

DALHOUSIE UNIVERSITY

Date Aug. 18, 1972

Author A Conceptual Framework for Supererogation

Title A Conceptual Framework for Supererogation

by

Department or School Karl Pfeifer

Degree B.A. Convocation Fall Year 1972

Permission is herewith granted to Dalhousie University to circulate and to have copied, at its discretion, the above title upon the request of individuals or institutions.

Submitted in partial fulfillment of the requirements for the Degree of Master of Arts in the subject of Philosophy at Dalhousie University, August 1972.

© Karl Pfeifer 1973

Approved by:

[Redacted Signature]

REPRODUCTION OF THIS MATERIAL FOR OTHER THAN DALHOUSIE UNIVERSITY MAY NOT BE MADE WITHOUT THE EXPRESS WRITTEN PERMISSION OF THE AUTHOR

DALHOUSIE UNIVERSITY

Date Aug. 18, 1972

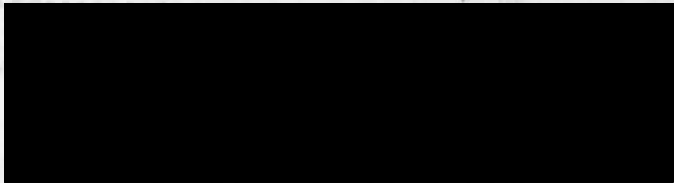
Author Karl Pfeifer

Title A Conceptual Framework for Supererogation

Department or School Philosophy

Degree M.A. Convocation - Fall Year 1972

Permission is herewith granted to Dalhousie University to circulate and to have copied, at its discretion, the above title upon the request of individuals or institution.


Signature of Author

EXTENSIVE QUOTATION OR FURTHER REPRODUCTION OF THIS MATERIAL FOR COMMERCIAL PURPOSES BY PERSONS OR AGENCIES OTHER THAN DALHOUSIE UNIVERSITY MAY NOT BE MADE WITHOUT THE EXPRESS PERMISSION OF THE AUTHOR.

Abstract

In this thesis an attempt is made to provide a satisfactory account of supererogatory acts, i.e. those acts which are considered to be right to do but not wrong not to do, and are sometimes informally referred to as "beyond the call of duty".

Contents

A partial classification of moral terminology is given under the traditional headings of the deontological, the teleological, and the axiological, each of which is associated with certain modes of evaluation, viz. act evaluation, agent evaluation, or some combination of these.

<u>Section</u>		<u>Page</u>
I	Introductory Comments.....	1
II	Act Evaluation.....	4
III	Act-Agent and Agent Evaluation.....	19
IV	Desert.....	23
V	Supererogation.....	27
	(a) Act Evaluation.....	27
	(b) Act and/or Agent Evaluation.....	31
	(c) Non-Moral Evaluation and Supererogation.....	37
VI	Concluding Remarks.....	46
VII	Appendix.....	47

Various definitions employing these moral terms are proposed and all are found to be inadequate for distinguishing supererogatory acts from other acts. A distinction is formulated in which all the moral terms are in an act evaluatory mode.

Abstract

In this thesis an attempt is made to provide a satisfactory account of supererogatory acts, i.e. those acts which are considered to be right to do and not wrong not to do, and are sometimes idiomatically referred to as 'above and beyond the call of duty'.

A partial classification of moral terminology is given under the traditional headings of the deontological, the aretological, and the axiological, each of which is associated with certain modes of evaluation, viz. act evaluation, agent evaluation, or some combination of these.

Various definitions employing these moral terms are proposed and all are found to be inadequate for distinguishing supererogatory acts from duty-fulfilling or merely permissible acts.

A distinction is made between intrinsic value (herein called 'non-moral value' for purposes of contrast) and moral value. Employing this distinction a sufficient definition of supererogation is formulated in which all the moral terms are in an act evaluatory mode.

(1) From the Greek Deont-, Deon meaning that which is obligatory or binding.

(2) From the Greek Aretos meaning 'virtue'.

(3) From the Greek Arta meaning 'virtue' or 'excellence'.

I Introductory Comments

Moral discourse concerns itself primarily with the evaluation of persons and their actions. These can be evaluated in various ways: we can take into consideration the qualities of the act per se, such as the person's motive in doing the act, and various aspects and/or combinations of these, such as character, which involves the disposition to act from certain motives; virtue, which involves the disposition to do acts of a certain kind in addition to doing them from certain motives; desert, which is strongly linked to motive as well as qualities of the act, etc. These various ways of morally evaluating persons or their actions I will call 'modes of evaluation'.

Moral discourse can be classified in many ways. One way has been to associate the meaning of certain moral terms with certain modes of evaluation. This is the course I shall take, with some qualification. I will deal with three kinds of terminology, which I think have relevance to the problem of supererogation, and which have traditionally been differentiated from the mass of moral usage, though they have not always been called by the same name, nor have their boundaries been agreed upon. These three kinds of terms have sometimes been known as the deontological,⁽¹⁾ the aretological⁽²⁾, and the axiological.⁽³⁾ I will attempt to give a

(1) From the Greek Deont-, Deon meaning that which is obligatory or binding.

(2) From the Greek Axios meaning 'worthy'.

(3) From the Greek Arete meaning 'virtue' or 'excellence'.

suitable account of these in the body of the thesis.

My use of 'term', then, serves to distinguish mode of evaluation and is not to be taken as simply equivalent to 'word-type'. For example, when I take 'right' as a representative term of the class of deontological terms and stipulate that deontological terms are always in an act evaluatory mode I am not saying that when tokens of that word-type appear in common usage they are always in that mode -- what I am saying is that if its use is a moral one but it is not in that mode then it is not a deontological term; 'right' would then be equivalent to and replaceable by, *mutatis mutandis*, some representative term of one of the other group of terms I have associated with the mode it happens to have.

The alternative would be to use 'term' as simply meaning 'word-type' and then specify different senses for the various modes, but such a scheme would be unnecessarily complex, though in the end the same distinctions would be elucidated.

I think that the word-types I have chosen to be representative terms of a given class of terms are more often than not used in the mode I take to be a distinguishing feature of that class, but this is not essential to my arguments. All that they require is that they are sometimes so employed in common usage and I think this hard to deny. But whether or not it is primarily so used is irrelevant as long as there are some instances warranting a distinction--one has to start an

analysis somewhere and whether one starts with the more common or less common usage, both must eventually be accounted for.

As I proceed I will also have occasion to use certain terms or phrases in a technical sense to facilitate the making of certain distinctions which reveal the structure of common moral discourse or give a consistent account of the relations of the terms in common usage. I will point out these technical uses as I introduce them.

A final note: when I say things like " 'right' means 'may' ", etc., I do not intend that they are interchangeable wherever they occur. Such locutions are to be regarded as a short-hand for something like, "An expression containing 'right' as the only moral term is equivalent to a similar expression containing 'may' as the only moral term". Of course this does not mean they are simply interchangeable, since some juggling may have to be done with the grammatical form to retain something which is well-formed and meaningful.

Similarly, when moral imperatives are issued, the agent is being told to do what is right or what he ought to do, not to have a certain motive. Again when morals are enforced, it is the conduct not the motive that is enforced. We do not think an agent does wrong when he does the right thing from a fear of punishment rather than a sense of duty, though we could be able to pass a negative moral judgment on the motive apart from the act.

II Act Evaluation

The group of terms traditionally known as 'deontological' I take to be in the mode of act evaluation per se. As the most common representatives of the class of deontological terms we have: 'right', 'wrong', 'ought', 'may', 'duty', 'obligation', 'indifferent', 'permissible', and their cognate forms. These are sometimes made more explicit if the context requires it by such qualification as 'morally right', 'moral duty', etc. Throughout this paper I will take this qualification for granted unless otherwise indicated.

As evidence for these being sometimes used for act evaluation alone I offer the fact that we do often make distinctions between what ought in fact to be done and what an agent thinks ought to be done (this distinction can be made using any of the deontological terms). Furthermore, we make distinctions between an agent doing what he ought to do (knowingly or not) and what considerations, motivated him to act thus. Similarly, when moral imperatives are issued, the agent is being told to do what is right or what he ought to do, not to have a certain motive. Again when morals are enforced, it is the conduct not the motive that is enforced. We do not think an agent does wrong when he does the right thing from a fear of punishment rather than a sense of duty, though we would be able to pass a negative moral judgement on the motive apart from the act.

