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BRENTANO AND MEINONG STUDIES



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SUPEREROGATION AND OFFENCE:

A Conceptual Scheme for Ethics

1. Is it always wrong not to do what is right? Or bad not to do what is good? Such questions arise when we consider the relation between what is our duty to do and what is sometimes called 'supererogation,' and the relation between what it is our duty not to do and what I shall here call 'offence.' There are reasons for answering both questions in the negative and I shall consider some of these reasons — not, however, to provide an answer to the two questions, but to throw light upon our moral concepts. I shall suggest that one familiar three-fold classification of moral concepts is inadequate; I shall then consider an alternative proposed by Meinong which has certain advantages but which, I believe, is also inadequate; and finally, I shall propose a conceptual scheme of my own, with the hope that it may throw light, not only upon the relations among our moral concepts, but also upon different types of moral system.

2. There are some things, within our power either to do or not to do, which we *must* do or *have* to do, whatever we may desire. And there are other things, similarly within our power, which we must *not* do, no matter what we may happen to desire. Let us say that it is our *duty* to do things of the first sort and not to do things of the second sort. To have a convenient shorthand, we may say, perhaps contrary to ordinary usage, that actions of the first sort are *obligatory* and those of the second *forbidden*; we may also say, of the things that are within our power either to do or not to do, that whatever is not forbidden is *permitted*, and whatever is not obligatory is *non-obligatory*, or *unrequired*.¹

If an act is one which, in the present sense, we *must* perform, then it

1. I say that the shorthand is probably contrary to ordinary usage for this reason: 'obligatory,' as ordinarily used, may suggest a prior contract or commitment, and 'forbidden' and 'permitted' may suggest a commander or lawgiver; but the expressions containing 'must' which these terms abbreviate need carry none of these suggestions.

is one which we *must not* refrain from performing; and if an act is one which we must not perform, then it is one which we must refrain from performing. Again, if an act is one which we *may* perform, then it is one which we *need not* refrain from performing; and if it is one which we need not perform then it is one which we may refrain from performing. It is now a commonplace that the logical relations among these concepts may be exhibited in the traditional square of opposition. For any act A, which it is within our power either to perform or not to perform, the square tells us: if A is obligatory then A is permitted, but not conversely; if A is forbidden then A is non-obligatory; and A is forbidden if and only if A is not permitted.² It follows that everything in our power is such that it is either obligatory, or forbidden, or both permitted and non-obligatory.

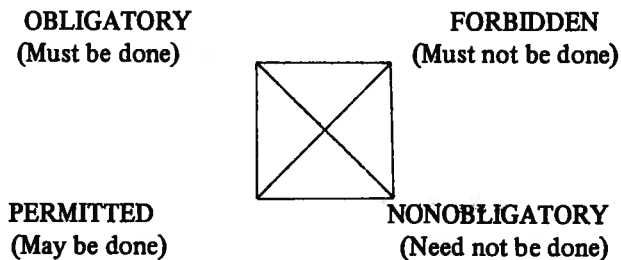
According to some recent authors, if an act is both permitted and non-obligatory, it may be said to be *morally indifferent*.³ Hence, if these authors are right, it will follow from what we have just said that everything within our power is either obligatory, forbidden, or morally indifferent. But, according to others, certain things within our power are neither obligatory, nor forbidden, nor morally indifferent — i.e. certain acts are both permitted and non-obligatory and yet *not* morally indifferent. Examples are provided by those actions which are sometimes called 'supererogatory.'

I shall now state the case for saying that certain acts of supererogation are thus neither obligatory, forbidden, nor morally indifferent. Then I shall point out — what seems to have been overlooked in recent moral philosophy — that the class of supererogatory acts has a complement; acts of this second sort I shall call (for lack of a better term) 'offences.' We may say of offences, as well as of acts of supererogation, that they are neither obligatory,

2. The relationships were first pointed out, so far as I know, by Alois Höfler, in 'Abhängigkeitsbeziehungen zwischen Abhängigkeitsbeziehungen,' *Sitzungsberichte der kaiserlichen Akademie der Wissenschaften in Wien*, Bd. CLXXXI (1917), pp. 1-56. Höfler's terms were 'Geboten,' 'Verboten,' 'Erlaubt,' and 'Nicht geboten' (p.41). He noted that this part of his article was taken from a manuscript he had written in 1885.

