, so it's unclear what Maja would be required to do for her parents, if anything.

The second disanalogy between friendships and filial relationships is the extent of the power imbalance that typically exists in filial relationships but typically doesn't exist in friendships. Let's start with the power balance that usually exists in friendships. It would be an odd friendship if one friend had considerable power over another. While friendships among people with differing resources are not uncommon, the friend with greater resources doesn't control the decisions of the friend with fewer resources. That my friend makes more money than I do does not mean she always gets to choose what we do on the weekend. Of course, some friendships will have minor power imbalances. One friend might be less committed to the friendship, or more popular within a larger group of friends. Either situation gives that friend a small power advantage over his or her more

invested and less popular friend. However, if there is a major power imbalance between two people, then their relationship probably isn't a friendship. It might be a relationship that shares properties with friendship, like a mentor-mentee relationship, but it is not a true friendship.

Filial relationships usually go through a series of power balance changes. When children are young, their parents have a great deal of power over their lives. Parents decide what children will eat, where they will go to school, what they are allowed to watch on television, when they have to go to bed, and also control many other aspects of their children's lives. As children get older, they slowly gain more control over their lives and most will eventually become independent. Once children become independent, their parents no longer have direct control over their lives, but they often remain influential in a way that friends rarely are. Later in life, parents often come to rely on their children and the balance of power shifts once again so that children have substantial power over their parents' lives. For example, a child might obtain power of attorney for one or both of his or her parents if they no longer feel confident making their own legal or financial decisions. What is important is that the power balance between children and their parents is rarely, if ever, equal and this makes filial relationships unlike friendships.

#### 1.1.4 Friendship as a Part of the Filial Relationship

Despite the flaws of the friendship theory of filial obligations, elements of friendship can be part of a strong filial relationship. I don't want to say that parents and their adult

children can never be friends, only that friendship isn't the only relationship they share. As a result, filial obligations shouldn't be based on friendship.

Parents and their adult children can be friends and, when they are, there may be obligations of friendship in addition to any filial obligations. However, the obligations that may arise as the result of friendship are not in themselves filial obligations. That a child holds an obligation to his or her parent is not enough to make it a filial obligation. Filial obligations are special obligations that children only have to their parents, and they are based on the whole relationship they share, not just the current relationship.

#### 1.1.5 Wrapping up Friendship

The friendship theory only accounts for the current relationship between parents and children and does not take the history of the relationship into account. The friendship theory allows parents who performed their parental duties admirably to be unilaterally shut out of the relationship by their children for trivial reasons. Once the friendship has ended, the children have, at most, weak residual duties of friendship to their parents. Ultimately, the friendship theory's account of filial obligations doesn't seem to capture what common-sense morality suggests filial obligations should be like. If I have filial obligations, then I shouldn't be able to get out of them so easily.<sup>12</sup> Obligations that have trivial exit conditions are not very obligatory.

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<sup>12</sup> There are situations where children can justifiably get out of filial obligations, but these cases must be the result of something the parents have done wrong. In other words, the child has obligations unless his or her parents do something to cancel out the obligations. For example, if the child's parents become emotionally or physically abusive toward the child, then the child can justifiably end the relationship.

I've argued that the friendship theory of filial obligations is unsuccessful because it fails to provide a compelling account of how filial obligations can be reduced to obligations of friendship. There are two strong disanalogies between friendships and filial relationships that make the reduction attempted by the friendship theory unsuccessful. First, friendships are transient, while filial relationships are not. Second, friendships involve two people of roughly equal power, while filial relationships do not. Together these disanalogies suggest that filial relationships aren't much like friendships. I now turn to the second prominent theory of filial obligations, the gratitude theory.

## 1.2 Gratitude

The second prominent theory of filial obligations is the gratitude theory of filial obligations. The gratitude theory suggests that filial obligations can be reduced to obligations of gratitude. According to the gratitude theory, gratitude is an emotion that arises as a result of a benefit performed by a benefactor for a beneficiary. In the case of filial obligations, children are the beneficiaries and parents are their benefactors. When parents provide their children with benefits, children are supposed to feel gratitude toward their parents. The feeling of gratitude children experience leads to duties of gratitude that children must discharge. Duties of gratitude require children to demonstrate an appropriate expression of gratitude toward their parents.

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Children can perhaps be obligated to perform burdensome tasks, but they should not be obligated to continue abusive relationships.



Because I am interested in what children owe their parents, I am interested in prepositional gratitude. Prepositional gratitude takes the form: C is grateful *to* E for X-ing. Or, less abstractly, a beneficiary is grateful to a benefactor for some benefits or beneficence. Prepositional gratitude occurs between two or more people. For example, Catori is grateful to Ellie for fixing her leaky roof.<sup>13</sup> I am not interested in propositional gratitude. Propositional gratitude takes the form: C is grateful that X. Or, less abstractly, a beneficiary is grateful that some beneficial state of affairs has occurred. For example, Catori is grateful *that* she is healthy.<sup>14</sup> Tony Manela suggests that propositional gratitude is more like appreciation than it is like genuine gratitude (Manela 2015).

In this section, I'll begin by examining Terrance McConnell's theory of gratitude to determine how duties of gratitude are created more generally, outside of the context of filial obligations. I'll then evaluate the suitability of gratitude as a foundation for filial obligations. To do this, I'll examine how we should measure the value of benefits provided to children by their parents and what actions a child must perform to discharge a duty of gratitude. Finally, I'll argue that gratitude is not a good foundation for filial obligations because it has difficulty explaining the continuous nature of filial obligations.

There is an important distinction to make before moving on to discuss gratitude in more detail. Feeling grateful is not the same as having a duty of gratitude. For example, we can feel grateful for a beautiful day, though there is no one to whom we owe gratitude

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<sup>13</sup> For more on prepositional gratitude see (Walker 1980-1981) particularly section III.

<sup>14</sup> For more on propositional gratitude see (McAleer 2012).

because no one controls the weather.<sup>15</sup> Similarly, we might feel grateful for someone who accidentally scares away a mugger, though we do not owe the person a duty of gratitude because he or she didn't act intentionally to benefit us.<sup>16</sup> In both cases, we feel grateful, though we do not have a duty of gratitude.

We can also have duties of gratitude even though we don't feel grateful.<sup>17</sup> In these cases, a benefactor has fulfilled all of McConnell's conditions, but the beneficiary doesn't feel grateful. We can see how this might work by using an example in which my enemy Jones saves me from drowning. Jones and I hate each other. After pulling me out of the water and seeing who I am, he tells me he would have let me drown if he had recognized me. Even though he saved me, I don't feel grateful because Jones is a jerk. I'm incapable of feeling anything but hate for Jones. Nonetheless, his actions fulfill McConnell's conditions, so I owe Jones a duty of gratitude.

### 1.2.1 Terrance McConnell's Gratitude Theory

Before examining gratitude theories of filial obligations directly, it's important to look at obligations of gratitude more generally. If we want to know why children might owe their parents gratitude, we need to know how obligations of gratitude are formed. For this purpose, I will use Terrance McConnell's theory of gratitude (McConnell 1993).<sup>18</sup>

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<sup>15</sup> This is another example of propositional gratitude.

<sup>16</sup> I'll discuss why this is the case in the next section.

<sup>17</sup> Though, as we'll see in the later section, I may not be able to discharge properly my duty of gratitude to Jones if I do not feel grateful to him.

<sup>18</sup> McConnell's theory of when gratitude is owed is based on John Simmons's work (Simmons 1979).

McConnell's work on gratitude is extensive, well-argued, and provides a clear explanation of how obligations of gratitude are formed.

McConnell argues that there are four necessary conditions that must be met for an obligation of gratitude to be formed. He notes that, though these conditions are necessary to form an obligation of gratitude, they are not always jointly sufficient. I will briefly explain and evaluate these conditions in this section before applying them to filial obligations in the next section.

McConnell's first condition requires that someone is benefitted (a) voluntarily, (b) intentionally, (c) freely, and (d) not for disqualifying reasons. This condition is quite complex, so it's worth examining each of the subconditions individually.

Subcondition (a) states that a benefit must be given voluntarily. Benefits must be given voluntarily because it's difficult to see why I should be grateful to you if you are forced to help me. For example, if you help me only because John is threatening to punch you in the nose if you do not, then I don't owe you a duty of gratitude for your help because you are acting to avoid a punch in the nose rather than to benefit me.

Subcondition (b) states that a benefit must be given intentionally. This subcondition ensures that accidental benefits do not create obligations of gratitude. McConnell gives an example where a passerby on the street scares off a mugger (McConnell 1993, 26). If Jim happens to be walking by while I am being mugged and his presence scares off the

mugger, then I don't owe him a duty of gratitude because Jim didn't do anything to benefit me intentionally. Jim's walking past happened to benefit me, and I might be very glad to receive the benefit, but since Jim did not intend to benefit me, I don't owe him an obligation of gratitude.<sup>19</sup>

McConnell notes that actions must be only weakly intentional to qualify the benefactor for gratitude. An act is weakly intentional so long as the act itself is performed by the benefactor intentionally and to benefit someone. An act is strongly intentional when the act is performed by the benefactor both intentionally and specifically for my benefit. The example I used earlier of my enemy Jones saving my life will help make this distinction clear. If Jones saves me from drowning without recognizing me, then his act is weakly intentional. Jones's action was meant to confer a benefit upon someone, but it was not meant to benefit me specifically. He couldn't have meant to benefit me specifically because he didn't know the identity of the person he was saving. Even if Jones would have let me drown if he had recognized me, his act is still weakly intentional. His action being weakly intentional means I have an obligation of gratitude to Jones for the benefit he provided me. If, in the same situation, my coworker Robert, rather than my enemy Jones, recognizes me and acts with the intention to benefit me specifically, then his act is strongly intentional. In this case, part of Robert's motivation comes from who I am. While I might feel better being saved by Robert than by Jones, I would have an obligation of gratitude to either of them if they saved me.

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<sup>19</sup> I may of course be thankful for his help, even if I do not owe him anything. I might even do exactly as I would have done if he had acted intentionally and I did have an obligation of gratitude to him, but I don't have a duty to do so.

Subcondition (c) states that the benefit must be given freely.<sup>20</sup> This subcondition ensures that someone cannot manipulate others into having obligations of gratitude. Freely, in this case, does not mean that the benefactor is acting in the absence of external pressures, but rather that the benefit is given without the expectation of a return. For example, if Aida helps me only so she can later call on me to help her, then the benefit she provided was not given freely. She is extending credit to me that I will later have to repay rather than providing me with a benefit for my own sake. If the benefit I receive from Aida is provided only under terms, then I owe Aida repayment, not a duty of gratitude.

Subcondition (d) requires that benefits are not provided from disqualifying motives. McConnell thinks that maliciously motivated benefits would fall under this subcondition. Suppose Hans gives all of his money to me when he learns he has a terminal illness. However, Hans tells me that he is only giving me the money so that his son does not receive anything when he dies. Hans dislikes his son's choice of career and doesn't want him to get any money when he dies. Hans thinks that if he gives me the money, then his son will have no claim to it. While I will receive a great deal of money from Hans, and this is a benefit to me, Hans isn't trying to benefit me; rather he is trying to hurt his son. Because Hans is motivated to benefit me by his malice for his son, I do not owe him a duty of gratitude regardless of how much I benefit. Of course, real life will rarely be as straightforward as this example, and it may be impossible to determine a person's

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<sup>20</sup> McConnell makes a distinction between acting voluntarily and acting freely. Acting voluntarily involves providing a benefit without any external threats, while acting freely involves providing a benefit without the expectation of a return.

motivation for action. For example, if Hans had given me the money and made no mention of his son, though I know he doesn't approve of his son, then I might speculate about his motivations, but I could not know for sure that they are malicious. In this case, I would owe Hans a duty of gratitude.

McConnell's second condition states that benefits must not be forced on the beneficiary against his or her will. For example, if my grandfather insists on giving me an old hunting rifle even though I've told him several times that I have no interest in hunting or guns, then I don't owe him a duty of gratitude for his gift. While he might think he is providing me with some benefit, I have expressed my desire not to have the gun and don't receive anything I consider beneficial. If he is merely seeking to give me something to remember him by, then he should select something more appropriate. Another example is parents who force their child to go to piano lessons even though the child hates the lessons. The child makes it clear that he or she does not value the lessons and would rather do other things with the time, but the parents force the child to go to the piano lessons. While the parents may genuinely believe they are benefiting the child, the child does not want this benefit and so does not owe the parents a duty of gratitude. If, later in life, the child comes to value piano lessons, then the situation may change, but if the child continues to hate the piano lessons, then he or she has no duty of gratitude. This condition prevents others from forcing duties of gratitude on us that we would rather not have.

McConnell's third condition states that the beneficiary either must accept the benefit or would accept the benefit if certain impairing conditions were corrected. Drunkenness or

ignorance of important facts are a few of McConnell's examples of impairing conditions (McConnell 1993, 38). McConnell makes a distinction between accepting a benefit and wanting a benefit. He argues that we can accept a benefit without wanting it. For example, suppose that Novak's parents would like him to attend university, but they are unable to pay for him to attend. Novak has no interest in attending university, so he is unwilling to pay for it himself, but he does want to please his parents and so would attend if his parents could afford to pay. If a wealthy family friend offers to pay for Novak's education, then he will be in a situation where he will accept a benefit without wanting it. Novak would prefer that the family friend had never offered the money since he could then avoid both attending university and disappointing his parents. However, once the family friend offers the money, Novak will accept it because he values pleasing his parents more than he disvalues attending university. Even though he would prefer that the family friend never offered the money, he will nonetheless accept it (McConnell 1993, 34-35). According to McConnell's theory, accepting the benefit is enough to create an obligation of gratitude to the family friend.

McConnell's fourth condition states that the person to whom a duty of gratitude is owed must have provided a benefit or made a great effort or sacrifice in an attempt to provide a benefit. The first part of this condition simply requires that a benefit must be provided to form a duty of gratitude. I don't owe anyone gratitude unless they provide me with a benefit. The second part of this condition adds an exception to this rule. If someone makes a great effort or sacrifice in an attempt to provide me with a benefit, then I may still owe them a duty of gratitude even if they fail to benefit me. For example, suppose

that while Asher is swimming with his friends Josh and Emil, he gets caught by a rip tide and drawn far from the shore. Asher is a competent swimmer, but while caught in the rip tide he hits his head on a submerged rock and loses consciousness. Josh sees what happened to Asher before Emil and begins to swim out to help him. Josh is not a strong swimmer and cannot get to Asher despite his best effort. Fortunately, Emil is an excellent swimmer and is able to reach Asher and bring him safely back to shore. Asher certainly owes Emil a duty of gratitude since Emil provided him with a great benefit when he saved his life. However, it seems that Asher owes Josh at least a weak duty of gratitude as well. Though Josh did not manage to save Asher, he made a great effort to save him and risked his own life in the process.

In addition to McConnell's four conditions, I want to suggest one of my own. Put simply, I don't think people are typically owed gratitude for discharging existing duties. More precisely, I think existing duties increase the benefit that must be provided to create a duty of gratitude to the extent that, in most circumstances, merely fulfilling one's existing duties will fall under the threshold required for the creation of a duty of gratitude.

My intuitions pull in different ways depending on the value of the benefit provided.

When the benefit is of great value, then it seems to me that the beneficiary has an obligation of gratitude to the benefactor, even if the benefactor had an existing duty to provide the benefit. For example, suppose that a life guard saves Niko from drowning. In this case, it seems appropriate for Niko to feel and express his gratitude for the benefit the life guard provided him. Though the life guard has a duty to save Niko's life while he is



swimming in her supervision area, the benefit Niko receives is so great that a duty of gratitude seems appropriate (Jecker 1989, 75).

On the other hand, when the benefit is relatively minor, it seems that the benefactor is not owed a duty of gratitude when they have an existing duty to provide the benefit. For example, if a crossing guard helps Niko to cross a busy intersection, it would be strange for Niko to acquire a duty of gratitude. Though the crossing guard provides some benefit to Niko by ensuring his safety, helping people to cross busy intersections is simply what crossing guards are expected to do. The crossing guard would be doing something wrong<sup>21</sup> if she didn't help Niko to cross the intersection, but merely doing her job does not seem to be something for which Niko should acquire a duty of gratitude. However, if we alter the situation slightly and replace the crossing guard with a passerby, it seems that Niko should acquire a duty of gratitude. It might be a very small duty, for example, he might have a duty to say, "thank you." The benefit provided to Niko is the same in both cases, but the passerby doesn't have any existing duty to help Niko while the crossing guard does have an existing duty to help him. The crossing guard's existing duty seems to raise the threshold of value required to create a duty of gratitude.

When a benefit is of great value, it often crosses even the raised value threshold introduced by an existing duty to provide the benefit. For example, saving Niko's life is extremely valuable to him, so even though the life guard has an existing duty to save lives that increases the value threshold that must be met to be owed a duty of gratitude,

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<sup>21</sup> Wrong at least in the sense that she has failed to perform her duty to do her job.

the threshold is crossed, and Niko acquires a duty of gratitude. However, when a benefit is of minor value, it often fails to cross the raised value threshold introduced by an existing duty to provide the benefit. For example, helping Niko cross the street isn't all that valuable to him, so the increased value threshold introduced by the crossing guard's existing duty to help people cross the street isn't crossed, so Niko doesn't acquire a duty of gratitude.

To summarize, other things being equal, to create a duty of gratitude, someone with an existing duty to Niko must provide a larger benefit than someone who does not have an existing duty to Niko.<sup>22</sup> Small benefits provided by those who have a duty to provide them are unlikely to create duties of gratitude.

Niko's case is a good example of McConnell's conditions being necessary, but not sufficient to create a duty of gratitude. Both the crossing guard and the passerby seem to meet all of McConnell's conditions, but Niko only owes gratitude to the passerby. The existing duty of the crossing guard adds another condition that must be satisfied before Niko acquires a duty of gratitude.

It's worth noting that none of my objections to reducing filial obligations to obligations of gratitude rest on McConnell's conditions perfectly capturing the necessary conditions for creating obligations of gratitude. I use McConnell's conditions because they are plausible, and it's important to have a plausible idea of how obligations of gratitude are

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<sup>22</sup> As I'll argue in a later section, it is difficult to specify the content of a duty of gratitude. A duty of gratitude can tell us that we should do something, but not that we must do anything in particular.

created before evaluating gratitude as a basis for filial obligations. If it turns out that McConnell is wrong about condition three, for example, it won't change the force of my objections.

### 1.2.2 Gratitude as a Basis for Filial Obligations

In the previous section, I examined the necessary conditions one must satisfy to be owed a duty of gratitude. Now I want to evaluate the suitability of gratitude as a basis for filial obligations. To begin, I'll look at three variations of gratitude theory to see which parental actions are supposed to generate duties of gratitude. I'll then argue that gratitude is not a suitable basis for filial obligations because obligations of gratitude have difficulty explaining the continuous nature of filial obligations.

Gratitude theories of filial obligation are based on the claim that children owe duties of gratitude to their parents for past benefits. Parents usually provide their children with many benefits, especially when the children are young and dependent, and gratitude theories claim that these benefits create obligations of gratitude for the children. Further, parents often continue to provide benefits for their children even after the children become independent, and these continuing benefits provide even more reason to think that children owe their parents duties of gratitude.

Theories of filial obligations based on gratitude are the most popular in the existing literature, and, as a result, there are more variations of the gratitude theory than there are variations of the friendship theory. The most important difference between the variations

of the gratitude theory concerns which parental actions create obligations of gratitude. I will evaluate three variations of the gratitude theory: the first claims that children owe their parents a duty of gratitude for being born; the second claims that children owe a duty of gratitude for being raised; the third claims that children owe a duty of gratitude for supererogatory parental actions.

### *1.2.2.1 The Most Demanding Variation*

The most demanding variation of the gratitude theory claims that children owe their parents a duty of gratitude simply for being born. This variation has its roots in Aristotle and Aquinas (Aquinas, 2a2ae) who argue that being born is such a great benefit that children owe their parents unending gratitude (Hoff Sommers 1986). Though I don't want to get into the debate about the value of being born, gratitude theories are much stronger when they require more from parents than simply conceiving and birthing a child. While there may be some value in being born, it's difficult to see how simply being born could support strong duties of gratitude.

Nancy Jecker provides an argument against the claim that being born, in itself, is a benefit that creates a duty of gratitude for children. Her conception of gratitude is a bit different from McConnell's. She argues that gratitude requires benevolence on the part of the benefactor. She says, "Crucial to situations that call for gratitude is the presence of benevolence: through her action, a grantor of benefits has expressed feelings and attitudes of care, value, and respect for the object of her benevolence and indicates that she does not regard the recipient as having value only as an instrument of her own welfare (Jecker

1989, 74).” She argues that requiring benevolence from the benefactor as a condition for being owed gratitude will disqualify any parents who have children with the primary intention to better their own lives.<sup>23</sup> She speculates that most parents do not have children with the primary intention to benefit the future child, and so most parents couldn’t be owed gratitude only for begetting a child.

Jecker’s definition of gratitude is ultimately too restrictive, as it doesn’t seem to allow weakly intentional benefits to qualify for gratitude. However, her argument about benevolence still works if we substitute McConnell’s theory of gratitude for her own. McConnell’s first condition requires a benefit to be at least weakly intentional. It doesn’t seem as though having a child for one’s own sake is even a weakly intentional benefit for the child. It’s certainly not strongly intentional, as it is impossible to intend to benefit specifically someone who doesn’t exist yet. The benefit is also not weakly intentional because the parents act to benefit themselves, not an abstract future child. If their action is neither strongly or weakly intentional, then their child does not have a duty of gratitude to them.

There are, of course, outliers when it comes to motivations to beget a child. It is at least possible, though almost certainly very rare, that parents could have a child with the sole intention to provide benefits for that child with no consideration for their own benefit. Far more common will be cases of mixed motivations where parents have children both to benefit the children and to benefit themselves. In these cases, it’s still not clear that

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<sup>23</sup> She has additional arguments against birth being an expression of benevolence, but the others rely on an overly restrictive definition of gratitude.

children owe anything merely for being born. It is far more likely that if children owe their parents gratitude, it will be for additional benefits bestowed upon them after birth.

### *1.2.2.2 The Moderate Variation*

The moderate variation of the gratitude theory claims that children owe their parents gratitude for the sacrifices their parents made while raising them. Parents are owed gratitude from their children in return for discharging their duties of parenthood. By duties of parenthood, I mean things that any parent must do to be a successful parent. Minimally, this includes providing food, shelter, and basic care to one's children and taking some interest in facilitating their development.<sup>24</sup> Beyond that, parents ought to provide their children with a nurturing environment. I'm not aware of anyone who explicitly defends this variation of the gratitude theory, but it serves as a plausible middle ground between the most demanding version and the supererogatory version.

Being a parent can be very demanding, and even the minimal duties of parenthood can be quite onerous. For example, when children are very young, parents are responsible for their health and safety at all times. Parents can delegate these responsibilities to others, but they are still ultimately responsible for ensuring their children's needs are met.<sup>25</sup>

Since young children can do very little for themselves, parents have a duty to ensure their

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<sup>24</sup> Keep in mind that my focus is on filial obligations in contemporary North America. The world is a messy place and I cannot pretend to know what it is like to be a parent in cultures very different from my own. There are situations where even the best parents could fail to discharge their duties through no fault of their own: for example, parents living in war-stricken areas or areas suffering from a great economic depression. In these cases, parents' circumstances may prevent them from fulfilling the minimal duties of parenthood.

<sup>25</sup> Elizabeth Brake makes a similar claim (Brake 2010, 161).

needs are met consistently. Parents have a level of control over and responsibility for their children that occurs almost nowhere else in life. This means that even the minimal duties of parenthood could be more demanding than any duties parents have in other areas of their lives.

If a parent consistently fails to provide any of the benefits required by the minimal duties of parenthood, then they are neglectful, abusive, or otherwise unfit.<sup>26</sup> It seems clear to me that children do not owe gratitude to parents who fail to discharge the minimal duties of parenthood. Even if these parents do some beneficial things for their children, but fail to provide basic necessities, it is impossible that they have done enough for the child to be worthy of gratitude.

Moving beyond minimal duties of parenthood further increases the demandingness of being a parent. For example, creating a safe and nurturing environment for a child requires a lot of time, energy, and, in many cases, money. You have to read with your children and take them to have potentially enriching experiences at museums and parks. You have to be patient with them while they learn new things and discipline them properly when they do bad things. In many cases, these are enjoyable activities for parents, but that doesn't mean they aren't also demanding. Parents who discharge these more demanding duties of parenthood are better candidates for duties of gratitude.

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<sup>26</sup> I add the consistently qualifier to account for normal human error. Parents might occasionally forget to pack their child's lunch, and while this is in some sense failing at their parental duty, it's not abusive or neglectful in the sense I'm worried about.

While the moderate variation of the gratitude theory requires more from parents than the minimal variation, I still don't think it requires enough of parents for their children to have duties of gratitude. Suppose that Melinda has discharged all her duties of parenthood. The moderate variation of the gratitude theory claims that this is enough for Melinda's children to have a duty of gratitude to her.

But, we might worry here that the moderate variation of the gratitude theory is too quick to assign obligations. For example, we might think that very young children don't accept benefits from their parents in the way required by McConnell's theory of gratitude.<sup>27</sup> Very young children don't have much choice about which benefits they receive from their parents. If this is true, then children don't owe their parents gratitude for these benefits because they didn't accept them.

The moderate variation of the gratitude theory can deal with this challenge. We can accept that benefits provided to very young children don't lead to obligations of gratitude while still accepting that discharging parental duties can lead to obligations of gratitude. We might have to discard all the benefits parents provide before their children can accept them, but parents continue to provide many benefits while discharging their parental

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<sup>27</sup> McConnell suggests that childhood may be an impairing condition. He says, "Many of the benefits that we have received from our parents and former teachers are ones that at the time we neither wanted nor accepted but only later came to appreciate. And while gratitude may not be due for all of these benefits, it certainly seems that it is due for some of them. In cases of this sort it is plausible to say that gratitude was owed all along, but the agent did not realize this until later (McConnell 1993, 38)." If he's right, then children can retroactively accept benefits once their impairment has been resolved. I think this is a very strange way to talk about childhood. Further, this seems like a stretch of what it means to accept something. It seems clear from his example that the children don't accept the benefit when it was provided to them. They may later come to realize that they should have, or that with their current knowledge they would have, but it's not clear that such a realization means they accepted the benefit.



duties long after children can accept them. The moderate variation of the gratitude theory can claim that obligations of gratitude are based on the benefits provided after children gain the capacity to accept benefits.

Where I think the moderate variation of the gratitude theory goes wrong is assigning obligations of gratitude to people who have merely discharged their existing duties.<sup>28</sup> As I argued earlier, people usually must do more than simply discharge their existing duties to be owed gratitude.<sup>29</sup> In the case of parents, they need to do more than discharge their existing duties of parenthood to be owed gratitude.

Applying the earlier discussion of the effect of existing duties on obligations of gratitude to parent-child relationships suggests that parents must do more than discharge their existing duties of parenthood to create duties of gratitude that their children must discharge. Duties of parenthood are existing duties that all parents owe to their children simply in virtue of being parents. These existing duties raise the threshold of value that parents must cross with the benefits they provide to their children. This means that parents must provide benefits of greater value than those required by their duties of parenthood if their children are to have duties of gratitude.

