

rudimentary attention to the facts cannot but bring home that his welfare and well-being - his livelihood and perhaps his very life--is due to the willingness of the host country to take him into its midst.

MUST REFUGEES BE GRATEFUL?

“If anyone should love America, it’s Ilhan Omar. This country rescued her from a squalid Kenyan refugee camp and made her a national figure. Quite an ascent. But Ilhan Omar is not grateful. *She hates us for it.*”

Tucker Carlson, *Fox News*

The idea that refugees should be grateful for the receipt of asylum is pervasive in popular culture. Dina Nayeri’s book *The Ungrateful Refugee* (2019) tells multiple stories of people who, throughout her life, assumed either that she was grateful for receiving protection or thought that she ought to be. As the Tucker Carlson quote above shows, this rhetoric also affects other displaced people. Now a Democrat in the United States House of Representatives, Ilhan Omar’s family was resettled to the United States in 1995. Yet, in 2020 Carlson claimed that Omar still owed duties of gratitude to the US; duties that impact how she should behave and feel today. Even the Office of The United Nations High Commissioner for Refugees (UNHCR) has noted the importance of refugee-gratitude, particularly when discussing complaints about local resources and standards of protection. In 2006 a UNHCR representative warned a group of refugees in South Africa, “we understand the challenges you face, but at the same time we want to give you a sound word of caution.

Be careful not to come across as sounding ungrateful ” (Du Plooy 2006; quoted in Moulin 2012).

Refugees themselves do often express gratitude. Two interpreters recently resettled to the United Kingdom from Afghanistan stated that they are “very grateful and indebted” to those who had helped them get to the UK (BBC News 2021). A few years earlier, a Syrian refugee wrote an open thank you letter to the UK and its citizens for the receipt of asylum (Fleischner 2015). For the last thirty years, the British Academy has provided a “Thank Offering to Britain Fellowship” established by Jewish refugees as a gesture of gratitude to their country of asylum. The act is particularly notable given that the British government interned many Jewish refugees during the War (Greenville 2015).

The presumption of refugee-gratitude has also slipped into political theory, most notably in discussing whether refugees have obligations to obey the law in their state of asylum. Jason D’Cruz (2014) and Michael Rescher (1992) both argue that a refugee’s duty of gratitude can ground political obligations to the host state. In this article, we take on the argument that refugees have a duty to be grateful. We argue that, when real-world practices of global refugee protection are considered, it becomes clear that no such duty exists. That is, once we see the injustice of the asylum system laid bare, there is no obligation for refugees to be grateful towards their state of asylum in almost all cases. While we will present several specific objections to the application of the duty of gratitude to refugees, our main contention is that the way that refugees are currently forced to access asylum, and the circumstances under which states grant it, undermines any gratitude-based duties. It is only by abstracting the offering of asylum from almost all the features of the real-world context in which it is provided that the case for refugee duties of gratitude looks plausible. This leads us to a more

substantive point about the nature of duties of gratitude: that their aptness must be evaluated with background contexts of injustice in mind. We conclude by suggesting that, once we take account of these background features, resentment rather than gratitude often seems a more apt response by refugees to their asylum state.¹

Before proceeding, it is worth looking at why gratitude requires our attention. First, although not commonly discussed in depth by political theorists, the idea that refugees ought to be grateful for asylum is common in popular culture. As shown in the Ilhan Omar case, refugees are often accused of being ungrateful when they protest against their state of asylum. This criticism can come from the media but also from government officials and members of the public. Moreover, the forcibly displaced are often judged harshly for failing to fulfil other supposed duties (Gibney 2020). Criticisms of refugees “queue jumping” depend on the idea that refugees have a duty to wait their turn for asylum in some imaginary line. Others complain that refugees are “being bad guests” when they don’t “behave” as refugees should within their state of asylum. For instance, complaining about the protests in Lesbos’ Moria camp last September (after it had been set on fire), a Greek Government Official said, “some people don’t know how to treat the country that is hosting them” (Reuters Staff 2020). One reason why examining refugee gratitude is important, then, is to evaluate public expectations of what kind of behaviour should rightly be expected of refugees.

¹ What do we mean by a “refugee”? The legal answer to this question is clear: the UN definition defines a refugee as someone forced to flee or remain outside their country of origin due to a “well-founded fear” of persecution for reasons of race, religion, political opinion, nationality, or membership of a particular social group. However, many normative theorists have suggested that his definition, with its requirement of persecution, is too narrow. Our argument here does not rest on a particular definition of a refugee, though, for the sake of clarity, we find David Miller’s (Miller 2016, 83) definition of a refugee as someone “whose human rights cannot be protected except by moving across a border, whether the reason is state persecution, state incapacity, or prolonged natural disasters” satisfactory.

Second, when refugee-gratitude is discussed by political theorists, the idea that refugees ought to be grateful is often used to ground weighty political obligations, such as the duty to obey the law, to be a good citizen in their state of asylum, or even to leave the polity once asylum is no longer necessary (Gibney 2020). Although these arguments from gratitude are often unpopular in accounts of political obligation more generally, some claim that in the refugee case they are particularly successful. Because of this link, the question of refugee gratitude has consequences for other more tangible duties. If refugees do not need to be grateful to the state of asylum, then these other duties also must find new sources of justification.

Third, discussing the issue of gratitude might help us to evaluate the asylum regime more generally. As we show in the final section of the paper, discussing gratitude shows why a wider approach to considering the moral character of the refugee regime is required. That is, it demonstrates that treating asylum as a discrete act separable from the entire framework of refugee and migration governance results in misleading conclusions about refugee gratitude.