3. Compare G.H. von Wright, 'Deontic Logic,' *Mind*, vol. LX (1951), pp. 1-13; *An Essay in Modal Logic*, Amsterdam 1951, chapter v; A.N. Prior, *Formal Logic*, Oxford 1955, pp. 221 ff.; Alan Ross Anderson, *The Formal Analysis of Normative Systems*, New Haven 1956.

forbidden nor morally indifferent.



3. John Ladd, in *The Structure of a Moral Code*, and more recently J. O. Urmson, writing on 'Saints and Heroes,' pointed out that those acts which we are calling 'supererogatory' fall outside of the three-fold classification we have just described; Ladd said that these are 'acts which it is right to do, but not wrong not to do.'⁴ Etymologically, the term 'supererogatory' suggests that which is 'over and above what is called for'; hence those acts which are 'over and above the call of duty' might properly be called 'supererogatory.'⁵ But let us think of the supererogatory, more generally, as that which it is good, but not obligatory, to do. Some of the great deeds of saints and heroes were thus supererogatory: these deeds were not obligatory, they were not forbidden, and they were not morally indifferent since they were good things to do.

But if we take the supererogatory to be that which it is good but not obligatory to do, in short, if we take it to be 'non-obligatory well-doing,' then we must not identify it with saintliness or heroism. For, as Ladd points out, contributing small change to the Home for Little Wanderers may be supererogatory in this sense: it is good and therefore not indifferent; it is neither obligatory nor forbidden; and, in most cases, it is neither saintly nor heroic. The same may be said, perhaps, for being kind to animals, for ordinary politeness, and, as Feinberg notes, for most of those acts which we ordinarily call 'favours.'

4. John Ladd, *The Structure of a Moral Code*, Cambridge, Mass. 1957, p. 127; J.O. Urmson, 'Saints and Heroes,' in A. Melden, ed., *Essays in Moral Philosophy*, Seattle 1958. Compare also Joel Feinberg, 'Supererogation and Rules,' *Ethics*, vol. 71 (1961), pp. 276-88, and the reference to Meinong below.

5. Feinberg's paper, cited above, is a lucid discussion of 'duty plus,' as this concept has been understood in Western morals and theology.

In order to see what supererogation or 'non-obligatory well-doing,' is *not*, let us contrast these four acts:

- (1) keeping one's promise to return a book;
- (2) sacrificing one's life in the performance of duty;
- (3) conferring a small favour by lending a book;
- (4) sacrificing one's life in a non-obligatory rescue.

We can image the circumstances under which these acts are done to be such that, under those circumstances, the first two acts are duties and the last two supererogatory. We can imagine further that these circumstances are, in addition, such that the first and third acts are trifling and the second and fourth heroic and magnificent. And we can imagine, finally, that what is accomplished by the two heroic acts is considerably better than what is accomplished by the two acts which are trifling. If all of this is so, then we may draw certain negative conclusions.

The difference between supererogation and duty, or moral obligation, cannot be described by saying that acts of supererogation are necessarily *more praiseworthy*, or of *greater merit*, or *better* in their overall consequences, than are acts of duty. For if we contrast the man who performs an heroic act of duty with the man who performs a trifling act of supererogation, that is, if we contrast the man of (2) with the man of (3), we can say that the obligatory act of the former is better, of greater merit, and more deserving of praise than is the supererogatory act of the latter.

Nor can the difference between supererogation and duty be described by saying that supererogation, unlike duty, implies certain virtues in the agent. The man who performs an act of supererogation does, of course, have the virtue of being such that he is led to perform it, but beyond this, so far as the concept of supererogation is concerned, he may share his traits of character with the man who confines his good deeds to those things it is his duty to do.