In the literature there has been much ado over the relation between 'right' and 'ought'. A distinction has been made between a stronger and a weaker sense of 'right': to say that an act is right in the strong sense means that from a moral point of view that act ought to be done, i.e. it is the right thing to do on the occasion in question. To say that an act is right in the weak sense means that from a moral point of view it may be done, i.e., it is permissible to do it.

First of all, let me state some basic axioms consistent with this distinction which I hold to be self-evident (necessarily or conceptually true) and will assume without proof:

- (1) What ought to be done is right to do,
- (2) What may be done is right to do,
- (3) Anything that is right to do may be done,
- (4) What ought not to be done may not be done,
- (5) What may not be done is wrong to do,
- (6) Anything that is wrong to do ought not to be done.

If there are a strong and a weak sense of 'right' then of course (2) would not necessarily be true when 'right' is in the strong sense.

The appeal of this 2 - sense view lies in the fact that moral judgements containing the word 'right' generally have the force of similar expressions, containing 'ought'; for example, 'what he did was right' generally seems to mean more than simply 'what he did was

permissible', i.e., it usually is taken as 'he did what he ought to have done'.

On the other hand it is recognized that this cannot be the meaning of 'right' since it would lead to paradox. Consider the following case, from which what I think is a counter-intuitive conclusion can be deduced:

Given: 1. A is an agent

2. X and Y are mutually exclusive acts.

3. It is true that A may do X and that A may do Y.

This situation is compatible with 'may' in its moral usage.

With axiom (2) we can infer that:

4. It is right for A to do X and it is right for A to do Y,

which if 'right' meant 'ought' would be equivalent to:

5. A ought to do X and A ought to do Y.

But since X and Y are mutually exclusive acts, i.e., doing X entails not doing Y and vice versa, 5. would be incompatible with the dictum that 'ought' implies 'can'. If we wish to preserve this dictum, and I think it does reflect our moral usage, then 'ought' cannot be taken as the meaning of right.

But is it necessary to distinguish 2 separate senses of 'right' as has traditionally been done? It would be preferable if we could avoid having two senses of 'right' as primitive and make the same dis-

inctions using only one sense of 'right'. Since 'ought' will not work can we take 'may' as the sense of 'right'? There would be no inconsistency with axioms (1) - (6) in taking 'may' as the sense of right - indeed they imply it for (2) and (3) in conjunction would give us the mutual entailment between 'right' and 'may' which is sufficient as a definition.

something The apparent short-coming of taking 'may' and 'right' as equivalent, and hence as stated above, what gives the 2-sense view its appeal, is that taking 'right' and 'may' as equivalent does not seem to account for the close interrelation between 'right' and 'ought' in moral judgements. By the same token, although the 2-sense view accounts for this mutual relation between 'right' and 'ought' as evidenced by moral judgements which can be expressed in terms of either, it has a faintly ad hoc ring to it. What the 2-sense view seems to be saying is that 'right' means 'ought' except when it leads to paradox--then it means 'may'.

indeed I think that in fact the relation between 'right' and 'ought' can be accounted for, taking 'right' and 'may' as equivalent terms, mutatis mutandis, without postulating two senses of 'right'.

account To do this I have to introduce some technical terms to enable me to draw out certain distinctions which I feel are implicit in ordinary moral discourse, to reveal its underlying structure. Often when people are engaged in moral discourse they say things like:

- (a) What he did was right,
- (b) He did the right thing,
- (c) He did what he ought to have done,
- (d) He did right.

Let us assume that the context of these various locutions is such that they are all equivalent in meaning. In all these examples something is being evaluated as 'right' or as 'ought to be done'. This something is referred to either by the use of pronouns ((a), (c)), or very general nouns ((b)), or elliptically ((d)). 'Ought' and 'right' are always used with regard to acts. However using 'act' to refer to that something which is picked out by 'what', 'that', etc., in the above examples would involve us in ambiguities. This is because that something which is in question is not always an individual act but may consist of disjunctions of individual acts. To represent this something which 'right' and 'ought' are predicated of in the examples under consideration, I will use 'ACT', retaining 'act' for individual acts. Thus an ACT can be either an act or a disjunction of acts, but all that is required to do or fulfill an ACT is an act.

Having made this distinction I think I can now give an account of the relation between 'right' and 'ought' in common usage using 'permissible' or 'may be done' as the only meaning of 'right'.

I think that the meaning of 'ought' is such that on any occasion in question where some moral agent has a range of acts to

choose from, he ought to do a right act and in doing so, he satisfies the requirements of doing the right thing (i.e. ACT). Let me explain. I think no one would deny that one ought to do one of the things that one may do (in any case, this follows from axioms (5) and (6)). When it is said that an act is the right thing to do on the occasion in question, that act ought to be done not because of the meaning of 'right', i.e., not because it is in a strong sense, but because it is the only thing that may be done. This uniqueness is indicated by the 'the' in some cases, in others it is simple understood because of the alleged circumstances in which the act is possible to do. In other words we can account for ought in terms of 'right' without having to distinguish a strong and a weak sense. The weak sense is sufficient.

In common usage of course we speak of 'the right thing to do' and '-- is right to do'; 'a right thing' does not occur in our daily usage, but I think this distinction between a right act and the right act does underlie our usage.

If what one ought to do on any occasion in question is a right act, it is not necessarily true that whatever is right for one to do ought to be done. There may not be a particular act among the mutually exclusive alternative acts open to an agent which is the right act to do on the occasion in question. He may have a set of mutually exclusive acts of equal moral value to choose from, each of which would be right to do, i.e. each of which may be done but none of which ought to be done as such.

Of course on any occasion where such a moral choice is possible the situation can always be described such that there is a unique 'thing' which is the right thing to do and which therefore ought to be done. 'Right' and 'ought' can range over ACTs which may be equivalent to an act, if there is only one possible act that one may do; or equivalent to a disjunction of acts if there is more than one act which one may do. In common usage this may be expressed as 'you ought to do (one of) X or Y' or 'the right thing for you to do is (one of) X or Y', where X and Y are mutually exclusive acts and the disjunction 'X or Y' is an ACT. Furthermore, given this example one could in all consistency go on to say 'you may do X', 'It is right for you to do X', 'It's not wrong for you to do X', but not 'You ought to do X'. In other words, what I am claiming is that 'right' and 'may' always can apply to acts as well as what I call ACTs but 'ought' applies only to ACTs, unless there is only one act which may be done, in which case the act is an ACT. More simply put, if an ACT is a disjunction then 'right' and 'may' can be distributed into the disjuncts but 'ought' cannot. Hence on the occasions where there are a number of right acts to choose from, the right thing, i.e. what ought to be done is at least one, though any one may be done. (The ACT which ought to be done is some-one - or - other of the mutually exclusive acts which is right to do or may be done, i.e., the disjunction of these acts.)

My second answer to the objection raised is that even if 'what he did was right' is not an elliptical way of saying 'he did the right thing' there is a way of accounting for its occurrence having the

Thus, if 'right' means 'permissible' then 'the right act' will mean 'what ought to be done' because of the uniqueness expressed by 'the'; and when we use 'may' or 'permissible' with regard to an act, the question is left open as to whether that act is the right act to do or merely a right act to do as I use the notion, i.e. as to whether that act ought to be done.

However, it might be countered at this point that even if 'right' defined as 'permissible' is consistent with saying that 'the right thing to do' means 'what ought to be done' it fails to account for instances of common usage where the phrase 'the right' does not appear, such as 'what he did was right' where we apparently mean more than 'what he did was permissible', i.e. where 'right' seems to have the force of 'ought'.

I have two answers to this objection. The first is that 'what he did was right' is sometimes simply an elliptical way of saying the same thing as 'he did the right thing', or put another way, the 'what' in 'what he did was right' refers to an ACT.

Whether 'what he did was right' sometimes does not mean 'he did the right thing' but 'he did a right thing' is a factual question the answer to which does not affect my position since this possibility is covered by my second answer. I myself believe that the 'what' in 'what he did was right' is ambiguous as to whether it refers to ACT or to acts which are not ACTs, and can be meant either way.

My second answer to the objection raised is that even if 'what he did was right' is not an elliptical way of saying 'he did the right thing' there is a way of accounting for its sometimes having the

force of 'ought', viz. by implication. Given my general principle, that one ought to do only things that one may do, i.e. one ought always to do a right thing, the inference from 'what he did was permissible' to 'he did what he ought to have done' can be made, Q.E.D.

I think this way of looking at it is justified when we consider the ambiguity which results when the mention of some specific act, say doing X, is included in the locution under consideration. For example, if 'in doing X he did what was right/permissible' is true, then 'in doing X he did what he ought to have done' is also true, but 'he ought to have done X' need not be true. Hence it is not the case that an act which is right to do ought to be done as such, unless it is the only right act that can be done.

