The Journal of Value Inquiry (2005) 39: 245–253
DOI: 10.1007/s10790-006-1344-3

Supererogation Again

B.C. POSTOW
Department of Philosophy, The University of Tennessee, Knoxville, TN 37996–0480, U.S.A.; e-mail: bpostow@utk.edu

Performing a supererogatory act is morally better, other things being equal, than declining to do so. Thus it seems that the overall force of moral reasons must favor performing a supererogatory act over declining to perform it. It also seems that, in the ordinary course of things, a person who declines to perform a supererogatory act must in some measure be declining to act in accordance with the overall force of moral reasons. Yet we are not morally required to perform supererogatory acts. Does this indicate that we are also acting in accordance with the overall force of moral reasons when we decline to perform a supererogatory act? If so, why is performing a supererogatory act morally better? The problem of supererogation is raised in the following questions: Why is performing a supererogatory act morally superior to declining to do so? Why are supererogatory acts not morally required, despite being so favored? A satisfactory solution is surprisingly hard to come by.

Douglas Portmore offers the following understanding of supererogation. "Whenever an agent has a decisive nonmoral reason to do other than what she has most moral reason to do, doing what she has most moral reason to do will be supererogatory."[1] He argues that we commonly have a decisive nonmoral reason not to accept a sacrifice to our own welfare for the sake of producing greater welfare for others. Furthermore, he contends, we have no moral reason at all to promote our own welfare. Thus it is commonly supererogatory to accept a sacrifice to our own welfare for the sake of other people's greater welfare.

Portmore's understanding of supererogation constitutes a solution to the problem of supererogation. The reason that performing a supererogatory act is morally superior to declining to do so is that a supererogatory act is favored by the overall force of all applicable moral reasons. The reason that a supererogatory act is not morally required despite being so favored is that moral reasons form a proper subset of all reasons, and may sometimes be outweighed by prudential or other nonmoral reasons. When this happens, we rationally ought not to do that which is favored by moral reasons. To be reconciled with rationality, morality does not require us to do what we rationally ought not to do. Therefore, a moral requirement emerges only when a course of action is

favored not only by the overall force of all applicable moral reasons, but also by the overall force of all applicable reasons.

Portmore's solution to the problem of supererogation has the objectionable implication that the person who performs a supererogatory act behaves in a rationally defective or sub-optimal way, for performing a supererogatory act by definition goes against the overall force of reasons. This implication is objectionable for two reasons. The first reason is simply that performing a supererogatory act does not seem to be always or necessarily rationally defective in the sense of going counter to the overall force of reasons. Yet the solution under consideration defines supererogatory acts as rationally defective in this sense. The second reason is that it leads to the consequence that morality promotes irrational action. As Shelly Kagan comments, it is "mysterious why it should be considered morally meritorious for an agent to sacrifice his interests for the greater good given that, on this approach, the balance of reasons actually opposes making such a sacrifice."[2] A moral theory ought not to promote our making sacrifices that are actually irrational. The same spirit of reconciliation with rationality that prompts morality not to require us to act irrationally seems also to prompt morality not to encourage us to act irrationally. A plausible resolution of this last concern is that it is not in fact irrational to perform supererogatory acts. This resolution would reinforce the first reason for objecting to Portmore's solution, that it implies that performing a supererogatory act is by definition irrational.