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<sup>28</sup> McConnell makes a similar point. He says “I do not even want to say that children necessarily owe gratitude to their parents if the parents discharged their duties in raising those children. How or in what manner parents discharge their duties is morally important. In theory, anyway, parents could discharge their duties to their children without demonstrating care, affection, or love (McConnell 1993, 217-218).”

<sup>29</sup> One might wonder what distinguishes parental duties from the duties of a lifeguard. Like lifeguards, parents preserve or save the lives of their children by performing their duties. The relevant difference is that lifeguards aren’t responsible for putting people in a situation where they need to be saved. Biological parents are directly responsible for causing their children to exist and to therefore need life preserving care. Adoptive parents, on the other hand, are not directly responsible for causing their children to exist and in need of life preserving care. This suggests that adopted children might have obligations of gratitude to their parents that biological children do not have.

In Melinda's case, she has existing duties of parenthood simply by virtue of being a parent, and we are supposing she acts in a way that discharges those duties to her children. If existing duties increase the value of the benefit required to create a duty of gratitude, then Melinda's children won't have duties of gratitude to her unless she provides them with greater benefits than those that she would provide in discharging her existing duties.

### *1.2.2.3 The Supererogatory Version*

The third variation of the gratitude theory of filial obligations claims that children owe their parents gratitude for supererogatory parental actions. Supererogatory parental actions typically fall into two categories. Parents may either perform beneficial actions that they are not obligated to perform, or they may discharge their existing parental duties in a way that greatly exceeds the minimum standards of those duties (Jecker 1989, 75). An example of a parental action that is beneficial but not obligatory is paying for a child's university education. While parents are expected to support their children until they complete high school, parents have no obligation to pay for their children's post-secondary education. If parents choose to provide such a large benefit to their children, then they have provided a benefit that they were not obligated to provide and this is something for which their children should be grateful.

Nancy Jecker has an excellent example of a parent discharging his duty in a way that greatly exceeds expectations. She describes a case where a father takes the day off of

work to care for his daughter when she is sick. He makes his daughter her favorite snack, tells her favorite jokes, and watches her favorite movies with her (Jecker, 75). Though we might expect a father to take care of his child when she is sick, this father goes well beyond what is minimally required. Rather than just making sure she is properly taken care of, he goes out of his way to cheer her up and make her ordeal as tolerable as possible. Of course, a one-off case is not enough. For the daughter to owe her father any significant duties of gratitude later in life, he would have to exceed the minimum standards of his parental duties consistently.

It's important to point out that even supererogatory actions will not create duties of gratitude for children if parents fail to uphold the minimal duties of parenthood. For example, abusive parents are not owed gratitude even if they choose to pay for their children's university. Abusive parents have fundamentally failed at their parental duties, and it's difficult to see how any act could make up for this failing. The children of abusive parents may decide to forgive them, but they do not owe them anything.

After examining these three variations of the gratitude theory of filial obligations, the gratitude for supererogatory actions variation is the most plausible. Simply put, the more parents do for their children, the stronger the case that children should have duties of gratitude. That said, in this section, we have only examined under what conditions a child might have a duty of gratitude to his or her parents, not whether filial duties can be reduced to obligations of gratitude. Before we can assess the reduction of filial obligations to obligations of gratitude, we still need a way to measure the benefits

provided to children by their parents and a better idea of what a duty of gratitude requires children to do for their parents.

### 1.2.3 Measuring Benefits

In the previous section, I frequently mentioned the benefits parents provide for their children. I'd now like to look at how we should measure the value of these benefits. In particular, I'd like to look at the difference between measuring the absolute value of the benefits provided to a child and measuring the value of the benefits provided to a child relative to the resources available to that child's parents. I'll argue that only measuring the value of absolute benefits provided could unfairly advantage wealthy parents and fail to recognize good parenting performed with very limited resources.

I think the best way to examine the benefits parents provide for their children is to look at four hypothetical cases designed to cover a range of possible benefits. This method is useful because it allows me to construct similar cases with important differences to test intuitions about the value of benefits provided to the children in each case.

In the first case, suppose that Dala's parents are both heirs to large fortunes and so do not have to work unless they choose to. Dala's parents have a great deal of time, money, and other resources to devote to her upbringing. Not only do they possess these resources, but they also use them effectively to benefit Dala. Dala's parents provide her with many

benefits of great value both in absolute terms and relative to their resources.<sup>30</sup> Her parents send her to the best schools, get her the best tutors, get her the best medical care when she needs it, and spend a great deal of time cultivating her talents and interests. Dala's parents do whatever they can to make Dala's life as good as it can be.

In the second case, suppose that Sara's parents are, like Dala's parents, both heirs to large fortunes and have a great deal of both money and time to devote to Sara's upbringing. However, unlike Dala's parents, Sara's parents choose to spend most of their time and money on elaborate parties, vacations, cars, and luxury goods which do not benefit Sara. Sara's parents still send her to the best schools, and they have hired a large staff to meet her basic needs, but they do not pay her much attention or spend much time with her. Importantly, Sara's parents have the ability to spend more time with her and to take a greater interest in her development. They are just unwilling to take time away from their parties and vacations. Sara's parents still provide benefits of great value in absolute terms. A large staff and the best schools aren't cheap, and both provide advantages for Sara that most children don't have. However, the benefits Sara receives are not of great value when compared to her parents' available resources. While Sara has all the luxuries money can buy, she doesn't have the time devoted to her that she needs from her parents. Sara's parents use their money to hire other people to discharge the duties of parenthood that involve personal attention and care.

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<sup>30</sup> I'm assuming that all resources suffer from diminishing marginal utility when it comes to benefiting children. Having money to pay for a tutor is valuable, but the value of having a team of ten expert tutors is probably not ten times as valuable. That Dala's parents could theoretically spend more on her even though it would provide a very disproportionately small benefit doesn't mean they are failing to provide benefits of great value compared to their resources. Similarly, devoting four hours per day to playing with your child is a valuable benefit to the child, but playing with the child for eight hours per day probably doesn't add much additional value.

In the third case, suppose that Gilda's parents each work two minimum wage jobs and as a result have very little money or time to devote to Gilda. Nonetheless, they devote every spare dollar and hour to Gilda and do everything they can to ensure she is brought up well. Gilda's parents cannot afford to live in an area with a good school, nor do they have the time to help her with her school work as much as they'd like. They do ensure that Gilda always has enough food and a safe place to live, and they help her with her schoolwork whenever they can, even after working two shifts in a row. Gilda's parents provide her with benefits of low value in absolute terms, but high value when compared to their available resources.

In the fourth case, suppose that Miranda's parents each work minimum wage jobs and have very little money and only a modest amount of free time. However, unlike Gilda's parents, Miranda's parents pay little attention to her and provide her with as little as possible. What spare money they have, they waste on frivolities for themselves. Miranda's parents take no interest in her school or social life and are unwilling to spend any money on things that benefit her, beyond what is necessary. In short, her parents do only enough to prevent intervention by the state. Miranda's parents are barely parents at all. The benefits Miranda's parents provide her have little value either in absolute terms or in comparison to their meager available resources. While their resources might not enable them to provide benefits of great value in absolute terms, they could do much more for Miranda with what they have.

Table 1. Cases

	Absolute Value of Benefits	Value of Benefits Compared to Resources
Dala	High	High
Sara	High	Low
Gilda	Low	High
Miranda	Low	Low

*Table 1*

So who owes her parents gratitude? I'll argue only Dala and Gilda. Let's examine Dala and Miranda first, as they are the easy cases. Dala's parents are just about the best parents for who anyone could hope. They provide her with many supererogatory benefits of great value. They would be owed gratitude according to any of the three variations of the gratitude theory. If any parents are owed gratitude, it's Dala's parents. Miranda's parents, on the other hand, are not very good parents. They probably don't even meet the minimal duties of parenthood, since they fail to show interest in Miranda's development. This means that only the gratitude for birth variation of the gratitude theory would claim that Miranda owes her parents gratitude. However bad they might be, we are supposing that they are her biological parents. I've argued in the previous section that the gratitude for birth variation of the gratitude theory is the weakest of the three. Miranda's case seems only to cast further doubt on the plausibility of the gratitude for birth variation of the gratitude theory. Miranda's parents are bad parents by almost any measure, and it seems

very counter-intuitive that she would owe them gratitude even though they treat her so poorly.

Sara's and Gilda's cases are more complicated as their parents are neither excellent nor terrible. By looking at these two cases more closely, we'll see why measuring the value of benefits in absolute terms is problematic. Sara's parents use their money to make up for their lack of attention. While this is certainly not ideal for Sara, her parents provide her with a great deal more than most children have. Sara attends the best schools and has a large staff to care for her. Sara also has an excellent care provider who fills many of the emotional support roles typically performed by parents. One of her staff even makes sure she always has the newest and most fun toys with which to play.

Even with all of the benefits Sara's parents provide for her, I think most people would hesitate to say that Sara's parents are good parents. While Sara's parents give her a lot in absolute terms, they could do a great deal more with the resources they have available. If we measure the value of the benefits parents provide for their children in absolute terms, then we'd be forced to say that Sara's parents are very good overall, if perhaps not as good as Dala's parents. Further, since Sara's parents arguably meet the minimal duties of parenthood and provide many supererogatory benefits to Sara, it seems they are owed gratitude according to any of the variations of the gratitude theory.

To see what's wrong with measuring benefits in absolute terms, imagine Sara's parents were to lose all of their money suddenly. They'd become much like Miranda's parents.



It's difficult to imagine that they would suddenly become interested in Sara, or even that they could make up for lost time if they did become interested. Far more likely, they would flounder about trying to adjust to being suddenly poor and pay even less attention to Sara. It seems very unintuitive to me that Sara's parents are good parents who are worthy of gratitude when they are rich, but bad parents who are unworthy of gratitude when they are not. I want to resist the conclusion that money alone, however well used, can make someone a good parent. I don't deny that having money is beneficial when used well, or that many good parents could be even better if they had more resources, but I don't think money alone can make bad parents into good parents. Miranda's parents wouldn't suddenly become good parents if they won the lottery, though they would be able to provide more financial benefits to her.

Raising children isn't something you can throw money at and hope everything turns out well. While children may receive similar benefits from hired staff as they would from their parents, paying others to discharge one's duties of parenthood weakens and distorts the filial relationship. There is a difference between being taken to the local zoo by one's parents and being taken by someone who was paid by one's parents. While going to the zoo with someone who was paid by one's parents might still have value, it does not enhance the filial relationship. When Sara thinks back to the good parts of her childhood, her parents will not be in her thoughts. She will remember the fun day she had at the zoo with her care provider and think fondly of the care provider rather than her parents. Sara may have gratitude for the staff who raised her, but it's not clear why she should have gratitude for her parents.

Gilda's case provides a nice contrast to Sara's. Gilda's parents do not have very much money or time, but they use everything they have to benefit Gilda. In absolute terms, the benefits they provide Gilda are minimal, but when compared to their available resources, the value of the benefits they provide is quite high. My intuition is to think that Gilda's parents are good parents who are in a bad position. If they had money, they'd use it like Dala's parents and continue to help Gilda as much as they could. So long as they discharge their duties of parenthood, Gilda owes them gratitude.<sup>31</sup> Though they aren't able to provide Gilda with many benefits, they discharge their parental duties in a way that greatly exceeds the minimum standards of those duties. They do everything they can for Gilda, and that makes them worthy of her gratitude.

Table 2. Gratitude

	Absolute Value of Benefits	Value of Benefits Compared to Resources	Owes Parents Gratitude
Dala	High	High	Yes
Sara	High	Low	No
Gilda	Low	High	Yes
Miranda	Low	Low	No

Table 2

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<sup>31</sup> I maintain that all parents must discharge at least the minimal duties of parenthood. Even if Gilda's parents tried as hard as they could and devoted all of their time and money to Gilda, it's possible that their efforts will fall short. They may simply be unable to support a child with the resources available to them, despite their best efforts. This would be a very sad situation as otherwise excellent parents would be denied the benefits of a child because of their lack of resources, but if Gilda were to grow up without her basic needs being met, I don't think she would owe her parents gratitude regardless of their efforts.

Now that we've thoroughly examined these four cases, there are two conclusions we can draw. First, if we want common-sense intuitions about good parenting to line up with the gratitude theory, then we must measure the value of benefits bestowed upon children relative to their parents' available resources. Valuing benefits in absolute terms allows rich parents to pay others to discharge their duties of parenthood and that distorts the value of the filial relationship. Second, while greater financial resources can allow good parents to do more for their children, it is time spent and care given that are most valuable when considering obligations of gratitude.

#### *1.2.3.1 Transitivity and Efficient Cause Objections*

Before moving on to discuss what children must do for their parents if they owe them gratitude, I'd like to briefly pause here to respond to a potential series of objections. Even though I'm not ultimately going to defend the gratitude theory as a good theory of filial obligations, it is worth considering these objections because children may still have obligations of gratitude to their parents. The series of objections I have in mind all suggest that Sara's parents should be owed gratitude because they are the cause of the benefits Sara receives, even if they don't provide those benefits directly. Recall that Sara's parents are very rich and provide her with many expensive benefits, but they hire others to discharge many of their parental obligations.

First, you might think that gratitude is transitive and so if A owes B gratitude and B owes C gratitude, it follows that A owes C gratitude. In Sara's case, Sara owes her care taker gratitude, and her care taker owes her parents gratitude for her employment, so Sara also

owes her parents gratitude for whatever benefits her care taker provides. If this is true, then Sara's parents are still owed gratitude for the benefits the caretaker provides to Sara. Even though Sara's parents don't provide benefits to Sara directly, she owes them gratitude if gratitude is transitive.

I can see how gratitude might look transitive in Sara's case, but I don't think gratitude is transitive. In Sara's case, your intuition might pull you toward the conclusion that the care taker is just an employee and so Sara's parents are ultimately the people who deserve Sara's gratitude for any benefits the care taker provides to Sara. However, I don't think this intuition holds up when we apply transitivity to cases involving more people. In Sara's case, there is a very small set of people in the transitive relation. Sara is only one step removed from her parents, and the care taker is directly connected to both Sara and her parents.<sup>32</sup> If we imagine a case with a much larger set of people, it becomes much less intuitive that gratitude is transitive. Suppose a police constable<sup>33</sup> saves me from being held hostage during a robbery. It seems relatively clear that I owe the constable gratitude, but if we apply transitivity in this case in the same way we applied it in Sara's case, then I owe gratitude to the constable's sergeant, the sergeant's superintendent, and the superintendent's chief of police.<sup>34</sup> Since each person below the chief of police owes the person above them gratitude for their job, if gratitude is transitive and I owe a constable gratitude, then I also owe the chief of police gratitude. This, to me, seems far less

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<sup>32</sup> Sara → care taker → Sara's parents

<sup>33</sup> For my American readers, here are the approximate conversions to municipal police ranks: a police constable is a police officer, a sergeant is the same, an inspector is a captain, and a superintendent is a major or commander.

<sup>34</sup> Me → constable → sergeant → superintendent → chief of police

intuitively appealing. I've likely never even met any of these people other than the constable who saved me. Unlike in Sara's case, where she is only one step removed from the final person in the transitive relation, in the constable case I am three steps removed from the final person in the transitive relation.

A case could be made that in the police constable case I owe gratitude to the police generally rather than to the individual members of the police department. However, I think this is a case where the distinction between feeling grateful and having a duty of gratitude arises. I may feel grateful for the police, but only the police constable has fulfilled McConnell's conditions for a duty of gratitude.

What goes wrong in both Sara's case and the police constable case is made clear in the police constable case. There is something like equivocation happening when we refer to gratitude in these cases. While it's true that there is a chain of gratitude linking these people, it isn't the same kind of gratitude in each link. The constable example supposes that each person in the police department owes their immediate superior officer gratitude for being hired, but that's not why I owe the constable gratitude. I owe the constable gratitude because he or she saved me from being held hostage. My gratitude is of a different kind than the gratitude the constable has for his or her sergeant. This change in the type of gratitude being discussed makes transitivity impossible. Sara's case is similar in that the gratitude she owes her caregiver is of a different kind than the gratitude her caregiver owes Sara's parents. Sara owes her caregiver gratitude for the care she provides

and the benefits that come from her care. The caregiver owes Sara's parents gratitude for being hired, not for any care they provide for her.

Second, even if we abandon the relatively strict concept of transitivity, you might think that Sara's parents are owed gratitude because they are the efficient cause of Sara's care taker. Being the efficient cause of Sara's care taker means that her parents are directly responsible for the care taker being around Sara and able to provide her with benefits. In this case, Sara's gratitude for whatever benefits the care taker provides should be directed toward her parents. This change to the objection requires us to determine if being the efficient cause of someone or something that provides a benefit entitles you to the gratitude created by the person or thing you caused to exist.

But I don't think being the efficient cause of someone or something that provides a benefit necessarily entitles you to the gratitude created by the person or thing you caused to exist. Let's look at another example to see why this is the case. Suppose that a lifeguard saves me from drowning. As I argued in a previous section, I probably owe the lifeguard gratitude for saving my life. However, it doesn't seem that I owe the lifeguard's manager gratitude for hiring the lifeguard. Though the lifeguard wouldn't have been there to save me were it not for the manager, the manager didn't do anything to benefit me directly. It's possible that I don't even know who the manager is. The manager's actions seem too far abstracted from the benefit that I receive from the lifeguard.

To make the case even stronger, imagine that, instead of hiring a lifeguard, the manager of the pool installed a robotic arm that could rescue anyone who shows signs of drowning. The benefit I receive is the same, my life is saved, but in this case, I am saved by a machine instead of a person. I don't think I can owe a machine gratitude<sup>35</sup>, but I also don't think I owe gratitude to the manager who installed the machine.

If gratitude were owed to people who are the efficient cause of benefits, then there would be very unintuitive consequences. For example, I would owe gratitude to whoever installed the airbags and seatbelts in my car if I had a car accident, and I'd owe gratitude to whoever installed smoke detectors in my apartment if there was a fire. In both cases, had the safety equipment not been installed by someone I'd either be dead or more severely injured.<sup>36</sup>

So why don't I owe gratitude to the people who installed my safety equipment? I think it's because I've received a benefit, but it doesn't seem that I've been provided a benefit by anyone intentionally. The person who installed the safety equipment in my car did so because that's their role on the assembly line, not because they were particularly concerned about my safety or even the safety of an abstract future owner of the car.<sup>37</sup> Similarly, the person who installed my smoke alarm probably didn't do so because they wanted to provide an abstract future apartment dweller with a benefit. Returning to

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<sup>35</sup> Machines can't fulfil many of McConnell's necessary conditions for gratitude. Machines don't have intentions, for example.

<sup>36</sup> Because the benefit I receive is so great, these people arguably cross the increased threshold imposed by their existing duty, just like the lifeguard.

<sup>37</sup> I'm assuming here that people who install seatbelts and airbags (if this is even still a job performed by humans) are primarily interested in assembling cars and not in maximizing the safety of others.

McConnell's necessary conditions for gratitude, the people who install the safety equipment that benefits me do not demonstrate even weak intentionality. They are like the passerby who scares away a mugger. I've received a benefit as a result of their actions, but they lack the intentionality necessary to be owed gratitude.

In the safety equipment cases, I don't owe gratitude because there is a layer of abstraction that eliminates the intentionality required for gratitude between the person who installed the safety equipment and the benefit I receive. In the lifeguard example, my gratitude is appropriately directed to the lifeguard who saved me, but the lifeguard's manager does no more than the person who installed my smoke detector and so isn't owed my gratitude.

Sara's case is a bit different from the lifeguard or safety equipment cases. Sara falls into a small group of cases where efficient causation is enough to create an obligation of gratitude. Sara's parents hired the care taker with her in mind, and they did so specifically so that she could benefit from the care provided by the care taker. Hiring the care taker to benefit Sara was a strongly intentional action, which means her parents don't run afoul of McConnell's necessary conditions for gratitude in the same way as the lifeguard's manager or the safety equipment installers. They also don't seem to violate any of McConnell's other conditions. That said, remember that McConnell's conditions are necessary, but not sufficient conditions. It's possible to satisfy all of his conditions, but still not be owed gratitude. However, if all of McConnell's conditions are satisfied, we need a good reason to explain why a duty of gratitude doesn't obtain.



I think the correct way to explain Sara's rather complicated case is that Sara's parents aren't owed gratitude for the benefits the care taker provides for Sara, but rather they are owed gratitude for making the care taker available to Sara. This may seem like a minor distinction, but it's important. If we think that Sara's parents are owed gratitude for the benefits that the care taker provides, then the care taker becomes little more than a tool to achieve their ends. It would be as though the care taker was the same as a life preserver thrown to me when the lifeguard was saving me. The benefit I receive would be impossible without the tool, but I owe gratitude to the person responsible for using the tool rather than to the tool itself. If the care taker is simply a tool, then Sara owes gratitude to her parents for using the tool rather than to the care taker. On the other hand, if we think that Sara's parents are owed gratitude for making the care taker available to Sara, then there is room for the care taker to be valued independently for the benefits he or she provides for Sara. This distinction explains how Sara can have gratitude to both her parents and her care giver. She is really receiving two benefits, one from her parents, and one from her caregiver. The mistake that leads to this series of objections is seeing Sara's case as having one flowing benefit that goes from her parents to her caregiver and finally to Sara, rather than as two separate benefits with independent sources.

#### 1.2.4 Duties of Gratitude

In the three previous sections we saw first the conditions that must be fulfilled to create a duty of gratitude generally; second, how a child might come to have a duty of gratitude toward his or her parents; and third, how we should measure the value of the benefits parents provide for their children. In this section, I'd like to look at what duties of

gratitude require children to do for their parents. A good theory of filial obligations should be able to give us at least some idea of what filial duties require children to do for their parents. At the very least, we should prefer a theory of filial obligations that can tell us what filial duties require children to do for their parents to a theory that cannot.

Whatever a duty of gratitude might require children to do for their parents, it will almost never require an equal return. While the benefits children provide to their parents should be appropriate, they need not be equal to the benefits originally provided by their parents. Requiring an equal return would make a duty of gratitude too much like a debt that requires repayment (McConnell, 50-51).

Further, in filial relationships, an equal return would often be inappropriate. If the daughter from Jecker's earlier example of supererogatory parental actions attempted to show her gratitude to her elderly father by taking the day off of work, making his favorite snacks, telling his favorite jokes, and watching his favorite movies with him, we would very likely think her actions were inappropriate. While her father might have the same illness she did as a child, her father is an adult and does not need the same kind of care that he provided for her when she was a child. He is likely to see an attempt to provide the same kind of care as demeaning and condescending. The daughter should spend time with her father, but she should not treat him exactly as he treated her when she was a child.

#### *1.2.4.1 McConnell's Theory of Discharging Duties of Gratitude*

According to McConnell, “A person discharges a debt of gratitude to another when she acknowledges and appreciates what the other has done, is prepared to provide the benefactor willingly with a commensurate benefit if the proper occasion for doing so arises, and does so because she (or a loved one) has been benefited by the other (McConnell, 56).” If McConnell is correct, duties of gratitude require both an action and a proper attitude. Notice that the act is only willingly being prepared to provide one’s benefactor with a commensurate benefit if an opportunity presents itself. For an opportunity to present itself, my benefactor must have a genuine need for something I can provide. This means that if my benefactor is fortunate enough never to find themselves in need of a benefit, then I haven’t failed to fulfill my duty of gratitude (McConnell, 63-64).<sup>38</sup> As long as I’m willing to provide the benefit were the opportunity to arise, I have done what gratitude requires.

The other aspect of discharging my duty of gratitude is having the right attitude about providing a benefit for my benefactor. I must acknowledge and appreciate what my benefactor has done for me. This means that I can’t properly discharge a duty of gratitude by simply providing a commensurate benefit. If I fail to acknowledge and appreciate what my benefactor has done for me, then I’ve failed to discharge my duty of gratitude.

McConnell’s example involves him throwing a party for his friend who has recently achieved something important. He says, “It is a very fine party, and you are overcome

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<sup>38</sup> One of McConnell’s examples is a very rich benefactor saving the life of a very poor beneficiary. It’s unlikely the very poor beneficiary will ever be able to provide a commensurate benefit to his or her benefactor. However, he or she can be prepared to provide commensurate benefit, if the opportunity presents itself. McConnell says that in this case the beneficiary has “done all that gratitude demands at that point (McConnell, 62-63).”

with a sense of gratitude to me. As you are leaving, you say, “Please, let me show my gratitude,” and you slip me fifty dollars (McConnell, 51).” In this case, McConnell argues that the friend’s action isn’t a proper way to express gratitude, even if it involves providing a commensurate benefit. The friend seems to miss something important about the benefit the host provided for him. He fails to appreciate the benefit provided, so he has failed to discharge his duty of gratitude.

McConnell argues that duties of gratitude are narrow imperfect duties. Narrow imperfect duties require one to adopt a maxim and do not allow one to “refrain from acting on that maxim simply because he has recently done so or will do so on some other occasion (McConnell, 68-69).” This explains why, when an opportunity to benefit our benefactor arises, we must benefit our benefactor, so long as doing so does not violate any perfect duties.<sup>39</sup>

To reiterate, there are three key parts of McConnell’s theory of discharging duties of gratitude. First, the beneficiary must acknowledge and appreciate the benefit provided by the benefactor. Second, the beneficiary must be willing to provide a commensurate benefit to the benefactor, should the opportunity arise. Third, the benefit provided by the beneficiary must respond to a genuine need of the benefactor.

#### *1.2.4.2 Brynn Welch’s Objections to the Gratitude Theory of Filial Obligations*

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<sup>39</sup> McConnell’s example of violating a perfect duty in an attempt to discharge a duty of gratitude is killing my benefactor’s bitter enemy (McConnell, 68). We have a perfect duty not to kill, which overrides our imperfect duty of gratitude.

Brynn Welch argues that it is exceedingly difficult to be specific about what duties of gratitude require. A duty of gratitude can tell us that we should do something, but not that we must do anything in particular. She argues that, at best, the gratitude theory can guide us away from extremes (Welch, *A Theory of Filial Obligations* 2012, 723). For example, suppose we accept that Niles has a duty of gratitude to his parents. It would not be appropriate for Niles to say to his parents, “Thank you for your care and support while I was growing up” and think he had discharged his duty of gratitude to them. If he has a duty of gratitude in the first place, he seems to be obligated to do more than express his thanks only once. The gratitude theory can tell us that such a minimal expression of gratitude is insufficient. It guides us away from duties of gratitude requiring too little of children.

The gratitude theory can also tell us that some expressions of gratitude are inappropriately extravagant because they demonstrate a lack of self-respect. If Niles devotes his whole life to satisfying even the most outlandish requests of his parents, then it’s difficult to believe he values himself as an end independent of his parents. Fred Berger calls this pathological gratitude and suggests that expectations of such behavior can be oppressive (Berger 1975, 304-305). In this case, the gratitude theory can tell us that Niles shouldn’t be doing as much as he is, or at least that he doesn’t have a duty to do as much as he is. The gratitude theory guides us away from duties of gratitude requiring too much of children.

What the gratitude theory can't do is provide us with specific actions to perform to discharge duties of gratitude. You might think this standard is too high. Perhaps we shouldn't expect obligations of gratitude to be this specific. However, Welch argues that the gratitude theory can't even provide us with a range of actions that would discharge duties of gratitude because the gratitude theory cannot explain the type of action required to discharge a duty of gratitude (Welch, *A Theory of Filial Obligations*, 723). Welch claims that even if we accept that a child owes his or her parents gratitude, it's not clear what the child must do for them. There are three possibilities in Niles's case: he is obligated to (1) express genuine gratitude, (2) behave as though he were experiencing gratitude even if he is not, or (3) feel gratitude.

