

V.—THE CONCEPTS OF OBLIGATION AND DUTY

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PHILOSOPHERS often use the following expressions as approximate equivalents: "It is X's duty to do A"; "It is obligatory for X to do A"; "It would be wrong for X not to do A"; and "X ought to do A". Some statements in Moore are a good example of this; see *Principia Ethica*, 1929, p. 148 (but also pp. 168-70).

Other philosophers, however, have protested that this practice obscures important differences among "wrong", "obligation", "duty", and "ought". Language, it is said, does not proliferate forms without corresponding functions. The philosopher who lumps these words all together is at least ignoring distinctions ordinary language makes; much worse, he may be led by his lack of discrimination into confusions and oversights of substance. H. L. A. Hart, for instance, has charged this practice with being "one factor obscuring the nature of a right" (*Phil. Rev.* lxiv, p. 179). It is, of course, one thing to criticize, another to supply an adequate substitute theory of one's own, and the critics differ among themselves in their accounts of the ordinary, nonphilosophical use of these words. C. H. Whiteley, for instance, while he does not propose any explicit definitions, says that "duty" and "obligation" are approximate synonyms and that "a duty or obligation is a consequence of a contract or undertaking, either explicit or implicit. My duty is that which I am engaged or committed to do, and which other people can therefore expect and require me to do."¹ A much fuller account by H. L. A. Hart is along different lines. Hart contrasts "duty" and "obligation" with each other, and both with "right" and "ought". According to him,² duty and obligation are jointly distinctive in that their content depends on the practice and code of the agent's group (*e.g.* duties to parents depending on local practices); moreover, what conduct is one's duty or obligation need not be fixed by the *nature* of the act in question (past facts

¹ "On Duties", *Proceedings of the Aristotelian Society* (1952-53), p. 96. For a very similar view see D. Kading, "Are there Really 'No Duties to Oneself'?", *Ethics*, lxx (1960), 155.

² "Legal and Moral Obligation" in A. I. Melden (ed.), *Essays in Moral Philosophy* (Seattle: University of Washington Press, 1958); and in "Are There any Natural Rights?" *Philos. Review*, lxiv (1955), 175-191. It is not clear that Hart is any longer defending all these points in *The Concept of Law* (Oxford: Clarendon Press, 1961). Cf. pp. 79-89, 163-180.

like promises, or special relations, may be decisive); and the force of duty-obligation is coercive. What distinguishes obligations from duties is that "they may be voluntarily incurred or created" (whereas duties arise from position, status, role), and that "they are *owed to* special persons (who have rights)". Hart wisely claims for these generalizations only that they represent major tendencies in ordinary usage.

The aim of the present paper is to take further steps toward an accurate description of the ordinary use of the "obligation" and "duty" families. I propose to say relatively little about the more exciting problem about what (possibly) is common to these various concepts, and how this common element should be analyzed; I shall have nothing at all to say about naturalist, noncognitive (etc.) accounts of "morally ought" or "ought, from a moral point of view" or "ought, on moral grounds." The conclusions we reach may have some implications for the more exciting problems, but I shall aim my discussion at marking the differences and similarities among the various terms I have listed.

We are naturally concerned about *present* usage. Both "duty" and "obligation" have an honourable history; both appear in written documents of the thirteenth century. It would be foolish not to take historical "texts" into account in considering what present usage is. But conversely it would be a great mistake to forget that language is continuously accommodating itself to new problems. The concept of "rights" in John Locke's day was narrower than the concept as it appears in the United Nations Declaration of Rights—nor is there good reason to think that the latter document misuses the term, or stretches its meaning beyond its ordinary use at present. Similarly, some of the following contemporary uses of our words *may* need to be regarded as fairly recent developments of the language: On 23rd March 1961, *The New York Times* reported Mr. Nkrumah as saying that it is "the *duty* of all nations in the world to bring pressure to bear on South Africa to abandon her *apartheid* system". The same source reports President Kennedy as having said at a recent news conference: "I would conceive it to be the *duty* of the United States . . . to defend the Charter of the United Nations by opposing any attempt by any government to intervene unilaterally in the Congo." On 8th April 1961, the writer heard a business man say that it is a person's "*moral duty*" to report cruelty to birds to the S.P.C.A. One evening recently the writer heard a recital of a particularly vicious teenage "prank"—the tossing of a "Molotov-cocktail" through a window, with the result that all the windows in the room were

blown out, although no one was injured—and of its victim wondering whether she should report the incident to the police. Someone commented : “ It isn’t a matter of choice in a case like this ; it’s an *obligation* to report an incident of that kind.” The historian Merle Curti, in a lecture in October 1960, said that “ Jane Addams thought that people are *under an obligation* to affirm their own vision of truth ”. Some students at Swarthmore College recently arranged a debate on the question “ whether students are *morally obligated* to report infractions of college rules which they observe ”. I propose to offer a theory which takes these contemporary uses into account.