As I will have occasion to use it later on in this thesis, I will here attempt to give a rough account of the notion of indifference. One account of indifference in the literature which I think representative is that indifferent acts are those which are neither right to do nor wrong to do⁽¹⁾ where the intention seems to be that these acts may or may not be done unconditionally or that they neither ought nor ought not to be done. Obviously this definition rests on what I have called the strong sense of 'right', the need for which I have obviated with my account. Using my terminology then, it can be said that indifferent acts are those which are right to do and right not to do.

(1) Samuel Alexander, Moral Order and Progress, (London: Trubner & Co., Ludgate Hill, 1889), pp. 50-56.

But 'indifferent' is an ambiguous word. Consider the case where there is a set of mutually exclusive right acts of which the agent ought to do one. Clearly in such a case it is indifferent from a moral point of view which right act of the disjunction is done as long as ~~some-one-or-other~~ is done; of any of these acts it can be said that it is indifferent whether one does that act rather than another of the disjunction constituting the ACT which ought to be done.

For any of these acts, it is not the case that one ought to do it, also not the case that one ought not to do it, but doing it can satisfy the requirements of what one ought to do. It makes sense to say that things ought to be done only if it is possible that there are things which could be done but ought not to be done; otherwise the use of 'ought' would be vacuous. In this situation then what is indifferent is the means by which one does what one ought to do.

Compare this with a situation which is such that all the mutually exclusive acts a person could choose from are indifferent. Any act of this disjunction would be such that it neither ought nor ought not to be done. The agent could not do wrong no matter what he did on the occasion in question. Whatever he did would be right, i.e. he may do anything he can under the circumstances. Such acts I will call 'totally indifferent' to distinguish them from the ones which are merely indifferent as to means of doing what one ought.

Earlier in this section I gave reasons in support of it being a basic moral principle that given any set of alternative acts,

one ought always to do a right thing. Without qualification this principle would be false, since as it stands it applies to totally indifferent acts which are right to do but which in disjunction do not constitute an ACT which ought to be done (for every totally indifferent act, of course, there is at least one other totally indifferent act open to the agent, viz. refraining from that act, with which the former can form a disjunction of mutually exclusive right acts).

Amending the principle to read: 'one ought always to do a right act iff. the acts open to the agent include at least one act which ought not to be done' it becomes compatible with the possibility of totally indifferent acts where 'ought' simply does not apply. The right thing, as noted earlier, is equivalent to a right thing or a disjunction of right things, but with this exception: there cannot be a 'the right thing' if everything is right; the 'the' in that event would not distinguish anything.

We seldom of course say of acts we believe to be totally indifferent that they are right, not because they are not, I think, but because in most contexts it would be too obvious to be worth saying and hence would sound odd. But the fact that it would sound odd except in unusual circumstances is not sufficient for justifying the claim that it is not the case that totally indifferent acts are right. To make this claim on that basis alone would be confusing the

performance conditions for that assertion. He labels the failure to recognize this distinction the 'assertion fallacy'. Searle however does not believe that moral judgments are assertions. This does not vitiate my point since Searle could in all consistency extend this fallacy to cover all speech acts including that speech act he takes moral judgments to be.

conditions for the performance of the assertion 'that something is right with the analysis of the meaning of 'right' in the assertion. (1)

I think I can conceive of some circumstances in which it would be in line with common usage or not at all odd to call a totally indifferent act 'right'. For example, in response to someone passing adverse moral judgement on the act of some agent which I believe to be totally indifferent I may simply reply 'You are mistaken. What he did was right'; if this still has a stilted ring to it I could say '...What he did was not wrong' which I think is equivalent, in this context anyway.

Strictly speaking neither 'right' and 'not wrong' nor 'wrong' and 'not right' are equivalent since 'not wrong' and 'not right' can be applied to non-moral acts whereas 'right' and 'wrong' cannot. Yet from the list of axioms I took to be self-evident, it follows that they are equivalent. However this discrepancy is only apparent since I took these axioms as applying only to acts subject to moral evaluation (voluntary acts of moral agents) which are my main concern, and within this class of acts the equivalence holds.

(1) Vide John R. Searle, Speech Acts, (Cambridge University Press, 1970), p. 141, in which Searle gives compelling reasons for this distinction between the meaning of words in an assertion and the performance conditions for that assertion. He labels the failure to recognize this distinction the 'assertion fallacy'. Searle however does not believe that moral judgements are assertions. This does not vitiate my point since Searle could in all consistency extend this fallacy to cover all speech acts including that speech act he takes moral judgements to be.

Non-Moral acts are similar to totally indifferent acts in that it is not the case that they ought to be done or not, and are not wrong to do. Non-moral acts are the acts of non-moral agents or the compulsive, involuntary acts of moral agents. Not only are such acts not wrong, but they cannot conceivably be wrong. They are neither right nor wrong. They differ from totally indifferent acts in that the latter could at least conceivably be wrong if the circumstances of the act were somewhat altered such that the choices the agent had open to him mattered, from a moral point of view. The acts of non-moral agents and the compulsive acts of moral agents could never matter from a moral point of view as far as the agents and their acts per se are concerned (though it may matter how some third party moral agents act with respect to these agents and their actions) no matter how the circumstances were altered, short of making compulsive acts voluntary and non-moral agents moral. This is not to say however that we do not have other non-moral ways of evaluating the acts of non-moral agents. I will mention some of these when discussing supererogation.

As far as the notion of duty is concerned I shall assume without proof that 'duty' and 'obligation' are synonymous when both in their moral uses, though of course they may have different connotations making it more appropriate sometimes to use one rather than the other in a given context.

The accepted definition (i.e. necessary and sufficient condition) of a duty is that which is right to do and wrong not to do. As I have already shown this can be considered equivalent to 'that which may be done but is wrong not to do'. The fact that a duty is wrong not to do marks it off as a unique right thing (either an act or a disjunction of acts) i.e., not only may the duty be done but it is the only thing which may be done, and therefore it ought to be done. The force of this seems to be that anything one ought to do one has a duty to do, and anything one has a duty to do ought to be done.

It may be noted that in laying out the entailments between the various act evaluatory terms thus far I have taken for granted a general principle which is so obvious that it is normally not worth stating, viz. that no act can be both right and wrong or, what follows from this principle given my assumptions that it is not the case that one both ought and ought not to do the same act.

If my analysis of duties is correct it should follow that it is not the case that one can have both a duty to do and a duty not to do the same act. All these principles presuppose of course that the terms have a consistent use, i.e. are in the same sense. However, even when the term 'duty' is used in the same sense we do nevertheless speak as if duties can conflict and this needs to be accounted for.

Ross's well known distinction ⁽¹⁾ between actual and prima facie duties accounts for this phenomenon in a manner consistent with the above-mentioned principle. A prima facie duty is that which ought to be done, other things being equal, i.e. it is what one's actual duty would be if there were no special circumstances involved. Hence every prima facie duty involves a suppressed conditional, viz. that the prima facie duty is one's actual duty if it is possible to carry out and there are no other relevant circumstances not yet taken into account which could be used to determine one's duty. Thus on an ontological level duties cannot conflict, though practically speaking we may not be able to decide which of the conflicting prima facie duties is our actual duty.

(1) Sir W. David Ross, Foundations of Ethics, (Oxford: Clarendon Press, 1939) pp. 84-86.

III Act-Agent Evaluation and Agent Evaluation

Thus far the actions of agents have only been considered objectively, that is, purely in terms of the nature of the act in question. However all acts have a subjective element (e.g. the agent's disposition, motives, intentions, and beliefs) the moral value of which can be and often is at odds with the value of the act per se. This subjective element is taken into account in the next mode of moral evaluation to be examined, that involving aretological terms.

This group can be represented by such terms as 'virtue', 'virtuous', 'morally good'. A discussion of virtues (the noun) can be by-passed since an analysis of this concept would involve dispositions to act, whereas we are only interested in individual or disjunctions of acts at a given time, not conjunctions of these over a period of time. Likewise, we will not go into 'morally good' or 'virtuous' as applied to persons since these too would have to be despositionally defined. (It takes more than one act done from a morally good motive to make someone a morally good person, i.e. one who is generally disposed to act from such a motive.)

For an act to be virtuous or morally good it must satisfy three conditions: (1) it must be right, (2) it must not be totally indifferent, and (3) the agent must have done it from a morally good motive.