Welch appears to be unaware of McConnell's work, and it provides the guidance that Welch claims the gratitude theory lacks. As a reminder, McConnell claims that three conditions must be fulfilled to discharge a duty of gratitude. First, the beneficiary must acknowledge and appreciate the benefit provided by the benefactor. Second, the beneficiary must be willing to provide a commensurate benefit to the benefactor, should the opportunity arise. Third, the benefit provided by the beneficiary must respond to a genuine need of the benefactor. McConnell's conditions still don't give us specific actions that must be performed to discharge a duty of gratitude, but they do give us the type of action required to discharge a duty of gratitude.

McConnell's position seems to be that a beneficiary must express genuine gratitude to discharge a duty of gratitude. Action alone, that is, being willing to provide a

commensurate benefit, is not enough to discharge a duty of gratitude. Similarly, merely feeling gratitude is not enough to discharge a duty of gratitude. It is only a combination of attitude and action in response to the genuine need of one's benefactor that can discharge a duty of gratitude. This means that McConnell's theory can tell us what Niles is required to do. In Welch's terms, he must express genuine gratitude for his parents.

#### *1.2.4.3 Difficulties for McConnell's Theory*

McConnell's theory of what we must do to discharge duties of gratitude fits well with most duties of gratitude. That is, it explains what we must do when we have a duty of gratitude to most benefactors. However, parents aren't like most benefactors. Usually, a benefactor provides us with a benefit, and we can discharge that benefit in one action, or, at most, a short series of actions. We usually know exactly what the benefit was, and how we might provide a commensurate benefit should the opportunity arise. For example, if you make me dinner when I am ill, I acquire a duty of gratitude to you. I can discharge this duty by appreciating the dinner and doing something for you that you need the next time you are ill.

The benefits parents provide for their children that create duties of gratitude are not like the benefits we receive from most benefactors. The benefits parents provide for their children are usually numerous, and some of them are very valuable. Even using the supererogatory version of the gratitude theory, which excludes many of the benefits parents provide for their children, it's not clear how children could keep track of all the benefits they have received from their parents. If the benefits received aren't clear, then

what is required to provide a commensurate benefit in return also isn't clear. If we can't know what is required to provide a commensurate benefit in return, then we can't know when we have discharged a duty of gratitude. Even if we could precisely keep track of all the benefits a child receives from his or her parents, the total benefit would often be far too large to discharge with a single act or even a short series of acts.<sup>40</sup> Many filial obligations seem to be continuous, that is, whatever children ought to do for their parents, it seems they ought to keep doing it for as long as the relationship lasts. The example I gave earlier was a duty to keep in touch with one's parents. The obligation is to maintain contact with one's parents, and this obligation doesn't end regardless of how many times one calls or visits. Explaining continuous duties is a problem for McConnell's theory because he says, more than once, that duties of gratitude must be able to be discharged (McConnell, 74 & 224).

McConnell addresses filial obligations, their seemingly continuous nature, and how the gratitude theory might account for them. I'll argue that his solutions are not compelling. McConnell raises the concern about the ongoing nature of filial obligations by saying,

*Throughout much of this work I have spoken of debts of gratitude as if they can be discharged in a single act. If a person helps you out of a difficulty, you ought to do the same for him if and when the opportunity arises; having done so, you have discharged your debt of gratitude. But surely filial obligations cannot be discharged in a single act. There is, typically, what one might call a continuing or ongoing quality about the obligations that children owe their parents. Having done one good turn for one's parents hardly does justice to what we think of as filial*

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<sup>40</sup> Keeping track of benefits in this way also makes filial obligations based on gratitude too much like debts. If children are supposed to have hundreds or thousands of duties of gratitude to their parents for hundreds or thousands of corresponding benefits, then the gratitude theory loses much of its intuitive appeal. It begins to make filial relationships look more like the relationship one has with one's bank than the relationship most people have with their parents.



*obligations. Therefore, the gratitude account of filial obligations is inadequate. (McConnell, 222)*

McConnell provides two responses to this concern. First, he argues that parent-child relationships are complicated and that gratitude alone is unlikely to explain all filial obligations (McConnell, 223). He acknowledges that love and friendship can support filial obligations as well.<sup>41</sup> The obligations that come from love and friendship are continuous, so these parts of the parent-child relationship could serve as the basis for continuous filial obligations, while gratitude serves as the basis for dischargeable filial obligations. He says that filial obligations are often overdetermined and that in healthy parent-child relationships it will often be love and friendship that serve as the basis for filial obligations. He says, “It is when the relationships begin to falter that considerations of gratitude are more likely to be uniquely efficacious (McConnell, 229).”

McConnell’s first response to this problem is to admit that gratitude cannot be the basis for all filial obligations. This is fine for McConnell’s purposes, as he is not trying to defend a gratitude theory of filial obligations. He is only trying to make sense of the role gratitude plays in filial obligations. However, his first response does little to help the gratitude theory of filial obligations. If gratitude can only account for a subset of filial obligations, and only serves as a backup source of obligations in unhealthy parent-child relationships, then it’s not a good theory of filial obligations. We should expect a good theory of filial obligations to account for most, if not all, filial obligations.

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<sup>41</sup> I’ve already argued that friendship is not a good basis for filial obligations. I’ll argue in chapter three that love allows for the creation of special goods within parent-child relationships and that special goods are the best basis for filial obligations.

McConnell's second response is to argue that filial obligations based on gratitude appear to be continuous, but they are not actually continuous. He reiterates that not all filial obligations are based on gratitude and that duties based on friendship or love can be continuous (McConnell, 224). He then argues that filial obligations based on gratitude are dischargeable, but it is difficult to determine when they have been discharged. To discharge a duty of gratitude we must provide our benefactor with a commensurate benefit, but in parent-child relationships it will rarely be clear when a commensurate benefit has been provided. He says, "Given the typical duration of the relationship and the magnitude of the past benefits, it is not only foreign to attempt to determine when "the score has been evened," it is also utterly impractical. Because of these complications, one might get the misleading impression that duties of gratitude are continuous (McConnell, 224-225)." So, according to McConnell, filial obligations based on gratitude look continuous because it is difficult to determine when a commensurate benefit has been provided, but they could be discharged if we were able to determine when a commensurate benefit had been provided.

McConnell's second response also does little to help the gratitude theory of filial obligations. It seems to reinforce the point he made in the first response that gratitude only serves as a basis for a subset of filial obligations and that gratitude shouldn't be the primary source of filial obligations. If duties of gratitude must be able to be discharged, then they cannot be a good basis for filial obligations, many of which are continuous. The

inability of the gratitude theory of filial obligations to account for continuous duties means that it is not a good theory of filial obligations.

### 1.3 Conclusion

In this chapter, I have evaluated both the friendship theory of filial obligations and the gratitude theory of filial obligations. I have argued that neither theory provides a compelling account of filial obligations. The friendship theory attempts to reduce filial obligations to obligations of friendship, but there are several strong disanalogies between typical friendships and typical filial relationships that make this reduction problematic. Friendships are transient, while filial relationships are not and friendships involve two people of roughly equal power, while filial relationships do not. The gratitude theory attempts to reduce filial obligations to obligations of gratitude, but it is unable to account for continuous obligations. Many filial obligations are continuous obligations, so the gratitude theory is not a good theory of filial obligations.

## Chapter Two: The Special Goods Theory of Filial Obligations

The special goods theory of filial obligations originated in Simon Keller's "Four Theories of Filial Duty" (Keller 2006).<sup>42</sup> Keller argues that filial obligations must be understood as a distinct type of obligation, rather than as a token of another type of obligation. This is a shift from the friendship theory and gratitude theory, which both try to reduce filial obligations to tokens of obligations of friendship and gratitude, respectively. Keller argues that the relationship we have with our parents isn't much like any other relationship we have. If this is true, then we shouldn't expect to understand the moral aspects of the filial relationship by grafting it onto another type of moral relationship, such as friendship (Keller, 264).

Keller suggests that the best way to understand filial obligations is through the special goods that are created in a filial relationship. When a filial relationship is healthy, both parents and children will benefit from the relationship. Some of the benefits take the form of special goods that can only be obtained within a filial relationship. Keller argues that children have an obligation to provide their parents with the special goods that can only be obtained through the relationship they share.

I will begin this chapter by explaining Keller's special goods theory in detail. I will then argue that Keller's special goods theory has two problems that need to be solved if the special goods theory is to become a compelling theory of filial obligations. First, we need

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<sup>42</sup> There are similarities between Keller's special goods theory and Claudia Mills's theory of filial obligations in "Duties to Aging Parents" (Mills 2003). Nonetheless, Keller doesn't cite Mills in his paper, and he is (as far as I can tell) the first author to use the term 'special goods' in this area.

to know what special goods can only be obtained in filial relationships and why these goods cannot be obtained in other relationships. Second, we need to know how the ability to provide special goods to one's parents leads to an obligation to provide those goods. It's worth noting that Keller acknowledges these problems and sets them up as avenues for future work, but doesn't provide solutions for them in his paper. In this chapter, I will present these two problems and explain why they are important. In the next chapter, I will provide solutions to these problems and present a complete special goods theory of filial obligations.

In the final section of this chapter, I'll examine Brynn Welch's criticisms of Keller's special goods theory. Welch has two objections to Keller's special goods theory and argues that the special goods theory will produce counter-intuitive results in cases of abandonment and dementia. I will argue that Keller's theory has the resources to respond to Welch's criticisms.

## 2.1 Simon Keller's Special Goods Theory

Keller's special goods theory of filial obligations draws on two important ideas. "[F]irst, that filial duty needs to be understood on its own distinctive terms; secondly, that different forms of duty can fruitfully be understood by way of an understanding of different sorts of goods, as they arise within what ideally is a reciprocal relationship (Keller, 265)." I've already argued in the previous chapter that filial duty should not be reduced to either a duty of friendship or a duty of gratitude, and since these are the most prominent attempts to reduce filial duties to other kinds of duties, we can safely conclude

that his first idea is probably correct. I'm going to focus on his second idea and explain what special goods are and how they are supposed to ground filial obligations.

Keller begins his argument for his special goods theory with the observation that many people have a strong desire to have children and that their desire is usually about shaping their own lives, rather than an altruistic desire to help someone in need. They believe that having a child will make their own lives better through loving and nurturing their future child. Keller isn't suggesting that parents only have children for selfish reasons<sup>43</sup>, only that the desire to have children is usually motivated by thoughts of how a child will improve their lives.

The common conception of parenthood suggests that parenting adds many valuable goods to a parent's life. To support his claim about the value of parenthood, Keller observes that many parents commit significant amounts of time, money, and energy to their efforts to have children. Presumably, people would not do these things if they did not believe there was something valuable about being a parent. In addition, when someone who desires to be a parent cannot have children, others often feel sad for that person because they believe he or she is missing out on something of value. If being a parent wasn't valuable, others wouldn't feel sad when someone couldn't have a child.

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<sup>43</sup> Parents may desire children for political or moral reasons. For example, members of a dwindling ethnic group may desire to have children to ensure the survival of their group. Parents may also desire children for altruistic reasons, this seems especially likely in the case of adoption, where an existing child receives a benefit in addition to the benefits the adoptive parents gain by having a child.

Keller's claims about the value of parenthood need more support than he provides. For example, it's not clear that other people should be sad for someone who cannot have a biological child. Even if someone wants to be a parent, he or she may find other life pursuits that provide just as much value as parenting. He or she won't get the same goods from other pursuits as he or she would from parenting, but the goods might be just as valuable. I'll discuss the goods of parenting in more detail in the next chapter. For now, it's worth noting that I think Keller is correct that parenthood has value, even if his justifications for that claim aren't very strong.

Keller argues that the goods that can be obtained from parenthood are unique in kind. This means that there are no other sources of these goods, or at least that there are no easily accessible other sources of these goods. It's not entirely clear what criticism the 'easily accessible' condition is intended to ward off. Presumably, he wants to allow for the possibility of atypical relationships that could be developed to emulate parenthood.<sup>44</sup> To support this claim, Keller observes that people who have good health, wealth, professional success, and many other good things in their lives may nonetheless feel that they are missing something important if they do not have children.<sup>45</sup> He argues that even great quantities of other valuable goods cannot replace the value of parenthood for those who have a strong desire to become parents. For example, if someone with a strong

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<sup>44</sup> I have in mind people who have particularly close relationships with pets. Some people treat small dogs in particular as though they were children, and presumably they gain some of the goods that might otherwise come from parenthood. Another possibility is cases where an older sibling becomes heavily involved with raising a younger sibling. In some cases they would just become non-biological parents, but in others they may only have some properties in common with parents.

<sup>45</sup> His claim, I take it, is a factual one. That is, some people do feel like they are missing out on something if they don't have children. It is not a normative claim that people should feel like they are missing out on something if they don't have children.

desire to have children finds out that they cannot, but at the same time wins the lottery, they are unlikely to think they have gained more than they've lost (Keller, 265). While they may appreciate their lottery winnings, the value gained from having money is not of the same kind as the value lost by being unable to have children. No amount of money could compensate for not having children if one desires to have children.

Keller also thinks that children gain unique goods from having a strong relationship with their parents. He suggests that even if children have everything else they could want, they may still feel as though they are missing out on something important if they don't have a relationship with their parents. To support this claim, he observes that people who have lost contact with their biological parents will often devote a great deal of effort to finding their parents. Even children who never knew their biological parents might feel a strong desire to have a relationship with them.

I'm largely in agreement with Keller about the goods of parenthood and the goods of having a relationship with one's parents, but I don't think his examples are very good. While I agree that winning the lottery is unlikely to satisfy someone who desires children but cannot have them, I don't think it shows that the goods of parenthood are unique. Money might be very useful for fulfilling many desires, but there's little reason to think that money can replace the value of any important relationship. The lottery example demonstrates that the goods obtained from winning the lottery are not the same goods that are obtained through parenthood, but it doesn't show that other kinds of goods are not the same as goods of parenthood. A stronger example would be someone who is a



Big Brother or Big Sister or involved in another youth mentorship program, who feels as though they are missing something in their lives. People involved in these programs develop a close relationship with a child that seems to share many, though certainly not all, properties with parenthood. To demonstrate that the goods of parenthood are unique, Keller would have to show how they cannot be obtained in similar relationships. We need to know why being a particularly involved aunt or uncle, for example, doesn't provide the same goods as being a parent. This is a problem I'll try to solve in the next chapter. For now, I just want to point out that Keller's example doesn't do the work he wants it to do.

I also have a concern about the example Keller uses to demonstrate the value of having a relationship with one's parents. Keller's example suggests, perhaps unintentionally, that a connection with one's biological parents is somehow different in kind than a connection with one's adoptive parents. Keller says that children separated from their biological parents, through adoption or institutionalization, often have a strong desire to develop a relationship with their biological parents. These adopted children already have a relationship with their adoptive parents, but Keller suggests they would be gaining something of further value if they had a relationship with their biological parents.<sup>46</sup>

While it seems that some adopted children do have a desire to develop a relationship with their biological parents, I think this fact serves as evidence that our culture has a strong bias toward biological parents. In some sense, we collectively tend to think that

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<sup>46</sup> It may be that Keller simply means that having two filial relationships is better than one. Alternatively, he could mean that certain special goods can only be obtained from biological parents, perhaps a shared feeling of connection to an influential ancestor, for example.

biological parents are ‘real’ parents, while adoptive parents are not. The fact that some adopted children have a desire to develop a relationship with their biological parents does little to demonstrate that having a relationship with one’s parents is valuable simply because these children already have a relationship with their parents. It’s not as though developing a relationship with one’s biological parents negates or automatically supersedes the value of the relationship one has with one’s adoptive parents. Perhaps there is some value in a biological connection; it may give an adopted child a feeling of connectedness with his or her cultural heritage in cases of cross-cultural adoption, for example.<sup>47</sup> However, I don’t think that’s enough to show that there is a difference in the value of a relationship with one’s biological parents, and a relationship with one’s adoptive parents.

A better example of the value of a relationship with one’s parents is that almost no one would choose to be a ward of the state rather than have even minimally decent parents. Knowing that there is someone in your life who will be there to care for you whenever they can is something of great value that children often receive from having a relationship with their parents, regardless of whether they are adoptive or biological.

### 2.1.1 Special Goods

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<sup>47</sup> David Velleman argues that knowing one’s biological parents is valuable because it contributes to self-knowledge and identity formation. Biological children can place themselves within the larger story of their family history. He argues that adopted children “can certainly find meaningful roles for themselves in stories about their adoptive families. Even so, they seem to have the sense of not knowing important stories about themselves, and of therefore missing some meaning implicit in their lives, unless and until they know their biological origins (Velleman 2005, 376).”

Keller argues that both parents and children can obtain goods from a filial relationship that they cannot gain elsewhere. Keller calls these goods 'special goods'. In this section, I'll explain what special goods are, and what makes them different from other kinds of goods. I've divided the special goods that can be produced in a parent-child relationship into three broad categories. First, there are special goods that parents obtain through a filial relationship. Second, there are special goods that children obtain through a filial relationship. Third, there are special goods that both parents and children can obtain through a filial relationship.

Keller argues that there are two types of goods produced by the parent-child relationship (Keller, 266). The first type of good is a generic good. Generic goods are those goods that could, in principle, be obtained from anyone. Generic goods for parents include rides to the store or doctor and a place to stay while visiting their children. While it might be nice for parents to have their children drive them to the doctor and provide them with a place to stay while visiting, these goods can be obtained by hiring a taxi or paying for a hotel, respectively.

The second type of good is a special good. Special goods are those goods that can only be obtained by a child from a parent or by a parent from a child. Keller's primary example of a special good is the good that comes from a child keeping in touch with his or her parents. It's not that the child's parents want to be in touch with someone and the child just happens to fill that role, rather the parents want to be in touch with their child, and no one else can fill that role. Keller describes the special good in this case as "the good of

having your child, the one you raised, love and care about, make an effort to keep in touch (Keller, 266).” Another of Keller’s examples is the special good parents derive from having their children home for Christmas. Though they might derive some good simply from having anyone around at Christmas, they derive a special good when their children are around.

It’s worth briefly pausing my explanation of Keller’s theory to offer another explanation of the difference between generic and special goods. It’s important that the distinction between generic and special goods is clear because later I’ll be evaluating potential special goods to determine if they are generic or special. Claudia Mills uses the terms value-extrinsic goods and value-intrinsic goods to refer to a similar distinction (Mills 2003). She adapts these concepts from Thomas Donaldson who discusses value-intrinsic and value-extrinsic institutions (Donaldson 1993). An institution is value-intrinsic if the ends of the institution are logically unobtainable without the existence of the institution. An institution is value-extrinsic if the ends of the institution could be reached by other means.

Mills drops the language of logically unobtainable and shifts from institutions to relationship goods. When applied to parent-child relationships, value-intrinsic goods are goods that can only be obtained in a parent-child relationship, while value-extrinsic goods are goods that can be obtained from other sources outside of a parent-child relationship. Mills argues that even goods that are traditionally tied to a parent-child relationship are not value-intrinsic unless there is no other way to obtain those goods. For

example, there might be a society where children are expected to pay for their parents' medical care and where no other source of funds for the required care is available because of this expectation. According to Mills, money for medical care remains a value-extrinsic good in this society because, in principle, money could be obtained elsewhere. According to Mills, the value-intrinsic goods of the parent-child relationship are "unconditional love, abiding interest in our activities, pride in our accomplishments, worry over our problems, advice based on knowing us longer and better than anyone else, time, companionship—the continuation of the relationship itself (Mills 2003, 18)." She thinks that all of these things are owed both by children to their parents and by parents to their children. Put simply, filial obligations consist of a duty to provide the value-intrinsic goods of a parent-child relationship.

#### *2.1.1.1 Special Goods for Parents*

In addition to keeping in touch with one's children, Keller also thinks that there are larger, though less specific, special goods that can arise within the filial relationship. He argues that parents may feel a sense of continuity and transcendence when they witness the expression of traits they have passed on to their adult children. Keller thinks that, in some sense, this feeling of continuity and transcendence will make parents feel as though they will live beyond their death (Keller, 266-267). Finally, Keller argues that parents derive a special good from seeing their children grow up and from the role they play in their children's development. He describes this special good as a kind of joy and a kind of wisdom that comes from close involvement with a child as they develop. Through the

development process, parents gain great insight into their children's lives, and this can be very rewarding.

This is another part of his theory where Keller seems to give priority to biological parents, though in this case, the priority is more explicit. He says about parents of grown children, "Having been responsible for their children's upbringing, and especially if they are the birth parents, they may have important traits in common with their children, seeing in them a kind of younger version of themselves; they are in any case likely to identify with and have a special understanding of their children (Keller, 266)."

There are two ways to interpret Keller's claim. First, we could think he is talking about phenotypic traits. This interpretation would suggest that biological parents may derive special goods from the relationship they have with their children that adoptive parents usually cannot.<sup>48</sup> If having phenotypic traits in common with their children is important to some parents, and if we assume that biological children are more likely to share phenotypic traits with their parents than are adopted children, then biological parents have easier, if not exclusive, access to this special good.

Second, we could think Keller is talking about behavioral traits. This interpretation doesn't necessarily suggest that biological parents have access to special goods that

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<sup>48</sup> I qualify this claim because though adoptive parents often do not share phenotypic traits with their children, it is not impossible. There are cases where a parent is both biologically related to a child, but not their biological parent. Cases involving the adoption of a sibling's child, for example. It is also possible that two biologically unrelated people could share phenotypic traits through pure coincidence.

adoptive parents do not. Genetics likely don't play an important role in children exhibiting behaviors similar to those of their parents (Levy and Lotz 2005). Instead, children tend to notice and imitate behaviors or patterns of speech from their parents.<sup>49</sup> We could imagine that parents could identify with these behavioral traits and see an adopted child as a younger version of themselves.

Keller is conflating these two kinds of traits and suggesting that biological parents will have near exclusive access to the special good that may come from having one's child look like a younger version of oneself, while also acknowledging that nonbiological parents can still obtain the special good of identifying with and having a special understanding of one's children.

#### *2.1.1.2 Special Goods for Children*

Filial relationships are ideally reciprocal, so children should receive special goods from the relationship they have with their parents. Keller doesn't mention what special goods young children receive, but presumably, as adults, they receive very similar special goods to the ones their parents receive. Just like a parent may derive a special good from having their child around for Christmas, so too may a child derive a special good from having their parent around for Christmas.

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<sup>49</sup> See (van Schaik and Hunnius 2016) and (Jones 2007) for more on imitation and mimicry in children.

Adult children can also derive a special good from the advice they receive from their parents. Keller thinks that parents can often provide their children with a unique perspective on their lives (Keller, 267). Parents have typically observed much of their children's development and can help their children connect the stages of their lives together. For example, a parent can tell you how you behaved in pre-school or how your personality and interests changed during elementary school. Though you experienced these events first-hand, you were either too young to remember them or unable to put them in context with other events. Receiving advice from someone who is so familiar with your life can be valuable, and parents are usually well positioned to know a great deal about their children's lives. Other people, like grandparents or close family friends, could have this same kind of knowledge about a child, but parents will usually have the most knowledge of their children's lives.

While children are young, they undoubtedly receive different special goods, but Keller doesn't tell us what they might be. In the next chapter, I will take a closer look at the special goods that can be derived from parent-child relationships. For now, it is enough to keep in mind that filial relationships are supposed to be reciprocal, and so both parents and children should benefit from the relationship.

### *2.1.1.3 Shared Special Goods*

I'd now like to turn to special goods that benefit both parties in the parent-child relationship. Keller's example of this sort of special good is "the good of having someone who is especially committed to ensuring that your needs and interests will be met (Keller,



267).” If you find yourself in a situation where you are in need of somewhere to live, a loan, care after a major operation, or any other significantly weighty need, there will usually only be a few people in your life you can reasonably expect to help you.

Providing for your weighty needs usually requires others to make significant sacrifices, which typically limits the people who are willing to help. Keller argues that parents, grown children, and romantic partners are the most likely candidates to be willing to make these significant sacrifices for your benefit. It is good to have people in your life willing to make significant sacrifices because they add protection against some of life’s worst possibilities.

Even if you never encounter a situation where you are in need of help, the peace of mind that comes from knowing someone would help you were you in trouble is valuable in itself. For example, if your career is dangerous, it is good to know that someone will care for you if you get hurt. If you fall off of a ladder and break your leg, it’s good to have someone who can take you to physiotherapy, or do things around the house that would be difficult to do with a broken leg. Even if you never get hurt, it’s nice to know that someone would be there to help you.

One problem I have with this example of special goods is that it seems to undermine the claim that the special goods that can be obtained in a parent-child relationship are unique. This is potentially problematic because if the goods that come from a strong filial relationship are not unique, then the obligations that follow from these goods will also

not be unique. Keller admits that “any two people could be in a relationship in which each takes a special concern for the needs and well-being of the other (Keller, 267).” However, Keller argues that, as a result of biological or cultural factors, the resources necessary for relationships of special concern to exist will most commonly be found among family members and romantic partners. He suggests that it’s rare to find the dedication required to make significant sacrifices to ensure the needs of another person are met in other relationships, even very strong friendships. Further, Keller argues that were we to find such dedication in a friendship, then it would be natural to describe the people in the relationship as being like brothers or sisters, or having a relationship that is like the one between a parent and child.

Keller provides three reasons for thinking that having someone who is especially concerned for your needs and interests is a special good of the parent-child relationship. First, it very naturally arises within the parent-child relationship, presumably due to the length and closeness of typical parent-child relationships. Second, it is very difficult to find elsewhere. This follows from Keller’s earlier observation that finding someone with enough dedication to us to make significant sacrifices is rare outside of family members and romantic partners. Third, having someone who is especially concerned for your needs and interests takes on a particular sort of valuable character when shared between parents and children.

Keller’s best reason for thinking that having someone who is especially concerned for your needs and interests is a special good of the parent-child relationship is the third

reason he provides. The first two reasons only provide us with explanations of why this good tends to exist more often between parents and children than between other people, but doesn't tell us why this good is unique. The third reason gives us a reason to think that while it's good to have someone who is concerned for your needs and interests, it is especially good to have a parent or child fill that role. If this is true, it means there is special value in this good that can only be obtained in a parent-child relationship.

However, if the task is to show that the special good that comes from having someone in your life who is especially concerned for your needs and interests is one that parents and children are uniquely positioned to provide for each other, then I don't think Keller makes a compelling case. For example, unlike the value that comes from having one's child home for Christmas, the special good of having someone who is especially concerned for your needs and interests doesn't seem to require a child. It's clear why most people would prefer to have a child home for Christmas than to have a stranger visit, but it's less clear why having a child be particularly concerned with your needs and interests is much better than having a romantic partner or good friend who is equally concerned. Beyond its initial intuitive plausibility, Keller does not provide any argument to support his claim, which makes it difficult to determine why he thinks having a parent or child fill the role is so valuable.<sup>50</sup>

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<sup>50</sup> He ends this section by saying, "Even though it does not need to be instantiated within a parent-child relationship in order to exist, and even though it includes the disposition to produce generic goods, the good of having someone who has a special concern for your needs and interests is a kind of special good that parents and children can provide for each other (Keller, 268)."

I agree with Keller's conclusion that there is something valuable about having someone in your life who is especially concerned for your needs and interests. I also agree that for many people one's parents fill this role more reliably than anyone else. Friendships and romantic relationships frequently end, and if they do, then it is no longer reasonable to rely on those people to be especially concerned for your needs and interests. That said, while you are in a long-term romantic relationship, your romantic partner typically becomes the person on whom you most rely. This casts doubt on Keller's claim that there is a special value in having a parent be the person who is especially concerned for your needs and interests that adds to the base value of having someone who is especially concerned for your needs and interests.