Nor, finally, can the difference between duty and supererogation be made out by reference to the traditional distinction between those duties which are 'perfect' and those which are 'imperfect.' The latter distinction was drawn by Mill as follows: 'Duties of perfect obligation are those duties in virtue of which a correlative *right* resides in some person or persons; duties of imperfect obligation are those which do not give birth to any right.'⁶ If I have more than my share of

6. *Utilitarianism*, chapter v. The distinction has also been put more

the goods of the world and am obliged to surrender my surplus to you, and only to you, then you have a right which is correlative with my obligation, and the obligation, therefore, is a 'perfect' one. But if I am obliged to surrender my goods only to *someone or other*, whom I may select myself, then there is no one having a right correlative with my obligation, and the obligation, therefore, is 'imperfect.' Let us suppose that I have such an 'imperfect' obligation and pick Mr. Jones as the one who is to receive my goods. Since I was not obliged to pick *him* it may be tempting to infer that, when I do present my goods to him, I have performed an act of 'non-obligatory well-doing' and hence, according to our description, an act of supererogation. But this inference would be a mistake. My 'imperfect' obligation was that of giving to Jones *or* to Robinson. . . *or* to Smith; in giving to Jones, I do, *ipso facto*, give to Jones *or* to Robinson . . . *or* to Smith; hence I do fulfil my entire obligation, and it would be incorrect, therefore, to suppose that the act is a case of 'non-obligatory well-doing' and hence supererogatory.

The status of supererogation might be summarized in this way. If I seek advice, concerning an act which would be supererogatory, and ask 'Shall I do this?', I may well be told, 'You *ought* to, but you don't *have* to' — it is advisable, but not obligatory.

Is it ever appropriate to say, similarly, 'You ought *not* to, but you *may*?'

4. A system of moral concepts which provides a place for what is good but not obligatory, should also provide a place for what is bad but not forbidden. For if there is such a thing as 'non-obligatory well-doing' then it is plausible to suppose that there is also such a thing as 'permissive ill-doing.' There is no term in moral literature, so far as I know, which has been used to designate just this latter class of

broadly: imperfect duties are said to be 'indeterminate' in that we have latitude with respect to the manner in which we fulfil them, whereas perfect duties are not thus 'indeterminate.' But if the distinction amounted only to this, then, surely, it would require us to say that *no* duties are perfect. If it is my duty to pay you ten dollars then I have latitude in that I may pay by cash, check, or money-order; or if it is my duty to pay you in cash, then I may pay by giving you a ten, or fives, or ones; or if it is my duty to give you a ten, then I may give you this one, that one, or the other one; or if it is my duty to give you this one, then I may hand it to you with the face looking up, or down, or right, or left; and so on *ad infinitum*.

actions; I shall refer to them as 'offences.'

Just as it would be a mistake to identify supererogation with saintliness or heroism, so, too, it would be a mistake to identify what we may call the offensive with deviltry or villainy. And just as acts of supererogation, as well as duties, may be either trifling or heroic (or saintly), offences, as well as the forbidden, may be either trifling or villainous (or diabolical). If returning a handkerchief is both trifling and a duty then failure to return it is both trifling and forbidden; if a favour or an act of courtesy is trifling and supererogatory then a disfavour or an act of discourtesy is trifling and offensive.

We have a wealth of examples of what is both villainous (or diabolical) and forbidden. What would be a villainous offence — an act which is villainous, or heinous, and yet not forbidden? Many of the deeds of 'informers' seems to fall within this category. For example, suppose A knows concerning B, whom A dislikes, that the loss of B's employment would result in great tragedy for B and his family; that there is another man, C, who could do B's work but no more satisfactorily than B does it; and that B's employer, even if he knew the foregoing, would replace B by C if he thought that C were available. One might plausibly argue that, if A were deliberately to bring the availability of C to the attention of B's employer, his act would be permissible but at the same time heinous and inhuman.