Finally, expectations of refugee gratitude sometimes appear to be demands for something else, be it acquiescence or submission. To demand that refugees be grateful, as in Carlson's expectation of Ilhan Omar, is really a demand that they are politically silent and unquestioning of what is provided to them. An obligation of gratitude can thus serve as a way of positioning refugees as inferior in political society. David Owen (2019, 24) has recently observed that refugees' failure "to exhibit gratitude was both shameful and an indicator of being 'uppity', that is, indicating an attitude by which the inferior claimed a status or rights to which they were not taken to be entitled." Others have noted that the construction of a particular kind of 'deserving' refugee—one that is, for example, dutiful—has been used to

legitimise the exclusion of refugees who do not live up to these expectations (Moulin 2012; Taylor 2016). We are not primarily concerned in this piece with the political uses of gratitude or the ideological functions that attributing refugee duties may serve. We aim instead to interrogate the moral case for refugees having duties of gratitude by exploring the adequacy of recent political theory arguments, particularly in the face of the real-world circumstances under which asylum is provided. However, by showing the limitations of philosophical accounts of the duty, the reliance of political arguments for refugee gratitude on dubious and even self-serving assumptions becomes clear.

Our argument in this piece unfolds through the following steps. First, we consider what it means to have a duty of gratitude. Here, for the sake of argument, we accept that this duty can exist under some circumstances, though we give reasons to be sceptical. Second, we outline the main arguments in political theory that have supported a duty of refugee-gratitude, drawing primarily on two proponents of the gratitude view. Third, we turn to some simple objections to these arguments. Fourth, we outline our broader objection, arguing that accounts presuming this duty either rely on a misunderstanding of the nature of contemporary refugee protection or give real-world injustice less emphasis than they ought to. We, therefore, conclude that under nearly all real-world circumstances, refugees have no duty to be grateful. We conclude by making the stronger claim that, under the current system, refugees are justified in feeling resentment, which may suggest a lack of political obligations towards their state of asylum.

I. The ‘duty’ to be grateful

Gratitude is, in its simplest form, an emotional reaction to benefit or favour.² You might feel grateful if a stranger pays for your train ticket when you've forgotten your wallet, when someone warns you of oncoming traffic that you failed to notice, or when a firefighter drags you from a burning building. There is an important distinction between *targeted* gratitude and *propositional* gratitude (McAleer 2012). Targeted gratitude is when one individual is grateful to another for some benefit: A is grateful *to* B for x, or I am grateful *to* the firefighter for pulling me out of the building. Propositional gratitude instead is aimed at a general state of affairs: A is grateful *that* x or I am grateful *that* firefighters exist. In the former case, my gratitude is aimed at a specific individual who has helped me, whereas in the latter case my gratitude is aimed out at the world more generally.³ Here we focus on targeted gratitude, though we will come back to propositional gratitude later.

Under what circumstances might someone have a duty to be grateful? Theorists have largely coalesced around five broad principles for when gratitude might be required, outlined most clearly by Simmons.⁴ An individual ought to be grateful if the following conditions are met:

1. The benefactor must have made some special effort or sacrifice, or incurred some loss, in providing the benefit.

² It's not obvious that you always personally must receive a benefit. For instance, Walker discusses the case of a judge's wife who begs him to not to apply the death penalty in a case.

³ Walker argues that propositional gratitude should be distinguished from targeted gratitude by calling it *gratefulness*. Gratefulness is a reaction to a good situation that does not result from individual agency: "a ship-wrecked seaman is grateful to be cast ashore by a freak wave" (1980, 50).

⁴ These conditions are also explicitly adopted by Jason D'Cruz, which will be helpful later when discussing his view. There is far from universal agreement about the conditions for gratitude-based duties. Some reject the idea that the benefactor need have made some special sacrifice to be entitled to gratitude (Manela 2019). Some also disagree more basically with the idea that gratitude is only owed in cases where a benefit is actually incurred. An agent might owe gratitude in cases where a benefactor offers a good, but the receiver rejects it (Camenisch 1981).

2. The provision of the benefit by the benefactor must be intentional and voluntary. It should be given out of goodwill rather than mere self-interest.
3. The benefit granted cannot be forced on the receiver against his will.
4. The receiver must want the benefit that is granted.
5. The receiver must not want the benefit not to be granted by the benefactor.

How should we understand these conditions? First, not every exchange requires a response of gratitude (Jackson 2016, 277). When I purchase a book from a bookshop, I have received a good and it has benefitted me, but it is the object of standard exchange. I need not feel grateful to the bookseller for the act of selling me the book, though I might feel grateful if they go above and beyond what is required of them, for instance, by helping to select the best book for my needs or staying late to help me search for a signed copy. Notably, though, gratitude need not *only* respond to an individual going above and beyond the normal call of duty (D’Cruz 2014). When the firefighter pulls me from a burning building, they are of course fulfilling the terms of their job. However, I would likely feel grateful for being rescued, even if the firefighter is “merely” doing what is required of them. These cases appear to show different potential groundings for gratitude, but both are supererogatory actions of different kinds. The bookseller does more than is required of her. But we might think merely taking the job of a firefighter is supererogatory – in becoming a firefighter the individual has put herself at great risk of injury. So, we often feel gratitude towards people for going above and beyond in the way that they benefit us, whether that be in the form of single instances or continued acts.

Second, I might not feel grateful to someone if they did not intend to benefit me (Strawson 1962, 6). If someone pushes me over on the street accidentally and happens to save me from

oncoming traffic, it's not obvious that I should feel grateful *to* that person even though they have benefitted me. This seems even more so if they push me over out of anger or ill will. One might experience propositional gratitude or "gratefulness", but it's not clear that I should rush to thank the person who pushed me over.⁵ This implies one need not feel gratitude towards someone who benefits them for their own gain or by chance.⁶ The third, fourth, and fifth conditions of gratitude-based duties capture the intuition that we need not be grateful to someone if we did not want to receive the benefit, or if we did not want to receive the benefit from that specific individual. For instance, Simmons claims that "while I may want my lawn to be mowed while I'm out of town, I may not want my neighbour to do it; I may prefer not to be indebted to him, for a variety of reasons. I may want my lawn to be mowed without wanting anyone to mow it" (Simmons 1980, 178). A mere desire for an event – the lawn having been mowed – is not enough to ground an obligation of gratitude to whoever happens to do it. For gratitude to be owed, all these conditions must be met.