### 2.1.2 Special Goods to Special Duties

In the previous section, I outlined Keller's theory of special goods and evaluated several of his examples of specific special goods. In this section, I will discuss how Keller thinks the existence of special goods leads to corresponding special duties. Keller argues that because the parent-child relationship produces special goods, it also produces special duties to provide whatever special goods can be produced by the relationship.

According to Keller, filial duties are based on two properties of parent-child relationships. First, children are in a unique position to provide certain special goods to their parents. Second, children have benefitted, or continue to benefit, from special goods provided by their parents (Keller, 268). Children have duties to provide their parents with whatever special goods can be derived from the reciprocal relationship they share.

What is missing from Keller's account of special goods is a clear argument to connect the existence of special goods with corresponding special duties. Without this connection, it's not clear why the fact that a child can provide special goods to his or her parents creates a corresponding obligation to provide them with those goods. This is a major shortcoming of his special goods theory, and Keller readily admits that it is a part of his theory that needs more attention and development (Keller, 273-274).

In the next chapter, I will present a complete special goods theory of filial obligations that will establish a connection between special goods and special duties, but for now, I want to move on and remain focused on my explanation of Keller's special goods theory. Instead of arguing for a direct link between special goods and special duties, Keller provides two reasons to think that explaining filial duties in terms of special goods is preferable to other theories of filial duty. His intention seems to be to give us a few reasons to think that finding a connection between special goods and special duties is worthwhile because the special goods theory has explanatory power that other theories of filial obligations lack. If this is true, then finding a connection between special goods and special duties is an important task.

Keller's first reason to think that his special goods theory has explanatory power that other theories lack is that special goods make it easy to explain the ongoing and open-ended nature of filial duties. This is a problem that the gratitude theory of filial obligations struggles with because typically duties of gratitude can be discharged

permanently. Filial duties don't seem to be a kind of permanently dischargeable duty. For example, we don't typically think that one large cash payment to one's parents fulfills and terminates whatever obligations we have to them. If your duty is to provide the special goods that can be derived from the reciprocal relationship you share with your parents, then the duty will be ongoing at least for the duration of your relationship.

Keller's second reason is that the special goods theory makes it clear why past parental sacrifice doesn't directly correspond to current filial duties. As we saw in the section on the gratitude theory of filial obligations, directly tying filial duties to past parental sacrifice produces problematic results, particularly in cases of later abuse or mistreatment.<sup>51</sup> The special goods theory tells us that what determines filial duty is the existence of a parent-child relationship within which special goods can be produced, rather than the history of sacrifices in the relationship. Past sacrifices might make the parent-child relationship closer, but they need not, and it is ultimately the special goods produced by the filial relationship that are important (Keller, 268).

In a later section of his paper, Keller discusses the possibility that his special goods theory could be supported by a more general moral principle (Keller, 272-274). He says,

As for whether the special goods theory can be brought under a more general moral principle, well, I think that it should at least be clear that when you are uniquely placed to provide someone with an important good, you have a moral reason to do so, at least in some sense and other things being equal. And it is not implausible to think that this reason is given greater strength if the relevant person is someone with whom you share a special relationship that involves the other party's having

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<sup>51</sup> As a reminder, if filial obligations are based on gratitude for past parental sacrifices, then children could owe their parents gratitude for past sacrifices even if the parents are later abusive or absent.

provided important special goods to you, and if your providing the goods concerned would not involve too great a restriction of your ability to live a good life (*Keller, 273*).

I take it that his idea is that a general moral principle could explain why the ability to provide special goods leads to the duty to provide those special goods. For instance, if there were a general moral principle that stated that whenever we are uniquely placed to provide important goods to others we then have a strong duty to provide those goods, then it would be easy to explain why special goods lead to special duties.

Keller's intent in this section seems only to be to suggest a possible direction for future work. He suggests that if the special goods theory offers an appealing story about the content and force of filial duty, then the special goods theory may serve as a central case in demonstrating a more general moral principle. However, he warns,

But it would certainly be a mistake to think that I am deriving the special goods theory from a clear general moral principle. The question of whether there is a general principle from which the view could be derived involves some large and tricky issues in moral theory, which I have not discussed here. I think that the special goods theory can be shown to be plausible independently of such a discussion, but I should admit that its success probably does depend upon whether a certain sort of connection between goods and duties, which I have not defended in general terms here, can ultimately be sustained (*Keller, 273-274*).

Unfortunately, that leaves us in a situation where we have neither a direct connection between special goods and special duties nor a general moral principle that could underpin such a connection.

### 2.1.3 Keller's Two Difficulties

Keller identifies two main difficulties for his special goods theory. First, the special goods theory might not assign filial obligations in every case where it intuitively seems it should. Second, even if we accept that special goods lead to some special duties, it is not clear that those duties should be weighty. Keller thinks this is a result of using the language of goods. If we focus only on goods, it seems that filial duties could easily be overridden by duties to provide more important goods to others in need.

In response to the first difficulty, the concern that the special goods theory doesn't assign filial obligations everywhere it should, Keller is willing to bite the bullet. The cases he has in mind involve people who don't feel any special attachment to their parents. He provides a hypothetical case to demonstrate why a lack of special attachment to one's parents might be problematic for his special goods theory (Keller, 271-272). Suppose that you don't feel any special attachment to your parents and that you lack any motivation to prioritize their needs and interests above others. If presented with an option to pay for your parents' medical care or a stranger's medical care, you would feel equally drawn to both options. Further, the indifference you feel is a genuine psychological fact about you over which you have no control. You are not blameworthy for the indifference you feel, but you nonetheless lack the motivational structure to be someone who prioritizes your parents' needs over those of others. As a result, you are incapable of being especially committed to ensuring that your parents' needs and interests are met, which makes many special goods unobtainable. You might still have some limited filial duties; for example, your parents may still derive a unique good from keeping in touch with you, but you



would not have an extensive set of duties to your parents.

Keller argues that the person in his example lacks the natural<sup>52</sup> attachment that most children feel toward their parents. This is a problem for the special goods theory because that natural attachment is the standard source of the motivation to prioritize their needs and interests above others (Keller, 272). Keller is willing to accept that his special goods theory will not assign the same obligations to the person in his example as it would to most people. If someone genuinely lacks a natural attachment to their parents, through no fault of their own, then Keller thinks that fact counts as a good excuse for failing to prioritize their parents in the same way most children do. While the special goods theory doesn't assign certain filial obligations to someone who lacks a natural attachment to his or her parents, Keller is willing to accept this as an uncommon excusatory factor for obligations arising from special goods.

I think Keller's response to his example is correct. There are presumably very few people who do not feel any motivation to prioritize their parents' needs and interests above strangers, and even fewer where this lack of motivation is not the result of some blameworthy action by either parent or child. Even people who feel no natural attachment to their parents might nonetheless feel motivated by a societal expectation or other external pressure that leads them to prioritize their parents. However, I'm not convinced the example Keller provides fully addresses the initial concern he raises. There seem to

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<sup>52</sup> It's not clear to me in which sense he is using the term 'natural'. I'm unsure if he means to make a biological claim here which would suggest that children have an innate connection to their parents, or if he just means that children typically have an attachment to the people who raise them.

be other cases where the special goods theory doesn't find filial obligations where it seems it should.

For example, you might expect a child to continue to have filial obligations even if a parent develops dementia. In fact, you might think a parent developing dementia is a reason to have stronger filial obligations than you did before the onset of dementia. After all, the care required to satisfy the needs of a parent with dementia is greater than the care required for a healthy parent. However, the special goods theory doesn't seem to be able to account for our intuitions about dementia very well. The special goods theory requires a reciprocal relationship in which both parties receive special goods. Once dementia develops to an advanced stage, it often becomes impossible to have a reciprocal relationship with a person who has dementia. If your parent no longer knows who you are, it becomes impossible to have a reciprocal relationship. However much you still love and care for the person they once were, or even the person they've become, your relationship is no longer reciprocal. In fact, it's difficult to maintain that there can be a relationship at all if your parent no longer knows who you are. Relationships cannot be entirely one sided; it is impossible to be in a relationship with someone who doesn't know you, even if you know a great deal about them.

Keller doesn't address dementia in his special goods theory, but Claudia Mills does in her version of the special goods theory. Mills simply bites the bullet and is very clear that we don't have an obligation to continue a relationship with a parent who is "senile" (to use

Mills's language).<sup>53</sup> She says, "I do not have -- cannot have -- an obligation to be in a relationship with someone who cannot be in a relationship with me. It is one of the tragedies of senility that genuine relationships with other human beings are no longer possible (Mills, 24)." For Mills, the intuition that we should have strong obligations to parents with dementia is based on a misunderstanding of the status of the relationship. She says, "Heartless as it may seem to say this, I see little point in spending extensive time with someone who does not know me for who I am. To do so is to engage in a pretense that a relationship still continues which, tragically, is gone forever (Mills, 24)." If a relationship is not possible, then any obligations that are based on that relationship have no basis. Since the special goods theory bases filial obligations on the goods produced by a parent-child relationship, if that relationship becomes impossible to maintain, then the obligations disappear as well.<sup>54</sup>

Another approach a special goods theorist might take to account for parents with dementia is to argue that reciprocity must exist at some point in the parent-child relationship, but that it doesn't need to exist all the time. Perhaps the fact that the parent

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<sup>53</sup> I'm using the term 'dementia' rather than 'senile' because it is now the preferred term. Senility is a more specific term that refers to a decline in mental capacity as one gets older. Mental decline was once thought to be a normal part of aging, but this is no longer the case. Dementia is a broader term that encompasses any decline in mental ability that is severe enough to interfere with daily activities. The most common cause of dementia is Alzheimer's disease, but it can also be caused by several other conditions including a stroke (vascular dementia) or normal pressure hydrocephalus (Alzheimer's Association).

<sup>54</sup> Not everyone agrees that a relationship with someone with dementia is impossible. For example, Hilde Lindemann argues that family members should hold onto the identity of a relative suffering from progressive dementia when he or she cannot hold onto it anymore. Further, she argues that people suffering from dementia can hold others in their identities. Her example is an elderly woman with Alzheimer's who doesn't recognize her son, but nonetheless ruffles his hair like she used to do when he was a child. Of this case she says, "Their entwined lives have held enough goodness so that now, when cognition is largely gone and little but habits of feeling remain, she still has a way to express how much she values her son (Lindemann 2009, 423)." She suggests that both kinds of holding are valuable, even if the relationship is very different from what it was pre-dementia. See also (Jennings 2009).

and child had a reciprocal relationship before the parent developed dementia is enough to maintain filial obligations. To support this understanding of reciprocity, we can imagine a case where a parent is temporarily ill and unable to contribute anything to the parent-child relationship. In this case, most people would be willing to say that the relationship is still reciprocal and that the child would still have obligations to the parent.

Having difficulty explaining our filial obligations in cases of parental dementia is not unique to the special goods theory. As I mentioned earlier, the friendship theory also has difficulty explaining our intuitions about filial obligations to parents with dementia. Nonetheless, it remains a problem for the special goods theory unless we are willing to bite the bullet, like Mills, or allow for past reciprocity to support the parent-child relationship.

The second difficulty Keller raises for his special goods theory is a concern that filial duties might not be weighty enough if we base them on special goods. If we think that filial duties are grounded in the value of special goods, then we might worry that the value of other goods can outweigh them. If this is the case, then filial duties must compete with other duties for priority, and Keller worries this may seem counter-intuitive. Some people might have the intuition that if our duties to our parents have special importance, then they should override other duties we may have.

A direct comparison of the value of special goods to the value of other goods may lead to situations where filial obligations are outweighed by other obligations that produce more

valuable goods. For example, if you have only enough money either to visit your parents or to pay for several life-saving immunizations in the developing world, then common-sense morality suggests that you should pay for the immunizations. The value of the goods produced by the immunizations is much greater than the value of the goods produced by visiting your parents. This means that if we think that filial obligations are supposed to provide overriding reasons to prioritize one's parents, then our intuitions about filial obligations will clash with our intuitions about our more general obligations to others in great need.<sup>55</sup>

Keller's solution to this difficulty is to reject the view that filial obligations ought to provide overriding reasons to prioritize one's parents over others. The rejection of this view allows the special goods theory to align with common-sense morality's view that the lives of strangers are more valuable than the goods that come from visiting one's parents (Keller, 273). Keller argues that a theory of filial obligations only has to show that, at least in some cases, our duties to our parents are different from our duties to people generally. Keller's special goods theory doesn't claim that special goods provide an overriding reason to prefer our parents to others, only that special goods provide us with some reason to prefer our parents to others. If faced with a situation where you can either provide your parents with the care they need or provide the same care to a stranger with the same need, then the special goods theory tells us that the existence of special goods provides you with a reason to prioritize your parents' care. Were the situation

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<sup>55</sup> Of course, almost no one actually acts according to their intuition in this case. While few people would claim that visiting one's parents is morally more important than saving several lives, most people would nonetheless choose to visit their parents.

altered so that you could provide care for ten strangers instead of one, then it's possible you could have a better reason to help the strangers.

#### 2.1.4 The Limits of Filial Duties

Keller claims that children have a duty to provide their parents with the special goods that arise from the reciprocal relationship they share. However, Keller argues that there are at least two important limits on what can be expected of children. First, the duties children have to their parents should not seriously impede the children's ability to live a good life. This restriction is intentionally vague as Keller wants to allow for different conceptions of what it means to live a good life. Second, children only have obligations to provide their parents with special goods if their parents make a reasonable effort to fulfill the duties they have in the filial relationship.

About the first limit Keller says,

Among the special goods that a parent may receive from a grown child are those associated with having grandchildren, having the child marry within the family faith, and having the grown child live within walking distance. If children had the duty to provide these goods to their parents, then they would be greatly restricted in their ability to make autonomous choices about the shape of their own lives, and this is, or is regarded in contemporary Western culture as being, a central component of the good life and a central entitlement of the individual. A parent-child relationship in which children's duties seriously interfered with their autonomy would be one in which a very valuable aspect of life was compromised for the sake of relatively insignificant gains for the parent. The relationship could fairly be characterized as constituting an unreasonable burden upon the child, not as one whose character is such as to improve the lives of both parties (*Keller, 269*).

We might worry that what qualifies as living a good life is too contentious an issue on which to base a limit on filial obligations. If we can't clarify what it means to be able to live a good life, then it will be difficult to invoke this limit. If my parents and I have different conceptions of what it means to be able to live a good life, then it's not clear how this limit can be applied. Perhaps we could always allow adult children to determine what they need to live a good life, but this method seems open to abuse. Children could decide that satisfying any of their parents' needs infringes on their ability to live a good life. Though, provided children must demonstrate how satisfying their parents' needs infringes on their ability to live a good life, maybe this is an acceptable trade-off for allowing everyone to determine what they require to live a good life.

Keller is clear that he doesn't want to restrict this limit to one conception of the good life. However, it seems we need some conception of what makes up a good life to apply this limit. His example of autonomy being an essential component for living a good life in western culture suggests that we should look to societal norms to determine the components of a good life. In North America, in addition to autonomy, we might include, for example, safety and freedom of association as important components of a good life. When applied as limits on filial obligations, these components tell us that your parents ought not reasonably expect you to endanger yourself to help them, nor should they be able to tell you with whom you may have relationships.

Using societal norms is not an ideal method, as something very important to you might not be something included in your society's norms about living a good life. However,

using societal norms may be the best compromise between allowing individuals total freedom to define their own conception of a good life and allowing only a single rigid conception of the good life. It would allow us to apply Keller's first limit on filial obligations consistently within a society while also protecting adult children from unreasonable filial obligations and parents from children who would try to shirk their obligations.

The second limitation on filial duties is that children only have obligations to provide their parents with special goods if their parents make a reasonable effort to fulfill the duties they have in the filial relationship. If parents decide not to perform some of the duties they have to their children, or they make unreasonable demands on their children, or they are otherwise responsible for the deterioration of the filial relationship, then their children's filial obligations are weakened. In effect, children will no longer have to provide their parents with some special goods, even if they are still capable of providing those special goods. In particularly egregious cases, Keller thinks that a child's duty to provide his or her parents with special goods can be dissolved completely (Keller, 269). For example, if a child's parents disown him or her without good reason, then the child will have no obligations to provide them with further special goods.

#### 2.1.5 Asymmetry of Duties

Now that we've seen the limits Keller places on filial duties, it's important to discuss the symmetry of obligations in parent-child relationships. The obligations parents have to their young children are often asymmetrical to the obligations adult children have to their



parents. However, the symmetry of obligations increases as children get older. Once children become adults, their obligations to their parents are much more symmetrical to the obligations their parents have to them.

Let's start by looking at the obligations parents have to their young children. If Keller is right about the limits of filial duties, then children's obligations to their parents won't be as extensive as parents' obligations to their young children. For example, we expect parents to take their children's needs into account when making important life choices, but we don't usually expect adult children to do the same for their parents. If Max's parents had the opportunity to move to a different city for a better paying job, we would expect them to take Max's needs into account. If Max is enrolled in a good school and has good friends, then this should count as a reason against moving. Max's parents might ultimately decide to move, but we expect them to give significant weight to what would be best for their child.

In some cases, we might even expect parents to give up something that they need to live a good life if doing so would greatly improve their child's life. For example, we might expect parents of a very ill child to move to a city for better medical care, even if living in the country on their ancestral family home is something they require to live a good life. In contrast, we don't usually expect adult children to give their parents' needs much weight when making a similar decision to move to a new city for a better paying job. Only in circumstances where a parent requires extensive care would we expect a child to give their parents' needs a great deal of weight. This suggests that adult children don't

have symmetrical obligations to the obligations their parents had to them when they were young.

The asymmetry in ability and responsibility between young children and parents can explain the asymmetry in obligations. Parents of adult children are themselves adults. They can take care of, and are responsible for, many of their own needs. Young children need someone to take care of most of their needs and are responsible for very little. Young children rely on adults, usually their parents, to take care of their needs. In turn, their parents have a responsibility to care for their young children. Adult children don't have the same responsibility to care for their parents because their parents can often care for themselves.

As children get older, their ability to meet their own needs and their responsibility to do so both increase. This leads to reduced responsibility for the children's parents. It also leads to an increase in the symmetry of the obligations in parent-child relationships. If we return to the example of parents deciding whether to move, I said that we expect parents to take their young children's needs into account. I don't think we have the same expectation when the children are adults. That is, we wouldn't expect parents to give their adult children's needs much weight when deciding whether to move. Parents don't have the same responsibility to care for their adult children as they did to care for their young children. This reduced responsibility brings parents' obligations to their adult children into rough symmetry with adult children's obligations to their parents.

### 2.1.6 Children without Filial Duties

At this point, we have seen how Keller's special goods theory accounts for filial duties in functional and reciprocal parent-child relationships. At the end of the previous section, I discussed a case in which a child has no filial obligations. It is important for a theory of filial duties to be able to account for children who do not have any duties to their parents. Being able to explain why certain children don't have obligations to their parents is important because there seem to be clear cases where it would be deeply counter-intuitive for children to have duties to their parents. For example, it is counter-intuitive for children who have been abused by their parents to have any obligations to their parents.<sup>56</sup> Abuse, abandonment, and neglect are all very serious violations of the duties of parenthood, and a strong theory of filial duties should be able to explain why children's duties to their parents are weakened or dissolved completely when these harms occur.

Fortunately, I think Keller's special goods theory provides a good explanation of why some children do not have duties to their parents. Keller argues that the cases in which children do not have filial obligations are those in which the children are not well placed to provide special goods to their parents. Children who have destructive or dysfunctional relationships with their parents, like in cases of abuse, may not enjoy the special goods that are unique to the parent-child relationship. In these cases, the parent-child

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<sup>56</sup> If the scale of beliefs about what children ought to do for their abusive parents ranges from 'nothing, leave them for the wolves' on one end, and 'the same as other parents, past abuse should be forgiven' on the other, I fall very close to the 'nothing, leave them for the wolves' side. I admit that my thoughts on abusive parents are probably harsher than most, but they are justified by the severity of the harm that can be caused by abusive parents.

relationship no longer produces any special goods, and without special goods there are no special duties.

Keller also thinks that children might not have filial duties if their personality or worldview is incompatible with their parents. For example, it may be extremely difficult for a gay child of fundamentalist Christian parents to realize any special goods in the relationship, and so the child would not have obligations to support his or her parents. Ultimately, filial duties will depend on what special goods you and your parents are able to generate from the filial relationship you share. If you and your parents aren't able to produce any special goods from the filial relationship you share, then you don't have any filial duties to your parents (Keller, 270).

### 2.1.7 Summary

Before moving on to criticisms of the special goods theory, it's worth briefly summarizing the theory. Keller argues that parent-child relationships create special goods that cannot be obtained from other relationships. Children have duties to provide their parents with whatever special goods can be derived from the reciprocal relationship they share. Children have these duties because they are in a unique position to provide special goods to their parents, and they have benefitted, or continue to benefit, from special goods provided by their parents.

## 2.2 Brynn Welch's Criticisms of the Special Goods Theory

Brynn Welch argues that there are four criteria<sup>57</sup> we should use when evaluating a theory of filial obligations. First, a theory of filial obligations should tell us both when filial obligations arise and what those obligations require us to do. We want a theory of filial obligations to tell us not simply that we have obligations to our parents, but also to tell us the content of those obligations. A good theory doesn't need to tell us exactly what to do in every situation, but it should be useful in guiding our actions.

Second, a theory of filial obligations should tell us why we have the obligations that we do. It is not enough for a theory to tell us that we have obligations, it must also explain why we have those particular obligations.

Third, a theory of filial obligations should generate intuitive responses to particular cases, or be able to justify counter-intuitive responses. Welch cautions that we must not reject a theory simply because it generates counter-intuitive responses, which would be question begging; rather we should examine whether the moral considerations to which the theory appeals provide us with a reason to reject our intuition (Welch, *Why You Should Be Nice To Your Parents: A Theory of Filial Obligations* 2012, 36-37).

Fourth, we should prefer a theory of filial obligations that explains why its responses seem counter-intuitive to one that does not. (The third and fourth conditions seem very similar to me, and indeed Welch tends to discuss counter-intuitive results without specific reference to one or the other condition.) Welch thinks that we should prefer a theory of

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<sup>57</sup> Welch calls them "aspirations" at first, but later refers to them as criteria.

filial obligations that meets these criteria to one that does not (Welch, *A Theory of Filial Obligations* 2012, 717-718).

Welch uses these four criteria to evaluate both the gratitude theory of filial obligations and the special goods theory of filial obligations. I've mentioned her criticisms of the gratitude theory in an earlier section, and I now want to evaluate her criticisms of the special goods theory. Welch acknowledges that the special goods theory satisfies her first two criteria. First, the special goods theory tells us that we have filial obligations and it tells us the content of those obligations. Specifically, the special goods theory requires us to provide our parents with the special goods they need and we are able to provide without compromising our ability to live a good life. Second, the special goods theory tells us why we have the filial obligations we do. We have obligations to our parents because of the reciprocal relationship we share which is different in kind from other close relationships and is able to produce goods that are not available elsewhere.

### 2.2.1 Welch's Unjustified Limits Objection

Welch's objections to Keller's special goods theory are focused around her third criterion. She thinks that the special goods theory will generate counter-intuitive results that it lacks the resources to justify. Her first objection is that the special goods theory can't justify the limits Keller wants to impose on filial duties (Welch, *A Theory of Filial Obligations*, 726). The special goods theory claims that children must be in a position to meet their parents' needs in order to have an obligation to provide them with whatever special goods are required to meet those needs. For example, if Nelson's parents require

expensive care that is unavailable through state supported care facilities, then he would be obligated to provide them with the care they need. However, if Nelson's career choice doesn't allow him to afford the care his parents require, then he does not have an obligation to provide the expensive care because he is not in a position to do so. The special goods theory places a limit on the extent of Nelson's filial duties based on his ability.

Welch argues that the special goods theory cannot justify the limit on filial obligations it imposes upon Nelson because it relies on an overly narrow interpretation of a child's ability to provide his or her parents with special goods. The special goods theory assumes that we should only evaluate a child's ability to provide a certain special good at a particular time and under particular circumstances. However, Welch argues that if we widen our interpretation of what it means for a child to be able to provide his or her parents with special goods, then being unable to provide the required goods at the present time and in present circumstances isn't enough to nullify the child's filial obligations. Unfortunately, Welch doesn't provide a reason to accept her interpretation of ability over the narrow interpretation. Presumably, she thinks her interpretation makes better sense of what we are able to do, but it's not clear to me that that's true.

Putting aside my worry about why we should accept Welch's wider interpretation of ability, let's look further at Nelson's case to see why a wider interpretation of ability is problematic for the special goods theory. Suppose that Nelson could change careers or work in another city, and by doing either, he could make significantly more money.

Using the wider interpretation of ability, Nelson has the ability to provide his parents with the expensive care they need, but doing so would require him to make major changes in his life. If Nelson has the ability to provide his parents with the special goods they need, then he has an obligation to provide those goods. This means that if we accept the wider interpretation of ability, Nelson has an obligation to make major changes in his life to provide his parents with the special goods they need. Welch thinks this is a counter-intuitive conclusion because we usually don't think that children are obligated to prioritize their parents' needs above their own.

Welch argues that without a limit on filial obligations the special goods theory seems to require children to make their life choices in such a way that they maximize their ability to provide their parents with special goods. Without a compelling reason to put a limit on filial duties by using the narrow interpretation of a child's ability to provide his or her parents with special goods, Welch argues the special goods theory is open to her criticism.

#### *2.2.2.1 My Response to Welch's Unjustified Limits Objection*

Welch's criticism of the special goods theory is uncharitable. Keller provides two limits on filial obligations, but Welch quickly brushes over them in a footnote (Welch, A



Theory of Filial Obligations, 726).<sup>5859</sup> Keller tells us that, first, the duties children have to their parents should not seriously impede the children's ability to live a good life. Second, children only have obligations to provide their parents with special goods if their parents make a reasonable effort to fulfill the duties they have in the filial relationship. Welch only mentions Keller's first limit and argues that he doesn't give us any reason to accept it other than an appeal to the importance contemporary western culture places on individual freedom. Again, this is an uncharitable reading of Keller's theory. I quoted Keller at length in an earlier section, and that quote is relevant again here. Keller says:

Among the special goods that a parent may receive from a grown child are those associated with having grandchildren, having the child marry within the family faith, and having the grown child live within walking distance. If children had the duty to provide these goods to their parents, then they would be greatly restricted in their ability to make autonomous choices about the shape of their own lives, and this is, or is regarded in contemporary Western culture as being, a central component of the good life and a central entitlement of the individual. A parent-child relationship in which children's duties seriously interfered with their autonomy would be one in which a very valuable aspect of life was compromised for the sake of relatively insignificant gains for the parent. The relationship could fairly be characterized as constituting an unreasonable burden upon the child, not as one whose character is such as to improve the lives of both parties (*Keller, 269*).