1. *Grammar*

In the case of “ obligation ” there is a family of words to be kept in mind : the verbs “ oblige ” and “ obligate ”, their passives, “ obliged ” and “ obligated ” ; the adjective “ obligatory ”. All members can be combined with “ moral ” in some way or other ; we speak of “ moral obligation ”, “ being morally obligated ” (which in the U.S.A. is more familiar than what is said to be the more frequent British form, “ being morally obliged ”), and “ morally obligatory ”. “ Obligatory ”, like “ right ” and “ wrong ”, applies to actions ; doing a certain thing is what is obligatory, whereas it is people who are obligated, and who “ have ” obligations.

The “ duty ” family is simpler. “ Duty ” is the only word, a noun ; there is no corresponding verb or adjective. There are, however, “ dutiful ” and “ duty-bound ”.

I shall now review the grammar of these terms. On the first five of the points to be mentioned, at least one of our terms differs from either “ wrong ” or “ ought ” or both. And there are interesting similarities and differences between “ duty ” and “ obligation ”.

1. We can “ have ” both obligations and duties : “ The president of a college inevitably *has* a good many outside obligations ” and “ The chairman of a department *has* many time-consuming duties ”.

2. Both terms may be followed by “ to ” succeeded by a term referring to a person or persons. For instance, we may say that an elected official “ has an obligation to ” the ones who elected him. The Girl Scout pledges that “ on my honour I will try to do my duty to God and my country ”. It is not so clear that we speak of “ *a duty to* ” anybody, although *O.E.D.* cites someone as saying that the New Testament “ enlarges upon duties to

inferiors". We can also say we are "*under* obligation to" someone; but there is no parallel expression with "duty". A very familiar form of the "obligation to" construction is the following: If I have promised to play tennis with someone on a certain date and am then invited to play tennis with someone else on the same day, I can say "I have a prior obligation to someone else for that day" or "I am already obligated to someone for that date". Another familiar type of remark is likely to be made by one's wife: "We are obligated [have an obligation, are under obligation] to the Joneses, having been there for dinner three times last autumn." (Note that we can use "obligated to" or "an obligation to" without indication of anything specific we must do.)

3. There is a slightly different construction. When Anthony Eden resigned as premier he issued a statement pointing out his inability, because of health, to "do my full duty *by* my Sovereign and the country". This remark illustrates a "duty by" construction which has no parallel with "obligation": it also shows there is a use of "duty" in which a man may be *unable* to do what is still his duty, so that "is my duty" does not always imply "can". Note that the Girl Scout promises only to *try* to do her duty to God and country. (We are also sometimes unable to discharge our obligations.)

4. Another grammatical difference between the terms is that we often say "I have *some* obligation to go to the lecture" or "I feel *some* obligation to him"; but we never say "I have *some* duty to . . ." The "some" construction with "obligation" we can call an *explicit prima facie use*, because the obligation is asserted at the same time it is suggested there may well be considerations which will make it right not to meet the obligation. There is some plausibility, however, despite the absence of a "some duty" construction, in recognizing an *explicit prima facie* use of "duty", either when we say "One of his duties is to . . ." or "His duty, as secretary, is to . . .". In either case, because of the *many* duties suggested, and our knowledge that duties may conflict, there is some approximation to the suggestion of "some obligation". However this may be, the terms are identical in *allowing* for the possibility of over-riding considerations, at least in most instances, even without these special constructions. Not in all, for we can specifically exclude it, as in "Everything considered, my obligation—or duty—is to . . .". Furthermore, it is implied, or perhaps even asserted, that there are no countervailing considerations when we say, without qualification, "My duty is to . . ." or "My obligation is to . . .".

(There is a marked difference between these words when preceded, say, by "my" or "your" and when preceded by "a" or "an", or "one of your".) But if I say it is my duty to king and country to do so-and-so, I do not exclude the possibility that a higher allegiance, to God, may require doing something different—and I need not retract the former statement if later, in view of duty to God, I say I am not free to do my duty to my country. And roughly the same with "obligation".

On this matter, "duty" and "obligation" are like "ought" which can be countered by conflicting "oughts" (etc.), although there is, I think, no simple grammatical construction which must be classified as an explicit *prima facie* use. All of these words, however, differ from "wrong" and "right" which permit no *prima facie* use at all. I say this with some hesitation, in view of the fact it has been suggested to me that we can say "I know it is wrong to lie, but in the present circumstances this is the best thing to do". People *do* sometimes say this, but I am inclined to think that doing so is a misuse of English, an improper ellipsis for "it is *normally* wrong to lie". If one disagrees with my judgment, one will then say that these terms too can, in some contexts, have a *prima facie* use; but I believe one must say they clearly never have an explicit *prima facie* use.

Incidentally, if there are two conflicting obligations, recognized as such, and a decision must be made what should be done, we do not normally say, "What then really is my obligation?" To ask this is somewhat odd, since it is already clear that there are two obligations, which conflict. We can ask, of course, which obligation is stronger or more pressing. But the preferred phrasing in this situation is, "What *ought* I to do?"