We should clarify what exactly it means to have an *obligation* to be grateful. It's often presumed that there are justice-based reasons for gratitude in some circumstances. Fitzgerald calls these *juridical* reasons for gratitude. In such cases, "the recipients of gratitude 'deserve' it, 'merit' it, are 'entitled' to it, and ingratitude may somehow be 'unfair'" (1998, 129). In being a kind of emotional state, gratitude poses a puzzle for (liberal) political philosophy (Fitzgerald 1998, 120). Most duties require an individual to act in a certain way rather than to inhabit a certain emotional state.⁷ Gratitude requires something further of individuals than

⁵ Because of this, it may be that the proper object of gratitude is, as Walker puts it, *benevolence*, rather than beneficence (1981, 42). In other words, we ought to be grateful for beneficial states of affairs that are brought about by goodwill.

⁶ This also isn't a universal assumption/ intuition. Aquinas says that we should feel grateful to people even if they benefit us begrudgingly (*Summa Theologiae Ila Ilae* q. i o6 a. 3). Fitzgerald (1998) also analyses two Buddhist cases that push against this intuition: gratitude towards those who harm you and gratitude towards those that you can benefit.

⁷ Fitzgerald notes that this is emotional component what separates gratitude from mere reciprocity.

mere action: it requires them to feel something.⁸ We might think that discussing gratitude as a kind of duty is simply a mistake. It seems bizarre to claim that someone has a duty of justice to be in a particular emotional state, as many presume the duties and rights are logically correlative: If you have a duty to be grateful to me, then I have *a right to your gratitude*. As John Stuart Mill puts it, “duty is a thing which may be *exacted* from a person, as one exacts a debt. Unless we think that it might be exacted from him, we do not call it a duty” (183). Having a claim on the mental states of others seems to go against basic liberal intuitions. Fitzgerald (1998) therefore argues that we should consider a perhaps less weighty question of whether an individual has good moral reasons to be grateful. Or we might ask whether gratitude is *apt* (Srinivasan 2018). An alternative route would be to concede that the emotional side of this duty is not required, but only the corresponding action. People might have duties to *display* gratitude, but not duties to *feel* grateful.

Nevertheless, we have good reasons to focus on the question of duties when individuals are being criticised for their lack of gratitude, such as refugees. As seen in the examples above, many who claim that refugees ought to be grateful make the stronger, emotional claim rather than the weaker action-based one. That is, public discourse surrounding refugee-gratitude presumes not only that refugees have good moral reasons to display gratitude, but they have an obligation to be grateful. There may be good reasons to simply reject the idea of duties of gratitude at the outset. But, we will argue here, *even if* one accepts the conceptual coherence of duties of gratitude, the world’s current refugees are not subject to these duties *qua* refugees. In what follows, we will put aside the *emotional* dimension of gratitude and narrow

⁸ How we distinguish gratitude from other kinds of reactions to good states of affairs, for instance from simply being pleased? Walker (1980) argues that being grateful implies wanting to reward a person for their previous actions. This thought is shared by Adam Smith in his *Theory of Moral Sentiments*: What gratitude chiefly desires, is not only to make the benefactor feel pleasure in his turn, but *to make him conscious that he meets with this reward on account of his past conduct, to make him pleased with that conduct*, and to satisfy him that the person upon whom he bestowed his good offices was not unworthy of them. (1976, 10-11)

our focus to the question of whether refugees have obligations to *act* in certain ways in their state of refuge. This focus allows us to address the most plausible account of gratitude-based duties.

II. Arguments for refugee-gratitude

Given the conditions under which gratitude is owed, we now turn to our central question: *do refugees have a duty to be grateful for the receipt of asylum?* At least two political theorists answer this in the affirmative: Jason D’Cruz and Nicholas Rescher. Both argue that refugees have a duty to be grateful for the receipt of asylum, in certain circumstances, and that this generates further political obligations towards the receiving state. Both arguments therefore sit within a more general discussion of political obligation. In the wider literature, gratitude-based accounts of political obligation are broadly unpopular, but in the case of refugees, they seem to have greater resonance.

Nicholas Rescher (1992) argues that refugees have an obligation to be “good citizens” in their state of asylum. This obligation stems from an underlying duty to be grateful for the receipt of asylum as well as the refugee’s entry into what he calls a “tacit social contract.” Rescher begins with the premise that, having received asylum, the refugee has received a benefit that the host state had no obligation to offer: “Their new country provides them with a ready-made environment for living at no special cost or sacrifice to themselves. This, clearly, is a benefit for which the new refugee-resident is indebted to others - and which he certainly has no moral right or entitlement to expect as a free gift” (1992, 23). The receipt of asylum, for Rescher, grounds obligations of “good citizenship.” By this, Rescher does not mean “unquestioning approbation”; refugees may have obligations to protest and dissent from the

government of their state of asylum in certain circumstances.⁹ What the refugee owes is a commitment to bettering the state that protected them; for refugees, patriotism “in the highest and most positive senses of the term...is mandatory.” Rescher also suggests that refugees have an array of duties above those of “normal” citizens. These include a duty to avoid making the country’s relations with other countries “less benign...and less mutually beneficial” by not dragging the asylum state into disputes with their country of origin, as well as a duty not to pressure the asylum country to go “overboard” in terms of the number of refugees it admits.