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<sup>58</sup> Welch discusses Keller's limits in slightly more detail in (Welch, *Why You Should Be Nice To Your Parents: A Theory of Filial Obligations* 2012, 139). Here she describes Keller's second limit as "ad hoc" and argues that the reciprocal relationship ends if parents fail to play their part, regardless of whether they make a reasonable effort. While I agree that the relationship is no longer reciprocal when the parent cannot or does not participate, I take it Keller's second limit is supposed to distinguish between cases like a parent with dementia, who may not be able to play a role in the relationship, but through no fault of their own, and one who makes a choice to abandon or abuse his or her children. The parent with dementia has made a reasonable effort, he or she is simply unable to play the part in the relationship that he or she once did, and so we should continue to assign obligation to his or her children. The abuser, on the other hand, decides not to make a reasonable effort, and so we should dissolve the obligations his children once had. Perhaps this limit is ad hoc, but it nonetheless seems like a reasonable addition to the theory.

<sup>59</sup> I've discussed Keller's limits on filial obligations in more detail in section 2.1.4

Welch focuses on the remarks about the value of autonomy in western culture, but I think Keller is simply using autonomy as an example of something that is required to live a good life in western societies. A more charitable reading of Keller should focus on the claim that filial duties should not seriously impede children's ability to live a good life. Keller takes issue with a duty requiring children to marry within the family faith because it would place an unreasonable burden on the children. The violation of the children's autonomy explains why the duty would place an unreasonable burden on the children, but it is the unreasonable burden that is ultimately problematic. A duty to marry within the family faith, when you love someone who is not a member of that faith, seriously impedes a child's ability to live a good life and Keller thinks this justifies a limit on filial duty.

I take it that this limit on filial duty is intuitive, that is, we tend to think duties that seriously impede a person's ability to live a good life are bad. There may be cases where other considerations outweigh the badness of a duty, but a duty to marry within the family faith doesn't seem to be one of those cases. It would be difficult to hold that any good a parent could get out of you marrying within the family faith could outweigh the bad of having your ability to live a good life compromised. In fact, it's difficult for me to imagine any special good you could provide for your parents that would be more important than your ability to live a good life.

Of course, what constitutes an unreasonable burden is as much a contentious issue as what constitutes a good life. There will inevitably be a large grey area where it will be

difficult to determine if a burden is reasonable or unreasonable. However, there are cases in which a burden is clearly acceptable, and cases in which a burden is clearly too demanding. For example, we all have an obligation not to harm others without their consent. This obligation imposes a burden on us, as it limits our options in some situations, but it is a clearly reasonable burden. The amount of good that comes from not harming others, and from not being harmed by others, is large, while the burden of not harming others imposes only a small cost. On the other hand, suppose we have an obligation to avoid contact with other people because there is always some risk that we might harm them. This obligation also imposes a burden on us, as it greatly restricts our ability to interact with other people, and it is clearly an unreasonable burden. The good that comes from avoiding the risk of harming others is small, while the cost is large.

An obligation to marry within the family faith is more like the second example. The good that the child's parents gain from having them marry within the family faith is small, while the cost of not being able to marry the person the child loves is large. This means that an obligation to marry within the family faith would place an unreasonable burden on children.

If we accept that filial obligations should not place unreasonable burdens on children, then we can also directly answer Welch's concern about the scope of ability. Recall that Welch's concern was that a wider interpretation of what it means for a child to be able to provide special goods to his or her parents would require children to make major life changes in order to provide those goods. Nelson would be forced to change his career or

move to another city to pay for the care his parents need. Welch argues this is a counter-intuitive result and that the special goods theory cannot provide a reason to prefer the narrow interpretation of ability. I agree that the wider interpretation of ability leads to counter-intuitive results, but Keller's limit on filial obligations requiring them not to place unreasonable burdens on children gives us a good reason to prefer the narrow interpretation of ability. For her criticism to work, Welch would have to show why Keller's limit on filial duties can't be sustained, which she doesn't do in her paper.

### 2.2.2 Welch's Reciprocal Relationship Objection

Welch's second objection uses two fictional cases to demonstrate that Keller's special goods theory produces counter-intuitive results. The first case, which Welch calls 'the no abandonment case,' involves a mother who provides for her children's physical and emotional needs, even when doing so is difficult and at times when their relationship is strained. Welch tells us that the mother and her child enjoy a healthy and fulfilling relationship in general, one that has never suffered from abandonment by either party. The second case, which Welch calls 'the abandonment case,' involves a mother who provides for her children's physical and emotional needs until they are teenagers, and then abandons them without warning or explanation. Welch tells us that the mother is aware that her actions will be harmful to her children, but she is unmoved by thoughts of her children's welfare (Welch, *A Theory of Filial Obligations*, 726-727).

With the two cases laid out, Welch asks us to imagine that both mothers are now equally in need of some particular special good. We are also to imagine that the children in both

cases are in a position to meet their respective mother's needs. Welch then points out that both mothers have provided their children with special goods in the past. She argues that the special goods theory must claim that the children in the abandonment case owe their mother just as much as the children in the no abandonment case owe theirs. This result occurs because the special goods theory bases filial duties on the child's ability to provide goods to his or her parents, and not on the actions of the parent in the past. Welch finds this conclusion counter-intuitive enough as it is, but she thinks the special goods theory will produce even more counter-intuitive results if we alter the example slightly to make the needs of the mother in the abandonment case greater than the needs of the mother in the no abandonment case. Once the needs of the mother are greater in the abandonment case, then the children in the abandonment case will owe their mother more than the children in the no abandonment case owe theirs. This adjusted result is so counter-intuitive because it requires children to make potentially significant sacrifices to help someone who has expressed disinterest in their well-being.

Welch argues that Keller's response to this objection is inadequate. Keller argues that his special goods theory only produces filial obligations in the context of a reciprocal relationship. If the mother in the abandonment case isn't in a reciprocal relationship, then her children don't have filial obligations. Welch thinks that there are two ways to interpret Keller's reciprocal relationship requirement depending on how we conceive of a reciprocal relationship. First, we might think a reciprocal relationship simply requires that both the parent and child benefit from the relationship at some point in their lives. Due to the nature of the relationship, children are likely to benefit first and gain the greatest

benefits while they are young. Parents stand to benefit more when they are older, and their children are more capable of helping.

Welch argues that this interpretation of reciprocal relationships does not fit very well with Keller's other intuitions about filial duty. He claims that filial duties are reduced if a child is unreasonably disowned. However, if a reciprocal relationship must only exist at some point, then the current state of the relationship is irrelevant. So long as the relationship was reciprocal at some point in the past, then children will still have filial duties. In the abandonment case that we are concerned with, the mother provided for her children's physical and emotional needs until they were teenagers, which suggests they had a reciprocal relationship in the past. This means that the first interpretation of Keller's reciprocal relationship requirement does not prevent counter-intuitive results because the children in the abandonment case still have filial duties to their mother.

The second interpretation of a reciprocal relationship is that a reciprocal relationship requires ongoing reciprocity. According to this interpretation, the reciprocal relationship only continues as long as both the parent and child currently benefit from the relationship they share. This interpretation would support Keller's intuition about filial duties being reduced if a child is unreasonably disowned. However, this interpretation also seems problematic because it suggests that parents who can no longer contribute to the relationship with their children are no longer owed anything. Welch gives an example involving a mother who develops dementia and is no longer able to provide special goods

to her daughter (Welch, *A Theory of Filial Obligations*, 728).<sup>60</sup> Her daughter is wealthy and could afford to pay for her mother's care, but if filial obligations only exist if there is an ongoing reciprocal relationship, then the special goods theory must say that the daughter has no obligation to care for her mother. Welch thinks it would be callous for the daughter to admit that her mother has provided her with special goods in the past, and then claim that she has no obligations because her mother is unable to provide her with special goods right now. Certainly, common-sense morality aligns with Welch's intuition. It is counter-intuitive for the special goods theory to allow the daughter to shirk the obligations we think she should have in this case.

Welch concludes that either interpretation of Keller's reciprocal relationship requirement is problematic. If we use the first interpretation, then we cannot support common-sense intuitions regarding reduced obligations in cases of parental abandonment, and if we use the second interpretation, then we cannot support the common-sense intuition that children still have obligations to parents who are no longer able to contribute special goods to the relationship due to dementia.

#### *2.2.2.1 My Response to Welch's Reciprocal Relationship Objection*

Keller has the resources to respond to Welch's second objection. Recall that his second limit on filial duties requires parents to make a reasonable effort to fulfill the duties they have in the filial relationship. If parents decide not to perform the duties they have toward

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<sup>60</sup> Welch is careful to note that it's possible for the daughter in this example to derive special goods from helping her mother. However, this is not a case of the mother providing those goods to her daughter, but rather a case of the daughter obtaining something from her care work.

their children, then their children's filial obligations are weakened or removed entirely. When parents fail to fulfill their duties, children no longer have to provide their parents with certain special goods, even if they are still capable of providing those special goods.

Recall also that Welch's original concern in this objection is that Keller's special goods theory provides counter-intuitive results when dealing with her two fictional case studies. If children's ability to provide special goods to their parents is the only relevant criterion to determine their obligations, then children who were abandoned by their parents may owe just as much as children who were not abandoned. Worse still, if the needs of the parents in the abandonment case are greater, then their children will owe them even more than the children who were not abandoned owe theirs.

We can apply Keller's second limit on filial duties to answer Welch's objection. She decides to focus on Keller's reciprocal relationship requirement, but a better case can be made using the requirement that parents must fulfill their duties. In Welch's abandonment case, the mother has clearly failed to fulfill her duties in the filial relationship. Welch even tells us that the mother knows her actions will be harmful to the wellbeing of her children and that this knowledge does not motivate her to change her plans. This means that the special goods theory can explain why children who have been abandoned do not owe their parents just as much as children who have not been abandoned, which eliminates the counter-intuitive result. Welch's objection only works if we think that children's ability to provide special goods to their parents is the only factor that determines their obligations. This is the main factor Keller suggests, but it is not the



only factor, which can be seen by examining his second limit on filial duties. Indeed, it seems that Keller places limits on filial duties precisely to avoid the counter-intuitive results that Welch attributes to the special goods theory.<sup>61</sup>

Of course, we might still worry about how to interpret reciprocity in Keller's theory. Welch raises an important concern that the two obvious ways of interpreting reciprocity both lead to counter-intuitive results when used in Keller's theory. I think Keller uses reciprocity in the second sense Welch describes. That is, he thinks that reciprocity must be ongoing. He says, "There is no direct connection between the magnitude of the sacrifices made for you by your parents and the nature of the goods to which your relationship with your parents can potentially give rise. What matters is the existence of a parent-child relationship within which the special goods can be manifested, not the exact story about its history. (Keller, 268)" This quote emphasizes the present state of the relationship. The history of the relationship might be important for its effects on the current state of the relationship, but it's the current state of the relationship that determines which goods can be manifested. This suggests that reciprocity must exist in the current parent-child relationship.

Even if I'm right about the correct way to interpret Keller's use of reciprocity, the special goods theory still must give some answer to Welch's concern about parents with dementia. As I mentioned earlier, Keller doesn't address dementia, but perhaps he must

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<sup>61</sup> To be as fair as possible to Welch in this case, I think she is operating under the assumption that she has already shown that Keller's limits on filial duties aren't justified. However, even if you reject my argument from the previous section about the justification for Keller's first limit, Welch says nothing about Keller's second limit, much less why it isn't justified.

bite the bullet on this problem as Claudia Mills does. Recall that Mills thinks it is impossible to have a relationship with someone suffering from dementia. If a relationship is impossible, and filial obligations based on special goods require a relationship, then children will not have obligations to parents who have dementia.

Another option open to the special goods theorist is to accept the first interpretation of reciprocity, that is, that the filial relationship only has to be reciprocal at some point. If that's the case, then children would still have filial obligations to their parents even if they have dementia, as long as they had a reciprocal relationship before the onset of dementia. Of course, this option requires biting a different bullet. Instead of giving a counter-intuitive result in the dementia case, the special goods theory would give a counter-intuitive result in the abandonment case. Though, it seems that Keller's requirement that parents fulfill their duties in the filial relationship might take much of the sting out of this bullet. As I just argued, the special goods theory can explain why children who are abandoned by their parents don't have filial obligations without relying on the reciprocity condition. Parents who fail to fulfill their duties in the filial relationship aren't owed filial obligations regardless of past reciprocity. I think this is the best solution available to the special goods theorist as it provides an intuitive solution to the dementia case while also answering Welch's concern about abandonment.

### 2.3 Conclusion

In this chapter, I've argued that Simon Keller's special goods theory of filial obligations gets a lot of things right and more intuitively captures how we usually think of filial

obligations than either the friendship theory or gratitude theory. Unlike the friendship theory of filial obligations, Keller's special goods theory doesn't rely on a flawed analogy between parent-child relationships and friendship. Unlike the gratitude theory, Keller's special goods theory can explain why children have continuous duties to their parents. The special goods theory bases filial obligations on the special goods created by the ongoing relationship between parent and child. As long as the relationship exists and produces special goods, children will have continuous obligations to their parents.

While I've argued that the special goods theory provides a better account of filial obligations than either the gratitude theory or the friendship theory, several aspects of the special goods theory need further development. First, Keller doesn't provide us with an argument to connect special goods to corresponding special duties. Without such an argument, we don't have a good reason to think that being in a position to provide one's parents with special goods creates corresponding duties to provide them with special goods. Second, Keller's theory doesn't give us the necessary tools to determine which special goods can only be provided by children. For example, we need to know what it is about having a child keep in touch that provides a unique good to the child's parents. We need to know why having a brother, sister, cousin, uncle, close friend, or romantic partner keep in touch does not provide the same special good. These are not the only shortcomings of Keller's special goods theory, but they serve as important examples of areas where the special goods theory is in need of more work.

In the second part of this chapter, I examined Brynn Welch's criticisms of Keller's special goods theory. For the most part, Keller has the resources to answer her criticisms, and I've done my best to use what he provides to defend the special goods theory. That said, Welch raises some interesting challenges to the special goods theory, specifically her concern about what it means for a child to be able to provide special goods, and her concern about how to interpret reciprocity in filial relationships. Finally, her four criteria for evaluating theories of filial obligation are very useful. She clearly explains what a good theory of filial obligation should be able to do. In the next chapter, I will present a complete special goods theory of filial obligations that fulfills all of her criteria.

## Chapter Three: A Complete Special Goods Theory of Filial Obligations

The most valuable insight provided by Keller's special goods theory is that filial obligations don't have a single source. The theories I discussed in the first chapter both try to ground filial obligations in a single source. The friendship theory of filial obligations tries to ground filial obligations in friendship, and the gratitude theory of filial obligations tries to ground filial obligations in gratitude. The special goods theory claims that filial obligations have as many sources as there are unique special goods. It tells us that filial obligations aren't just another form of the obligations we acquire from gratitude or friendship. Instead, filial obligations are derived from the unique properties of the parent-child relationship.

In this chapter, I will develop and defend a complete special goods theory of filial obligations. I start by briefly discussing the nature of special obligations and explaining why filial obligations must be special obligations to be meaningful. I then move on to my main project of developing the special goods theory. I've divided this project into two major parts. The first part involves an examination of the parent-child relationship to determine what particular special goods can be derived from the relationship. I've placed this part first because it's important to develop a better understanding of what the relevant special goods are. Keller provides a few examples in his paper, but there are many other special goods to be explored. Once we know what special goods in parent-child relationships are specifically, we can move on to face the challenges Keller and Welch pose for the special goods theory.

The primary challenge of creating a complete special goods theory of filial obligations is to find goods that are unique to the filial relationship. Another related challenge is to explain why other family members, close friends, and romantic partners cannot provide the same special goods.

I'll examine love, fun, memory, and other potential sources of special goods as they occur in the parent-child relationship. I'll argue that there are special goods that parents can only get from their children.

The second part of my project involves using Keller's special goods theory as a framework and developing solutions to the problems I outlined in the previous chapter. The most pressing problem is the lack of an argument connecting special goods with special duties. We need to know why the existence of special goods that children are able to provide for their parents creates corresponding duties to provide those special goods.

### 3.1 Special Obligations

If filial obligations are to be meaningful as a distinct kind of obligation, then they must be special obligations.<sup>62</sup> Special obligations are obligations that we owe to an individual or group that we do not owe to people generally. Common-sense morality tells us that we have special obligations to certain people because we stand in special relationships with

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<sup>62</sup> Anders Schinkel makes a similar point in (Schinkel 2012).

those people. For example, we have special obligations to our friends because we are in a friendship with them. I might have an obligation to help my friend move or listen to her problems that I don't have to people in general.

Special obligations can be contrasted with universal obligations. Universal obligations are obligations we owe to all people just because they are people. For example, we all have a universal obligation not to harm other people. I have an obligation not to harm you regardless of whether we stand in a special relationship with each other.

To see why filial obligations must be special obligations, imagine that filial obligations are merely universal obligations. If that were the case, the term 'filial obligations' would only be useful to pick out cases where our universal obligations happened to apply to our parents. We would have a filial obligation not to harm our parents, but only because our parents are people and we have a universal obligation not to harm people.

Thinking of filial obligations as universal obligations is counter-intuitive. We tend to think that we have obligations to our parents that we don't have to strangers. We think filial obligations are obligations we have to our parents because there is something special about their being our parents. That is, we think we have special obligations to our parents because we are in a parent-child relationship with them. Thinking of filial obligations as special obligations makes them meaningful. It makes sense of our intuition that filial obligations are a distinct kind of obligation that we have only to our parents.

If any meaningful theory of filial obligations must be a theory of special obligations, then it's important for my project that special obligations exist. Unfortunately, I can't provide a comprehensive account of the debate about special obligations, much less a definitive argument to demonstrate their existence. These tasks are outside the scope of this thesis. However, I will provide a brief account of why special obligations conflict with consequentialism and a few reasons we might, nonetheless, think special obligations exist.

### 3.1.1 Why Not Consequentialism?

If I'm correct that filial obligations must be special obligations, then they cannot be grounded in consequentialism. This is because special obligations present a serious problem for consequentialism. Common sense morality tells us that we have special obligations to some people and consequentialism is unable to account for genuinely special obligations (Jeske, *Special Obligations* 2014). Consequentialism is unable to account for genuinely special obligations because genuinely special obligations are agent-relative reasons, and consequentialism is unable to account for agent-relative reasons. If consequentialism cannot account for genuinely special obligations, then it conflicts with common sense morality.

### 3.1.2 Special Obligations and the Conflict with Consequentialism

I'll be using Diane Jeske's work in this section to help me explain in more detail why special obligations conflict with consequentialism. Jeske has written extensively about



special obligations including an excellent summary of the conflict with consequentialism (Jeske, *Special Obligations* 2014). Jeske notes that there are many forms of consequentialism, but for the sake of simplicity she restricts her discussion to actual consequence act-consequentialism. She argues that her points “apply mutatis mutandis to other versions of consequentialism (Jeske, *Special Obligations* 2014).” Actual consequence act-consequentialism tells us that the right action is the one, among available alternatives, that produces the greatest net sum of intrinsic value. It also tells us that every person’s well-being is equally valuable. This means that my parents’ well-being is no more intrinsically valuable than the well-being of a stranger. That my parents are my parents isn’t a relevant factor when determining my obligations to them. Jeske points out that this claim conflicts with common-sense morality. Most people think that if I can provide an equal benefit to my parents or to a stranger, I ought to provide the benefit to my parents. The fact that they are my parents is a morally significant factor (Jeske, *Special Obligations* 2014). Therefore, special obligations conflict with consequentialism.

There are a few ways consequentialists can respond to this criticism. They can argue that benefiting our parents, or other loved ones, really is the right action. To do this, they can argue that parent-child relationships are an instrumentally valuable institution and we should all do what we can to support instrumentally valuable institutions. The added value that comes from supporting parent-child relationships will mean that promoting our parents’ well-being will be more valuable than promoting the well-being of a stranger, even though the benefit itself is of the same value in each case.

Consequentialists could also argue that our relationship with our parents changes the benefit analysis in important ways. We have a better understanding of our parents' needs and wants than we would have of a stranger's needs and wants. Having a better understanding of our parents' needs and wants means our actions intended to benefit them are more likely to be effective than our actions intended to benefit a stranger. Further, our relationship with our parents means they are likely to experience emotional harm if we neglect them in favor of a stranger. A stranger won't experience emotional harm if we neglect him or her in favor of our parents because we don't have an existing relationship with the stranger. Our better understanding of our parents' needs and wants combined with the emotional harm we would cause them by neglecting them in favor of a stranger causes the same benefit to produce more value when provided to our parents. This means that benefiting our parents would produce the greatest value among available alternatives, which means benefiting our parents is the right action.

Jeske argues that these consequentialist responses account only for derivatively special obligations and not genuinely special obligations. Jeske says, "The reason that each of us has to promote the good of her intimates does not have any weight that counters the weight of our duty to maximize intrinsic value; rather, whatever weight our reason to promote the good of our intimates has, it has *derivatively*, as a means of our fulfilling our fundamental or basic duty to maximize value (Jeske, *Special Obligations* 2014)."

According to these consequentialist responses, any special obligations we have are derived from our duty to maximize intrinsic value. This means that any special

obligations we have are contingent on our relationships continuing to be the best way to maximize value. For example, if my circumstances were to change so that I could now create more value by neglecting my parents and benefiting a stranger, then my special obligations to my parents would no longer exist.

Jeske argues that derivatively special obligations fail to capture how common-sense morality understands special obligations. Common-sense morality tells us that my relationships with others are morally significant in themselves, not merely morally significant because they happen to maximize value (Jeske, *Special Obligations* 2014). Genuinely special obligations acknowledge that our relationships with others are morally significant in themselves. If I have a genuinely special obligation to someone, then I have a reason to benefit them, even if doing so does not maximize value. Unless consequentialism can account for genuinely special obligations, it will remain in conflict with common-sense morality.

### 3.1.3 Genuinely Special Obligations and Agent Relativity

Jeske suggests that consequentialism can only allow agent-neutral reasons and that special obligations depend on agent-relative reasons (Jeske, *Special Obligations* 2014). She makes the following distinction between agent neutral and agent relative reasons, “S’s reason to do or to promote  $p$  is an agent-neutral reason if and only if, necessarily, for any  $Q$ ,  $Q$  would also have a reason to do or to promote  $p$  if  $Q$  were in a causal position to do or to promote  $p$ . All other reasons are agent-relative (Jeske, *Special Obligations* 2014).”

The central consequentialist obligation is to maximize the good. Since everyone's good counts equally, if I have a reason to help someone, then everyone in my causal position also has a reason to help that person. It doesn't matter who is in need; I have a reason to help them if doing so promotes the most good. This makes all consequentialist reasons agent-neutral reasons.

Special obligations give us agent-relative reasons because they are based on a relationship that we have with someone that not everyone shares. To return to parent-child relationships, I have a special obligation to help my parents because I am their child. Anyone who is not their child does not have the same reason to help my parents, even if they are in the same causal position to provide help. A stranger might still have an agent-neutral reason to help my parents, but I have an additional agent-relative reason to help them. While I'm interested in parent-child relationships, all relationships that produce special obligations give us agent-relative reasons to help those to whom we have the obligations.

If all special obligations give us agent-relative reasons to help those close to us, and consequentialism cannot account for agent-relative reasons, then consequentialism will be unable to explain special obligations.

### 3.1.4 Peter Railton's Consequentialist Special Obligations

Peter Railton has a unique way for consequentialists to account for genuinely special obligations. Railton's theory tells us how a sophisticated act-consequentialist should form certain character traits and commitments to rules to best promote the good. Some of these character traits, like being a good spouse, involve acts promoting the good of those close to us, even when doing so won't produce the most overall good.

Railton argues that a sophisticated act-consequentialist should realize three things about humans. First, that some goods are only reliably obtainable if people have well developed characters. Second, that "the human psyche is capable of only so much self-regulation and refinement (Railton 1984, 158)." Third, that we are susceptible to errors and biases in reasoning and perception. Combined, he suggests that these factors make it so that people "may be more likely to act rightly if they possess certain enduring motivational patterns, character traits, or prima facie commitments to rules in addition to whatever commitment they have to act for the best (Railton, 158)."

Railton uses an example to demonstrate why sophisticated act-consequentialists should develop their characters in such a way that they sometimes act contrary to their objective consequentialist duties. Imagine that Juan and Linda are in a long-distance relationship. They normally commute to see each other every other week. During one of the off-weeks Linda is feeling depressed, so Juan decides to make an extra trip to visit her. If he were to stay home instead of visiting Linda, he could save quite a bit of money. Juan could then give that money to charity to help people in need. Suppose that the good created by the charity with the money Juan donates outweighs whatever pain Linda and Juan will

experience if Juan doesn't visit. Juan knows this, and he is capable of staying at home and donating the money. However, because of Juan's character—he is very devoted to Linda—he decides to visit Linda (Railton, 159).

An objective act-consequentialist would say that Juan has performed the wrong action. Juan has failed to maximize the good. However, Railton argues that an act-consequentialist can also acknowledge that if Juan had a character that would have led him to perform the right action, that is, to stay home and give the money to charity, then he would also have to be less devoted to Linda. Railton argues that if Juan was less devoted to Linda, the total amount of good he produces might be lower. Railton suggests that if Juan was less devoted to Linda, then he might also be more cynical and self-centred. If Juan were more cynical and self-centred, he would likely produce less good overall than he does with his current character. So, of the two characters Juan could have in this scenario, it's better overall for Juan to be devoted to Linda, even if this means he will make an extra trip to see her instead of giving money to charity.

Railton argues that his example demonstrates that, in some cases, maintaining a character that produces the most overall good will require performing some actions that don't maximize the good. If Railton is correct, then consequentialism can account for special obligations. Part of having the character that creates the most good overall will involve developing and maintaining relationships with other people. Part of developing and maintaining close relationships involves providing benefits to those with whom we have relationships. Close relationships are valuable, so people will produce the most overall

good, in the long-run, if they develop their character so that they benefit those close to them. This means that consequentialists ought to develop their character so that they can have special obligations to those close to them.

Railton's account of special obligations solves one of Jeske's concerns about derivatively special obligations. That is, if it is the case that having the best character requires developing and maintaining close relationships with others, then it's not the case that our obligations would disappear if being part of those relationships no longer led to the best possible outcome. For example, it might be the case that certain character traits can only be developed in close relationships with others. If these character traits allow for other valuable outcomes that outweigh the disvalue caused by the suboptimal outcomes resulting from close relationships, then it will still be better overall to have a character that allows for close relationships.

While Railton's account makes progress, it still doesn't align with common-sense morality. Railton's account tells us that the act of benefiting those close to us is often the wrong act. However, it may be necessary to perform these wrong acts to develop and maintain character dispositions that will produce the most good overall. If what we care about is creating the most good, then we should form dispositions to allow for special relationships, even if doing so requires us to perform actions that are wrong. Jeske argues that this view doesn't capture how we think about special obligations (Jeske, *Special Obligations* 2014). We don't think acting to benefit our loved ones is wrongdoing, even if it is justified wrongdoing. Instead, common-sense morality tells us that acting to benefit

our loved ones is the right thing to do because our special relationships ground special obligations to those we love. This means that Railton's account of special obligations remains in conflict with common-sense morality.

### 3.1.5 A Few Reasons to Think Special Obligations Exist

The conflict between consequentialism and special obligations that I've discussed in the previous sections gives us some reason to think special obligations don't exist. After all, consequentialism is a widely-held theory of morality, and most versions of consequentialism are incompatible with genuinely special obligations. While I've framed the conflict between consequentialism and special obligations as a problem for consequentialism, a consequentialist could argue that it's really a problem for special obligations. Perhaps this is a case in which common-sense morality is wrong.

As I mentioned above, I can't provide a comprehensive argument to show that special obligations exist. Instead, I want to provide a few reasons to think that special obligations exist, despite the conflict with consequentialism.