The morally good motive ('the' because I believe it is the only possible one) is 'the desire to do what is right merely because it is right. However it does not follow that if someone acts from a sense of duty, that his act is morally good, because his beliefs about the nature of the act in question may be mistaken such that his act is either wrong or totally indifferent. (Nevertheless we can still evaluate the agent in virtue of his motive on particular occasions, regardless of how we evaluate his act, as I will discuss below.)

It may be objected by some that surely the desire to do what is right as such is not the only morally good motive possible, that there are others which can serve just as well in its stead such as benevolence, love, and the like.

To counter this objection it is necessary to examine what makes an act morally bad. The act must of course be wrong, but consider what the agent did in doing wrong. He either did it from a morally bad motive, the desire to do wrong as such, or, more likely, he did it despite or with indifference to its wrongness.

It does not seem probable that human beings ever act from the morally bad motive, though of course it is not impossible, and traditional Christian theology presupposes there is at least one moral agent, Satan, who does act from such a motive. Normally, however, we say someone has done a morally bad act when he did something wrong, and, believing it to be wrong, did it despite its wrongness.

Now clearly to do something morally bad is compatible with acting from benevolence, love, or pity, but incompatible with acting from a sense of duty. Thus, though benevolence and the like can of course be good motives in some non-moral sense, they do not in themselves constitute morally good motives.

A benevolent man, for example may not, out of pity, bring himself to inflict punishment even though he believes it to be his duty. A mother may out of love hide her law-breaking son from the authorities. This is not to say, however, that nothing pro or con, from a moral point of view, can be said about the agent in virtue of having such motives (this will be mentioned later on).

It should be noted that there are no aretological terms with which we can simultaneously evaluate the act and the agent (in virtue of his motive) in the following situations:

- (1) The agent is mistaken about the facts concerning his action, and, believing it to be right, does what is wrong from a morally good motive,
- (2) The agent is mistaken about the facts concerning his action, and, believing it to be right but not totally indifferent, does what is totally indifferent from a morally good motive,
- (3) The agent is mistaken about the facts concerning his action, such that he believes it to be wrong, when in actual fact it is right, and does it despite its putative wrongness,

- (4) The agent does a right act, believing it to be right, but not because he believes it to be right, not from a morally good motive (i.e. from a motive which is either good, bad, or indifferent in a non-moral sense),
- (5) The agent does what is right or wrong, not having any beliefs regarding its rightness or wrongness, from some non-moral motive.

For these we must refer to the act and the agent separately, the former in deontological terms and the motive in aretological terms since there is no aretological term combining the two. In the sense in which I have defined the terms, none of acts (1) - (5) can be called morally good or bad.

Aside from 'morally good' or 'not morally good' as applied to motives, there are other terms or phrases which can be used to express agent evaluation per se, as well. For example where an agent acted from a morally good motive we can say that he meant well, had good intentions, acted morally, did what he thought was right (because he thought it was right) regardless of whether the act itself was in fact right or wrong. Conversely, where an agent does what he believes to be wrong, whether or not it is actually right or wrong, we can say he acted immorally, had bad or evil intentions and so on.

As for case (5), if it were the case that the agent not only did not have any beliefs as to the rightness or wrongness of his act but could not have any, then he would of course not be a moral agent and all his acts would be non-moral.

IV Desert

How we evaluate a particular moral agent and his action often has consequences for how we evaluate some of the possible actions of other moral agents who are in a position to act in certain ways affecting the former.

One such relation between moral agents can be expressed by what are called 'axiological terms', among which are 'deserves', 'praiseworthy', 'blameworthy', 'commendable', 'excusable', 'meritorious', etc. Generally, though not without exception, words ending in '--worthy', '--able', and sometimes, '--ible' are axiological terms. All axiological terms can be replaced by some phrase containing, 'deserve' or its cognates. For example 'blameworthy' =df 'deserving blame', 'praiseworthy' =df 'deserving praise', 'meritorious' =df 'deserving merit', 'excusable' =df 'deserving to be excused'.

Axiological judgements, then, have the general form: 'A deserves X (on account of Y). Logically the 'A' is always an agent though grammatically it may be otherwise. It follows from the fact that some particular agent deserves something, that if there is some person who satisfies certain moral conditions ⁽¹⁾ and is in a position to act towards the particular agent in a manner that he deserves, then, prima facie he ought to act towards the agent in that manner. I say 'prima

(1) For example in the event that some agent deserves punishment, the person capable of punishing him must have the right to punish, however that may be conferred. Rights I think can be analysed in deontological terms but that is another problem.

facie' since this may be overridden by other considerations in some cases, which would make it wrong to act towards an agent in a manner commensurate with his desert.

What considerations, then, are taken into account when desert is established? Several things can be considered:

- (1) The degree to which the agent was tempted to act other than he believed he ought to act,
- (2) The onerousness of what he believed he ought to do,
- (3) The seriousness of the wrong the agent was willing to do,
- (4) Whether or not he yielded to temptation,
- (5) Whether he acted morally or immorally,
- (6) The non-moral value of one's motive if one does not act from a sense of duty or the non-moral value of the motives one may have in addition to the sense of duty.

This last consideration may cause a bit of consternation since I have claimed that the only morally good motive is the sense of duty. That is not to say, however, that certain non-morally good motives, though having no moral value in themselves, and non-morally bad motives are not relevant in determining desert in certain circumstances. Certainly some duties can be unpleasant, say inflicting punishment, but the person who is so kindly motivated that he does not perform his duty is less blameworthy for doing wrong than he would have been had he neglected his duty because he had been motivated by greed in accepting a bribe.

I do not know whether this list is complete and/or redundant and leave this for the reader to determine. As I only wish to make some general observations concerning desert relative to the main topic of this thesis, a more detailed analysis would be supererogatory.

To determine over-all desert one would have to take all the factors into account. Taking only one or some of them into account would give us only prima facie desert. Generally speaking, we do not in actual practise determine over-all desert unless the infliction of punishment or the granting of rewards is at stake. Normally we just determine desert in one or two respects and are prepared to qualify it as such.

When prima facie desert is thus determined in virtue of a few circumstances certain tendencies can be noticed in terms of blameworthiness or praiseworthiness. Assuming that the moral agent in question is an average human being of average abilities and constitution we can say that the more onerous, i.e. contrary to his inclinations and interests, what he believes he ought to do is, the more praiseworthy prima facie he becomes if he does it, and the less blameworthy he becomes, prima facie, if he fails to do it. Degree of temptation can sometimes be one of the things taken into account in determining onerousness.

Thus, when an act is of maximum onerousness, the agent would deserve minimum blame, on that account, for not doing it, and maximum praise (perhaps even a reward) for doing it. 'Blameworthy' and 'praiseworthy' are of course contrary terms, so if the agent is not praiseworthy for doing other than he ought, he is not necessarily

blameworthy. If minimum blame prima facie, attaches itself to the agent for failing to do what he ought, he is not blameworthy and what he did is excusable, on that account alone, though he certainly would not be praiseworthy.

'Not Blameworthy' and 'excusable' need not be alike in extension since we may have different grounds for determining blameworthiness apart from excusability. For example, it may be recognized that the agent failed to do what he ought and believed he ought to have done, because he considered the onerousness of it. But if it is also true that he would have been willing to do wrong, even if doing right would have been a minor burden, then we would hold him blameworthy for acting as he did because of his motive. Of course his failure to do what he ought could still be excusable because of its onerousness, as it would be for other averagely endowed agents who differ in that they would willingly do what they ought generally, only yielding to temptation in the hardest cases. But this is extending prima facie desert beyond the nature of the act. If we are considering desert solely in relation to the onerousness of the act the, I think it is safe to regard 'not blameworthy' and 'excusable' as co-extensional.

It seems then that sometimes it can be considered excusable or not blameworthy to do what one believes one ought not to do.

V Supererogation

(a) Act Evaluation

We sometimes favorably evaluate the things which agents do and/or the agents for doing these things where what is done is considered unrequired. Such acts are called supererogatory and to do them is to supererogate. These acts are considered right to do and not wrong not to do and are often described by the idiom 'above and beyond the call of duty'. Taken literally this idiom implies at minimum that a supererogatory act itself is not a duty. Using my terminology 'right to do but not wrong not to do' and 'right to do but not a duty' can be regarded as equivalent. What is at stake is whether taking the idiom literally will enable one to arrive at a consistent analysis of supererogation within a moral framework.