Portmore acknowledges that his view has this implication. He says

> I should acknowledge that on this account of supererogation it is always irrational (i.e., contrary to what the balance of all reasons supports doing) to perform a supererogatory act. But this 'fault' . . . is intrinsic to any account of supererogation that holds that φ is supererogatory if and only if there is a moral option to either φ or ψ and more moral reason to φ than to ψ. Given this account, φ is supererogatory only if there is a decisive reason to ψ, which would make φing contrary to what the balance of all reasons supports doing. The reason there has to be a decisive reason to ψ is that there needs to be something to prevent the moral reasons in favor of φing from generating a moral requirement. Absent a decisive reason to ψ, the moral reasons in favor of φing will go on to generate a moral requirement to φ. That's what moral reasons do: they generate moral requirements in the absence of decisive reasons to act otherwise. So if there isn't a decisive reason to ψ, then φing will be morally required, not morally optional. But in order to be supererogatory, φing must be morally optional. Thus in order for an act to be supererogatory, it must be contrary to what the balance of all reasons supports doing.[3]

Portmore has just established that there is no way to avoid the objectionable implication if we accept his understanding of supererogation. But rather than

making the implication more acceptable, this consideration seems to count against Portmore's understanding of supererogation. As we shall see, there are other understandings of supererogation that do avoid the objectionable implication.

One obvious alternative understanding of supererogatory acts takes them to be acts that are favored by the force of reasons, but that are not morally required because such a requirement would be too demanding. This understanding generates a solution to the problem of supererogation which we may call the undemanding solution. The question of whether an act is morally required of an agent is only partly determined by the reasons for and against the agent's doing that act and other acts. Other considerations also have a bearing on the content of moral requirements. For example, an important purpose of morality might be defeated if its requirements were too onerous, leading to widespread disobedience and feelings of guilt, or to frustration and feelings of emptiness. Thus morality, in a nod to human weakness, does not always require us to be guided by the overall force of reasons for action. Any person who performs a supererogatory act behaves very well, because she follows the overall guidance of reasons. Any person who declines to perform a supererogatory act behaves less well, because she declines to follow the overall guidance of reasons; but she does not violate any requirements of morality.

This suggestion constitutes a solution to the problem of supererogation. The reason that performing a supererogatory act is morally superior to declining to do so is that performing the supererogatory act is better supported by moral reasons than is declining to perform it. The reason that a supererogatory act is not morally required despite being so favored is that morality would be too onerous if it required us to follow the guidance of moral reasons in cases like this. This solution avoids Portmore's unattractive implication that it is rationally sub-optimal to perform a supererogatory act. On this view the overall force of reasons favors performing the supererogatory act. In that case, however, the current solution lands us in the opposite unattractive implication that it is rationally sub-optimal to decline to perform a supererogatory act. But that implication goes against commonsense beliefs concerning supererogation. Most of us believe that ordinarily a person who declines to sacrifice her own interests to perform a supererogatory act is acting entirely in accordance with the overall force of reasons that apply to her.

Joseph Raz offers a suggestion that avoids both the unattractive implication that it is rationally sub-optimal to perform supererogatory acts and also the unattractive implication that it is rationally sub-optimal to decline to perform supererogatory acts. On Raz's account, in some cases there are second-order exclusionary permissions not to act on reasons. "An act is a supererogatory act only if it is an act which one ought to do on the balance of reasons and yet one is permitted [by a second-order exclusionary permission] not to act on the balance of reasons."[4] A person who does not avail herself of the permission

but acts on the reasons, thereby performing a supererogatory act, follows the overall guidance of reasons. But the person who does avail herself of the permission also follows the overall guidance of reasons, insofar as it offers guidance. No guidance is given by rational norms concerning whether to avail ourselves of such a permission.

Raz's suggestion is not a solution to the problem of supererogation we are considering, since it gives no account of why it is morally better to perform a supererogatory act than to decline to perform one. Based on overall considerations of moral reasons and moral permissions, both choices are appropriate.

A variation on Raz's suggestion is provided by Jonathan Dancy. On this view, any agent is justified in declining to perform a supererogatory act at some particular cost to himself because "the cost to the agent creates reasons for the agent that are distinct from its contribution (presumably negative) to the sum of neutral value."[5] But an individual is also free to discount the costs to himself, "because it is he that is going to have to pay the cost."[6] In discounting the cost to himself, the individual does not count this cost as a reason against making the sacrifices required to perform the supererogatory act. Thus the force of reasons may favor such an individual's doing the supererogatory act. But when, as ordinarily happens, individuals do not discount the costs to themselves, then the force of reasons favors their not doing the supererogatory act.