5. We "do" or "perform" our duty but not our obligations; the parallel verbs proper for use with "obligation" are not easy to identify, but we seem to "meet", "fulfill", or "discharge" it. An obligation thus sounds a bit like a payment due on a debt, which we are able to meet; whereas our duty is more like a job or chore which we can do or perform.

6. Other persons can obligate us: my son, by accepting hospitality in a far-off city, may obligate me to take his hosts sight-seeing when they come my way. There is no comparable "duty" verb. Another person or group can *make* something my duty: *e.g.* Congress can make it the duty of the President to appoint a commission to review tariffs, but only by what amounts to making a change in the definition of the office of the presidency. Moreover, of course, I can obligate myself, *e.g.* by a promise. I cannot "duty" myself. Indeed, it even sounds

queer to say that I have "made" something my duty; what is more natural is to say that, through my acceptance of a certain post, certain things have "become" my duties. Tennyson said, "The path of duty is the way to glory." It would sound odd to say the same of "the path of obligation", perhaps for the reason that the path of obligation is too much a matter of our own doing.

7. It has been doubted that there are obligations to *do* something, except as obligations to some person or persons; this contrasts with "duty", about which a parallel claim would be much less plausible. It is important to see that this is not true, at least for current usage. It is not true, I believe, of obligation-statements reported earlier: the one about the Molotov-cocktail, Curti's statement, and the topic of the student debate. Moreover, we say "Citizens have an obligation to observe the laws of their country"; "Citizens in a democratic country have an obligation to vote"; "Mentally gifted people are under an obligation to develop their capacities." To go back to earlier times, *O.E.D.* cites Burke as saying, "What obligations lay on me to be popular?" And it gives an 1859 example, "You are obligated to vindicate yourself." In most of these cases it seems hardly sensible to attempt to identify any individual to whom obligation is owed. On the other hand if we had the authors of these statements before us, and more context were filled in, possibly in some instances it would be natural to pick out such an individual. We must conclude, however, that there are uses of "obligated" and "obligation" in connection with which it would be absurd to identify an individual to whom the obligation is owed.

Nevertheless some people feel that there must be someone to whom one is obligated if one is obligated at all; otherwise, one would be talking as senselessly as if one talked of a debt not owed to anybody. Moreover, an implicit assumption to this effect may lie behind the way a good many persons *talk*. For there is widespread talk of "obligations to oneself"—an expression used sometimes, I think, to refer to a person's obligation to protect his own interests when it would be easier to allow aggressive persons to impose on him, but used more often, probably, in affirming one's right to live up to one's own moral standards, when one has convictions one feels should be respected by others, particularly by persons with less rigid standards who encourage participation in activities one considers wrong. Such talk is understandable if there is an implicit assumption to the effect that obligations are always *to* someone. For, given such a tendency, in case no *other* person is identifiable as the one to whom an obligation is

owed, it is not surprising that the "to X" blank is filled in as "to myself". But why should anyone think, or talk as if, obligations are always owed *to* someone? This is a puzzle. We shall see later that, in what I shall call "paradigm" (and apparently historically earliest) uses, "obligations" *are* always owed *to* someone. This fact has doubtless influenced how people talk and think, and may be the solution to the puzzle.

I shall be making use of some, but not all, of the foregoing points in constructing a proposal about the logical relations of our two concepts to each other, and to related concepts.

It may be objected to some of the above statements about "grammar" (and to any use of them for making further points) that they are misleading because the moral and the non-moral senses of our words are not carefully distinguished. It is true that they are not, despite the fact I should concede that some mentioned phrases hardly have a moral use. The main reason they are not is that it is dubious whether there *are* sharply distinct moral and non-moral *senses*. It may be that "obligation" and "duty" preserve an identical core of meaning throughout moral and non-moral uses. This, in fact, is the view of the matter best supported by the evidence.

The question merits consideration, and I propose to digress and set forth the reasons for the above judgment of the matter, although the theory to be presented in Sections III and IV is independent of my conclusion.

2. *Moral and Non-moral Uses*

Both "obligation" and "duty" are sometimes used in statements which make no moral point. As extreme examples, consider "The duty on that coat is \$25" and "I have an obligation at the bank". Moreover, we often speak of social obligations, outside obligations, and family obligations, not to mention legal obligations and military duty. When we do, we are not *saying* something about moral obligation or duty. Moreover, presumably "moral obligation" and "moral duty" have a use precisely because there is a contrast with obligations and duties that are not moral. *Prima facie* it seems that "duty" and "obligation" often make non-moral points, and that we can say properly that there are many non-moral duties and obligations.