The first reason to think special obligations exist is the strong intuition most of us have that we should prioritize the needs of those with whom we are in a good relationship.<sup>63</sup>

This intuition also bears out in practice, that is, most people do prioritize their loved ones

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<sup>63</sup> I say 'good relationship' here, rather than just 'relationship,' because I don't think many people have a strong intuition that we should prioritize the needs of those with whom we are in a bad relationship. We have a relationship with rude co-workers, but that's not a reason to prioritize their needs. We might even think that we should deprioritize the needs of those with whom we are in a bad relationship.



when they are in need. If faced with a choice between donating a kidney to a stranger or donating the same kidney to one's parents, almost everyone would donate it to their parents. Other things being equal, we usually think a good relationship with someone gives us an additional reason to help that person. This reason is in addition to whatever reasons we might have to help the person simply by virtue of them being a person. For example, the fact that my parents are my parents gives me an additional reason to prioritize their needs. The additional reason need not be overriding, that is, we don't always have to prioritize our parents no matter the outcome. However, the additional reason means I have more reason to help my parents than I do to help a stranger in the same situation.

Beyond the intuitive appeal of special obligations, there are accounts of special obligations that ground them in some aspect of the relationships from which they arise. For example, Jeske argues that intimacy can ground special obligations (Jeske, *Families, Friends, and Special Obligations* 1998). Jeske uses friendship as an example of a relationship in which intimacy grounds special obligations. She tells us that friendship is a mutual project that we undertake with another person. Unlike many other projects we might have, friendship necessarily involves someone else having the same project as we have. I can't be in a friendship with you if you don't want to be in a friendship with me. Once a friendship is established, it becomes a mutual project rather than two individual projects. Both friends have "a project that essentially involves the other and demands her continued participation (Jeske 1998, 540)."

Jeske argues that friendship creates moral obligations for those in the friendship. She says, “it is the shared character of the project of an intimate relationship that creates the demands to continue to care and to sustain intimacy (Jeske 1998, 540).” Both intimacy and the mutual project are required to ground the obligations.<sup>64</sup> Essentially, we have obligations to maintain friendships because they are mutual projects that cannot be sustained without the participation of both friends. I have a reason to help my friend because doing so will maintain the friendship. Being in a friendship therefore gives me reasons to help my friend that I don’t have to help strangers. If Jeske is correct, then we have special obligations to our friends based on the intimate mutual project of which we are a part.

Similar reasoning could be applied to parent-child relationships. A healthy adult parent-child relationship is an intimate mutual project that cannot be sustained without the participation of both parent and child. This gives both parent and child an obligation to maintain the relationship. Maintaining the relationship involves helping each other, which means that both parents and children have a reason to help each other that they don’t have to help strangers. If this is true, then children have special obligations to their parents based on the intimate mutual project of which they are a part.

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<sup>64</sup> Jeske says, “But intimacy can ground obligations in so far as it is a mutual project that is expressive of the parties’ autonomy: its mutual character is what generates obligations rather than permissions... (Jeske 1998, 541)”

Jeske argues that intimacy can also ground special obligations in other kinds of relationships, though I won't address those arguments here. What is important for my project is that Jeske explains at least one way that close relationships can create special obligations. This gives us more reason, in addition to our intuitions, to think that special obligations exist.

### 3.1.6 Summary

In this section, I argued that if filial obligations are to be meaningful as a distinct kind of obligation, then they must be special obligations. The most important consequence of this conclusion is that filial obligations cannot be grounded in consequentialism. If all filial obligations are special obligations, and special obligations give us agent-relative reasons to help those close to us, and consequentialism cannot account for agent-relative reasons, then consequentialism will be unable to explain special obligations. I then argued that there are good reasons to think that special obligations exist, despite the conflict with consequentialism.

## 3.2 Developing Special Goods

Though Keller provides a few examples of what special goods might be in parent-child relationships, I don't think he tells us enough to determine which goods are special and which are generic. Recall that Keller's primary example of a special good is the good that comes from a child keeping in touch with his or her parents. It's not that the child's parents want to be in touch with someone and the child just happens to fill that role.

Rather the parents want to be in touch with their child, and no one else can fill that role (Keller, 266). The good of keeping in touch is made special because it occurs within the context of the reciprocal relationship the parent and child share. This conclusion suggests that we should look to the nature of the parent-child relationship to determine what differentiates it from other relationships.

### 3.2.1 Analysis of Potential Special Goods for Parents

I think the most promising way to figure out what goods might be special goods is to examine what makes the parent-child relationship unique. Keller emphasizes the importance of the reciprocal relationship that commonly occurs between parents and their children, but he doesn't tell us much about how the relationship is supposed to produce special goods. If the parent-child relationship produces goods that cannot be obtained in other relationships, then the parent-child relationship must have unique properties. I want to determine what these unique properties are and which special goods they allow. To do this, I will evaluate love, fun, purpose, memory, connection, and wholeness as possible sources of special goods.

Before discussing the individual properties that may be unique to the parent-child relationship, it is important to clarify four things. First, I'm talking about goods, not the good. The goods I examine in this section are things most people want, regardless of their conception of the good.<sup>65</sup>

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<sup>65</sup> I'm assuming, for simplicity, that most people don't have conceptions of the good that are opposed to love, fun, purpose, memory, connection, and wholeness.

Second, I don't intend this to be a complete list of every relationship property that is unique to parent-child relationships. These are just some of the properties of parent-child relationships that seem likely to produce special goods.

Third, I'm only going to look for properties of the parent-child relationship that exist between adult children and their parents. There are no doubt unique properties that exist in relationships between young children and their parents<sup>66</sup>, but if these properties no longer exist once the child becomes an adult, then they aren't relevant for determining which goods are special goods in adult parent-child relationships.

Fourth, I want to clarify what I mean when I call a property of the parent-child relationship 'unique.' It is very unlikely that we will find any generalized properties of the parent-child relationship that appear nowhere else under any conditions.<sup>67</sup> For example, we aren't going to find any properties as wide-reaching as love that are unique to parent-child relationships. We find loving relationships among friends, romantic partners, as well as between parents and their children. These three kinds of love are distinct, but they are all identifiable as variations of love. What we will find are unique variations of broader properties, like love, that only occur in parent-child relationships. For example, the love between parents and their children is unlike other kinds of love. Though the love

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<sup>66</sup> See (Brennan 2014) for more about the intrinsic goods of childhood and (Brighouse and Swift 2014) for more about the goods of parenting.

<sup>67</sup> Though I'm discussing properties at this point it's worth mentioning that something similar applies to goods as well. For example, keeping in touch with one's children, Keller's primary example of a special good, is a variation of the more general good of keeping in touch.

between friends or romantic partners shares some properties with the love between parents and their children, we can recognize the love between parents and their children as a unique variation of love. Instead of properties that appear in no other kind of relationship, we will find properties that have distinct manifestations in parent-child relationships which produce unique variants of broader relationship properties.

In addition to the unique variants of broader relationship properties, as a result of the structure of the society we live in and the way parent-child relationships tend to operate within our society, children will often be in a unique position to provide certain goods. For example, we will find a sense of purpose in parent-child relationships far more than we will find it in friendships. It's not that a friend cannot give one purpose, only that parent-child relationships are particularly conducive to a sense of purpose. This means that children are often in a unique position to provide any goods that can be derived from purpose.

Based on the discussion in the previous paragraph, it seems that there are two ways that a property may be unique to the parent-child relationship. First, the property may be contingently unique. In this case, the parent-child relationship is the only relationship in the parent's life that has the property in question. The property is unique because for this particular parent it occurs in no other relationship. However, it is possible that the same property isn't unique for a different parent because the property occurs in another relationship in which they are involved. For example, Satya may only experience joy with his children, so joy is a contingently unique property of the parent-child relationship

in his case. If Kirill experiences joy with his wife, as well as his children, then joy is not a contingently unique property of the parent-child relationship in his case.

The second way a property can be unique is for it to be inherently unique. In this case, the parent-child relationship is the only relationship that can have the property in question.

As I mentioned previously, we will find unique variations of broader relationship properties, rather than properties that only occur in any form in parent-child relationships. These property variants are nonetheless unique because they only occur in parent-child relationships. For example, the love shared between a parent and their child is inherently unique because it is different from other kinds of love. There are no other relationships that a parent could have that would produce the same kind of love they experience with their children.

I'm interested in properties of the parent-child relationship that are inherently unique.

While contingently unique properties might lead to special goods in some cases, inherently unique properties will lead to special goods in all parent-child relationships in which they exist.

### *3.2.1.1 Love*

Love is tricky. Most people, though certainly not enough, have many sources and recipients of love throughout their lives. However, the loving relationship between a parent and their child is different from most other loving relationships. One obvious difference is that most other loving relationships are chosen. Both parties choose both

romantic loving relationships and loving friendships.<sup>68</sup> Parents may choose to have children, but they don't choose to have a particular child with whom they get along. Children, at least when they are young, have even less choice in the relationship. Children cannot usually choose who their parents will be and often have no way to exit the relationship if they have parents they don't like.<sup>69</sup>

Another important difference between parent-child relationships and other relationships is that in most cases parents seem to love their children even if they don't like them. Children can be annoying, rude, destructive, and hurtful at various points in their lives but, except in extreme cases, parents continue to love their children. This kind of love is often called unconditional, though that term seems too strong to me. I prefer to call it resilient love because though it is stronger than many other kinds of love, there seem to be conditions under which it will end.<sup>70</sup>

Regardless of what it's called, the love that exists between parent and child allows for the generation of certain special goods. For example, this kind of love is the source of one of the special goods Keller describes. He says that one potential special good is "having someone who is especially committed to ensuring that your needs and interests will be

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<sup>68</sup> There may be exceptions to this, particularly in romantic relationships. For example, two people involved in an arranged marriage might not love each other when they get married, but they may eventually come to love each other, even if only as friends. Perhaps these shouldn't be called romantic relationships at all, but that seems dismissive, especially when we consider two people who are dating, but not in love, to be in a romantic relationship.

<sup>69</sup> A recent bill in Ontario requires the written consent of any child over the age of seven before he or she may be adopted. See (Bill 89, Supporting Children, Youth and Families Act 2017, s. 180 (6)). This means that at least some children have some choice about who their parents will be.

<sup>70</sup> I don't have any particular conditions in mind, but it seems to me that everyone has a breaking point. There is something you think so reprehensible that you couldn't imagine loving someone who had done it.



met (Keller, 267).” Having someone who is especially committed to ensuring that your needs and interests will be met is a good because it can help you through life’s biggest challenges. Even if you don’t face any major challenges in your life, the knowledge that someone would be willing to help you were you to face a challenging situation is a good in itself. I’ve already discussed how this good might be available in other relationships<sup>71</sup>, but parent-child relationships seem particularly conducive to producing it. The resilient and unchosen love that exists between parent and child allows for the secure knowledge that someone will be there to help you if you are in trouble.

### *3.2.1.2 Fun and Joy*

Children can bring a great deal of joy to their parent’s lives.<sup>72</sup> While children are young their new behaviors, like walking and talking, are sources of joy for their parents. When children get older, they provide joy in different ways. Seeing their children succeed in their chosen profession, find a perfect romantic partner, or buy their first house can all be sources of joy for parents. Parents can also find joy in a simple visit from their adult children.

Joy can be both a source of special goods and a special good in itself. As a source of special goods, joy can make it more likely for a parent-child relationship to stay healthy.

Both parents and children will be more willing to put effort into maintaining a

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<sup>71</sup> See the ‘Shared Special Goods’ section of the previous chapter.

<sup>72</sup> My claim here isn’t that all children bring only joy to their parents. Some children, particularly older children, might bring a great deal of suffering to their parents. However, many children are a source of fun and joy to their parents.

relationship if it produces joy. Since many other potential special goods rely on healthy parent-child relationships, joy could be an important part of what makes them possible. As a special good in itself, joy is just a good thing to have in your life. Having a sense of joy is valuable in itself, regardless of what else it may bring. Joy is a special good because children seem uniquely placed to provide a certain kind of joy to their parents. Parents can find joy from other parts of their lives, but children seem to be able to produce it more consistently and dependably than other sources. Parents often have a special place in their hearts for their children, and even their mere presence can result in an improved mood.

### *3.2.1.3 Purpose*

Purpose is something that gives your life direction and gives you a goal to achieve. To make use of a cliché, it's what gives you a reason to get out of bed in the morning. Many people obtain purpose from their work or from volunteer activities. This is particularly likely if your job involves helping others or supports something you think is important. For example, if you work at the United Nations organizing projects to remove landmines, you will probably derive a great deal of purpose from your work. Purpose can also come from hobbies. For example, you might derive purpose from building furniture or model airplanes.

Purpose can also come from raising children. Hoffman and Hoffman report that when women are asked "How does having children change a woman's life?" they often respond by saying, "children provide a goal in life" or "they are a fulfillment (Hoffman

and Hoffman, 47).” As I mentioned earlier, few projects last as long or provide as much satisfaction as raising a child well. If you have children, they often become your most important project and have the greatest influence on the course your life will take. You will dedicate a great deal of time and effort to raising your children, and seeing them do well will be important to you. The desire to see your children prosper can create a great purpose in your life giving you an important goal to achieve.

The purpose that parents receive from having a child is an inherently unique special good. While it’s true that many people have purpose without children, children provide a unique kind of purpose. Having and raising a child is a project that is almost uniquely permanent. Even other long-term commitments, like a career or marriage, have legitimate exit options. This permanence gives a unique quality to the purpose parents can derive from raising children. Unlike many other sources of purpose, the purpose derived from children typically lasts a lifetime. This means that parents have a continuous source of purpose that they can rely on for the rest of their lives.

#### *3.2.1.4 Memory*

Memory is a potentially rich source of goods that are unique to parent-child relationships. Of course, people have memories of many relationships, but, as I mentioned earlier, the parent-child relationship is usually the longest in a child’s life and one of the longest in a parent’s life. The relationship is also often very close, and this leads to both more numerous and more powerful memories. Parents have strong memories of many of their children’s accomplishments, failures, loves, heartbreaks, and other important events in

their children's lives. Children also have many memories of shared experiences with their parents. These memories can be very valuable for both parents and children. Reminiscing in a shared activity you enjoyed with your children when they were young can bring back great memories. The good feelings these memories provide are special goods. For example, if Ewoud frequently took his daughter Vivi to baseball games when she was growing up, there may be a special good gained by having Vivi accompany him to a baseball game in the present. While it might still be fun for Ewoud to go to a baseball game with friends, the memories of past fun experiences shared with Vivi have value that cannot be replicated by going to a game with friends. This example suggests that the strong memories that exist in parent-child relationships can allow for the creation of special goods that only children can provide.

Memories of shared experiences with one's children are an inherently unique property of filial relationships. As I mentioned, you could have good memories of going to a baseball game with friends, but these memories are different from those you have of going to a baseball game with your children. Your memories with your friends are of the fun you had, perhaps after a few drinks. With your children, you have memories of the development of a shared interest, of teaching them the rules of the game, and of watching them develop a deeper understanding of the sport.

#### *3.2.1.5 Connection*

Another special good that children can provide is a connection to one's past accomplishments. Specifically, raising a child is an enormous undertaking, which, when

done successfully, is a major life accomplishment. When your children grow up to live successful lives, they are a constant reminder of the good job you did in the past. The good in this situation comes from having someone in your life whose development you have clearly and positively influenced. As I mentioned in a previous chapter, I think it is best if we focus on behavioral or personality development, rather than on phenotypic development. You might be proud that your children are beautiful, and their beauty may contribute to their success, but having beautiful children isn't a personal accomplishment.<sup>73</sup> If, on the other hand, your children are kind, generous, loving, and happy people, then you have claim to a genuine personal accomplishment. Without your guidance, support, and love, your children probably wouldn't have developed these important traits.

What makes this good special is that you will likely only accomplish a few things as significant to you as successfully raising a child. For example, if you have a very successful career, say you write a book or design a prominent building, the sense of accomplishment you have could be as important to you as seeing the positive influence you had on your children. However, few other accomplishments compare to successfully raising a child. It's also very unlikely you will have as much of a role in the development of any other person. You may have some influence on your nieces and nephews, or perhaps a close friend's child, but not the same degree of influence you have on the development of your own child.

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<sup>73</sup> This might get a bit murky if you undertook specific efforts to have a beautiful child. For example, if you chose a reproductive partner based only on their beauty, you might have a legitimate claim to accomplishment if you have beautiful children. However, in most cases, parents don't have much control over the physical features of their children.

The sense of connection to one's past accomplishments is a contingently unique special good. People can have a connection to their past accomplishments without children, but children are often both the biggest and most visible accomplishment in one's life.

### *3.2.1.6 Wholeness*

The next special good is more abstract than some of the previous examples. Children can provide a sense of wholeness to a parent's life that can otherwise remain incomplete. Some people feel that their lives are missing something important. For some people, this lack can be filled with a job they've always wanted or meeting the perfect romantic partner, but some people really want children in their lives. For those people who really want children in their lives, no other good or accomplishment will make them feel as if their life is complete or whole. This means that the sense of wholeness a child brings for those people who want children is a special good because no other person or thing could provide the same good. For those people who really want children in their lives and would feel that their lives are missing something important if they do not have children, the child's presence is a special good in itself. This particular special good will depend on the desires of the parent, as a child is unlikely to provide a sense of wholeness to someone who doesn't feel like their life is missing something.<sup>74</sup>

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<sup>74</sup> I say unlikely because it's possible that parents could fail to realize they were missing anything before having a child, but then come to realize what they were missing once they have a child. Rather than serving as a reason to have a child, the child's presence has an unexpected benefit.

### *3.2.1.7 Conclusion*

In this section, I've discussed some of the potential special goods that parents and children can receive from participating in parent-child relationships. Not all parent-child relationships will produce all of these special goods, and there are no doubt other special goods that I've missed. Even though this is not a complete list of special goods, it is nonetheless a significant development of the special goods theory. We now have a better sense of what special goods look like in parent-child relationships.

### 3.3 Not So Special Goods

The first problem for the special goods theory that I want to address is that special goods might not be as special as they seem. If other people can provide the same goods as children, then there are no special goods created by filial relationships. There are at least two ways this challenge could be presented. First, you might think that what Keller identifies as special goods are really just generic goods that could, at least in principle, be supplied by anyone. I don't think this view is very plausible, and Keller's main example of a special good demonstrates this. If there are no special goods, then having anyone around at Christmas is just as valuable to parents as having their children around at Christmas. This seems false in all but the worst parent-child relationships. The good created by the knowledge that your child cares about your welfare and happiness surely adds something to the good of having someone visit.

The second way to frame this challenge is to grant that certain goods are achievable only in the right kind of relationship, but to think that someone else could fill the role Keller reserves exclusively for children. For example, you might think a niece or nephew could provide you with the same goods as a child, provided the relationship between you was similar to a parent-child relationship. Similarly, you might think that a grandparent-grandchild relationship could produce many of the same goods as a parent-child relationship.

I have two responses to this challenge. The first is to suggest that very few other relationships will be sufficiently like parent-child relationships. Harry Brighouse and Adam Swift argue that the parent-child relationship is non-substitutable. They say, “The relationship is, on the contrary, *sui generis*, a relationship that involves the adult in a unique combination of joys and challenge; experiencing and meeting these makes a distinctive set of demands, and produces a distinctive contribution to well-being. Other intimate relationships have their own value, but they are not substitutes for a parenting relationship with a child.” (Brighouse and Swift, *The Goods of Parenting* 2014, 14). They see the parent-child relationship as a type of fiduciary relationship. They distinguish it from other fiduciary relationships using four features of the parent-child relationship.

The first feature of the parent-child relationship that distinguishes it from other relationships is that parents and children cannot have equal power. Children are not voluntary participants in the relationship, and they cannot exit the relationship on their own until they are old enough to escape. Children are vulnerable to the decisions of their



primary caregivers, while also being dependent on them for their well-being. These features of the relationship give parents a great deal of power over their children's lives that is not reciprocated.

The second feature that distinguishes parent-child relationships from other relationships is the paternalistic aspect of the relationship. Brighthouse and Swift argue that parents routinely coerce their children into acting against their will (Brighthouse and Swift, *The Goods of Parenting*, 14-15). Parents do this because they believe their child's will does not align with his or her interests. For example, parents might lock a bottle of bleach in a cupboard even though their child has displayed a strong desire to drink it. The child wills to drink the bleach, but the parents believe, correctly in this case, that drinking the bleach is not in their child's best interest. Parents can also manipulate their child's will so that it better aligns with his or her interests. For example, they may arrange a play-date with another child who they believe will have a good influence on their child. They may do this even if their child has shown no previous interest in befriending the other child.

Brighthouse and Swift argue that this kind of coercion and manipulation would be out of place in other fiduciary relationships (Brighthouse and Swift, *The Goods of Parenting*, 14). If you were to coerce and manipulate your friends, even in ways that promote their best interests, you would fail to be a good friend. However, in parent-child relationships, this kind of coercion and manipulation is often required to be a good parent. Brighthouse and Swift claim that "where we do have distinctively fiduciary relationships with other adults—even with ageing parents—coercing or manipulating them may sometimes be

required but it is not itself a key part of the job (Brighthouse and Swift, *The Goods of Parenting*, 15).”

The third feature of parent-child relationships that distinguishes them from other relationships is the influence parents have on the values of their children. In other fiduciary relationships, the principal normally already has values and beliefs about what is in his or her best interest. Often these values and beliefs are expressed to the fiduciary so he or she can act in the principal’s best interest. This is not, and cannot be, the case with parents and children. When children are very young, they do not have any values or beliefs about what is in their best interest. When they are old enough to form values and beliefs, they will be heavily influenced by the values and beliefs of their parents and of other important people in their lives. Parents, as fiduciaries, have a great deal of influence over what their children, as principals, value and believe. According to Brighthouse and Swift, instead of being guided by the values and beliefs of his or her child, “The parent should be guided, rather, by those interests of the child that it is the parent’s fiduciary duty to respect and promote (Brighthouse and Swift, *The Goods of Parenting*, 15).”

The fourth feature of parent-child relationships that distinguishes them from other fiduciary relationships is “the quality of the intimacy of the relationship (Brighthouse and Swift, *The Goods of Parenting*, 16).” Brighthouse and Swift argue that the love young children express for their parents is unconditional, spontaneous, and outside of their rational control. Children share their feelings with their parents without being self-conscious. They trust their parents unless their trust is betrayed consistently and

frequently. In short, a child's intimacy with his or her parents is unconditional. Brighthouse and Swift point out that adults do not share themselves like this with other adults.

Intimacy between adults requires a great deal of will to be successful. However, parents have a fiduciary responsibility to be spontaneous, authentic, and intimate with their children most of the time. They have this responsibility, in part, because children have an interest in being in a loving relationship with "a real, emotionally available, person. (Brighthouse and Swift, *The Goods of Parenting*, 16)" Parents may sometimes be inauthentic if it is in their child's best interest. For example, a parent might hide his or her anger with a child because he or she knows it is inappropriate, even if it is authentic.

Together these four features distinguish parent-child relationships from other close relationships. Children have an interest in being in a relationship in which their needs are met and their vital interests are promoted. Adults have an interest in being the person responsible for meeting a child's needs and promoting their vital interests because being in such a relationship is "complex, interesting, and conducive to the adult's own emotional development (Brighthouse and Swift, *The Goods of Parenting*, 17)." The interest that adults have in being a parent is distinctive because the relationship has unique requirements and allows for unique experiences. These unique factors are what make the parent-child relationship non-substitutable.

If Brighthouse and Swift are correct that parent-child relationships are non-substitutable, then we have reason to think that other close relationships can't produce the same goods as parent-child relationships. This would mean that even very close grandparent-

grandchild or uncle-nephew relationships aren't able to provide the same special goods as parent-child relationships.

Even if Brighthouse and Swift are wrong about parent-child relationships being non-substitutable, there is a second way to respond to this challenge. My second response to this challenge is to suggest that some people may have more than two parents. This challenge only has force if we think only biological parents are real parents. As I've said before, I don't think it is a biological connection that determines parenthood. Adoptive parents are no less parents than biological parents. When it comes to filial obligations, my version of the special goods theory is grounded in the relationship parents and children share, rather than any biological relation. Put simply, for the purposes of filial obligations, a child's parents are whoever took care of his or her needs, nurtured and cared for him or her, and showed a long-term interest in his or her development into an adult.

Without a good relationship, there are no filial obligations because a good relationship is necessary for the realization of special goods. If you have a relationship with your niece in which you take care of her needs, nurture and care for her, and show a long-term interest in her development into an adult, then I see no reason not to assign you the parent label as well, at least for the purposes of filial obligations. While you might be a biological aunt or uncle, the relationship you share with your niece makes you her parent and her your child in such cases.

Another advantage of basing parenthood on the kind of relationship a person has with a child instead of a biological connection is that I can explain filial obligations in unconventional family structures. For example, if you are a grandparent who has become the primary caregiver for your grandchild<sup>75</sup> and now take care of the child's needs, nurture and care for him or her, and show a long-term interest in his or her development into an adult, then you are a parent for the purposes of filial obligations. You may still call yourself a grandparent, or not, but whatever filial obligations your grandchild would typically have to his or her biological or adoptive parents would apply to you instead.

Allowing for more than two parents might lead some people to worry that a child could end up with strong obligations to dozens of people. This could be extremely burdensome to even the most dedicated child. However, the relationship required to produce special goods is unlikely to manifest with a large group of people. Being in a very close relationship with someone takes a lot of work. Most people don't have the ability to maintain more than a few very close relationships at any specific time. If a child were to be raised by dozens of people, say in a commune of some kind, then my relationship method of assigning parenthood still works. The children might form close relationships with a few of their caregivers who would be their parents, or they might fail to form a close relationship with any of the caregivers, and they would have no parents. In the second case, the children might form moderately close relationships with many people, which could give them other kinds of obligations to their caregivers, but they wouldn't be filial obligations.

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<sup>75</sup> Suppose this takes place without a legal change in status, that is, you don't formally adopt the child.

Another related worry for the special goods theory is that a spouse or particularly close friend could provide the same special goods that children provide. For example, you might think having your spouse or a close friend around at Christmas could provide the same special good as having your children around at Christmas. To respond to this worry, I'll refer back to an earlier section where I evaluated some of the properties of parent-child relationships that make them different from other kinds of relationships. To quickly summarize, there are certain experiences you share with children while they are developing that can't exist in other kinds of relationships. You didn't play a crucial role in the development of your spouse's personality. You might get a special good from going to a baseball game with your spouse, but it's not the same special good that you get from going with your child.

### 3.4 Getting Special Duties from Special Goods

In chapter two I mentioned that one of the main problems with Keller's special goods theory is the lack of an argument connecting the existence of special goods to corresponding special duties. Recall that Keller argues that because the parent-child relationship produces special goods, it also produces special duties to provide those special goods. He thinks that filial duties are derived from two properties of the parent-child relationship. First, children are in a unique position to provide certain special goods to their parents. Second, children have benefitted, or continue to benefit, from special goods provided by their parents (Keller, 268). When these two properties obtain in a

parent-child relationship, children have duties to provide their parents with whatever special goods can be derived from the reciprocal relationship they share.

What the special goods theory needs is a clear argument explaining why the ability to provide special goods leads to special duties to provide those goods. We have the ability to provide many goods to many people every day, but we don't have duties to provide goods to others in most of those cases. Parents have obligations to provide goods to their young children because, among other reasons, the children are dependent minors who have no other access to the goods they need to survive. Most elderly parents will never be in a similar relation to their adult children. Most elderly parents can take care of their basic needs but could use help from their children to obtain other goods they value.