As with Raz's suggestion, Dancy's account seems to avoid both the undesirable conclusion that it rationally sub-optimal to decline to perform supererogatory acts and also the undesirable conclusion that it is rationally sub-optimal to perform supererogatory acts. But just as a problem arises from Raz's failure to show that it is better to avail ourselves of a permission not to act on reasons, so also a problem arises from Dancy's failure to show that it is better to discount costs to ourselves. Thus Dancy's suggestion, like Raz's, fails to explain why it is better to perform the supererogatory act than not to do so.

Valerie Tiberius suggests that the value of pursuing our personal goals is not commensurable with the value of impersonal goods such as the general human happiness. In particular concrete situations, on this account, there is no correct way of ranking values of the two different sorts. The incommensurability explains why it is neither rationally superior to act upon the value of human happiness at some sacrifice to our own goals nor rationally superior to make the opposite choice in a given situation. Both choices are rationally optimal in that neither choice has a higher-ranking alternative.

This suggestion constitutes a partial solution to the problem of supererogation. It tells us that the reason that performing a supererogatory act is morally superior to declining to do so is that the decision to promote human happiness at the sacrifice of personal goals is superior from the point of view of moral values. But Tiberius's account fails to specify a reason that a supererogatory

act is not morally required despite being so favored by moral reasons. Thus it is not a complete answer to the problem of supererogation. But it is compatible with the answer that was contained in the undemanding solution. Morality would be too onerous if it required us to follow the guidance of moral reasons in cases like this. The undemanding solution, of course, foundered on its implication that it is rationally sub-optimal to decline to perform a supererogatory act. With the addition of Tiberius's suggestion, however, that problem disappears. If moral and nonmoral values are incommensurable, then the reasons that support performing a supererogatory act cannot be said to outweigh or outrank the reasons that support declining to perform the act. Thus we cannot say that it is rationally sub-optimal to decline to perform a supererogatory act.

The current suggestion, however, leads to its own highly counter-intuitive implication. Suppose that the value of goods such as the general happiness and the value of goods such as our own goals really were incommensurable. In that case, there could be no correct ranking of the two values in any particular concrete situation. But then even a monumentally great amount of human happiness or suffering would not be rationally more important than the minimum perceptible amount of help or harm to our goals, and vice versa. This is a highly counter-intuitive result.

Well-known forms of rule consequentialism permit a solution to the problem of supererogation which avoids the various unattractive implications that we have encountered. The key to the rule-consequentialist solution is the proposal that moral rules not be limited to the form "Do this!" and "Do not do that!" Instead, moral rules should be conceived more expansively to encompass, in addition, the declaration that some acts are supererogatory. Supererogation rules might require, for example, that the performance of such actions be esteemed very highly. This expansive understanding of moral rules comports with the purpose of a moral code of rules according to rule consequentialism, which is to guide behavior in such a way as to bring about the best results or the highest expected utility. It is not at all ridiculous to suppose that the internalization of a moral code which included declarations of supererogation might bring about better results than the internalization of a code which included only commands, prohibitions, and permissions. Thus the core idea of rule consequentialism is better served by our refusing to assume in advance that moral rules must be limited to the form "Do this!" and "Do not do that!"

According to rule consequentialists, acceptable moral rules establish what we might call moral facts, such as facts about the rightness of particular acts. Rules are made acceptable by the fact that they in some sense lead to optimal results. On common forms of rule consequentialism, rules are not understood to lead to optimal results simply by virtue of the truth of the counterfactual claim that universal obedience to the rules would bring about maximal value.