One possible philosophical construction of these facts is the supposition that there are sharply differing *senses* of our terms, and that these can be exhaustively grouped into two types: the ethical sense or senses, and the descriptive senses in which our

words are used in statements which can be confirmed by ordinary observation and inductive inference. Statements of legal duty, for instance, may be construed as descriptive statements to the effect that, if a person fails to do a certain thing, legal machinery may be used to coerce him. Another quite different possibility is to ignore "moral obligation" and "moral duty" as meaningless vestiges of outworn theology which should be dropped from our vocabulary.

In contrast to both these views I think we must hold that, with the exception of some extreme instances, each of our words has one generic sense among its various uses: "obligation" and "duty" mean the same throughout their many uses, as much as any genus is identical throughout its species. At the same time we must acknowledge different species: the complex predicate "moral obligation" does a job different from that of "social obligation". And, in context, when just "obligation" is *said*, "moral obligation" may properly be understood. (I am not, of course, assuming either that these terms do, or that they do not, designate a property.)

It would probably be agreed that, in view of the obvious continuities of force and flavour of the moral and at least many of the non-moral uses of these terms, there is reason to avoid a sharp division between moral and non-moral *senses* of "duty" and "obligation"—provided it is possible to give a tolerably clear and convincing account of the common core, as well as of what happens when modifiers like "moral", "legal", and "social" are added. I shall now attempt a very brief sketch along this line.

It is helpful to begin with the modifier "moral". What must we suppose about a duty or obligation in order to speak properly of it as a "moral" one? (1) It must be a matter of conscience. That is, in part, failure to perform will, unless there is adequate justification or excuse, arouse guilt feelings in the agent and moral disapproval in observers, if they know the facts and are sensitive. (This condition may be more dependent conceptually on condition no. 3, than at first appears.) (2) The requirement must command roughly community-wide support, not merely that of some class or caste, as would be the case for certain "codes of honour". (3) Failure to perform, without excuse, will reflect on *character*—this being spelled out by reference to traits like honesty, respect for the rights of others, and so on. (4) The requirement is not one just of prudence or convenience, but a matter of principle. (5) The requirement must be construed (if the question is raised) to have stringency superior to that of

claims of manners, custom, taste, law, and courtesy. Admittedly these conditions are vague and may need supplement.

Let us now concentrate on "duty"-statements, adding a word about the parallel with "obligation"-statements at the end. I shall offer some examples of non-moral "duty"-statements, which we can use for drawing out the core-meaning of "duty" and at the same time for contrasting moral duty with other kinds of duty. These exemplar "duty"-statements will be felt to be very close to statements of moral duty; hence our very first job is to see that they are not really statements of moral duty.

Consider: (1) A soldier, having been given a legal order by a superior—say an order to commit suicide if necessary in order to avoid capture—may say it is his "duty" to do that thing. (2) Many people say it is a man's "duty to defend his country, right or wrong". (3) It is traditional to speak of "duty to king and country". (4) The manager of a firm may say it is his "painful duty" (doubtless to the firm) to discharge an inefficient employee. I think it will be conceded that the force and flavour of all these statements is very like that of statements of "moral duty"—as when Regulus might have said he considered it his moral duty to return to Carthage. So that, if there is reason to view moral statements as nondescriptive, there is equal reason to regard these statements as nondescriptive.

Are these statements covertly statements of *moral* duty? We need not deny that, possibly, it is the moral duty of the soldier to do what he here calls his "duty", of a citizen to do his duty to king and country, or of an executive to discharge his duty to his firm. All the same it is not an analytic proposition that this is so. The above numbered statements are not, and do not entail, statements of moral duty. For apply Moore's open-question test. Might not the soldier be in doubt if asked whether, everything considered, it was morally right for him to do what had been ordered? Could "moral duty" require one to be loyal to king and country, right or wrong? Might a man not concede that something was his duty as stated, and then go on to say it was his moral duty not to do it—a pious man, for instance, citing higher allegiances? It has been suggested to me that the above statements are after all statements of moral duty, only statements of *prima facie* duty in Ross's sense. But it is not convincing to suppose that a soldier who says it is his duty to advance is saying that he has a moral duty to do that thing unless overriding moral considerations of some sort arise. When a soldier is awarded a medal for actions "over and above the call of *duty*", moral duty is surely not what anybody has in mind.

Yet how can this be? Are there features of non-moral duties which are different from those of moral duties (thereby explaining how the compounds "moral duty" and say "military duty" can have different roles), and is there something identical in all (thereby explaining how "duty" can have a core meaning identical in all these contexts)? Let us probe both some similarities and differences.