The relation of the offensive to that which is forbidden is thus similar to that which has been said to hold between 'venial' and 'mortal' sins. A venial sin is, literally, a sin or misdeed which may be *pardoned*, or, as we might now say, *excused*.⁸ St. Thomas wrote, for example:

Venial sin is called a sin according to an imperfect notion of sin, and in

7. Other possible terms are 'faults,' 'misdemeanours,' 'moral torts,' 'peccadillos,' and 'venial sins' (to be discussed below), but these terms have, in their current uses, connotations which would make them misleading in the present context.

8. J. L. Austin contrasted justification and excuse by saying that, when we *justify* a questionable act 'we accept responsibility but deny that it was bad,' and that when we *excuse* an act 'we admit that it was bad but don't accept full, or even any, responsibility.' (*Philosophical Papers*, Oxford, 1961, p. 124). But if there are offences, 'venial misdeeds,' then we may also *excuse* an act, for which we do accept full responsibility, by admitting that it was bad but noting that it was only an offence — a misdeed which is permitted.

relation to moral sin; even as an accident is called a being in relation to substance, according to an imperfect notion of being. For it is not *against* the law, since he who sins venially neither does what the law forbids, nor omits what the law prescribes to be done; but he acts *outside* the law, through not observing the mode of reason which the law intends.⁹

Offences, as we have said, are related to the forbidden in the way in which supererogation is related to the obligatory. But we must *not* suppose that an offence is to be equated with the failure to do what is supererogatory, or that the supererogatory is to be equated with the failure to do what would be an offence. This point becomes clear if we turn now to an alternative to the three-fold classification of moral concepts with which we began — even though, as I believe, the alternative is not entirely adequate.

5. The conceptual scheme to which I refer was suggested by Alexius Meinong, in his *Psychologisch-ethische Untersuchungen zur Werth-theorie* (Graz, 1894), and refined upon by Ernst Schwarz, in *Über den Wert, das Soll, und das richtige Werthalten* (Graz, 1934).

Meinong proposed that every act which is not morally indifferent may be put into one or another of the following four categories: the *meritorious*, the *required*, the *excusable*, and the *reprehensible* (or *inexcusable*).¹⁰ The distinction between the meritorious and the required is very much like that between supererogation and the obligatory. Thus Meinong writes that 'there is considerable difference, within the sphere of the good, between the deeds of an Arnold von Winkelried or a Decius Mus and such activities as the ordinary performance of one's professional duties or the keeping of a promise.' (p. 89). The distinction between the excusable and the reprehensible, similarly, is very much like that between the offensive and the forbidden. (We might also say, though Meinong is not explicit on this point, that an indifferent act is one which falls outside of the four categories which Meinong mentions, a permitted act is one which is not reprehensible, and a non-obligatory act is one which is not

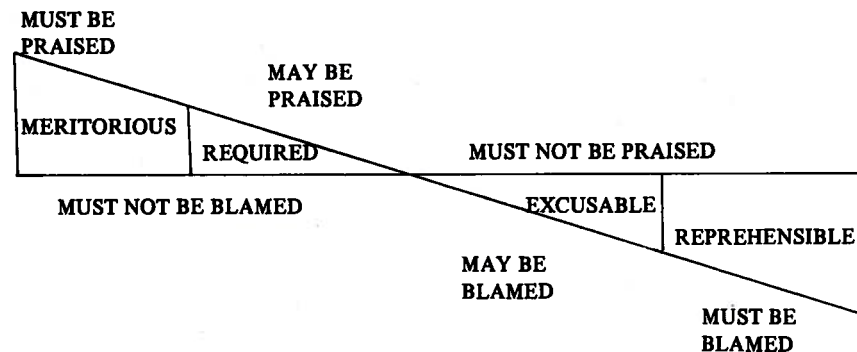
9. *Summa Theologica* I-II, Q. 88, Art. 1.