To begin with, let us avoid mention of cases in which an agent has a duty in virtue of some legal, military, or professional code, i.e. institutional duties. Institutional duties may coincide with moral duties but often do not. When they do not, one can literally do an act above and beyond the call of duty but in such cases it may be one's moral duty to supererogate with respect to one's institutional duty.

First of all, I do not think that the characterization of supererogation as 'right to do and not wrong not to do' is sufficient, as a definition; this can be demonstrated in the following manner:

Let: $Sx =df$ x is supererogatory

$Rx =df$ x is right

$Wx =df$ x is wrong

Let the universe of discourse be the acts possible for some moral agent to do at a given time; furthermore, let x represent the commission of one such act and \bar{x} represent the omission of x . Then:

1. $Sx \leftrightarrow (Rx \cdot \neg W\bar{x})$ (Characterization of Supererogation)
2. $Rx \leftrightarrow \neg Wx$ (Definition).
3. $R\bar{x} \leftrightarrow \neg W\bar{x}$ (2)
4. $Sx \leftrightarrow (Rx \cdot R\bar{x})$ (1, 3)
5. $S\bar{x} \leftrightarrow (R\bar{x} \cdot Rx)$ (4 and $\bar{\bar{x}} = x$)
6. $Sx \leftrightarrow S\bar{x}$ (4, 5)

Taking 'right to do but not wrong not to do' as the definition of 'supererogation' leads to the absurd conclusion that for any supererogatory act, one is acting supererogatorily whether one acts or not. Thus, 'right to do and not wrong not to do' can at most be a necessary condition of supererogation and not a definition.

Line 4 already suggests this since if an act is right to do or not it is merely permissible, it may or may not be done. If this is the case then supererogatory acts can be either indifferent or totally indifferent as I have defined these terms.

The situation then can be summed up in the following way in the light of the distinctions and conclusions I have drawn so far:

Let $Dx = df$ x is a duty (this is equivalent to 'x ought to be done' in my terminology).

Let a, b, c , be right acts such that $a \neq b$ and $b \neq c$ and $a \neq c$. (I arbitrarily limit myself to an ACT of three members, though the point I am trying to make would hold for any number of possible right acts greater than one.)

Let d be a wrong act such that $d \neq a$ and $d \neq b$ and $d \neq c$. (Again the limitation to one possible wrong act is arbitrary).

If some moral agent has acts a, b, c , and d as the entire range of mutually exclusive acts possible for him to do at some given time then the following are true:

(1) $(a \text{ or } b \text{ or } c)$ is an ACT.

(2) $D(a \text{ or } b \text{ or } c)$

(3) $D(a \text{ or } b \text{ or } c) \equiv D\bar{d}$

(4) $\neg Da, \neg Db, \text{ and } \neg Dc$

(5) Doing act a is (one way of) doing ACT $(a \text{ or } b \text{ or } c)$

and hence is a duty-fulfilling act, though not a duty; likewise for b and c .

(6) a satisfies the necessary condition for being a supererogatory act since it is right to do and not wrong not to do; likewise for b and c .

If the situation is such that acts a, b, and c are totally indifferent instead of merely indifferent as to means of doing ACT (a or b or c), such as would be the case if d were not an option, then of course only (4) and (6) would be true.

It seems then that a supererogatory act must be either totally indifferent or duty-fulfilling. If it is duty-fulfilling then it cannot be the only duty-fulfilling act since that would make it a duty, which is precluded by the necessary condition for supererogation.

The difficulty now is how are supererogatory acts to be distinguished from merely duty-fulfilling acts? The idiom, 'above and beyond the call of duty', taken literally, implies not only that supererogatory acts are not duties but that they are 'above' or 'beyond' duty, and hence that they are good in some way which cannot be accounted for in terms of 'duty', that they are better than other permissible acts. I think this is all that can be inferred from the idiom, i.e. I do not think that it presupposes that there actually must be something (some ACT) which is a duty in order for something to be 'beyond the call of duty', i.e. that a supererogatory act must be duty-fulfilling. I think I can produce an account of supererogation which will cover both duty-fulfilling and non-duty fulfilling acts which are right to do and not wrong not to do (then if a narrower notion is desired the fact that it must be duty-fulfilling can always be stipulated).

But what is the way in which supererogatory acts are good

that mere duties and/or duty-fulfilling acts are not? We cannot say that they morally ought to be done according to what I take the moral sense of 'ought' to be, since from my basic assumptions it followed that 'ought' to be done means 'is a duty'. Can this extra goodness be specified in purely moral terms? Are we mistaken in taking the idiom for supererogation, 'above and beyond the call of duty' literally? Must the notion of supererogation be treated as being not purely act evaluatory to make sense of it? Let us deal with the last question first.

(b) Act and/or Agent Evaluation

Perhaps if we supplement the act evaluatory characterization of supererogation, 'right to do and not wrong not to do' with certain conditions expressed in other modes of evaluation we can arrive at a definition of supererogation. There are several alternatives we can explore:

- (1) Not only is the act right to do and not wrong not to do but it must also be morally good, i.e. a right act done from a morally good motive. That this is not sufficient is evident at a glance, since any right act can be morally good if it has the proper motive; hence this would not serve to distinguish supererogatory acts from merely duty-fulfilling or merely permissible acts.

However, let me spell this claim out. We have already established that for any supererogatory act there must be at least one other non-supererogatory act, viz. not doing the supererogatory act as such, which nevertheless satisfies the necessary condition of supererogation in that it is right to do and not wrong not to do. (Otherwise, as we saw on p. 28, we are faced with the absurd consequence that for any supererogatory act, one is acting supererogatorily whether one does it or not.)

But this being the case, one could do either the supererogatory right act or the non-supererogatory right act from the morally good motive, that is to say the desire to do what is right merely because it is right. Hence, having this motive in addition to satisfying the necessary condition is not sufficient to distinguish the supererogatory act from the non-supererogatory right act(s) (which may be duty-fulfilling or merely permissible according to the situation) open to the agent at the same time.

At this point an astute reader might ask, in the light of

my analysis of what constitutes a morally good motive, how it is even logically possible that a supererogatory act could ever be morally good, i.e. how could an agent be said to do an act, which is supposedly not a duty from a sense of duty unless he were mistaken about the nature of his act? I do not think, however, that an act need be a duty nor need the agent be mistaken about the nature of that act for him to do it from a sense of duty. The sense of duty, as I previously stated is simply the desire to do what one believes is right for its own sake, which could hold equally well for supererogatory acts as for duties; one can even do totally indifferent acts from a sense of duty so interpreted. Alternatively the sense of duty could equally well be expressed by 'the desire to avoid doing what one believes is wrong for its own sake', the point being that there need not, in actual fact, be anything wrong which the agent can do, as long as he considers the possibility when he acts. Hence supererogatory acts need not be duties to be morally good.

(2) Not only is the act right to do, and not wrong not to do, but it must also be not morally bad not to do. This, I think must be rejected for the same reasons as (1) since this condition would not be peculiar to supererogatory acts. In general, any motive (moral or non-moral) that a supererogatory act can have, a non-supererogatory act can also have. Whether or not the reverse is

true remains to be seen.

(3) Not only is the act right to do and not wrong not to do but one would not be held blameworthy if one did not do it, i.e. the failure to do it would be prima facie excusable. Of course if one is not blameworthy or deserves to be excused for not doing the act solely in virtue of one's motive as such, i.e. whether or not one acted morally or immorally, as I have defined these terms, or in virtue of the non-moral value of one's motive, then again we are no farther than with (1) and (2).

What about if desert is judged in respect of the onerousness of the act? There are two ways this condition can be looked at, though I think neither of them will be sufficient to account for supererogation.

First of all, we can view 'onerousness' quantitatively as involving some \bar{x} work-units of toil, so to speak, in doing some act, where one's physical capabilities are rated at $x + n$. The smaller n is, or the closer to unity $x/(x + n)$ is, the less blameworthy one becomes in that respect for not doing the act. Excusability in this respect, however, would again not distinguish supererogatory acts from other acts which are merely right to do and not wrong not to do. Many merely permissible acts are onerous in this sense and not blameworthy not to do.

What if we consider 'onerousness' more subjectively as not being merely difficult or a burden to do, but as taking into

account to what degree doing the act is an object of disinterest to the agent, how contrary it would be to his desires if moral considerations did not have to be taken into account? Some difficult tasks can be a pleasure to do while some easy tasks can be very distasteful.