First, while failure to do moral duty will, unless there is an excuse, reflect on one's character in some way, failure to do one's duty in one of the non-moral contexts will reflect on one in other ways, not exactly in respect of features of character but in respect of closely-related traits which a man will be anxious to claim himself to have in connection with certain organizations or relationships. The soldier who fails to commit suicide according to orders is a coward by army standards. Failure in duty to king and country may not show a defective character; but, unless there is an excuse, it reflects on loyalty and patriotism. How would a manager's colleagues describe him, if he failed in his "duty" to discharge the employee? Given no suitable justification, as a weakling, without the will necessary for executive office. Second, if failure to do one's non-moral duty does not arouse moral disapproval (this is a complex concept) in others it will still arouse critical reactions (*e.g.* contempt), doubtless not in every sensitive and informed person, but in some—perhaps those who belong to the organization in which the "duty" has a place, such as fellow-soldiers. Moreover, if such failure does not arouse feelings of what is properly called "guilt" (again a complex concept), it will arouse pangs of anxiety and self-reproach. We must notice that there are kinds of blame different from moral blame. For instance, Lord Ismay in his recent *Memoirs* (1960, pp. 122-123) talks of the blame that would have attached to his government, if a decision for a direct attack on Trondheim had been made. It is clear that the sort of blame he had in mind is connected with the defensibility of a policy before the country. Defensible *morally*? Not at all. Defensible as sound military strategy, as judicious policy encouraging reliance on its framers as fitted to lead England to victory in a desperate war. For these purposes, disastrous policy, however well-intentioned, is a ground for blame, except for excuses of a sort to indicate no repetition need be expected from the leadership. It is clear that Ismay would have felt pangs of self-reproach, if he had thought his policies blameworthy in this way.

I shall not attempt to sketch further parallels with "moral" duty, such as the claims of non-moral duties usually having

precedence over personal preferences in the direction of conduct. It is enough if I have shown that the structure of a soldier's situation when he speaks of "his duty" in view of an order, and that of other non-moral situations where we use "duty"-talk, are both similar to and different from the structure of situations where we speak of "moral duty", so that it is not surprising that "duty" serves for all.

The same sort of thing is true for "obligation". Take the giving of a wedding present. A person may explain his sending a gift by saying, "I felt some obligation to send a present". Is the obligation moral? It could be, if failure to meet it would cause real hurt. But very often we should not claim this. What kind of obligation is it, then? Most people would say it is a matter of custom, courtesy, friendliness, and the like.

Obligations of this sort have similarities to, and differences from, moral obligations, parallel to the case of "duty". Failure to make a gift is some reflection, not on character, but on a person's friendliness or concern for family ties. Furthermore, if the man fails to make the gift he will feel some discomfort, though hardly guilt-feelings; and other persons may slightly cool toward him.

We do not, then—except for some extreme examples—need to postulate quite different *senses* of "obligation" and "duty" in moral and non-moral contexts. There are differences between the moral and the non-moral uses, and the modifiers—"moral", "legal", "social"—give some expression to these. But there are common features: failure involving reflection on the agent, justifiably critical attitudes on the part of others, and so on. These common features make it plausible to claim a common core of meaning for our words, throughout these varied contexts.

3. *Paradigm Uses*

The job of marking out the logical relations between "duty" and "obligation", and between these and "ought" and "wrong", still lies before us. Insisting on the continuity of uses of "duty" and "obligation" has, of course, not advanced us with this task. Nor do our conclusions about "grammar" take us far. Some of the differences, *e.g.* the fact of a "duty by" construction which has no parallels with other words, may well be a mere accident of idiom. The same may be true of differences arising from the fact that "duty" and "obligation" are nouns; it may still be that "it is X's duty to do Y" is identical in substance with "It would be wrong for X not to do

Y". The "grammatical" evidence, then, needs interpretation; if it is important, it is so as a symptom of something deeper.

At the outset I alluded to two different traditions among philosophers: the one emphasizing the substantial identity of the above four concepts, the other (*e.g.* Whiteley and Hart) emphasizing their difference. I wish now to propose that *both* these traditions are in large part correct, provided one of them is construed as a theory only about a specifiable class of the uses of our terms. Correspondingly, I wish to urge a distinction between *paradigm* and *extended* uses of our two words. My point is that the Hart-Whiteley tradition is not far off as an account of the paradigm uses, and the Moore tradition not far off as an account of what is common to *all* uses. Both views, however, are mistaken about some details.

The fact that the paradigm use of these words is what it is will help to make intelligible, I hope, some of the grammatical peculiarities we have noticed.

I must explain what I mean by a "paradigm" use, since I am employing this term in a peculiar way. There is sometimes a sub-class, within the wider class of all correct uses of a term, which has two features. First, members of this subclass are felt to be especially natural uses of the term: there is no better word for the occasion and there are no better occasions for the word. We might express part of what this comes to in another way: there is a class of contexts such that, if speakers were given a choice between phrases incorporating "duty", "obligation", "wrong", "ought", and so on, the vast majority would make the same selection, although for other contexts where one of these words can be applied with perfect correctness, speakers would have no preference for one phrase over another. Second, the contexts in which a given term is felt to be especially appropriate have certain features in common, and the term has come, to some extent, to *suggest* these features; speakers associate the two, to some degree. It seems likely that only relatively few words have paradigm uses in this sense.