In the previous chapter, I briefly discussed Keller's suggestion that the special goods theory of filial obligations could be derived from a more general moral principle. Keller doesn't elaborate on this idea other than to tell us that he isn't deriving his special goods theory from a clear general moral principle (Keller, 273). I think looking for a general moral principle to support the special goods theory is a promising idea. I think we can find a general moral principle to support the connection between special goods and corresponding special duties.

### 3.4.1 The Duty of Beneficence

The duty of beneficence is the general moral principle that I'll use to connect special goods with special duties. According to Tom Beauchamp, the duty of beneficence is "a

normative statement of a moral obligation to act for the others' benefit, helping them to further their important and legitimate interests, often by preventing or removing possible harms (Beauchamp 2016).” To better understand the duty of beneficence, it’s important to understand what beneficence is and what distinguishes it from similar concepts like benevolence. Beauchamp points out that beneficence refers to “an action done to benefit others (Beauchamp 2016)”, while benevolence refers to the character trait of being disposed to act beneficently. So, though beneficence and benevolence are related concepts, one could be beneficent without necessarily being benevolent, and one could be benevolent without always being beneficent. In the first case, one could be beneficent occasionally while not having the character trait of benevolence. In the second case, one could have the character trait of benevolence, while occasionally failing to act beneficently.

I chose the duty of beneficence as my general moral principle for two reasons. First, beneficence fits well with our intuitions about filial obligations. We tend to think that children should benefit their parents and help further their legitimate interests. Second, the duty of beneficence has deontological formulations. In the first section of this chapter, I argued that filial obligations are special obligations, and that consequentialism cannot account for special obligations. This is because special obligations rely on agent-relative reasons, and consequentialism cannot account for agent-relative reasons. This means I need a non-consequentialist general moral principle to connect special goods and corresponding special duties. Specifically, I need a general moral principle that can account for agent-relative reasons.



Deontological formulations of the duty of beneficence can account for agent-relative reasons. Unlike consequentialists, deontologists are not committed to maximizing the good. Both consequentialists and deontologists are committed to promoting the good, but deontologists think there are constraints on promoting the good. Consequentialists think only the consequences of an action matter when determining the best action, while deontologists think other factors matter as well. Deontologists still think that consequences matter, they just don't think that consequences are the only things that matter. For consequentialists, the action that produces the most good is always the right action. For deontologists, there are constraints on certain actions that make the actions wrong, even if they produce the most good. For example, deontologists usually think that there is a constraint on causing harm. If the act that will produce the most good requires causing harm to someone, then it is morally prohibited.<sup>76</sup>

By being committed to promoting, but not maximizing, the good, deontologists can explain why we are sometimes justified choosing an action that doesn't maximize the good. In other words, deontology can account for options. It allows us to take agent-relative reasons, like the fact that I am my parents' child, into account when deciding what to do.

### 3.4.2 An Imperfect Duty of Beneficence

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<sup>76</sup> For an excellent discussion of what distinguishes consequentialism and deontology, see (Kagan 1998, 70-75).

I said in the previous section that I am going to use a deontological formulation of the duty of beneficence to connect special goods to corresponding special duties.

Specifically, I'm going to use a Kantian account of the duty of beneficence in which duties of beneficence are imperfect duties. I use a Kantian account, rather than Kant's account, because it gives me more freedom to apply imperfect duties of beneficence to special goods and corresponding special duties. It also allows me to avoid getting too caught up explaining Kant's larger moral theory.

Of course, I need to say something about Kant's theory even though I'm not going to apply it directly. I'll briefly summarize his views on perfect and imperfect duties, and explain why he thinks beneficence is an imperfect duty. That should be enough to understand how the imperfect duty of beneficence is supposed to work.

Perfect duties are absolute and negative. They tell us what we must not do. Perfect duties come from contradictions in conception. Contradictions in conception occur when we cannot imagine a world in which a maxim we wish to promote is universalized. Within the category of perfect duties, there is a distinction between perfect duties to the self and perfect duties to others. An example of a perfect duty to the self is the duty not to kill oneself. According to Kant, we cannot conceive of a world where everyone holds the maxim that it is acceptable to kill oneself in difficult times and so holding this maxim creates a contradiction in conception (Kant, *Groundwork of the Metaphysics of Morals* 2006, 286). An example of a perfect duty to others is the duty not to lie. If everyone were to lie whenever it benefited them, then we would no longer be able to distinguish between deceitful and truthful actions. This makes promises impossible since everyone would lie whenever it was to their benefit. If promises are impossible, then I will be unable to use

lies to take advantage of anyone, because no one will believe me when I make a promise. Holding this maxim would create a contradiction in conception because it cannot be universalized (Kant, *Groundwork of the Metaphysics of Morals*, 268-287).

Imperfect duties are non-absolute and usually positive. They give us direction about which maxims we should adopt to guide our actions, rather than specific actions we must take.<sup>77</sup> If an imperfect duty conflicts with a perfect duty, we are obligated to fulfill the perfect duty (Kant, *Doctrine of Virtue* 1964, 48 (389)). Thomas Hill says that imperfect duties take the form: “One ought to do (or avoid) x sometimes, to some extent, but never when or to a degree contrary to principles of perfect duty (Hill 1971, 57).” Imperfect duties still require us to adopt certain ends, but we don’t have to devote all of our time to promoting those ends. For example, I can still fulfill my imperfect duty of beneficence by adopting a general maxim to help others, without necessarily helping everyone.

Contradictions in the will create imperfect duties. In these occurrences, we can conceive of a world where our maxim is universalized, but we cannot will that our maxim is universalized without contradiction. According to Onora O’Neill, “Willing requires also the adoption of more specific intentions that are guided by, and chosen (in the light of the agent’s beliefs) to realize, the underlying intention, or, if that is impossible, as appropriate moves toward a situation in which such specific intentions might be adopted (O’Neill 1989, 98).” So, to will a maxim requires us to adopt specific intentions that we believe will cause our maxim to be realized. If, when we attempt to universalize our maxim, our maxim becomes inconsistent with the specific intentions we must adopt to realize our maxim, then we have created a contradiction in the will. O’Neill explains how a maxim of nonbeneficence leads to a contradiction in the will,

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<sup>77</sup> Kant says that the moral law “can prescribe only the maxim of actions, not actions themselves (Kant, *Doctrine of Virtue*, 49 (390)).”

*If I seek to will a maxim of nonbeneficence as a universal law, my underlying intention is not to help others when they need it, and its universalized counterpart is that nobody help others when they need it. But if everybody denies help to others when they need it, then those who need help will not be helped, and in particular I will not myself be helped when I need it. But if I am committed to the standards of rational willing that constitute the various Principles of Rational Intending, then I am committed to willing some means to any end to which I am committed, and these must include willing that if I am in need of help and therefore not able to achieve my ends without help, I be given some appropriate help. In trying to universalize a maxim of nonbeneficence I find myself committed simultaneously to willing that I not be helped when I need it and that I be helped when I need it. (O'Neill, 98-99)*

According to Kant, rationality requires that if we will an end, we must also will the means necessary to realize that end (O'Neill, 90). Since no one is entirely self-sufficient, eventually everyone will require help from others to achieve their ends. This means that everyone must will that people help each other. Universalizing a maxim of nonbeneficence would require willing that no one helps anyone else, which would create a contradiction in the will.

Like perfect duties, there are imperfect duties both to others and to the self. For the sake of brevity, I'm only going to discuss imperfect duties to others. Kant's example of an imperfect duty to others is the duty of beneficence (Kant, *Groundwork of the Metaphysics of Morals* 2006, 287). The duty of beneficence tells us that we should do what we can to help others realize their legitimate ends. The nature of imperfect duties means that we do not have to help everyone in all cases. Hill says, "When a person has an imperfect duty of beneficence, we may infer both (i) that it is his duty to adopt a maxim to promote the happiness of others sometimes and (ii) that it is his duty to promote the happiness of others sometimes but not that (iii) he has a duty on a given occasion to do a certain beneficent act (Hill, 64)." We are permitted to take the costs and benefits of

providing help into account. For example, the duty of beneficence is not so demanding that we must give up our well-being to help others.<sup>78</sup> This is a point that aligns with Keller's argument that filial obligations should not prevent a child from living a good life. Because the duty of beneficence is imperfect, it cannot tell us exactly what to do. It tells us that we must be beneficent, but it allows each individual to use their best judgment to determine who it is best to help and when to help them.

### 3.4.3 The Duty of Beneficence in Parent-child Relationships

In the previous two sections, I explained what the duty of beneficence is, why it is an imperfect duty, and how it fits into Kant's larger theory of duty. In this section, I will apply the duty of beneficence to the special goods theory of filial obligations and explain why it supports the connection between our ability to provide special goods to our parents and corresponding special duties to provide those goods.

When applied to the special goods theory of filial obligations, a Kantian account of the duty of beneficence fits well with common-sense morality. The special goods theory requires children to provide their parents with the special goods that can only be obtained in the parent-child relationship they share. The duty of beneficence requires us to help others achieve their legitimate ends and gives us some choice about who we help and when. Providing our parents with special goods can help them achieve their legitimate ends. For example, if my parents want to have a close relationship with me, I can help

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<sup>78</sup> About this Hill says, "...since my own happiness counts morally as much as anyone else's and might even be an obligatory end for me if I were not so ready to pursue it, the principle of beneficence is to be construed as allowing me considerable freedom to pursue my own happiness provided that I adopt and act on a maxim to promote the happiness of others also (Hill, 60)."

them achieve this end by spending time with them or calling them more often. Therefore, the duty of beneficence can explain our duty to provide our parents with special goods. We can, at least partially, fulfill our duty of beneficence by providing special goods to our parents.

If we can provide special goods to our parents, and we have a duty of beneficence to provide our parents with special goods, then we have an explanation of why special goods lead to corresponding special duties.

The special goods theory can also explain why we have a good reason to prioritize our parents when fulfilling our duty of beneficence. Our ability to provide special goods to our parents gives us two reasons to prioritize their needs. First, we can provide benefits to our parents that we can't provide to others. It is the parent-child relationship that makes special goods special. Since we are only in a parent-child relationship with our parents, it is impossible to provide the same goods to anyone else. For example, calling a co-worker to keep in touch doesn't produce the same good as calling your parents to keep in touch. The relationships aren't the same, so the goods are not the same. Second, the benefits we can provide for our parents will not be the same if they come from another source. As Keller says, children are in a unique position to provide special goods to their parents (Keller 2006). The nature of special goods means that if the goods we provide for our parents are truly special, then they cannot be acquired anywhere else. Special goods like keeping in touch with one's children are non-substitutable. If children don't provide these goods, then their parents will be unable to obtain them. In contrast, if you don't call your

co-worker, they can still get the same good if another co-worker calls. This means that children have a reason to provide special goods to their parents that they do not have to provide goods to others. This explains why children should prioritize providing special goods to their parents over other ways of fulfilling their duty of beneficence, other things being equal.

It's worth noting that because the duty of beneficence is an imperfect duty the prioritization of one's parents shouldn't be absolute. I'm not arguing that we have an overwhelming reason to prioritize benefiting our parents over others. For example, if, while you are dialing your phone to call your parents, you notice a small child drowning in your pool, then you should clearly save the child. While you would be providing a benefit to your parents if you were to complete the call, you would be providing a much greater benefit to the child if you were to save him or her. I'm arguing that we have some reason to prioritize our parents when fulfilling our duty of beneficence. That is, we have reasons to help our parents that we do not have to help others. This means that, other things being equal, if I have a choice between spending my resources providing special goods to my parents or spending my resources providing generic goods to strangers, I should provide special goods to my parents.

There is also a related question about whether the duty of beneficence gives us any guidance about how to prioritize among the special goods we owe our parents. For example, suppose I can either provide my parents with a special good by going with them to a baseball game or by visiting them during an important holiday. I have enough money

and time to do one or the other, but not both. Which should I choose? The deontological underpinnings of the duty of beneficence I'm using provide the answer. As I said earlier, deontology is committed to promoting the good, so long as doing so doesn't violate any moral constraints. This suggests that, other things being equal, I should prioritize whichever special goods my parents will most value. Since there are no moral constraints on going to a baseball game or visiting during an important holiday, I should use my limited resources to do whichever action will best promote the good.

This answer might not seem satisfactory given my earlier criticism of the gratitude theory of filial obligations. Recall that I criticized the gratitude theory for having difficulty telling us what we ought to do for our parents.<sup>79</sup> We might worry that by using imperfect duties the special goods theory will also be unable to tell us what we must do for our parents in any specific case. Imperfect duties don't require us to act in all situations in which we are able to act, so children will have a good deal of discretion about how and when they help their parents. This amount of discretion is a problem because sometimes we think children really ought to do something specific for their parents and imperfect duties can't require this.

Being unable to say that children should help their parents in specific ways in specific cases seems to be a necessary result of using the imperfect duty of beneficence to connect special goods and special duties. I acknowledge that it is a weakness of my solution to the

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<sup>79</sup> I also argued that McConnell's theory of gratitude can give some guidance in this area. He calls duties of gratitude narrow imperfect duties. Narrow imperfect duties require one to adopt a maxim and do not allow one to "refrain from acting on that maxim simply because he has recently done so or will do so on some other occasion (McConnell, 68-69)."



problem of connecting special goods and special duties. However, establishing a connection between special goods and special duties, even if it is not an ideal connection, is still a step forward for the special goods theory of filial obligations.

#### 3.4.4 Summary

In this section, I argued that the duty of beneficence is a general moral principle that can explain the connection between our ability to provide special goods to our parents and corresponding obligations to provide those goods. I used Kant's theory of duty to show that beneficence is an imperfect duty. This means that we have a positive duty to benefit others, but we have some choice about who we help and when. I argued that we should provide special goods to our parents because it at least partially fulfills our duty of beneficence. I then argued that the special goods theory gives us two reasons to prioritize benefiting our parents. First, we can provide benefits to our parents that we can't provide to others. Second, the benefits we can provide for our parents will not be the same if they come from another source. Together, these two reasons explain why children should provide special goods to their parents, before providing generic goods to others.<sup>80</sup>

### 3.5 Conclusion

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<sup>80</sup> There is a further question about how to prioritize duties to provide special goods to one's parents against duties to provide special goods to others. For example, suppose I could either visit my father in the hospital, or spend time playing with my child. Both actions will produce special goods. The simple answer is that I should do whichever action produces more good. In some cases, this will be easy. One action will clearly produce more good than the other. However, not all cases will be easy. Sometimes the good created by either action will be roughly equal. Unfortunately, I don't think there is a simple way to decide in cases where the value of competing special goods is close. In these cases, it seems that either action is morally permissible.

In this chapter, I have developed and defended a complete special goods theory of filial obligations.

In the first major part, I discussed the nature of special obligations and explained why filial obligations must be special obligations. I then argued that Keller doesn't tell us enough about special goods and how to distinguish them from generic goods. I examined the parent-child relationship and argued that if the parent-child relationship produces goods that cannot be obtained in other relationships, then the parent-child relationship must have unique properties that give rise to these goods. I argued that love, fun and joy, purpose, memory, connection, and wholeness all have unique variants that can only be found in parent-child relationships. These unique variants of relationship properties all allow for the creation of special goods. Next, I argued that by using a more inclusive definition of who can fill the role of a parent, we can account for situations where other family members seem to be able to provide the same special goods as children.

In the second major part, I developed an argument to connect the existence of special goods to corresponding special duties to provide those goods. I used the Kantian imperfect duty of beneficence as a general moral principle to explain why the fact that children can provide special goods to their parents leads to an obligation to provide those goods. Children should provide special goods to their parents because it fulfills their duty of beneficence. I also argued that children have two reasons to prioritize providing special goods to their parents over providing generic goods for others. First, children can provide benefits to their parents that they can't provide to others. Second, the benefits

children can provide to their parents will not be the same if they come from another source.

## Chapter Four: Worries and Further Questions

The literature on filial obligations is still very underdeveloped, and there remains a lot of room to investigate interesting questions. In this chapter, I'll discuss several important questions and worries about filial obligations that still need to be addressed. I will outline each question and worry and provide some thoughts and suggestions about how they might be answered. I want to stress that my suggestions are not meant to be rigorously supported positions, but rather ideas for avenues of future work. Filial obligations are an exciting area of family ethics and one that will only become more relevant and important as the percentage of older adults in many countries continues to increase.

First, I address a concern raised by Maria C. Stuifbergen and Johannes J. M. Van Delden (Stuifbergen and Van Delden 2011) that the special goods theory may be paternalistic because it can force children to be in a relationship they don't want to be a part of based on family values they may not share.

Second, I discuss how we can apply sanctions to bad children who refuse to discharge their filial obligations. The existing literature on filial obligations, my work included, largely ignores the problem of bad children. My special goods theory provides us with the resources to identify bad children, but it doesn't say much about what we can do to remedy the problem when it occurs.

Third, I discuss a concern that the language of rights and duties might not be sufficient to describe filial obligations. We might worry that something important to the nature of filial relationships is lost when we use only rights and duties to describe them.

Fourth, I consider what the law in Canada does and should require children to do for their parents. I evaluate the Canadian Criminal Code and Ontario's Family Law Act to determine if current Canadian laws align with my special goods theory. I then provide a few suggestions for further research on legal filial obligations.

Fifth, I consider how filial obligations might be different outside of a contemporary North American setting. There are two interesting research projects that could arise in addressing this question. First, one could examine filial obligations in contemporary societies in other parts of the world. Second, one could examine filial obligations in societies of the past.

#### 4.1 Paternalism in the Special Goods Theory

In addition to the worries raised by Welch and myself about the special goods theory of filial obligations, there are additional implications of the theory that have raised some concern. Stuijbergen and Van Delden argue that the special goods theory can be paternalistic. We might worry that forcing people to continue relationships that they don't want to continue fails to respect them as choice makers. Stuijbergen and Van Delden raise this concern in response to Claudia Mills (Stuijbergen and Van Delden 2011, 69).

Recall that Mills argues that being a part of a healthy filial relationship is a great good for both parents and children. She thinks, and I agree, that receiving a great good gives both parents and children an obligation to continue the relationship. Stuifbergen and Van Delden question why children should have an obligation to continue a relationship with their parents if they aren't interested in the special goods created by the relationship. It's not that the children's relationship with their parents is harmful, which Mills accounts for<sup>81</sup>, but that they don't see the value in continuing the relationship. Stuifbergen and Van Delden argue "It is hard to see how a continuation of the relationship would be obliged in that case, without either paternalistically imposing our family values on others, or referring to something as reciprocity, gratitude or vulnerability (Stuifbergen and Van Delden, 69)." In other words, without falling back to debt, friendship, or gratitude to support filial obligations, the special goods theory doesn't explain why children are obligated to continue their relationship with their parents if they don't find it valuable.

Stuifbergen and Van Delden don't discuss their worry in much detail. Presumably their concern about paternalism is based on a worry that the special goods theory can't account for varying individual conceptions of what is good or valuable. The special goods theory suggests that there are special goods you can obtain from a healthy filial relationship, and the people Stuifbergen and Van Delden are concerned about simply don't agree that these special goods are valuable. Perhaps they can recognize that most people find value in a healthy relationship with their parents, but they get nothing they consider valuable from

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<sup>81</sup> She says, "If a relationship is proving toxic, or too painful, it is fine to sever it; one is not required to sacrifice one's own personhood -- one's identity, one's happiness, one's sanity -- to provide some good for others, if one even can provide this good in such a setting (Mills 2003, 21)."

their own relationship with their parents. If the special goods theory claims that these children have obligations to their parents because the relationship they share creates special goods, then it is imposing a view of what is valuable on the children.

I'm not convinced that there is any paternalistic activity going on in Stuifbergen and Van Delden's example. According to Gerald Dworkin,

*X acts paternalistically towards Y by doing (omitting) Z:*

- 1. Z (or its omission) interferes with the liberty or autonomy of Y.*
- 2. X does so without the consent of Y.*
- 3. X does so only because X believes Z will improve the welfare of Y (where this includes preventing his welfare from diminishing), or in some way promote the interests, values, or good of Y (Dworkin 2017).*

Dworkin presents his conditions as jointly necessary. In other words, to act paternalistically toward you, a person must limit or deny your autonomy or liberty in order to do what he or she believes is good for you without your consent. For example, you want to learn how to box, but I forbid you to do so because I think it will lead to you suffering serious injuries. Though I may be right that getting punched in the head is not good for you, I deny you the ability to act freely because I believe I know what's good for you better than you do. That makes my action paternalistic, and paternalism is problematic because it is a violation of autonomy.

It's difficult to see how acting in accordance with the special goods theory would lead to paternalism. It's not clear who would be acting paternalistically in this case. Stuifbergen and Van Delden seem to suggest that it is whoever is trying to assign filial obligations

based on special goods to a child (Stuifbergen and Van Delden, 69). The most likely candidates would be the child's parents. It's clearer what the paternalistic action is supposed to be. Stuifbergen and Van Delden say it is "imposing our family values on others (Stuifbergen and Van Delden, 69)." However, without knowing how the obligations are imposed, it's difficult to evaluate the action. If parents coerce their children, then the imposition of filial obligations is problematic. But, if they simply explain to their children why they have filial obligations, then it's difficult to see how the imposition of obligations is problematic.<sup>82</sup>

If we assume Stuifbergen and Van Delden's worry is about parents acting paternalistically by assigning obligations that impose on their children's existing family values, then we must establish (1) that assigning filial obligations based on special goods interferes with the liberty or autonomy of a child, and (2) that parents only assign filial obligations based on special goods to their children because they believe it will improve their welfare.<sup>83</sup> The first claim is plausible, but the second is not.

First, assigning filial obligations based on special goods only restricts autonomy or liberty in the same way any obligation restricts autonomy or liberty. It's difficult to see how filial obligations would reduce a child's autonomy, at least in the example Stuifbergen and Van Delden are discussing. The parents in Stuifbergen and Van Delden's example don't physically coerce their children into providing them with special goods,

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<sup>82</sup> Unless you are willing to claim that the imposition of any obligation to do something one disagrees with is problematic. This is an implausible claim, as it would make any organized moral system impossible.

<sup>83</sup> We can assume from Stuifbergen and Van Delden's example that assigning filial obligations based on special goods is done without the consent of the child.



nor do they do anything else that makes their actions manipulative or deceitful. I don't think any reasonable theory of filial obligations would support actions like this.

Nonetheless, assigning filial obligations will restrict the liberty of a child. Any obligations will reduce one's liberty. We might think that these restrictions on liberty are justified, but they still satisfy Dworkin's first condition.

The second claim, on the other hand, is implausible. In her special goods theory, Mills isn't claiming that children who don't see any value in the special goods created by their parent-child relationship must continue that relationship only because it is good for them. Rather she's claiming that they have an obligation to continue the relationship because it produces special goods for their parents and potentially produces special goods for them as well. Mills isn't trying to provide an exclusively self-interested reason to continue the relationship you have with your parents. Being in a filial relationship that produces special goods that are beneficial to you is only one of the reasons why you have an obligation to continue the relationship. If you don't think the special goods you receive are valuable, then you don't receive the additional benefit most people receive from continuing their relationship with their parents. However, that doesn't mean your obligations to provide your parents with the special goods they value go away.

If we depart from Stuijbergen and Van Delden's example, it's still difficult to imagine filial obligations that are paternalistic. If a paternalistic action must be performed only because X believes it will improve the welfare of Y, then filial obligations seem to be ruled out. We would need a case where a child's parents demand their child fulfill his or

her filial obligations only because doing so will benefit the child. Since filial obligations are all about providing benefits to parents, this seems impossible.

If we ignore Stuijbergen and Van Delden's use of paternalism, it seems to me that their deeper worry is about bad children who just don't want to have obligations to their parents. These are children who acknowledge that their existing relationship with their parents is healthy and unproblematic and that their parents could obtain special goods from a continued relationship, but they, the children, aren't motivated by these facts. At some point, this worry just becomes a form of the 'why be moral?' question. If the children are looking for a self-interested reason to continue the relationship they have with their parents, and they are unwilling to accept that they receive anything of value from the continued relationship, then I don't think there's anything the special goods theory can do to change their minds. If they aren't willing to accept other-regarding reasons to act morally, then it seems impossible to convince them that filial obligations exist at all.

## 4.2 Bad Children

The existing literature on filial obligations, my work included, largely ignores the problem of bad children. I don't mean little children who are a handful or who like to cause trouble. I mean adult children who refuse to fulfill their filial obligations. I've used abusive and neglectful parents as paradigm cases of parents who are not owed anything by their children, but I haven't said much about children who have filial obligations but

choose not to fulfill them. Unfortunately, I don't have a completely satisfying solution to this problem, but I do have a few ideas that may be effective in some cases.

In the first chapter, I gave an example of a bad child that demonstrated the shortcomings of the friendship theory. In that example, Zach's mother develops terminal cancer and needs a great deal of care and financial support. Zach's mother has done an adequate job raising him, and until Zach found out about his mother's cancer, they had a good relationship. However, upon learning about the care he will have to provide for his mother, Zach decides he doesn't want to take care of his mother. Though he is perfectly able to care for her, he decides that it would be too much bother and that he'd rather spend the time and money vacationing in Monte Carlo. He tells his mother that, in light of her recent illness, he no longer wishes to continue their relationship. He then cuts off all communication with his mother and sets off for Monte Carlo, leaving her to fend for herself.

The special goods theory probably doesn't require Zach to provide all of the care his mother needs, since other people can provide some forms of care. However, it does require Zach to continue the relationship he has with his mother and continue to provide her with whatever special goods are produced in their relationship. Zach has filial obligations to his mother, but he decides not to fulfill them.

What can we say about Zach? Do we simply call him a bad son and move on? Certainly, he has failed to fulfill his obligations to his mother, but does this open him up to any

sanctions? Perhaps Zach's mother could cut him out of her will, though this would be a punishment only if she is very wealthy and he is not. Or perhaps she could pursue legal recourse if she lives somewhere in which children have legal obligations to care for their parents.<sup>84</sup> While a legal remedy might get Zach's mother money from her son, it won't get her the special goods she is owed. The special goods children are often obligated to provide are care goods. It's difficult to force someone to provide care or continue a relationship of which they don't want to be a part.

Punishing children who refuse to fulfill their filial obligations is more difficult than punishing some other kinds of rule-breakers. For example, it's relatively easy to punish a liar or a cheat in business. You can just stop interacting with the rule-breaker. In a business relationship, both people have something to gain by cooperating, though one may be able to gain more if he or she cheats. Additionally, a person in business is likely to deal with more than one other partner. If one gains a reputation as a cheat, no one will want to do business. This provides an additional disincentive to cheat and an additional punishment mechanism if one does cheat.

Filial relationships are not like business relationships. Zach doesn't see any benefits coming from a continued relationship with his mother, or at least not enough to outweigh the costs of continuing the relationship. Further, others can't punish Zach by refusing to be in a filial relationship with him. That's just not how filial relationships work. He may gain a reputation as a bad son, which may have some negative consequences, though

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<sup>84</sup> I'll discuss legal filial obligations in a later section.

even this is questionable. Unless he lives in a very small town, most people with whom he interacts will have no idea how he treats his mother.

Unfortunately, I don't have a completely satisfying solution to the question of what to do about bad children. The unsatisfying answer is that morality just isn't enforceable. Some people will always willingly discard their duties, and there isn't much we can do about it. Some parents may be able to punish bad children by disinheriting them, but many parents who need care are not in a position to punish their bad children. It is also not clear that there are any serious consequences of gaining a reputation for being a bad child, or even that one is likely to gain such a reputation. The slightly more satisfying answer is that we can create laws requiring children to support their parents. This is not a moral solution to the problem, but it is a way to punish bad children. As I mentioned earlier in this section, I'll discuss legal filial obligations later in this chapter.