In Rescher’s view, asylum is not an entitlement but an act of charity on the part of the state. Because of this benefit, the refugee, Rescher argues, will eventually realise themselves that they owe something to their state of asylum. He writes that “rudimentary attention to the facts cannot but bring home to the refugee that his welfare and well-being - his livelihood and perhaps his due to the willingness of the host country to take him into host society extended its hospitality in the hour of need.” (24). Two things ground this particularly weighty duty of good citizenship. First, the refugee’s duty of gratitude and, second, the refugee’s tacit social contract or “hypothetical bargain” with the state of asylum: You take me in; I will bend my efforts to ensure that you will be the better off for my presence” (26). For Rescher, gratitude is owed because (i) the state of asylum has benefitted the individual and (ii) it was under no obligation to do so. Because of this, “failure in gratitude is ... particularly unseemly in the case of a refugee” (28). The second foundation, the personalised social contract, underpins

⁹ This is similar to a recent argument made by Michael Blake in *Justice, Migration, and Mercy*. Blake argues that when thinking about whether migrants have duties of gratitude, this could be interpreted in a negative, minimal way. This means that “the proper form of gratitude in a political community might involve nothing more onerous than doing one’s part to maintain and preserve that political community” (2019,194).

reciprocity on the part of the refugee. Since refugees have entered into a kind of agreement with the host state, they at the very least owe it their best behaviour.¹⁰

Jason D’Cruz (2014) makes a more sophisticated case for refugee-gratitude. D’Cruz begins with the puzzle of political obligation: do refugees have an obligation to obey the law in their state of asylum? He argues that while none of the other potential avenues for grounding political obligation (consent, fairness, or social role) can explain the refugee’s obligation, gratitude can. He explicitly accepts the five conditions of gratitude that we outlined in the previous section and argues that – given these conditions – refugees *do* have a duty to be grateful for asylum. He writes: “Simmons’s conditions lead me to believe that although the account of political obligation from gratitude may not be applicable to most citizens, it does do a good job of accounting for the political obligation of the refugee” (2014, 10).

D’Cruz argues that each of these conditions is usually met in the case of asylum. First, asylum is a sacrifice on the part of the host state: state protection is expensive and resource intensive (13). Second, asylum is rarely given by accident. Refugees are not welcomed to a host country inadvertently, as a side-effect, or by mistake. On some occasions, the acceptance of refugees can be seen as self-interested, to make a political statement on the international stage, but this is not generally the case. The third and fourth conditions are met by the fact that asylees “actively seek refugee status, and rarely is it forced upon them” and so they cannot be said to have received the benefit involuntarily. The fifth and final condition,

¹⁰ The idea that refugees enter a social contract with their state of asylum is highly questionable. As Rescher admits, the forcibly displaced enter the state of asylum often through no choice of their own. They are often fleeing for their lives and seeking asylum wherever they can. But if this is right, it’s hard to see how they could be held to have chosen to enter a reciprocal deal or bargain with the state in question. The lack of other options and the enormous costs of return would appear to undermine the existence of any such agreement, hypothetical or otherwise. We mention this again later in response to D’Cruz.

D’Cruz admits, is slightly more complicated. Recall the lawn-mowing case in the previous section. It seemed that an individual does not have a duty of gratitude towards their neighbour for mowing the lawn if that individual specifically didn’t want the lawn mown by the neighbour. However, D’Cruz argues that the same does not apply to refugees. He writes: “In cases where the asylee only has one choice about where to settle, and she strongly prefers to be granted asylum somewhere rather than nowhere, she owes a debt of gratitude to the country that offers her asylum, even if she would prefer to settle in another country” (12). Therefore, even if a refugee may prefer to be housed in Canada rather than the US, the fact that she received asylum in the US does not undermine her obligations of gratitude. Therefore, according to D’Cruz when a refugee is given asylum all five conditions are usually met. Refugees, therefore, have a duty to be grateful for the receipt of asylum.

One issue raised by the discussions of Rescher and D’Cruz is how exactly to construct asylum. Should we consider it a benefit rather than an entitlement? Almost all political philosophers of migration argue that states have a duty to grant asylum to refugees at their borders grounded in a humanitarian duty of rescue.¹¹ Michael Walzer (1983, 51) has stated that “at the extreme, the claim of asylum is virtually undeniable.” Others have agreed (Carens 1992; Gibney 2015; Song 2019). We see no reason to contest the claim that refugees are entitled to the provision of asylum and that the state has a duty to offer asylum to those who qualify for it. However, even if this is true, it does not necessarily undermine a refugee's duty of gratitude. Recall the case of the firefighter above. I may still owe gratitude to the firefighter who pulls me from a burning building, particularly if she puts herself in harm’s way to rescue me. So perhaps even when states are acting to fulfil their duties, obligations of

¹¹ Many offer other grounds for duties to refugees including legitimacy (Brock 2020; Owen 2016, 2020), reparations (Buxton 2019; Souter 2014) and alienage (Gibney 2015; Shacknove 1985)

gratitude may still be triggered. The entitlement route thus does not completely solve the refugee-gratitude question.

III. Contextualizing Gratitude

The main problem we see with the arguments for refugee-gratitude involves a feature that Rescher and D’Cruz both share: both treat asylum as a single discrete act separate from its institutional, political, and social context. To see the importance of ignoring the broader context in evaluating acts of gratitude consider a simple example. Imagine that my friend gives me a £10 book voucher unexpectedly. Taken on its own, we might think that I should be grateful or pleased by the gift. On the face of it, it’s kind for my friend to offer something so thoughtful, and there was no reason for them to do so other than to benefit me. Now let’s set out some background conditions. Imagine that before this individual kind act, I lent my friend £1000 which she promised to pay me back on time. The payment is now years late. Not only that, but I also discover that she’s been using my money to buy everyone she knows £10 book vouchers. Now that we know the background context of the action, is it not highly dubious that I should feel grateful for the “gift”? Just as contextual or background information changes the way we look at this “gift” example, it is important in judging the appropriateness of gratitude by the refugees for asylum in the real world. A contextually informed account of the circumstances under which Northern states typically offer asylum casts doubt on: 1. How *willingly* states provide the benefit in question; 2. The compatibility of gratitude with a refugee *entitlement* to asylum; 3. And the nature of the *benefit* in question. Let’s look more closely at each of these issues concerning the practical provision of asylum.