There may be both historical and psychological reasons—in the case of our terms, it is probably both—why a word now has paradigm use in a certain context. The historical reason may be that the word has had close associations with that context for a long time; perhaps the principal correct use of the term was, for centuries, in that context. The psychological reason may be that the paradigm context is the setting for the child's first familiarity with the term. "Ontogeny recapitulates phylogeny": the historically earliest use is first learned by the

individual speaker. The resulting association between word and context explains the suggestions of the word, and is behind the fact that the word feels especially appropriate in that context.

Let me now make concrete proposals about the paradigm uses of, first, "obligation", and then "duty".

The word "obligation" has, I suggest, paradigm use both in the context of talk about promises or agreements, and in the context of talk about acceptance of benefactions. When we wish to talk about what a person ought to do in virtue of his having promised or of his having accepted a benefaction, "obligation" is the word to use. Indeed, to say "I have an obligation" will, unless the context points explicitly in another direction, imply or suggest that I have either promised or accepted a favour.

That the paradigm use should be such is not surprising in view of *O.E.D.*'s indication of the historic roots. All members of the "oblige" family are derived from *ob* plus *ligare*, "to bind". They were first used in connection with promises, contracts, and oaths, all of which were conceived to bind in some way or other. For instance, in 1297, according to *O.E.D.*, R. Gloucester wrote: "Ye emperor of rome to him . . . obligede bi his messengers alle ying yat was his." Again: "Ye king . . . bed him . . . and made him obligacion & ostage him gan sende yat he ssold to him come al sauf." In 1330 R. Brunne wrote: "He with scrite and oth mad obligacion. . . ." Whether the authors had in mind primarily a legal or some other kind of tie we probably should not ask; insistence on such distinctions is anachronistic. Talk of "obligations of gratitude" seems to come later, the earliest reference in *O.E.D.* being 1632: "She might not see him, to acknowledge the obligation she owed him." Despite the relatively late date, the "under obligation to" grammatical construction seems most naturally used in this type of case—testimony to the depth of the roots. The same may be said of the colloquial expression, "I'm much obliged to you".

The adoption of a word referring to a physical bond for this nonphysical relation (if we may call it a "relation") presumably would not have occurred but for the fact that promises and the acceptance of benefactions obviously do initiate a relation rather like a physical bond. The exact nature of the bond, however, might differ from case to case. Sometimes it might be predominantly moral: there is a bond in that failure to perform will reflect on a person, arouse—and properly—guilt feelings in the individual and disapproving attitudes in others, and so on. Sometimes, as suggested in the preceding section, the bond might be predominantly legal, or a matter of manners only.

What features do these paradigm contexts have in common ?
 (a) A roughly specifiable service is "required" of one person.
 (b) Two parties are involved : the one who is required to perform a service, and the one for whom, or at the bidding of whom, the service is to be performed. (c) A prior transaction, the promise or benefaction, is the source of the relationship.

If the above historical suggestions are well taken, there probably was a time when these three features would have properly been included in a *definition* of "obligation". They are, however, now only suggested by the word, and they are characteristic of the situations in which the word is most naturally applied. If we confined our attention solely to paradigm uses, they could today with some reason be included in the definition of the term. There is so much justification for their inclusion in contemporary philosophers' characterizations of the word.

There are, however, now perfectly correct uses of "obligation" where these three features are not all present. Various examples of such usage have already been set forth ; a familiar example is the fact that I may have an obligation to assist a motorist in trouble on a little-travelled road. It is of course not surprising that it has become correct to use "obligation" for this wider group of situations. For, perhaps as a result of developments in moral standards in the past few centuries or even decades, there are other nonphysical ties on behaviour rather similar to those which promises and acceptance of benefactions institute, but which do not arise from promises and benefactions.

The term "duty", in contrast, has paradigm use in connection with tasks associated with occupancy of an office or station in some organization in which the office confers rank, rights, or privileges. When we want to talk about what a person is bound to do in virtue of some office (etc.), "duty" is the word to use. A paradigm use of "duty", then, occurs in statements like "It is your duty *as* housewife [citizen, president of the club, father, servant of God] to do so-and-so". (This was first suggested to me by remarks by J. L. Austin.)

That "duty" should have this paradigm use is, like the case of "obligation", not surprising in view of the apparent history of the word, as indicated by *O.E.D.* The word appears to come from "due", and to refer to services or payments due, not on account of promise or contract, but as a consequence of one's place in a system of stations. "Duty" was paid as a mark of submission to one's feudal lord, or to the church for its services, or as public revenue. So Chaucer : "His maister had not half his duetee" (as cited by *O.E.D.*) Notice that "duty" in the

sense of custom's duty still refers to a payment due the public and not to some private individual as a result of contract. (*O.E.D.* gives only one example—1487: "To defraude ther creditours of their duties"—which suggests construction in terms of contractual debt.) Since God was conceived in the image of a feudal lord, it was natural to speak of duty to him—doubtless eventually a bridge between moral and non-moral conceptions of duty. Note *Ecclesiastes* xii: "Fear God and keep his commandments; for this is the whole duty of man."