### 4.3 Are Rights and Duties Enough?

Can we adequately describe filial obligations using the language of rights and duties?

Theories of filial obligations, mine included, tend to focus on duties far more than rights.

The theories discuss what duties children owe their parents, rather than what rights parents have to claim support from their children. My special goods theory uses the language of rights and duties when discussing the special duties that children owe their parents. The friendship theory of filial obligations uses the language of rights and duties when discussing the duties of friendship that children owe their parents. The gratitude

theory of filial obligations uses the language of rights and duties when discussing the duties of gratitude

The concern one might have is that something important to the nature of filial relationships will be lost if we use only rights and duties to describe them. For example, you might think that we cannot adequately account for love using only rights and duties. When we talk about love, it usually isn't something we characterize using the language of rights and duties. We don't typically say that you have a duty to love someone or a right to be loved by someone.<sup>85</sup> This may be for at least two reasons; first, it may be that it's possible to have a duty to love someone, but most of us never find ourselves in a situation where we have this duty. In this case, a duty to love seems odd because most of us don't have personal experience with it. Second, it may simply be impossible to choose to love someone consciously. In this case, a duty to love someone you don't already love would be impossible to satisfy. If we accept that ought implies can, then I can't have a duty to love someone. Similarly, if rights and duties are correlative, and it is impossible to have a duty to love someone, then it is also impossible for anyone to have a claim right to be loved by someone.

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<sup>85</sup> It's worth noting that some people do think that people can have a right to love. For example, Matthew Liao argues that children have a right to be loved (Liao 2006). He argues that people have a human right to the primary essential conditions of a good life. One of the primary essential conditions for a good life is love during childhood. I don't have space to evaluate his argument in detail, but I find unconvincing his arguments about how parents can cultivate love for their children that they don't feel. He proposes that there are internal and external methods people can use to control their emotions. For example, internally, we can reflect on the reasons we have to experience an emotion, or fail to experience an emotion, towards particular people. He claims that by reflecting on the reasons we have to experience an emotion we will be able to decide if we continue to experience that emotion. This is an empirical claim, and he provides no empirical evidence to support it.

This worry about using the language of rights and duties is similar to another worry I raised about the gratitude theory of filial obligations. If we can't consciously choose to feel gratitude, then it seems impossible to have an obligation to feel gratitude. If love is an important part of healthy filial relationships, and the language of rights and duties cannot account for love, and filial obligations are grounded in healthy filial relationships, then we need more than rights and duties to explain filial obligations fully.

My version of the special goods theory of filial obligations avoids this problem. I claim that children owe their parents the special goods that are created from the parent-child relationship they share. While the love between parent and child is distinct from other kinds of love, and this love allows for the creation of special goods, children don't have an obligation to love their parents. If love is not present in a particular parent-child relationship, then the special goods that come from love will not be available in that relationship. This would surely be unfortunate, but the relationship may still create other special goods.

My special goods theory uses love as the basis for some special obligations, but it does not claim that children have a duty to love their parents, nor that parents have a right to be loved by their children. While we must use the language of rights and duties to discuss filial obligations<sup>86</sup>, we don't need to restrict ourselves to the language of rights and duties when discussing the parent-child relationship upon which filial obligations are based.

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<sup>86</sup> I don't think we can make sense of obligations of any kind without using the language of rights and duties.

#### 4.4 The Legal Status of Filial Obligations in Canada<sup>87</sup>

In addition to the moral questions about filial obligations on which I've focused, there are interesting legal questions about what we ought to do for our parents. In this section, I'll explain the relevant federal laws in Canada, and the relevant provincial laws in Ontario. I'll then evaluate these laws to see how they compare to the moral filial obligations we have that are based on special goods. Since many of the laws about filial obligations in Canada are quite old, and the special goods theory of filial obligations is quite new, none of the laws are based on special goods. I'll argue that the federal legislation isn't based on any theory of filial obligations, while the provincial legislation in Ontario is based a debt theory of filial obligations. I'll then argue that neither the requirements of the federal nor the Ontario legislation aligns well with the requirements of the special goods theory.

In Canada, at the federal level, §215(1)(c) of the Criminal Code is the most relevant to filial obligations. It states: "Every one is under a legal duty to provide necessaries of life to a person under his charge if that person (i) is unable, by reason of detention, age, illness, mental disorder or other cause, to withdraw himself from that charge, and (ii) is unable to provide himself with necessaries of life (Criminal Code 1985, s215(1)(c))."

This section ensures that those who are unable to care for themselves receive care. The section does not apply specifically to children or parents, but children and spouses tend to be the people responsible for those who can no longer care for themselves and spouses

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<sup>87</sup> Some work has already been done in the area of legal filial obligations, both inside and outside of Canada. See (Bracci 2000), (Collingridge and Miller 1997), (Lundberg 2009), and (Harkness 2013) for examples.



are covered separately under §215(1)(b).<sup>88</sup> This leaves children as the primary target of §215(1)(c).<sup>89</sup>

While people are not often charged under this section of the Criminal Code, it has been used as recently as 2005 in *R. v. Peterson* in the Court of Appeal for Ontario (*R. v. Peterson* 2005). In this case, Dennis Peterson was charged with neglecting the care of his 84-year-old father, Arnold. At the time of the offence, Dennis and Arnold lived in the same house, though it was divided into three separate residences. Arnold had early-stage Alzheimer's disease and would forget to eat or wash himself unless reminded. Arnold's kitchen was unusable due to a lack of maintenance, and he didn't keep food in the house. During the trial, it became clear that Arnold often went days with very little or no food. The court ruled that Dennis had neglected to provide the necessities of life for his father by failing to ensure that he had food and allowing him to live in extremely unhygienic conditions. Based on testimony from police officers and neighbors, it was clear that Dennis was aware of his father's situation and did little to help him. Dennis was sentenced to six months in prison and two years of probation.<sup>90</sup>

Evaluating this law is tricky since it is not strictly a filial obligation law. Rather, it is a law about what we must do for people who are under our charge. To the extent that it

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<sup>88</sup> §215(1)(b) states, "Every one is under a legal duty to provide necessaries of life to their spouse or common-law partner." (Criminal Code 1985)

<sup>89</sup> In *R. v. Peterson*, Judge Weiler states in paragraph 40 of her decision, "The history of the section supports the interpretation that the section was intended to require certain minimal standards in relation to dependants such as wives and children and was later broadened: see *R. v. Middleton*, [1997] O.J. No. 2758, at paras. 10-14." (*R. v. Peterson* 2005)

<sup>90</sup> It's worth noting that the law doesn't require a filial relationship between the defendant and victim. Dennis would have violated the law if he had treated anyone under his charge the same way he treated his father.

requires people to provide the necessities of life for people under their charge, it is quite reasonable. However, as it is used to prosecute children for failing to take care of their parents, it's worth noting that the Criminal Code doesn't align well with children's moral obligations to care for their parents. The Criminal Code requires children to provide the necessities of life to their parents, which are mostly physical goods.<sup>91</sup> These goods are generic goods, so my theory of filial obligations doesn't require children to provide their parents with these goods. For example, in the *R. v. Peterson* case, Dennis was convicted for failing to provide adequate food and housing for his father. Both food and housing are generic goods, so my theory wouldn't require Dennis to provide these goods for his father. Instead, my theory says that Dennis should provide his father with whatever special goods he can.

To be clear, I'm not suggesting that Dennis did nothing wrong. He clearly should have taken better care of his father, especially since his father was under his charge. By agreeing to take care of his father and living in the same house, Dennis took on other non-filial obligations that required him to provide adequate care. My concern is that this law doesn't align well with children's moral filial obligations. To the extent that §215(1)(c) of the Criminal Code is a filial obligation law, it requires the wrong things of children.<sup>92</sup>

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<sup>91</sup> Judge Weiler states in paragraph 34 of her decision, "The phrase "necessaries of life" includes not only food, shelter, care, and medical attention necessary to sustain life but also appears to include protection of the person from harm: *R. v. Popen* (1981), 60 C.C.C. (2d) 232 (Ont. C.A.) at 240." (*R. v. Peterson* 2005)

<sup>92</sup> I am open to the argument that it is not a filial obligation law at all. Even though children are prosecuted using this law, the law itself makes no explicit mention of adult children. It may simply be a law about providing care to those who cannot provide it for themselves and that responsibility just happens to fall often on adult children. However, as it is a law that often deals with children and parents, it is worth discussing.

I'm also not suggesting that we criminalize failure to provide special goods or that the Criminal Code would be improved if it did. We certainly don't want to prosecute people for failing to visit their parents during an important holiday, for example. Rather, I'm suggesting that we reconsider if filial obligations should be a part of criminal law at all. I suspect that the failure to provide special goods to one's parents isn't worthy of criminal punishment, which means we probably shouldn't make moral filial obligations into legal filial obligations. Of course, this leaves open the possibility that there are non-moral reasons to have filial obligation laws. For example, there may be practical reasons for children to be legally required to care for their parents based on the state's inability to provide sufficient care for all aging people.

#### 4.4.1 The Family Law Act in Ontario

In addition to federal legislation, some provinces have additional legislation requiring children to care for their parents. In Ontario, children have legal obligations to their parents under §32 of the Family Law Act (Family Law Act R.S.O 1990, s32). It states, "Every child who is not a minor has an obligation to provide support, in accordance with need, for his or her parent who has cared for or provided support for the child, to the extent that the child is capable of doing so." (Family Law Act R.S.O 1990, s32). A parent who wishes to make use of the Family Law Act must be able to show (1) that he or she is in need of support, (2) that he or she has provided care or provided support for the child against whom the claim is made, and (3) that the adult child has the means necessary to support him or her (Bracci, 469).

The first condition requires the parent to demonstrate that he or she has a negative cash flow when reasonable expenses are subtracted from any income (Bracci, 474).

Alternatively, there have been cases where a parent's need has been recognized without proof of negative income. In *Godwin v. Bolsco* (Godwin v. Bolsco 1993) a mother successfully established need based on her inability to work and very low income from other sources.

The second condition requires the parent to demonstrate that he or she cared for or provided support for his or her children. This condition is more complicated than it seems, as the court must determine how it will measure care or support. Currently, the quantity of care, and not the quality of care, is what must be established for determining the eligibility of a claim (Bracci, 477). A parent must only demonstrate that they provided care and support, not that their care and support met any standard of quality. This makes ineligible parents who were not involved in raising their children. For example, in *Skryzypacz v. Skryzypacz* (Skryzypacz v. Skryzypacz 1996) a mother's claim was dismissed because she was in prison when her son was young and his grandparents raised him. She did not provide any care or support, so she was not eligible for support under the Family Law Act. However, the current interpretation of the act does not disqualify bad parents. In *Dragulin v. Dragulin* (Dragulin v. Dragulin 1998) an abusive and otherwise violent father sued his daughter for support after she won the lottery. The court

held that the father only had to demonstrate that he had provided some support for the family when his daughter was young for his claim to be eligible.<sup>93</sup>

The third condition requires the parent to demonstrate that their adult child has the means to support him or her. This condition is typically easily satisfied, as the court can order the child to turn over financial statements (Bracci, 487 fn 92). It only becomes difficult if the child does not make or have enough money to pay for support by themselves, but the child's spouse does. This situation hasn't been tested in Ontario courts, but a British Columbian court ruled that the whole household's income should be taken into account (Nevill v. Nevill 1998).

If a parent can satisfy these three conditions, then the court will order the child to provide support. The amount of support required will depend on a variety of factors, including the child's current income, the standard of living the child had while growing up, and the need of the parent.

The Family Law Act's interpretation of filial obligations aligns most closely with either the debt or gratitude theory of filial obligations. Children are expected to support their parents, but only if their parents provided the children with support in the past. The children's legal obligations are based on the history of the relationship, not on the current

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<sup>93</sup> It's worth noting that only eligibility is determined by the quantity of care. The amount awarded if the claim is successful can depend on the quality of care, and children are typically only ordered to pay enough to provide their parent with a standard of living equivalent to the standard of living the children had as dependant minors.

state of the relationship. This is made especially clear in cases like *Dragulin v. Dragulin*, where abusive parents remain eligible for support.

Fortunately, because §32 of the Family Law Act was written specifically to address parents in need of support, the Family Law Act tells us upon what criteria filial obligations are based. It tells us that parents are owed support if (1) they can demonstrate a need for support, (2) they have provided care or support for their child in the past, and (3) their child has the means to support his or her parent. As I mentioned earlier, this seems a lot like a debt theory in which children must repay their parents for past support. It could also be a very basic gratitude theory, though that would require reading some motivation into the second condition. We would have to assume that condition two is relevant because children have a duty of gratitude to their parents for past care. I interpret §32 of Family Law Act as a debt theory because it requires children to provide financial support to their parents in response to financial need.

I didn't discuss the debt theory of filial obligations earlier because no contemporary author defends it. The debt theory claims that children owe their parents debts in return for the support they have received. This may sound similar to the gratitude theory, but, unlike the gratitude theory, the debt theory claims these are transactional debts. For example, if my parents spent \$50,000 to buy food for me when I was in their care, then I owe them \$50,000 in support as an adult.<sup>94</sup> It is, frankly, an absurd theory. It requires us to accept that infants and young children can consent to a contract and that parents are

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<sup>94</sup> The debts don't have to be that precise, but they do require at least a roughly equal return.

owed financial compensation for providing basic care for their children. Even if we were willing to accept both premises, the debt theory would still be a bad theory of filial obligations. The debts that the debt theory claims children owe their parents have nothing to do with the parent-child relationship. They are the same debts that a child might owe to a bank. If the debt theory is a bad theory of filial obligations, and the Family Law Act is a debt theory, then the Family Law Act is a bad theory of filial obligations.

I now want to examine three serious problems with the Family Law Act's interpretation of filial obligations. First, the Family Law Act requires children to provide their parents with financial support. My special goods theory tells us that children shouldn't be required to provide financial support for their parents since money is a generic good. Second, the Family Law Act fails to take the current state of the parent-child relationship into account. The only current consideration is the financial need of the parent and the financial means of the child. Cases like *Dragulin v. Dragulin* demonstrate why this is problematic. Recall that in this case a daughter was ordered to pay to support her abusive father after she won the lottery. My special goods theory tells us parents who fail to fulfill their duties in the filial relationship aren't owed filial obligations regardless of any support they may have provided in the past. It does not require children to support their abusive parents. Third, the current interpretation of the Family Law Act only considers the quantity of support and not the quality.<sup>95</sup> This means that even bad parents are owed support so long as they provided some support or care. *Dragulin v. Dragulin* again demonstrates why this is problematic. In this case, the father was able to demonstrate that

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<sup>95</sup> This is not a requirement of the law itself, but rather how judges have interpreted the law. The law itself doesn't say anything about the quality or quantity of care or support.

he had provided some financial support for his daughter during her childhood, so he satisfied the second condition of §32, despite his abuse.<sup>96</sup> My special goods theory tells us that providing financial support during childhood is not enough to ground filial obligations. Again, parents who fail to fulfill their duties in the filial relationship aren't owed filial obligations.

I've argued that §32 of the Family Law Act is a bad interpretation of filial obligations. It is based on the debt theory, which is a terrible theory of filial obligations. It has at least three serious problems: (1) it requires children to provide their parents with financial support, (2) it fails to take the current state of the parent-child relationship into account, and (3) it considers the quantity of parental support and not the quality.

#### 4.4.2 Other Provinces and Further Questions

In this section, I'll suggest some avenues for future research on filial obligation laws. Legislation in Canada varies considerably from province to province. For example, Alberta has recently eliminated all legal filial obligations while British Columbia<sup>97</sup> has legislation similar to Ontario's Family Law Act. There is an interesting historical question about how and why legislation regarding filial obligations is different in each province. This investigation could even extend to other countries to see if there is similar legislation in other parts of the world. For example, the filial responsibility legislation in

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<sup>96</sup> As a reminder, the second condition requires that a parent has provided care or provided support for the child against whom the claim is made.

<sup>97</sup> See (Family Relations Act 1996, s. 90)



the United States is even messier than Canada as the laws all exist at the state level and there are many more states than there are provinces (Lundberg 2009, 582-583).

Examining the historical roots of the legislation in Canada might also reveal how people in the past thought about filial obligations. For example, in Canada, much of the legislation relating to filial obligations was enacted either shortly before or during the Great Depression.<sup>98</sup> The early legislation was modeled on the Elizabethan Poor laws of England. In Quebec, filial responsibility laws were carried over from France as part of the Napoleonic Code (Bracci, 466).

During troubled economic times, parents needed care and legislators determined children were the best people to provide that care. They were willing to adopt laws requiring children to assist their parents even in times when doing so could be extremely onerous for children. This presents an interesting question about the motivation for the legislation regarding filial obligations. It could mean that legislators recognized the existence of filial obligations and thought they provided the best basis for legislation to care for the elderly. On the other hand, it could simply mean that the government recognized that it had to care for the elderly somehow and it didn't have the resources to do so directly. In this case, children may have been the easiest people on whom to shift the burden of care for the elderly.

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<sup>98</sup> Newfoundland and Quebec (19<sup>th</sup> century); Ontario (1921); Alberta (1922); Saskatchewan (1923); Nova Scotia, Prince Edward Island, and Manitoba (1933); New Brunswick (1936); Northwest Territories (1938); Yukon (1958)

#### 4.5 Outside Contemporary North America

Are filial obligations different outside of contemporary North America? Early on in this project, I mentioned that I intend all of this work to apply to contemporary North American families. I said this because I don't know enough about contemporary family structures in other places or about family structures in other times. Since much of what I've said about filial obligations depends on how filial relationships commonly manifest themselves, if filial relationships are sufficiently different in other places or times, then filial obligations will be different as well.

Consider the special goods theory of filial obligations. It could apply to other places and times, but the special goods potentially created by parent-child relationships might be very different. If the filial relationship itself is very different, or if the structure of society in which it takes place is very different, then the special goods will likely be different as well. For example, if you live in a contemporary society in which fun and joy are not valued, for whatever reason, then the fun and joy that children can provide for their parents will not be special goods.

Trying to apply the special goods theory to different time periods is also complicated. In addition to different societal structures, we also encounter vastly different worldviews and beliefs about the proper structure of a family. For example, religious tradition might stipulate that parents are to be revered by their children and demand that children do whatever their parents ask of them. If you believe that you will anger God, or another divinity, by failing to submit to the whims of your parents, and the society you live in

will punish you if you don't submit to your parents, then your relationship with your parents will be very different than the typical contemporary North American parent-child relationship. A parent-child relationship in which the child must submit to the whims of his or her parents is unlikely to be reciprocal in the way the special goods theory requires. If this is true, it's difficult to see how special goods could be created in that relationship.

I've briefly discussed how the special goods theory might work differently in other cultures and times, but it's also worth evaluating the gratitude and friendship theories to see if they fare any better in other cultures or other times. It's possible that friendship and gratitude are (or were) a good basis for filial obligations in some culture or some time, even if they aren't a good basis for filial obligations in contemporary North America. If one of the theories works better in another culture or another time, it could still have some use as a theory. For example, one of the theories could be a good theory of historical filial obligations.<sup>99</sup>

Unfortunately for the friendship and gratitude theories, applying them to other cultures and times doesn't help solve the core problems I identified with the theories. In the case of the gratitude theory, there's no chance it will fare better than it does in contemporary North America. The gratitude theory can't account for continuous duties in another culture or time any better than it can in contemporary North America. The problem is rooted in the nature of duties of gratitude. The friendship theory is slightly more

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<sup>99</sup> Of course, for the friendship or gratitude theory to remain useful as a historical theory of filial obligations, it would have to explain historical filial obligations better than does the special goods theory of filial obligations.

promising, but I'll argue it too fares about the same, or worse, than it does in contemporary North America.

The primary objection I raised to the friendship theory was that friendship just isn't much like parent-child relationships. Unlike the gratitude theory, it's at least possible that the friendship theory could work better in other cultures or times. It's possible that there are (or were) cultures in which parent-child relationships are (or were) more like friendships. This could be because friendships or parent-child relationships are very different from how they usually are in North America, though it's difficult to think of a culture in which this would be the case. As I argued earlier, the two main disanalogies between friendships and parent-child relationships are (1) the transient nature of friendships and (2) the relatively equal balance of power in friendships. To resolve these disanalogies, friendships would have to be permanent and have unequal balances of power, or parent-child relationships would have to be transient and have relatively equal balances of power. Neither of these options is very plausible.

It's possible to imagine a friendship that is permanent, at least in the sense that it lasts for the lifetime of the people involved in the friendship, but it's more difficult to imagine that the same friendship also has an unequal balance of power. If English is correct that friendships are based on mutuality, then it's unlikely that an unequal friendship would last very long. At the very least, friendships like this don't seem to be the model of friendship in any culture of which I am aware.

Parent-child relationships that are both transient and have a relatively equal balance of power are also difficult to imagine. Transient relationships seem to be conceptually at odds with healthy parent-child relationships. Children need parents who are dependable, not parents who could end the relationship when circumstances become difficult.

Certainly there are cases in which parent-child relationships end, but it's difficult to imagine transience as the model of parent-child relationships.<sup>100</sup> It's easier to imagine in a culture in which the power balance between parents and children is more equal, at least during certain parts of the relationship. I don't think it's common, or desirable, to have a more equal balance of power between parents and young children. However, parents and adult children could have a more equal balance of power, so long as both remain independent.

It also seems unlikely that parent-child relationships were more like friendships in the past. Even in the early 20<sup>th</sup> century, families were very hierarchical in North America and Europe (Campbell). Hierarchies require imbalanced power, so it is very unlikely that parent-child relationships of the past were more like friendships. Fathers in particular expected to be respected and obeyed by their children. This kind of relationship is not like a friendship. Mothers spent more time with their children and usually had a closer relationship with them than did fathers, but there's no evidence that these mother-child relationships were any more like friendships than current mother-child relationships.<sup>101</sup>

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<sup>100</sup> There are certainly cultures in which children are raised more communally than they tend to be in North America. However, those children still have lasting relationships with the people who raise them.

<sup>101</sup> For more about conceptions of childhood in the past, including parent-child relationships, see: (Aries 1962), (Ulanowicz n.d.), (Orme n.d.), and (Campbell n.d.).

As I mentioned earlier, the gratitude theory of filial obligations doesn't fare better in other cultures or times. While it's almost certainly true that children in other cultures or in the past had obligations of gratitude to their parents, the reason that obligations of gratitude aren't a good basis for filial obligations remains the same. The gratitude theory cannot account for continuous obligations, and many filial obligations are continuous.

#### 4.6 Summary

I began this chapter by addressing a concern raised by Maria C. Stuifbergen and Johannes J. M. Van Delden that the special goods theory may be paternalistic. I argued that their worry seems to be based on a misconception about paternalism. I then argued that acting in accordance with the special goods theory will not lead to paternalism.

Next, I discussed how we could apply sanctions to bad children who refuse to discharge their filial obligations. I argued that filial relationships are very different from some other kinds of relationships in which it is relatively easy to enforce obligations. When parents are in need, they often don't have the leverage to compel their children to help them.

While some places have legal remedies available to parents who are in need and neglected by their children, legal remedies are unlikely to lead to the kind of care parents want. Legally compelled care by a child is unlikely to be good care.

I then discussed a concern that the language of rights and duties might not be sufficient to describe filial obligations. The worry is that something important to the nature of filial relationships will be lost if we use only rights and duties to describe them. I used love as

an example of something that is difficult to understand using only the language of rights and duties. However, I argued that we must make a distinction between filial obligations and loving filial relationships. My special goods theory uses love as the basis for some special obligations, but it does not claim that children have a duty to love their parents, nor that parents have a right to be loved by their children. We must use the language of rights and duties to discuss filial obligations, but we don't need to restrict ourselves to the language of rights and duties when discussing the parent-child relationship upon which filial obligations are based.

Next, I considered what the law in Canada does and should require children to do for their parents. I discussed the federal law in the Canadian Criminal Code as well as the Family Law Act in Ontario. I then evaluated these laws using my special goods theory.

Finally, I considered how filial obligations might be different outside of a contemporary North American setting. I argued that filial obligations based on special goods could be very different in other cultures and times. If the filial relationship itself is very different, or if the structure of society in which it takes place is very different, then the special goods the relationship produces will likely be different as well. I also argued that neither the friendship theory of filial obligations nor the gratitude theory of filial obligations would fare much better in other cultures or times than these theories do in contemporary North America.

## Conclusion

I began this project by posing two questions: (1) What, if anything, do children owe their parents? (2) On what parts of the filial relationship are obligations based? My complete special goods theory answers both of these questions. First, it tells us that we owe our parents whatever special goods we can produce from the reciprocal relationship we share with them. Second, it tells us that special goods are based on love, fun, purpose, and several other properties of the parent-child relationship.

My complete special goods theory can also meet all four of Brynn Welch's criteria for a strong theory of filial obligations. As a reminder, her criteria are: First, a theory of filial obligations should tell us both when filial obligations arise and what those obligations require us to do. Second, a theory of filial obligations should tell us why we have the obligations that we do. Third, a theory of filial obligations should generate intuitive responses to particular cases, or be able to justify counter-intuitive responses. Fourth, we should prefer a theory of filial obligations that explains why its responses seem counter-intuitive to one that does not.

My theory meets the first criterion because it tells us that we have filial obligations when we are part of a reciprocal relationship with our parents that produces at least one special good. It also tells us that our filial obligations require us to provide those special goods that are produced by the reciprocal relationship we share.



My theory meets the second criterion because it tells us we have the obligations we do because the reciprocal relationship we share with our parents is different in kind from other close relationships and we are uniquely positioned to provide special goods to our parents. My theory goes beyond Keller's special goods theory by providing a connection between our ability to provide special goods for our parents and our corresponding obligations to provide those goods.

My theory meets the third criterion because it can provide intuitive responses to both positive and negative parent-child relationships. We tend to think that children who have a stronger relationship with their parents will have stronger obligations to them. My special goods theory supports and explains this intuition. Children who have had and continue to have a positive relationship with their parents will be more likely to be in a relationship in which many special goods are available. This means that children who share a strong relationship with their parents will have stronger obligations to their parents. We also tend to think that children who have a weaker relationship with their parents will have weaker obligations to them. My theory supports and explains this intuition as well. Children who have had and continue to have a negative relationship with their parents will be more likely to be in a relationship in which a small number, or zero, special goods are available. This means that children who have a weak relationship with their parent will have weaker obligations to their parents.

My theory meets the fourth criterion because it can explain the counter-intuitive responses it produces. For example, it can explain why filial obligations based on special

goods seem more demanding than we typically think filial obligations ought to be. People who have a good relationship with their parents could have many strong obligations to their parents. However, these obligations are kept from being overly burdensome by the limits my theory places on filial obligations. Children can't be required to sacrifice their pursuit of a good life, for example. Though children might still be expected to do a lot for their parents, the content of these obligations will be fulfilling their part in the relationship they already share. This often keeps filial obligations from feeling overly burdensome, because the content of the obligations will often be sharing in experiences you enjoy.

With my initial questions answered and Welch's criteria met, I've produced a complete special goods theory of filial obligations. Though my special goods theory of filial obligations contributes to the literature on filial obligations, there is still more work to be done. As I outlined in the fourth chapter, there are still many interesting questions about filial obligations that require more research. I hope my theory can help provide a strong foundation for future work in the area.

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