Willingness

It is a common point of agreement both in the popular and theoretical accounts of refugee-gratitude that the benefactor *willingly* provides the benefit in question: this corresponds to Simmons's second condition of duties of gratitude. It is easy to see why proponents of refugee-gratitude believe that the provision of asylum satisfies this requirement: Northern states have in place institutions (refugee determination procedures and asylum laws) that specifically grant the benefit. Yet the sole focus on these institutions and statuses obscures the way that Northern states have in recent years erected a huge array of deterrent and preventative measures to halt the arrival of refugees and others claiming asylum (FitzGerald 2019; Sandven and Scherz 2022). These measures include the imposition of visa requirements from states that produce refugees, fines or sanctions on carriers (trains, airlines, etc.) that carry individuals without visas, destroying the boats and vehicles of human smugglers, and the pushbacks of boats of asylum seekers, as recently evident in the Mediterranean, the English Channel, and the Timor Sea.

As much recent empirical scholarship on refugees and irregular migration notes, the primary reason why thousands of asylum seekers die annually trying to enter Northern states is not that the journeys they make are intrinsically perilous; it is because migrants must follow dangerous routes to seek international protection (De León 2015; Steinhilper and Gruijters 2018). The behaviour of powerful states even *after* refugees seek asylum also shows this. Off-shoring and post-asylum deportation, such as in Australia and the US, is another way in which states attempt to deter and push out people seeking protection, even once they have reached their territory.

These measures are often defended by states on the grounds that they deter asylum seekers with weak claims and are necessary to preserve the integrity of asylum and prevent the state

being overwhelmed. The problem is that many of them (including blanket visa requirements on citizens of refugee producing states) are so indiscriminate in their effects and operation that it is impossible to see them as motivated by a desire to balance the need to protect refugees with preventing the arrival of those without who do not have a strong claim to the status (European Parliamentary Research Service 2018). It seems accurate, then, to portray the process of gaining asylum in the North as one in which refugees must effectively *outwit* the authorities in these states, often putting their lives at risk in the process, rather than one in which states are willing patrons.¹²

States in the Global South seem, at first glance, to be in a different situation. After all, they provide asylum to the bulk of the world's refugees, more than two-thirds according to recent UN estimates, and they do so under material circumstances far inferior to those in the global North. Yet even this maldistribution of refugee protection does not necessarily reflect a greater willingness to take refugees on their part. Location and fewer resources to enforce border controls often make it difficult for Southern states to prevent refugees from arriving, particularly when they are fleeing a neighbouring state. Moreover, as players that have been economically and politically weakened in the international system, they often find themselves needing to take refugees if they are to receive valuable development aid from Northern countries. Many Southern states do accept refugees, often more than they would under an equitable international asylum system. But as often as not they are reluctant players in a

¹² It could be argued that states nevertheless do “willingly” accept the refugees that *eventually* reach their territory and receive asylum. States take preventative action to avoid taking a larger number of refugees than they otherwise would, but this does not preclude certain cases of willing acceptance. But even if there are some cases of willing acceptance, nearly all asylum seekers have to risk their lives because of the indiscriminate application of policies designed to prevent refugee arrival. To say that states *eventually* accept refugees willingly after attempting time and again to push them away strains the concept of volition.

system of engineered regionalism in which Northern states attempt to corral refugees in the global South.

To follow Rescher and D’Cruz in characterising refugees as willingly accepted (let alone welcomed) by contemporary asylum states is thus misleading. Their position mischaracterises both the intentions ¹³of most states and, unwittingly, downplays the hardships those seeking asylum must endure in order to gain protection.

Entitlement

In accounts of refugee-gratitude, asylum is almost always presented as a benefit provided as an act of charity or required by humanitarian obligations. The benefit/recipient relationship is correspondingly relevant to otherwise unconnected actors. But is this an adequate way of conceptualising the relationship between Northern states and those to whom they provide protection? Northern states are often deeply implicated in the circumstances that lead to refugee generation in countries far from their borders. They may be connected through acts of foreign intervention such as in Afghanistan and Iraq (Souter 2014); historical support for oppressive regimes (Haiti, South Africa); colonial legacies (Achieme 2019), as well as contribution to the damage caused by global warming (Buxton 2019). The entitlement of refugees to asylum may thus, at least in some cases, be grounded in reparative duties, and not

¹³ One anonymous reviewer has rightly raised the question of whether it is accurate to speak of a complicated collective agent, like the state, whose policies are the product of different internal actors with different goals, as intentionally and “willingly” bringing about a certain state of affairs, viz., stopping the arrival of refugees. There is not the space here to discuss the tricky issue of the relationship between collective agency and intentionality, though it is clearly true that state practices and policies often represent messy compromises between different interests and pressures. It is worth noting however that dissolving state intentionality in relation to asylum (and thus the idea that a particular policy or outcome is “willed”) undermines the case in favour of refugee gratitude to the state along with our critique of it. Refugees cannot be said to owe gratitude to states that have not willed their entry.

simply humanitarian ones. By providing asylum, Northern states are redressing the harms they have, often unintentionally, inflicted upon refugees.

The fact that asylum might be grounded in reparative duties matters to our argument because while it may be true—as we saw above in the firefighter example—that entitlement to a benefit from a benefactor need not extinguish duties of gratitude, entitlements stemming from reparative duties are different. A recipient cannot be said to owe a duty of gratitude to a benefactor who is redressing a harm that the benefactor is responsible in part or in whole for bringing about. For example, to return to our gift example, it would seem odd to say that one should be grateful for the return of £5 from a person who stole it from us. If we take the range of factors outlined above (colonialism, climate change, etc.) seriously as causes of refugee generation, reparative duties between, for example, countries in the Global North and refugees in the Global South, may well impact many asylum claims. The refugee duty to be grateful may then be quite limited in its application to contemporary refugees.

Nor are states in the Global North the only states likely to have significant reparative duties to refugees. While some harms that warrant redress, like global warming and the effects of colonial rule, seem almost exclusively the result of the actions of richer states, some, like support for armed insurgents and even direct military intervention, are also evident between countries in the global South (Zolberg et al. 1989.) If one looks closely, the conditions of refugee gratitude may be rare in all areas of the world.