On Richard Brandt's version, for example, rules are made acceptable by the fact that they are such that maximal value would result from their being generally accepted. We must recognize the existence of factors such as human weakness and the guilt that would be occasioned by our constantly falling short of very demanding rules.[7] Arguably, rules would be too demanding to be acceptable if they required us routinely to accept significant self-sacrifice for the purpose of producing somewhat more welfare in others. But rules could still be acceptable if they made such actions supererogatory. As we saw, such supererogation rules might demand that the performance of such actions is to be esteemed very highly. In this case, supererogation would have a place in the correct or acceptable moral rules, and thus would be a moral fact. A similar result could be supported on the basis of Brad Hooker's version of rule consequentialism, which places great importance on the costs of inculcating rules. As Hooker points out, "[m]ore demanding rules about preventing disasters and aiding others would be far more difficult and costly to inculcate and sustain in everyone than would less demanding ones. The time, energy, attention, and psychological conflict that would be needed to get people to internalize a very demanding rule would be immense. And these internalization costs would be incurred with each new generation."[8] Arguably, rules which declared certain optimific sorts of act to be supererogatory could be inculcated far more easily and more cheaply than rules which required us to perform those acts. Again, it would be a moral fact that such acts are supererogatory.

An account along these lines constitutes the following economical solution to the problem of supererogation. The reason that performing a supererogatory act is morally superior to declining to do so is that on an acceptable moral principle of supererogation, it is morally superior. The reason that a supererogatory act is not morally required despite being so favored is, again, that on an acceptable moral principle, the act is not morally required. This solution does not imply, as Portmore's does, that performing a supererogatory act goes against the force of reasons. The acceptable rule that makes an act supererogatory provides a moral reason to perform it. If the moral reason outweighs the nonmoral reasons that the agent has against performing the act, then her performing it accords with the force of reasons. Furthermore, unlike the undemanding solution, the rule-consequentialist solution does not imply that it is rationally sub-optimal to decline to perform a supererogatory act. If the moral reason of supererogation is outweighed by the nonmoral reasons against an agent's performing the supererogatory act, then her declining to perform the act is entirely in accordance with the force of reasons. Finally, on this account it is not paradoxical to say that it is morally better to perform a supererogatory act than not to do so when both courses of action are rationally optimal. The reason to perform the act is the moral reason of supererogation, while the reasons not to perform it are nonmoral reasons, to

which acceptable moral rules warrant no special value. Rule consequentialism, then, allows for the generation of a solution to the problem of supererogation that does not carry with it the unacceptable implications that we have previously encountered. This fact is surely to the credit of rule consequentialism. If non-consequentialist theories could not provide resources to do likewise, that would be some reason to prefer rule consequentialism. In fact, however, a similar solution to the problem of supererogation is available outside of rule consequentialism.

On Thomas Scanlon's version of contractualism, "when we address our minds to a question of right and wrong, what we are trying to decide is, first and foremost, whether certain principles are ones that no one, if suitably motivated, could reasonably reject."[9] Elizabeth Ashford makes a plausible case that no suitably motivated persons could reasonably reject certain principles that pronounce some acts to be supererogatory. Naturally, this circumstance would obtain only when certain conditions are met, such as that it is not "known in advance that individuals who belong to a particular identifiable group . . . would be severely burdened by general acceptance of the principle of supererogation rather than a principle requiring help."[10] When the relevant conditions are met, however, nobody can reasonably reject the principle of supererogation because no one "can propose an alternative principle to which no other single individual has an equally strong objection."[11] Contractualists who accept such an account have available to them substantially the same solution to the problem of supererogation that is available under common forms of rule consequentialism. The reason that performing a supererogatory act is morally superior to declining to do so is that on an acceptable moral principle of supererogation, it is morally superior. The reason that a supererogatory act is not morally required despite being so favored is, again, that on an acceptable moral principle, the act is not morally required. Like the rule-consequentialist solution, this solution avoids Portmore's implication that performing a supererogatory act goes against the force of reasons. The acceptable moral principle that makes the performance of the act morally superior to its non-performance provides a moral reason to perform it. If this moral reason outweighs the nonmoral reasons that the agent has against performing the act, then her performing it accords with the force of reasons. Furthermore, like the rule-consequentialist solution, the contractualist solution avoids the implication of the undemanding solution that it is rationally sub-optimal to decline to perform a supererogatory act. If the moral reason of supererogation is outweighed by the nonmoral reasons against an agent's performing the supererogatory act, then her declining to perform the act is entirely in accordance with the force of reasons. Finally, on this account it is again not paradoxical to say that it is morally better to perform a supererogatory act than not to do so when both courses of action are rationally optimal. The reason to perform the act is the moral reason of supererogation, while