But again, being onerous in this second sense, and on that account not blameworthy not to do, in conjunction with the necessary condition of supererogation does not provide us with a sufficient condition for supererogation. For example, if the supererogatory act is one way of doing an ACT, i.e. if the supererogatory act appears as a disjunct in a disjunction of duty-fulfilling acts, it could be the case that the agent would find the supererogatory act just as onerous to do as some of the merely duty-fulfilling right acts in the disjunction. Hence onerousness would not serve to distinguish the supererogatory act from such merely duty-fulfilling acts. That there must be at least one non-supererogatory right act open to an agent for any supererogatory act open to him -- which, in this case, must be a merely duty-fulfilling act -- we have already established (Cf. p. 31a).

(4) Not only is the act right to do and not wrong not to do and not blameworthy not to do but it must also be praiseworthy to do.

This I think will not work anymore than (3). As I said before, it is not acts as such that are praiseworthy but agents that are praiseworthy for doing certain acts in certain ways. What makes an agent praiseworthy is not something inherent in the act and/or its consequences

-- this is what makes an act right or a duty -- but some quality or condition of the agent, his beliefs, desires, motives, and capabilities in relation to his doing or not doing the act. An agent can do wrong and yet be praiseworthy in some respects, if he did wrong, for example, because he was mistaken about the nature of his act. For similar reasons I do not believe that a man who does a supererogatory act mistakenly believing it to be his duty is any less praiseworthy than he would be if he had done it believing it to be supererogatory; if anything, a case might be made for his being more praiseworthy.

Thus, operating on the assumption that 'right to do and not wrong not to do' is a necessary condition of supererogation, we have not been able to arrive at a suitable definition of supererogation in terms of any of the moral nomenclature and the distinctions I have so far drawn.

At this juncture there are several alternatives open to us which need not be mutually exclusive. We can:

- (i) Reject 'right to do and not wrong not to do' as a necessary condition for supererogation.
- (ii) Reject the claim that the idiom 'above and beyond the call of duty' entails that a supererogatory act is not a duty (i.e. we could treat the idiom as a metaphor).
- (iii) Attempt to distinguish supererogatory acts from other acts that are right to do and not wrong not to do in non-moral terms.

Before embarking upon one of these alternatives we would do well to answer the question left unanswered at the end of (2) in this section, viz. whether or not any supererogatory act can have any motive that any non-supererogatory act can have, i.e. whether or not supererogatory acts must be done from a praiseworthy motive.

I have already indicated how praiseworthiness and motive are

insufficient to distinguish supererogatory from non-supererogatory acts. I will now attempt to give a few reasons for supposing 'supererogation' and its idiom to be in the act evaluatory mode.

The thing about acts judged in this mode is that their moral value, positive or negative, may differ from the moral value of the agent in virtue of his motive, desert, etc. An agent can be mistaken about the facts such that he may do wrong from a morally good motive or do what is right from motives that are not morally good.

These two possibilities, then, I take to be the mark of the act evaluatory: that an agent may be mistaken about the moral value of the act, and, whatever he believes the moral value of the act to be, this need not be his motivation for doing it or not. A man can do what he believes is right either from a sense of duty, or some self-interested motive such as fear of retribution. Moreover, when morality is enforced or wrong-doing is legislated against it is acts and not motives which are forbidden or allowed, though desert is sometimes determined by taking motive into account.

If an agent can unknowingly do what is right or wrong or his duty, then, *prima facie*, there is no reason why he cannot by the same token do something better than merely doing his duty. The modesty which makes a hero after doing an act ostensibly above and beyond the call of duty, say 'I was only doing my duty', need not be a deception on his part. He may honestly believe it was his

duty. Similarly, I do not see why such acts need be done from a morally good or even non-morally good motives. Is not the purpose of offering rewards, bonuses, and bounties to entice people to do such acts which are not considered to^{be} their duties by appealing to their self-interest rather than their sense of duty or non-morally good motives such as benevolence?

I do not think there is any a priori reason why supererogatory acts be done from morally or non-morally good motives and be morally praiseworthy. There is nothing in the idiom 'above and beyond the call of duty' which suggests this, nor in the characterization 'right to do and not wrong not to do'. Granted that sometimes doers of supererogatory acts, prima facie, ought to be given a reward, but I believe this not to be so much a matter of moral desert, as a matter of a promise having been made beforehand ('promise' in a sense broad enough to include such things as 'Wanted' posters).

I think, then, I am justified in treating supererogation as act evaluatory as far as moral value is concerned.

(c) Non-Moral Evaluation and Supererogation

Since the claims that 'right to do and not wrong not to do' is a necessary condition of supererogation and that 'X is above and beyond the call of duty' entails 'X is not a duty' both seem to have the sanction of tradition, it is very difficult to justify rejecting

them unless they can be shown to result in contradiction (which is difficult to do without question-begging) or unless it can be shown that there is no other alternative which can account for supererogation. Hence I will start with the (iii)rd alternative I mentioned in the previous section and attempt to distinguish supererogatory acts from other acts that are right to do and not wrong not to do in non-moral terms. To do this I need to introduce a few rough distinctions.

Moral evaluation is just one of several kinds of appraisal human beings undertake by employing predicates or terms which are said to be evaluative or normative as opposed to descriptive.

Normative terms can be partially classified in the following ways:

Normative Genus

- Moral terms, e.g. 'right', 'wrong', 'duty', 'morally good',
- Value terms, e.g. 'good', 'bad', 'desirable', 'preferable', 'admirable',
- Aesthetic terms, e.g. 'beautiful', 'aesthetic', 'ugly',
- Epistemic terms, e.g. 'probable', 'justified', 'know',
- Logical terms, e.g. 'valid', 'true', 'false', 'inconsistent',

These terms of appraisal can operate independently, e.g.,

what can be evaluated positively using aesthetic terms need not be evaluated positively using moral, value, or logical terms. Furthermore, in some instances, it would be illegitimate to appraise something morally, while it might be perfectly legitimate to appraise it in terms of its value as such, although it may well be that certain kinds of appraisal usually go hand in hand.

With these thoughts in mind I wish to distinguish roughly between a set of values and a moral code. Simply put, a set of values comprises things which are of value. These values need not necessarily be such that persons through deliberate actions can in fact bring them about. And sometimes if they can produce them, it is not the case from a moral point of view that they have a duty or ought to bring them about, either because in conjunction with other circumstances they might constitute a total state of affairs which is not of value or because there is no duty as such to do the best possible thing in terms of value or because some values are not morally relevant. Things of value then, are such that they can be conceived of, wished and hoped for, logically possible to produce, but not always empirically possible and/or of value instrumentally, given actual circumstances in the world as it is.

What people think is of value is of course subject to historical influences as well as basic human desires and people could be misguided in the things they actually find of value -- but that story is beyond the scope of this thesis.

A list of things comprising a set of values may include such things as love, friendship, happiness, usefulness, benevolence, efficiency, generosity, strength, health, intelligence, dedication, cleanliness, certain motives -- things which in general are intrinsically good, desirable, admirable, and occurrences of which ought to be the case in a non-moral sense (which does not imply 'can') meaning simply that it is good or desirable if they occur, and not good or undesirable if they do not occur.

It is also possible to give lists of disvalue -- things which are intrinsically bad, undesirable, odious, such as hatred, jealousy, greed, weakness, ignorance, suffering, laziness, etc -- generally the opposite or contraries of the things in the list of values and which ought not to be the case in a non-moral sense. Furthermore there could be things which are neither of value nor disvalue, i.e. intrinsically indifferent. Certain motives, such as the desire for comfort may be in this class.

We may value certain things because of their aesthetic, logical, or moral qualities. Beauty, truth, and moral virtue may be included in a set of values. But, as stated above, not everything in a set of values is such that it can be deliberately achieved through purposeful action. A moral code is concerned with the conduct of moral agents and hence involves the promotion of some (but not necessarily all) of those values that can be achieved.

In my framework, then, what is^a non-moral good, ought to be the case in a non-moral sense but not everything that ought to be the case ought morally to be done, since it is not always empirically possible to produce. Whether or not everything that ought to be the case and can be done, ought morally to be done is a question I am leaving open.

As an example of this type of non-moral evaluation consider the case of someone who sacrifices his life to save that of another. If it is the case that whether or not one dies rather than the other is indifferent, i.e. each deserves equally to live and there are no consequential social values at stake which would dictate from a moral point of view that one ought to be saved rather than another, then the agent would be doing right whether he sacrifices himself or not. Yet self-sacrifice of certain kinds and courage are things we hold in esteem or value even if it is not the case that from a moral point of view one ought to sacrifice oneself under those circumstances. In terms of intrinsic value the act would be good, admirable, and better than acting self-interestedly (though this does not mean the latter would be bad). The additional value produced in this example need not have merely been one of motive and character. It is conceivable that there might have been a value difference making it non-morally better that one should die rather than the other, with this value difference being one over which morality has no jurisdiction; conceivable, that is, if one does not beg the question in favor of some principle that one ought to do the best act possible, where 'best' is in a value sense.