Proponents of refugee gratitude would likely agree that reparative claims undermine any duty of gratitude. Rescher does not consider the possibility that a refugee's plight might have been wholly or partially caused by her state of asylum. But D'Cruz explicitly accepts that

obligations of gratitude can be outweighed by broader moral contexts, including potentially reparative ones. “If a refugee believes that her host country is responsible for the conditions in her home country that forced him to flee in the first place, gratitude would be misplaced” (2014, 14). In essence then, our position is not so different from D’Cruz’s on the question of reparations, as we both claim that gratitude-based duties can be undone once we look beyond the immediate context of asylum on this point. But the important difference lies in the placement of emphasis. In looking primarily to unjust contexts of asylum, we foreground the ways in which attentiveness to real-world injustice can change our intuitions about what refugees might owe their states of asylum. D’Cruz’s view is subtly different – he argues that refugees *do* have duties to be grateful for the receipt of asylum but accepts as an important amendment to his view that there are some circumstances in which this duty might be superseded or undermined. This difference in directionality is important because our conclusion, that refugees do not have duties of gratitude to their states of asylum except under certain exceptional conditions, shifts our attention away from the gratitude-based obligations of displaced people and towards the systematic failure of states in the global North to provide a meaningful form of protection.

Benefit

A final important consideration concerns what we leave out when constructing asylum simply as a benefit received by the refugee. For Rescher and D’Cruz, it is the benefit provided by the state which grounds a duty of gratitude is freedom and liberty. According to D’Cruz (2014, 13), when they receive asylum “the life and liberty of the refugee is being safeguarded.” For Rescher (1992, 24), the refugee has incurred a benefit because “his welfare and well-being—his livelihood and very life—is due to the willingness of the host country to take him into its midst.” The problem with this “freedom and security” account is that it edits out of the

picture the hardships typically inflicted upon refugees on arrival in the asylum state. To deter refugees, many asylum countries, including the UK, the US, Australia, routinely detain arriving asylum seekers, deprive them of the legal right to work, subject them to subsistence living, and sometimes even prosecute them for entering unlawfully. Even if asylum is formally granted, a range of restrictions may apply that are designed to make life in the host state uncomfortable and integration difficult to facilitate return. The provision of temporary forms of refugee status is a pertinent example (Buxton 2020). The situation is often worse in some states of the Global South where refugees may be confined to camps for years. They may enjoy a kind of protected residence on the state's territory, a form of bare asylum. But they face a situation of long-term limbo that involves exclusion from the host country's economic and civic life (Aleinikoff and Owen 2022; Buxton 2020).¹⁴

This is not to deny that access to asylum in its various forms generally enables the refugee to escape a far more dire fate in their home country. But to determine whether gratitude is, on balance, owed, we need to weigh the various ways that asylum states undermine the security and freedom of refugees against the ways that they promote it. Few would think it obvious that we owe gratitude to a benefactor who while prepared to give us £100 that we desperately

¹⁴ As we noted above, in relation to external deterrent measures, such actions by states might be excusable if they were backed up by good reasons. For instance, if denying asylum seekers the right to work was shown to benefit the citizens of the receiving state, then such practices could perhaps be internally justified. Likewise, if offering refugees temporary forms of protection led to the generation of more refugee protection overall (because, we might imagine, states are more willing to protect people on a temporary basis) then these obstacles to the individual asylum seeker may be justified insofar as they lead to overall benefit. In such a case, the policies that we described above might not be best characterised as the actions of cruel and heartless governments but of states attempting to do their best. The problem with this argument is that there is little good evidence in favour of many of the conditions placed on asylum. For instance, many have argued that offering asylum seekers access to the workplace is beneficial to the refugee herself and the host state. Since the controversial Rwanda policy was adopted by the UK Home Office, many organisations have pointed out that the practice of deporting asylum seekers who enter irregularly will seriously harm refugees. Home Office officials have admitted that there is little evidence that this approach will deter those arriving to the UK across the Channel (Clyne 2022). While it might be too bold to claim that these obstacles are placed in way of refugees intentionally to subject them to cruel and degrading treatment, it certainly seems as though states act in ways that make the lives of refugees worse. And so, attentiveness to these facts appears to undermine the claim that asylum is a straight-forward benefit.

need, first puts us through a range of humiliating steps (including waiting for an extended period) to receive the payment. In place of this accounting, Rescher and D’Cruz are in danger of mimicking the accounts of state officials eager to portray their countries as generous towards refugees.

Before concluding our discussion of benefit, it is worth reflecting briefly on the question of asylum as a cost or sacrifice for states. As we saw above, one of the conditions for a duty of gratitude is that a benefactor makes a sacrifice or incurs a cost for in providing the benefit to another. We have now questioned whether asylum should always be construed as a benefit. But, conversely, it is also dubious that asylum when it is freely provided is always at a cost to states. Historically, refugees have often greatly benefited the societies which they have joined, particularly over the medium to long term, and there are many cases of states being motivated in part or in whole to take refugees because of their labour needs (Australia and Canada in the 1950s; Germany with Syrian refugees in 2015) or to seek rents from hosting refugees (Tsourapas 2019). Recent work in political science on why countries accept refugees also suggests that refugee admission and foreign policy interests are closely correlated in practice with states using admission to reward friends and punish enemies (Abdelaaty 2021; Micinski 2018). Of course, states may in some cases bear significant cost for the sake of providing protection to refugees. But we should not simply assume that refugees are the only beneficiaries when asylum is granted. A more detailed empirical understanding of the context in which asylum is granted is required.

Where does this leave us? With a far more complicated picture in terms of the case for refugee gratitude, to say the least. The three considerations that we have discussed undermine some important premises of Rescher and D’Cruz and the gratitude expectation of refugees more generally. That said, until now we have largely been assuming that the refugees receiving asylum are those that have made their own way to the territory of Northern states, what are commonly referred to as “spontaneously arriving” refugees. This is a reasonable assumption. The overwhelming majority of the refugees granted refugee protection by global Northern states arrive in this way. However, some states do facilitate the entry of refugees from other countries through refugee resettlement schemes. The US, for example, recently increased its annual quota to 125,000 refugees (UNHCR 2021).¹⁵ However, only around 57,500 refugees worldwide were resettled in total in 2021, with UNHCR reporting numbers of up to twenty million refugees that year (UNHCR 2021).