A case might be made out that the antiquity of use of "duty" in this context explains some facts of present grammar. If one's duty is fixed by one's position, we should not expect to find an "enduty" verb parallel to "obligate". Since jobs associated with positions are fairly definite, we need not expect to find talk of "some duty" parallel to "some obligation", or talk of "feeling one's duty". And if one's duty is part of one's job, then it is perhaps not surprising that, along with talk of "doing one's job" we also speak of "doing one's duty".

Presumably the word "duty" with this application would not have developed had there not been agreement that certain services or payments are, rather like money-debts, "due" from incumbents of certain offices or stations. The sense in which they were "due", of course, might vary from case to case, as suggested in the preceding section. The force might be moral; or failure to pay might instigate a review of the fitness of the incumbent for the post; and so on.

What features are characteristic of the paradigm context?
 (a) An individual occupies an office or station in an organization or some kind of system. (b) A certain job is deemed of some value for the welfare of the organization. (c) This job is associated, somehow or other, with the office occupied by the individual. (d) Performance is expected and "required" of him.

At one time, if our historical suggestions are correct, these features might properly have been included in a definition of "duty". At present they are characteristic of the situations in which the word is most naturally applied, and to some extent they are suggested by the word.

"Duty" is correctly used today, however, in non-paradigm contexts which do not have all these features. The remarks by Nkrumah and Kennedy, cited earlier, are probably examples of this; the statement cited about the duty to report cruelty to animals is certainly one. Possibly Bishop Butler was using the word in a non-paradigm way when he said (as cited by *O.E.D.*) that "economy is the duty of all persons". A woman once

told the writer that she and another woman had considered it their "duty" to complain to the manager of a firm when they observed that some of its workmen were being required to work without adequate safety precautions. People sometimes say that it is a person's duty to keep his promises, that it is one's duty to use one's talents effectively, that it is one's duty to support causes one believes in, that it is one's duty to help others who are in trouble. All of these are "extended" uses of "duty". Presumably "duty" has come to be used in these non-paradigm ways because situations have arisen, or have been supposed to have arisen, in which a person's bonds are more aptly characterized by "duty"-talk than by any other.

There are two factors which, at least today, tend to blur the difference between "duty" and "obligation" when we are talking about offices or roles. First, many positions are held voluntarily and can be relinquished at will. Service in them is thought of as being primarily a quasi-contractual performance in return for a monetary reward. When one thinks of a position in this way, it is natural to speak of its requirements as "obligations". Second, at present we seem to distinguish between the jobs essential to an office, and other chores which are involved in full or meritorious service in the post. Thus giving lectures is essential to a faculty member's job; but giving a lot of time to committee work is not. The term "duties" seems to be reserved for the former, and the term "obligation" for the latter. As a result, "obligation" is used for jobs connected with one's post or office, along with "duty".

4. *Extended Uses*

I have suggested that our words have come in time to be used in non-paradigm but rather "extended" ways. Such uses are paler or abstracter; they connote less, because the situations in which they are applied have fewer features in common, as compared with the historically earlier or paradigm type of use. It is the whole class of uses, both the paradigm and the extended, which fixes the features necessary for "correct" use today. I have further suggested that Moore was not mistaken by much when he was, seemingly, prepared to equate "duty to do", "obligation to do", and "wrong not to do", if we fix attention on the minimum features necessary for correct usage.

The question we must now consider is whether we can identify any elements at all common and necessary to all correct uses of our words (the ones not definitely odd), which may serve to

contrast them, to some extent, with "ought" and "wrong" and with each other.

What must we strike from the paradigm use of "obligation" in order to arrive at elements common to correct uses? First, we must strike out the notion that obligation is an obligation to someone. In Section I we examined exceptions to this rule, familiar in contemporary use. Second, we must strike out the idea that the bond derives from some prior act or event, such as an agreement or the acceptance of a benefaction. The obligations to give help to one in dire need or to make some contribution to charitable enterprises are sufficient reason for elimination of this restriction. This second move has a corollary: if not all obligations derive from prior events (often acts), then it is not essential to an obligation that it can be brought about by an act of the person obliged or someone else. Some obligations are (to keep a promise), but some are not (to help others in dire need).

But then what is left? Two things. First, what one is obligated to do is always to achieve some positive goal. One's obligation always concerns a state of affairs to be reached, something to be planned for along with one's personal goals. It is a prescribed end, to be taken into account in designing one's behaviour. Like the payment of a debt, it is a goal which may be reached in various ways but is prescribed as a goal to be reached in some way. As such, the obligatory is distinguished from the prohibited. What is prohibited is territory to be avoided in behaviour. Obligations are territory to be reached somehow; they contrast with "no trespassing" areas to be avoided in the course of going where one is to go. Adultery, for instance, is thought wrong and hence as something to be avoided; but there is no such thing as non-adultery which is a goal to be achieved.