But acts such as in this example could conceivably be duties if the facts of the situation were different. There are other acts which could never be duties qua being the kind of act they are, though they are right to do and not wrong not to do, and could be (though need not be) duty-fulfilling. Acts of love and friendship would be among these. For example doing favors for a friend is something which is non-morally good, but ^{not} something one can have a duty to do, though it may be right to do and not wrong not to do. Admittedly in some cases one could have a duty to act as if one is doing a favor, i.e. to act in such a manner that it would be interpreted as a favor; or the overt physical act that one does when one does a favor may correspond to what is one's duty to do, but one cannot have a duty to do a favor qua favor. At any rate these acts are not required, though good, but if one does not wish to include them under ^{the} supererogatory, then all one has to do is stipulate that all supererogatory acts must be such that they could conceivably be duties. I do not think such a move would meet the facts of moral usage, though, since the Roman Catholic doctrine ⁽¹⁾ of supererogation (where the term 'supererogation' originated) does seem to include acts which could not conceivably be duties among the supererogatory.

(1) Cf. Ed Westermarck, Christianity and Morals, (London: Kegan Paul, Trench, Trubner & Co. Ltd., 1939) pp. 156-157; also, Millard K. Schumaker, "Love and Requirement in Christian Ethics" (paper read at the Midwest Region, The American Academy of Religion, at Chicago, on February 19, 1972.)

In general terms, then, what makes a supererogatory act better to do than not, better than other acts open to the agent which are also right to do and not wrong not to do, is that some non-moral value is exhibited as part of the act or in relation to the act, which is not exhibited in the non-supererogatory right acts open to the agent, and which makes that act as a whole better in terms of non-moral value than the non-supererogatory acts.

It should be noted that this broad view enables one to distinguish degrees of supererogation among the acts open to an agent in terms of intrinsic preferability of the values exhibited, i.e. of one supererogatory act being better than another, e.g. in a disjunction of duty-fulfilling acts there may be more than one act which is better than the 'least good' right act in that it exhibits some values over which moral requirement has no jurisdiction. But of these one may be better or 'higher' above and beyond the call of duty than the other, i.e. the value it exhibits is more desirable or preferable.

Recall that we rejected praiseworthiness as a sufficient feature for distinguishing supererogation from non-supererogation among acts right to do and not wrong not to do, because any act could be found praiseworthy under some conditions, owing to qualities inherent in the agent in relation to the act, whatever the qualities of the act itself; i.e., we could not base such a distinction on the

actual praiseworthiness the agent would have in virtue of doing the acts. However, perhaps we can say something about supererogation in very general and hypothetical terms which would take moral praiseworthiness into account.

My position was that 'supererogatory' and its idiom are act evaluatory terms and hence could be done from any motive. However, imagine some ideal person who was never mistaken about the nature of the acts open to him and who always acted from the sense of duty, the desire to avoid doing wrong for its own sake. Could that motive alone enable him to choose a supererogatory act from among other acts merely right to do and not wrong not to do? I think not.

The sense of duty would only motivate him to do the amount of good that doing right required, nothing more. Doing excess (indeed choosing one merely right act rather than another merely right act) would involve some other motivation in addition to the sense of duty, i.e. some additional motive(s) which need not, however, be even non-morally good.

Further, recall from my discussion of desert (p. 24) that moral desert is sometimes affected by the non-moral value of one's motive. We can now say of any agent who, (a) at some given time has a range of mutually exclusive right acts to choose from, at least one of which is supererogatory, and (b) is not mistaken in any

way about the nature of the acts open to him, and (c) has a sense of duty, that if his motivation is in addition to the sense of duty includes some non-morally good motive, then, in virtue of having that motive he would be more praiseworthy for doing a supererogatory act than for doing any other non-supererogatory right act open to him at that time. This is of course expressed as a conditional, so that there need not actually be any supererogatory acts which are done by such agents, so motivated; hence the would-be praiseworthiness of any actual agent for doing certain acts rather than others is of no help in determining whether or not an act is supererogatory. It is the possibility of praiseworthiness given certain conditions which need not be met which makes the distinction in moral terms, but this in turn presupposes a distinction in terms of actual non-moral value exhibited or produced by the act.

If one wishes to limit the supererogatory to only those instances where the agent is not wrong about the nature of his act and is motivated by the sense of duty and some other non-morally good motive, then naturally all supererogatory acts would be praiseworthy. However, even if one did so limit the notion of supererogation we would still have to draw distinctions between merely duty-fulfilling non-supererogatory acts and more (better) than merely duty-fulfilling non-supererogatory acts. Whatever you call them the distinctions are there. But, as I said before, there are reasons for taking supererogation to be act evaluatory and I think that is the best and simplest course.

VI Concluding Remarks

Though I have outlined certain conditions for distinguishing supererogatory from non-supererogatory acts, the question as to whether there are in fact such acts remains an open question. We may be mistaken about those acts we considered supererogatory. Simply because we have a conceptual mechanism for handling supererogation does not prove that there are or ever were any supererogatory acts; we have the concept of a unicorn too, but that does not mean there are any.

Whether or not supererogation can exist depends on the truth of the principle that from a moral point of view one ought (has a duty) to do the best act possible in terms of value. Put another way, this is tantamount to saying that if there is supererogation of the kind I have described then the defeat of any ethical system, which takes as its premise the principle that one has a duty to maximize what I have called 'non-moral good', is entailed.

I do not think it can be said that I have arbitrarily ruled such theories out of court. I first considered and showed inadequate all the possible accounts of supererogation which were neutral with regard to this principle before suggesting my account as the only remaining alternative compatible with the necessary condition of supererogation. The onus of providing an alternative account lies with those who wish to maintain such a principle, but I, myself, do not think such an account can be given without rejecting the necessary condition for supererogation.

VII Appendix

A Recent Writer On Supererogation

In a recent article ⁽¹⁾ on supererogation, Chisholm proposes that the terms 'good' and 'bad' as applied to acts be employed as primitives in ^a conceptual scheme for supererogation. Taking these terms as contraries will yield a 3-fold classification such that one of the following will hold true for any act that might be performed:

- (i) That it would be a good thing to do,
- (ii) That it would be a bad thing to do,
- (iii) That it would be neither a good thing nor a bad thing to do ⁽²⁾.

He further stipulates that his use of 'good' and 'bad' will be such that their application to performance of an act is logically independent of application to non-performance, i.e. 'it would be good to do A' does not imply 'it would be bad not to do A' and vice versa. ⁽³⁾

At the end of his article, Chisolm gives a succinct outline of the conceptual scheme he has proposed:

Let us now reduce our ethical terms to one--to 'ought to be' -- and summarize the relations which hold among them.

Some possible situations or states of affairs are such that it ought to be that they exist, and others are such that it ought to be that they do not exist. A particular act which might be performed on a specific occasion is something which it is good to perform provided that

(1) Roderick M. Chisholm, "Supererogation and Offence: A Conceptual Scheme for Ethics", Ratio, V, (june 1963), pp. 1-14.

(2) Ibid, p. 10.

the situation which the act would bring about is one that ought to exist; the act is something which it is bad to perform provided that the situation is one which ought not to exist. The obligatory is that which it is good to do and bad not to do; the forbidden is that which it is obligatory not to do; and the permitted is that which it is not forbidden to do. We may say, if we like, that those acts which are neither obligatory nor forbidden are optional. The indifferent, however, is that which it is neither good nor bad to do and neither good nor bad not to do. The supererogatory is that which is good but not obligatory to do and the offensive that which is bad but not forbidden. (1)

Let us schematize these relations using:

Gx = df x is good
Bx = df x is bad
Ox = df x ought to be
Dx = df x is obligatory (duty)
Fx = df x is forbidden
Px = df x is permitted
Tx = df x is optional
Lx = df x is indifferent
Sx = df x is supererogatory
 ϕ x = df x is offensive

1. $Gx \longleftrightarrow Ox$
2. $Bx \longleftrightarrow O\bar{x}$
3. $Dx \longleftrightarrow (Gx \cdot B\bar{x})$
4. $Fx \longleftrightarrow D\bar{x}$
5. $Px \longleftrightarrow \neg Fx$
6. $Tx \longleftrightarrow (\neg Dx \cdot \neg Fx)$
7. $Lx \longleftrightarrow ((\neg Gx \cdot \neg Bx) \cdot (\neg G\bar{x} \cdot \neg B\bar{x}))$
8. $Sx \longleftrightarrow (Gx \cdot \neg Dx)$
9. $\phi x \longleftrightarrow (Bx \cdot \neg Fx)$

1 - 9 is the schematization of the relations claimed in the quoted passage. (2) First of all it should be noted that Chisolm's distinction between optional and indifferent acts is specious:

(1) Ibid., pp. 13-14.