10. Meinong's terms were: *Das Verdienstliche, das Correcte, das Zulässige* and *das Verwerfliche*. I have chosen English terms which seem to me best to convey the sense of these terms as they were used by Meinong; I have used 'required' and not 'obligatory' in order not to prejudge the question whether Meinong's 'correct' means the same as our 'obligatory.' Schwarz replaces 'verwerflich' by 'unzulässig' and uses 'korrekt' in place of 'correct.'

required.) Meinong proposes two theses relating his concepts, and Schwarz adds a third.

(1) Meinong suggests that the four concepts are related in a definite way with respect to what is good and what is bad: whatever is either meritorious or required is good; whatever is either excusable or reprehensible is bad; the meritorious is better than the required, the required is better than the excusable, and the excusable is better than the reprehensible.

(2) Schwarz now proposes that Meinong's four terms might be defined and formally related as follows: the meritorious is that which must be praised and may not be blamed; the required is that which may be praised and may not be blamed; the excusable is that which may not be praised and may be blamed; and the reprehensible is that which may not be praised and must be blamed. Schwarz then illustrates his proposal, along with Meinong's original suggestion, by means of the accompanying diagram (*op. cit.*, p. 60), which may be regarded as an alternative to the square of opposition with which we began. The area above the horizontal line is intended to represent what is good, that below is intended to represent what is bad; the diagonal expresses Meinong's ordering of the four types of act with respect to better and worse; and the midpoint represents those acts which are morally indifferent and which, presumably, may neither be praised nor be blamed.¹¹



11. Compare Harald Ofstad, in 'The Function of Moral Philosophy,' in *Inquiry*, vol. I (1958) "a significant and fascinating area of moral philosophy is concerned with 'the advancement of possible conceptual systems for normative or evaluative ethics or for metaethics . . . Possible worlds are waiting to be explored'" (pp. 48-9).

(3) Meinong proposes, finally, a suggestive 'law of omission' (*Unterlassungsgesetz*): for any act A, committing A is meritorious if and only if omitting A is excusable, committing A is required if and only if omitting A is inexcusable (reprehensible), and omitting A is required if and only if committing A is inexcusable.¹²

It seems clear that Meinong intended his scheme to accommodate the kinds of moral fact which I have tried to outline. But if we equate his four categories — the meritorious, the required, the excusable and the reprehensible, respectively — with what we have been calling the supererogatory, the obligatory, the offensive and the forbidden, then, I think, we must reject each of the three theses just considered.

We cannot say that the supererogatory must be better than the obligatory, the obligatory better than the offensive, or the offensive better than the forbidden. For we have said that obligatory heroism may be better than trifling supererogation, and a villainous offence worse than what is trifling but forbidden.

We must reject Schwarz's proposal on similar grounds. We do not wish to say that trifling supererogation is more praiseworthy than the heroic performance of one's duty, or that what is trifling but forbidden is more blameworthy than a diabolic or villainous offence.

And, thirdly, we must reject Meinong's 'law of omission' in its application to two of our concepts. We *can* say of the obligatory and the forbidden (what Meinong says of the required and the reprehensible) that the omission of the one is tantamount to the commission of the other. But we can *not* say of the supererogatory and the offensive (what Meinong says of the meritorious and excusable) that the omission of the one is tantamount to the commission of the other. For we have denied that the offensive can be equated with the failure to do what would be supererogatory, and we have denied that the supererogatory can be equated with the failure to do what would be offensive. The justification for our position may be seen in terms of Meinong's own example.