This implication of a positive goal to be achieved is the most important distinction of "obligatory" from "wrong not to do". For "wrong" is a term which can be used to label certain kinds of behaviour as justifiably prohibited, as, everything considered, morally out of bounds. There are lesser differences. "Obligatory", we saw, normally bears a *prima facie* sense whereas "wrong" at least normally does not.

The contrast here emphasized between "obligatory" and "wrong not to do", however, is not absolute; it is relative to a point of view. The language properly used can shift from one to another, depending on the agent's slant. Take sexual behaviour. Normally we do not speak of obligations here; one is apt to say: "It is wrong to . . .". But one may think of the

matter in another way. One can think of chastity as a morally required goal of behaviour. In that case, one can say that there is a moral obligation to be chaste. Similarly, injury to other persons is normally spoken of as wrong. But a state of taking-care may be thought of as a demand on one's behaviour. Then one can say that there is a moral obligation to drive carefully. In a similar mood one can say there is an obligation to be careful of the property of others. *If*, then, one can contrive to view not-committing-adultery or not-abandoning-a-friend, to take Hart's examples, as somehow positive goals, then it can be correct to speak of a moral obligation to do these things.

There is a further limitation to the force of our distinction. Suppose someone says a person is obligated not to commit adultery, when there is no special reason for regarding this event as somehow a positive achievement—when, that is, “wrong to do” would be the natural thing to say. Would such a person's statement be meaningless? Of course not. We understand him to be saying awkwardly what is better said by “wrong”-language. Philosophers are not failing to communicate if they make “is morally obligated to do” serve a great many uses far from the paradigm uses of “obligation”; such uses are intelligible and for some purposes a helpful simplification. They are harmful only in blurring our sense of how language is ordinarily used.

There is a second distinctive feature, present in paradigm uses of “obligation”, which is common also to all normal uses. It is on account of it that one cannot quite say that for one to have an obligation is for there to be some positive goal one *ought* to bring about. This is the fact that “obligated” in its extended uses retains what we may call the “coercive” flavour of the paradigm uses. There is not necessarily an agreement-like bond to a specific individual, etc., but the suggestion is that there is a *bond as if there were*. “Obligation” is never used just to talk about what ideally ought to be, or even about what ideally someone ought to do. When we say someone has an obligation we mean more than this. For when someone has an obligation to do something, and fails to do it without a suitable excuse or justification, there is a reflection on him as a person, and he is properly subject to sanctions, at least to criticism and disapproval. (As we have seen, the criticism and disapproval need not be “moral” since obligations are not always “moral”.)

The case of “duty” is very similar to that of “obligation”. Its paradigm uses are the most frequent and natural, but these are far from being the only proper uses, as we have seen. In particular, “duty” is sometimes used when we know quite well

that what is said to be one's duty is not a task associated with a position or station in life. Much less need the duty be *to* an association or group (or to someone within this group, perhaps the head), for whose organized activity the job is deemed significant.

What then is common to *all* the non-odd uses of "duty"? "Duty" is very similar to "obligation". Like "obligation", one's "duty" is always to do something conceived positively as a goal to be aimed at. We rarely speak of a duty *not* to do so-and-so. Again, like "obligation", "it is your duty to" typically has more force than "you ought to". Indeed, in some contexts people feel that "it is your duty" is an even more compelling, solemn, or decisive claim than "it is your obligation". Failure to do one's duty without suitable justification or excuse is a reflection on one, and is the object of sanctions, at least unfavourable attitudes on the part of the relevant group of people.

Like "obligation", then, "duty" differs from "ought" primarily in strength and "feel". It differs from "wrong" mainly in that what is one's duty is the achievement of some positive goal. But, again like "obligation", what is an achievement of a positive goal depends on one's slant or point of view. And, as in the case of "obligation", it is not *meaningless* to say it is a person's duty, say, not to treat animals cruelly, although this is an awkward and jarring mode of speech.

Is there then a difference between "obligation" and "duty"? We have noted a difference of paradigm use: "Obligation" functions in agreement-relations and retributive-relations, where "duty" does not, and "duty" functions in pure organization-role relations, where "obligation" does not. But generalizations about merely *correct* usage are difficult and delicate. We can say something. We may require a circumlocution if we are to use "duty" when an explicit *prima facie* sense is needed, whereas "some obligation" supplies this readily. "Duty" may have a more compelling, serious, life-and-death air about it. Again, "obligation" perhaps ties in a bit more closely with conscience and personal moral standards—as reflected in the fact we speak of "feeling an obligation". "Duty" is more naturally used when moral demands are backed up by institutional sanctions—as when we say it is one's duty to serve in the armed forces, as both law and conscience may require. But I think the most important thing we can say is that the more a context approximates to the type suitable for a paradigm use, the more we incline to use the corresponding word for speech about what is

required, and the more use of the other term strikes us as odd or out of place. But in many cases—where use of either term would be “extended”—either one can replace the other without noticeable jar. And either one *always can* replace the other—sometimes some circumlocution being necessary—and the whole be meaningful.¹

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