The resettlement route of arrival complicates the picture we have painted. It is hard to argue that refugees who come this way are unwillingly accepted. There is no international legal obligation to consider the claims of refugees in this way (as there is with spontaneous arrivals) and no denying the fact that these arrivals are in some sense solicited. Moreover, resettled refugees rarely face the kind of state-sanctioned restrictions and liberty infringements that apply to those who arrive spontaneously. The typical expectation is that they will be quickly incorporated into permanent residence and, ultimately, citizenship. Might it be that refugees who have been resettled have a duty of gratitude? While any such obligation could still be invalidated by a refugee entitlement to be resettled, *inter alia*, on reparative grounds, there is a case that such refugees meet the criteria outlined by D’Cruz and thus owe a *prima facie* duty of gratitude to the state of asylum.

¹⁵ For the last few years this target has been significantly lower. Under Trump, the quota was cut back to 15,000 and was later increased by the Biden administration. As of September 2021, only 11,411 refugees had been resettled to the US, with a cap of 62,500 in place.

Yet the fact that so few refugees are resettled complicates the matter. Since 1994, the total number of resettlement places has not risen above 1% of the total number of refugees worldwide (FitzGerald 2019, 3). Refugee resettlement can therefore be characterised as a kind of lottery in which the chances of success are minuscule. Lottery cases can pose problems for individualised gratitude. The fact that one person makes it through the system and receives asylum via resettlement does not mean, necessarily, that they should feel grateful towards their state of asylum. A more apt response might be gratefulness in general along the lines of being thankful that you were lucky enough to receive protection. But the fact that this benefit of resettlement was incredibly unlikely calls into question whether the individual should be thankful to the institution that has offered the benefit.

Under conditions of generalised injustice, such targeted obligations of gratitude do not seem as intuitive. To see this, let's consider another case: the alleviation of extreme poverty. Imagine a state where people live in conditions of extreme poverty. The state next door, however, is relatively wealthy and would be able to assist many in the poor state. However, the rich state instead selects a very small number of people from the poverty-stricken state to enter. They have quotas that determine how many people will be lucky enough to move and select people of their choosing. Should the people who are chosen to enter the rich state feel grateful toward the rich state for the ability to enter? It seems, at the very least, unclear whether gratitude is required. Gratitude may not be appropriate because people in a similar position remain systematically excluded. Individual gain under generalised conditions of injustice, then, does not seem to ground duties of gratitude, particularly when those

conditions could be easily alleviated by the potential object of gratitude. The collective lot of one's similarly situated group, then, changes the conditions under which gratitude is owed.¹⁶

Putting aside the relatively exceptional case of resettled refugees, the case for refugee-gratitude seems to falter once considerations of context are taken into account. To see this, it is helpful to return to our example of the firefighter. How would we have to modify this case to make it relevant to the way states currently respond to the endangered refugee? First, in many cases the firefighter would have contributed to the fact that the building is on fire which put us at risk; for example, the firefighter may have failed to do required safety checks on the building before the fire or even carelessly started the fire herself. Second, as we struggled to make our way out of the building, the firefighter would have placed a range of obstacles in our way to prevent us from leaving through the front door and thus accessing the firefighter's help. These obstacles would have placed us at risk of not being rescued at all. Finally, when we did make it out of the building, the firefighter would have refused to offer us all the shelter, comfort, and support that we needed until we proved to her satisfaction that we had truly been at risk. It is, we believe, hard to see how one could have a duty of gratitude to the firefighter if any one of these three conditions was relevant. Indeed, it's hard to believe that the firefighter fulfilled even the minimal requirements of a duty of rescue. A similar response would, we believe, be justified in the case of refugees in relation to their states of asylum.

V. A Qualification

Before we conclude, it is important to address a limitation to our argument. Taking our cue from discussions in political philosophy and public debate, we have focused here on what refugees might owe their state of asylum. But might a more plausible case for gratitude be

¹⁶ Imagine, for example, a particularly lazy fire-fighter, who drags me from a burning building but then chooses to go for lunch rather than rescue the others (which, let's imagine, he could do easily). Should the rescued individual feel grateful, or should they point to the fire and exclaim "what about everyone else?"

made concerning other (non-state) actors whose role in assisting refugees is less compromised? We think so. An array of actors can facilitate the achievement of asylum for refugees, and humane conditions thereafter. These actors include NGOs who lobby governments for better or more refugee protection; those that help refugees integrate into local communities; who rescue asylum seekers at sea and facilitate their access to state borders; and who provide them with legal and other advice that enables them to avoid or contest detention and gain refugee status.

While some NGOs may be complicit in forms of oppression and restriction, many others clearly offer crucial (indeed, sometimes lifesaving) benefits to refugees. Ironically, they often do so by thwarting the very state policies and practices that we argued problematize the case for a refugee duty of gratitude to states. The NGO “SOS Humanity”, which operates search and rescue boats for endangered asylum seekers in the Mediterranean Sea, is a case in point. If duties of gratitude are owed by refugees, then, subject to considerations of context, they may be owed to these NGOs or other actors. For they have willingly provided an important benefit to refugees and are not directly implicated in the creation of forced migration.¹⁷ How might these duties of gratitude be fulfilled? Refugees could act in a range of ways to further the goals of the group in question; for example, by donating time or money or even testifying on their behalf (Vasanthakumar 2018). Of course, the fulfilment of these duties would rightly be limited by considerations of personal cost to the refugee. It may well be the case that a refugee is too traumatized by her experience, or rightly focused on securing their own

¹⁷ It is important to note that some NGOs see their efforts in supporting and assisting refugees not through the perspective of charity or humanitarianism but rather as a form of solidarity. Solidarity is interpreted by different groups in different ways. Typically, however, solidaristic commitments emphasise working together in non-hierarchical ways with those receiving assistance or support. It is not obvious solidaristic approaches would generate obligations of gratitude or even reciprocity by refugees, though the different accounts of what solidarity involves makes this a complicated issue. For insightful discussions of the implications of relations of solidarity for displacement related issues see, for example, Straehle 2020; Vasanthakumar 2021.

situation in a new society, to take on the burden of paying back those that have helped them. Nonetheless, where such conditions do not hold, duties of gratitude may be appropriate and compelling.