(2) It may be objected that my use of the double arrow in 1. and 2. is an unfair translation of Chisolm's 'provided that'. I can only answer that my translation seems to be what Chisolm intended, since he claims to be reducing all his ethical terms to 'ought to be'.

10. $Dx \leftrightarrow (Ox \cdot O\bar{x})$ (1, 2, 3)

11. $Dx \leftrightarrow Ox$ (10 and $\bar{\bar{x}} = x$)

12. $Fx \leftrightarrow O\bar{x}$ (4, 11)

13. $Tx \leftrightarrow (-Ox \cdot -O\bar{x})$ (6, 11, 12)

14. $Ix \leftrightarrow ((-Ox \cdot -O\bar{x}) \cdot (-O\bar{x} \cdot -Ox))$
(1, 2, 7 and $\bar{\bar{x}} = x$)

15. $Ix \leftrightarrow (-Ox \cdot -O\bar{x})$ (14)

16. $Tx \leftrightarrow Ix$ (13, 15)

Now let us examine Chisholm's definitions for supererogation and offence:

8. $Sx \leftrightarrow (Gx \cdot -Dx)$

9. $\emptyset x \leftrightarrow (Bx \cdot -Fx)$

Then:

17. $Sx \leftrightarrow (Gx \cdot -Ox)$ (8, 11)

18. $Sx \leftrightarrow (Ox \cdot -Ox)$ (17, 1)

and:

19. $\emptyset x \leftrightarrow (Bx \cdot -D\bar{x})$ (9, 4)

20. $\emptyset x \leftrightarrow (Bx \cdot -O\bar{x})$ (19, 11)

21. $\emptyset x \leftrightarrow (O\bar{x} \cdot -O\bar{x})$ (20, 2)

(1) Cf. Michael Rucker, 'Problems of Chisholm on Supererogation and Offence', *Philosophical Studies*, XVII, (Dec. 1964), pp. 11-13. In which, I have discovered since writing this, this text is identical to Chisholm's definition.

Hence both Chisholm's definition of supererogation (18) and that of offence are inconsistent.⁽¹⁾

I think that Chisholm's scheme as far as supererogation is concerned can be patched up by introducing my distinction between moral and non-moral value. One way of doing this is to let his terms 'good' and 'bad' correspond to my 'right' and 'wrong' and to take his 'ought to exist' not as a moral term but as a value term. This would make 'ought to exist' equivalent to what I have variously called 'intrinsically good', 'desirable', 'of value', or '(non-morally) ought to be the case'. The next step would be to contrast 'ought to exist' with '(morally) ought to be done' in my sense.

However, simply replacing Chisholm's 'ought to exist' with my 'ought to be done' will not suffice since the same contradiction will follow from the definition of supererogation. What is required is some restriction on the relation between 'good' and 'ought to be done'.

One possibility for a suitable restriction suggests itself by the fact that in Chisholm's discussion he considers only individual acts as the subjects of his moral predicates, not disjunctions of such acts.

However, Chisholm does not preclude the possibility of there

(1) Cf. Michael Stocker, 'Professor Chisholm on Supererogation and Offence', Philosophical Studies, XVIII, (Dec. 1967) pp. 87-93, in which, I have discovered since writing this, this same criticism is levelled at Chisholm's definitions.

being more than one good act to choose from (in a passage I have already cited he says that 'for every act which might be performed, then, there are at least three possibilities: (i) that it would be a good thing to do...').

The restriction I suggest then, is to make a distinction between a good thing to do and the good thing to do comparable to my distinction between a right thing and the right thing. The various possible good acts can then be put in a disjunction which can be labelled 'the good'. 'The good' can then be defined as 'ought to be done' without generating a contradiction.

This distinction would have the added advantage of making the use of 'ought to be done' closer to what I think its common use is, viz. that 'ought' implies 'can'. For example, if an agent has two mutually exclusive good acts, a and b, to choose from, it will follow that he ought to do some-one-or-other of a and b, but not that he ought to do a and that he ought to do b as such.

The upshot of this redefinition is that Chisholm's definition of supererogation as good to do but not a duty (where 'duty' =df 'good to do and bad not to do' =df 'ought to be done') will be insufficient to distinguish supererogation from other good acts which in conjunction comprise the good and are ranged over by 'duty'.

This can be overcome by conjoining 'ought to be the case' to the definition of supererogation to distinguish it from the merely

duty-fulfilling acts. This would suffice. However, as I have suggested in my account of supererogation, we need not go to the extreme of saying that a supererogatory act must bring about what ought to be the case all things considered, but can simply say that supererogation comes closer to this ideal, or brings about more non-moral value than an act which merely satisfies the requirements of what ought to be done. This way of looking at it would allow for degrees of supererogation.

I do not think that Chisholm's notion of offence however, can be saved in a similar manner.

Defining 'bad' as 'ought not to be done' will not remove the contradiction. I think there is something unsatisfactory about Chisholm's original definition of offence even if a reduction in terms of 'ought to be the case' or 'ought to be done' is not performed. Let us consider the original definition and reduce it to terms of 'good' and 'bad':

$$9. \quad \phi x \iff (Bx \cdot \neg Fx)$$

$$22. \quad \phi x \iff (Bx \cdot \neg D\bar{x}) \quad (9, 4)$$

$$23. \quad \phi x \iff (Bx \cdot \neg(G\bar{x} \cdot Bx)) \quad (22, 3 \text{ and } \bar{\bar{x}} = x)$$

$$24. \quad \phi x \iff (Bx \cdot (\neg G\bar{x} \vee \neg Bx)) \quad (23)$$

$$25. \quad \phi x \iff ((Bx \cdot \neg G\bar{x}) \vee (Bx \cdot \neg Bx))(24)$$

$$26. \quad \phi x \iff (Bx \cdot \neg G\bar{x}) \quad (25)$$

But in terms of the 3-fold classification Chisholm has proposed, if an act is not good, then it must be either indifferent or bad, i.e.:

$$27. \neg G\bar{x} \iff (B\bar{x} \vee I\bar{x})$$

Recall the definition of 'indifferent':

$$7. Ix \iff (\neg Gx \cdot \neg Bx \cdot \neg G\bar{x} \cdot \neg B\bar{x})$$

Then:

$$28. I\bar{x} \iff (\neg G\bar{x} \cdot \neg B\bar{x} \cdot \neg Gx \cdot \neg Bx) \quad (7 \text{ and } \bar{\bar{x}} = x)$$

$$29. \emptyset x \iff (Bx \cdot (B\bar{x} \vee I\bar{x})) \quad (26, 27)$$

$$30. \emptyset x \iff ((Bx \cdot B\bar{x}) \vee (Bx \cdot I\bar{x})) \quad (29)$$

$$31. \emptyset x \iff ((Bx \cdot B\bar{x}) \vee (\underline{Bx} \cdot \neg G\bar{x} \cdot \underline{\neg B\bar{x}} \cdot \underline{\neg Gx} \cdot \underline{\neg Bx})) \quad (30, 28)$$

$$32. \emptyset x \iff (Bx \cdot B\bar{x}) \quad (31)$$

$$33. \emptyset\bar{x} \iff (B\bar{x} \cdot Bx) \quad (32 \text{ and } \bar{\bar{x}} = x)$$

$$34. \emptyset x \iff \emptyset\bar{x}$$

Line 32 is certainly strange. Though not formally contradictory as it stands I do not see how there can be acts which are both bad to do and bad not to do in a moral sense. From 34 it appears that for any offence, one can only avoid doing it by committing another offence; yet, it seems obvious to me that whatever one cannot avoid doing is not bad to do from a moral point of view (if 'bad' is taken as analogous to 'wrong' which seems to be Chisholm's intention), though of course it might have intrinsic disvalue.

I can see no way of getting around this difficulty with

regard to offence so perhaps this notion should be scrapped. Once this is done 'bad' can be defined as 'ought not to be done' without any problem. At least the notion of supererogation will have been saved and this I think was Chisholm's primary concern.