the reasons not to perform it are nonmoral reasons to which acceptable moral rules warrant no special moral value.

An acceptable account of supererogation must provide resources to generate satisfactory answers to the following two questions: Why is performing a supererogatory act morally superior to declining to do so? Why are supererogatory acts not morally required, despite being so favored? We have considered a wide range of proposed accounts, and seen that most of them are unsatisfactory. Portmore's account has the objectionable implication that a person who performs a supererogatory act behaves in a rationally sub-optimal way, insofar as she performs an act that by definition goes against the overall force of reasons. An obvious alternative to Portmore's account lands us in the opposite objectionable implication that it is rationally sub-optimal to decline to perform a supererogatory act. Both these implications are avoided by Raz's and Dancy's accounts of supererogation, but their accounts fail to explain why performing a supererogatory act is morally superior to declining to do so. A suggestion offered by Tiberius has the objectionable implication that even a monumentally great amount of human happiness or suffering would not be rationally more important than the minimum perceptible amount of help or harm to our goals.

We saw that successful solutions to the problem of supererogation can be fielded both by rule consequentialists and by contractualists. The existence of the successful solutions damages the credibility of the normative theories of theorists such as Portmore and Raz, who are unable to field a successful solution. This is a useful result, but modest. It would have been a flashier result to be able to conclude that the problem of supererogation gives us reason to prefer one normative camp above all others. However, it seems that successful solutions can be fielded by theorists in more than one normative camp.[12]

Notes

1. Douglas Portmore, "Position-Relative Consequentialism, Agent-Centered Options, and Supererogation," *Ethics* 113(2) (January 2003).
2. Shelly Kagan, *The Limits of Morality* (Oxford: Oxford University Press, 1989), pp. 378–79.
3. Portmore, op. cit., p. 328.
4. Joseph Raz, *Practical Reason and Norms* (Princeton, N.J.: Princeton University Press, 1990. Originally published: London: Hutchinson, 1975), p. 94.
5. Jonathan Dancy, *Moral Reasons* (Oxford: Blackwell Publishers, 1993), p. 139.
6. Ibid., p. 215.
7. See Richard B. Brandt, "Toward a Credible-Form of Utilitarianism," in Hector-Neri Castañeda and George Nakhnikian, eds., *Morality and the Language of Conduct* (Detroit: Wayne State University Press, 1963), pp. 120–125.
8. Brad Hooker, *Ideal Code, Real World* (Oxford: Oxford University Press, 2000), pp. 165–166.
9. Thomas Scanlon, *What We Owe to Each Other* (Cambridge, Mass.: Harvard University Press, 1998), p. 189.

10. Elizabeth Ashford, "The Demandingness of Scanlon's Contractualism," *Ethics* 113 (January 2003), p. 283.
11. Ibid., p. 276.
12. Earlier versions of this paper were read to the University of Tennessee Philosophy Department and to the American Philosophical Association. I thank both lively audiences. I especially thank Valerie Tiberius, my APA commentator, for very useful comments. I am also grateful for very helpful editorial suggestions from Thomas Magnell, Editor-in-Chief of the *Journal of Value Inquiry*.