Such a case may also show us how states could, in theory, radically alter their behaviour in such a way that gratitude might become appropriate. Throughout the paper we have focused on the real-world and therefore deeply non-ideal circumstances of contemporary refugee protection. But there may be an alternative ideal system of refugee protection in which displaced people are treated with respect, given assistance in their flight to a place of safety, and offered generous and secure forms of protection. Even in the context of an unjust global refugee regime, individual states might act as outliers by taking far more refugees than they would under “fair” conditions and attempting perhaps attempting to thwart the downward trajectory of international protection. In these ideal circumstances, would gratitude then be warranted? As we noted at the outset of the paper, the very idea of a duty of gratitude is questionable. The language of duty is uncomfortable when applied to our internal emotional lives. But insofar as gratitude might be *apt*, this ideal world could potentially generate such duties. This is not the world in which we currently live, and not the world in which duties of gratitude are often appealed to by those criticizing displaced people.

IV. Conclusion: Apt Resentment

We have argued that refugees do not have a duty to be grateful *qua* refugees. This cuts against a popular assumption, as well as some arguments from political theorists. Importantly, once we take the injustice of the refugee protection regime into account, gratitude begins to look inappropriate. This has several consequences. First, those attempting to use gratitude as grounds for refugees’ duties to obey the law in their state of asylum will

have to look elsewhere. Second, it demonstrates that discussions within the political theory of refuge should not take an abstracted or idealized approach to asylum. Taking real-world context seriously changes the conclusions reached about refugee duties. Given the current state of international asylum protection, to claim that refugees should be grateful is to deny their experience of a system that has been built to exclude them.

If refugees do not owe gratitude to their state of asylum, what reaction might be appropriate? We want to suggest, by way of concluding, that in many cases refugees are justified in feeling resentment towards their state of asylum. Gratitude is often contrasted with resentment, with Strawson calling them “a usefully opposed pair” (2008, 7). Resentment is “a kind of anger or hatred directed toward another person who is responsible for perpetrating a moral injury or harm” (Murphy 1982, 506; Stockdale 2013, 503) and is often classified as a “moral attitude” as a reaction to wrongful injury (Maclachlan, 2010, 425).¹⁸ Like gratitude, then, resentment is an emotional state. Importantly, resentment need not be individual. That is, one might feel resentful in response to group circumstances even when individually one is well off (Stockdale 2013). *Collective* resentment, then, “is felt and expressed by individuals in response to a perceived threat to a collective to which they belong” (2013, 507).

Arguing for the ‘right’ to be resentful would be odd. Given that resentment is primarily an emotional response, it is not something that can be governed by rights and duties – we mentioned earlier that we might feel uneasy speaking of duties to be grateful in a similar way. Instead of discussing the right to feel resentment, then, it is perhaps better to consider

¹⁸ Resentment in this form is usually contrasted with Nietzsche’s *ressentiment*, which is self-destructive (Maclachlan, 2010, 426). Maclachlan continues that moral injury is not the only thing to illicit resentment. Instead, a phenomenologically richer account would need to include more general resentment against circumstance, such as a difficult and unrewarding job (428). Most of the literature considers individualized resentment. That is, a person feeling resentment towards another agent who has wronged them. Margaret Urban Walker distinguishes between resentment in response to moral injury, but also circumstance, mirroring the difference between targeted and propositional gratitude.

whether resentment might be *apt*. Debates about anger have been considered in response to the ‘counter-productivity critique’. Amia Srinivasan (2015) argues that even if anger can be thought of as antithetical to political and social progress, it can nevertheless be an apt response to moral injury or a bad state of affairs. Some, however, have argued that resentment is not necessarily a negative emotional response; it can have politically affirmative and creative qualities (Cherry 2021; Lepoutre 2018). Rather than being a ‘disempowering individual psychology’, resentment might enable individuals to seek out and pursue alternative political arrangements worthy of respect. Resentment, then, might not even be subject to a counter-productivity critique— it may in fact be a productive commitment to moral standards (Wallace 1994, 69). Some go further, arguing that resentment is an “essential social emotion, protecting welfare and expressing self-worth in the face of wrong-doing” (Congdon 2018, 739). Congdon notes that feminist theorists have gone beyond the idea that resentment can function as a kind of defensive shield, to claim that it can be a *creative* emotion, or “outlaw emotions” (Jaggar 1989, 160–64).¹⁹ Of course, resentment might have counterproductive consequences in terms of the refugee’s entitlement to protection. States might behave in even harsher ways towards displaced people if they were to demonstrate their resentment. This places displaced people in a condition of *affective injustice*, where victims of oppression and injustice must “choose between getting aptly angry and acting prudentially” (Srinivasan 2018, 127).

Would resentment be reasonable in the case of refugees experiencing what it is like to seek asylum? The conditions that we have sketched in our discussion of gratitude paint a picture of a refugee regime that is designed not to assist the displaced but to thwart their attempts to seek protection. Under these generalised conditions of injustice, resentment as a response would not be obviously misplaced. We do not wish to police or control the emotional

¹⁹ Congdon calls these the ‘norm-defensive’ and ‘norm-creative’ features of resentment.

responses of refugees; one cannot require feelings of resentment any more than one can require feelings of gratitude. We merely want to suggest that resentment could be acceptable in these circumstances. Calling on refugees to be grateful, then, is even more troubling given that resentment may often be a more appropriate response to real-world conditions.

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