Meinong writes: 'To gain an advantage for oneself at the expense

12. *Op. cit.*, pp. 89ff. Meinong's uncompleted *Ethische Bausteine*, in *Gesamtausgabe*, Band III, contains a more detailed discussion of this law. Compare: Francis Hutcheson's *Inquiry concerning the Original of our Ideas of Virtue or Moral Good* (1725), section VII; pp. 168-9 in vol. I of L.A. Selby-Bigge's *British Moralists*, Oxford 1897; also Richard Price, *A Review of the Principal Questions in Morals*, 3rd ed., 1787; 201-2 in D.D. Raphael's edition, Oxford 1943.

of another person may be excusable, within certain limits — for example, when the other person is one's competitor in business, but to step aside, in order that one's competitor may derive some benefit, would seem to be an act worthy of being called meritorious.¹³ It is plausible to suppose that the first of these acts is an offence; Meinong's successful business man may have been applying those stratagems of gamesmanship which enable one to 'win without actually cheating.'¹⁴ And the business man who steps aside on behalf of his competitor certainly seems to be performing an act of supererogation. But Meinong is mistaken in supposing that the examples illustrate his 'law of omission.' Clearly at least four possibilities are involved and not, as Meinong appears to assume, only two. The four possibilities are: (i) doing something which will bring positive harm to a competitor; (ii) refraining from causing him any positive harm; (iii) doing something which will bring positive benefit to the competitor; and (iv) refraining from causing him any positive benefit. To equate the omission of an offence with the commission of the supererogatory, and the omission of the supererogatory with the commission of an offence, would be to assume, mistakenly, that (i) may be equated with (iv), and (ii) with (iii).

It may be asked, incidentally, whether the performance of a given act A entails the nonperformance of the nonperformance of A, and whether the nonperformance of A entails the performance of the nonperformance of A. If these entailments held, we could say of an offence of commission, for example, that it involves an offence of omission, viz., the offensive omission of the omission of the offensive commission, and analogously for the other moral categories. But it seems clear at least that nonperformance should not be said to entail performance of nonperformance; deliberately refraining from showing gratitude would exemplify performance of nonperformance. The latter could be an offence and the former not. Hence the example of the competitors above involves six possibilities rather than four, since each of the two cases we have called 'refraining' should be subdivided into 'deliberately refraining from doing' and 'not doing but not deliberately refraining from doing.'¹⁵

13. *Psychologisch-ethische Untersuchungen*, etc., p. 90.

14. This point was suggested to me by Wesley Salmon.

15. Meinong saw this latter point. The manuscript of his *Ethische Bausteine* contains the following remarks: 'One may ask whether the

Meinong's scheme recalls a useful clue: in considering how to classify any particular act, we must consider what would be the moral status, not only of its commission, but also of its omission: we should consider both performance and nonperformance.

I shall now propose an alternative conceptual scheme.

6. Let us make use of a pair of moral terms which may be construed as contraries — terms which are mutually exclusive but not contradictory. Among the available pairs are: *praiseworthy* and *blameworthy*; *meritorious* and *demeritorious*; Brantano's *worthy-of-love* and *worthy-of-hate*; *worthy-of-approval* and *worthy-of-disapproval*; *morally positive* and *morally negative*; *right* and *wrong*; and, simply, *good* and *bad*. Let us take the latter pair and interpret them as they would ordinarily be taken in such expressions as 'That would be a good thing to do' or 'That would be a bad thing to do,' where, it is essential to note, they are applied to *actions* and not to *agents* or to *consequences* of actions.

For every act that might be performed, then, there are at least three possibilities: (i) that it would be a good thing to do; (ii) that it would be a bad thing to do; and (iii) that it would be neither a good thing nor a bad thing to do. Thus we also make use of a three-fold classification. But let us note further that 'good' and 'bad' are applicable not only to commission, or performance; they are also applicable to omission, or nonperformance.

essential features of the law of omission are to be found in the law of double negation or in same analogues thereof. In such a case omission of omission would yield commission, just as the negation of a negation yields an affirmation; then, not only would the omission of the required be reprehensible, but the omission of the omission of the required would itself be required. But omission is not to be conceived in this way. For it is easy to see that the analogy between omission and negation breaks down just in the case of such reiteration. One may say of an omission, that when the opportunity or occasion to do something or to set out to do something arises, no use is made of the opportunity, either because there is no will to do it or because the subject deliberately refrains from doing what (he supposes) he could do if he chose. Perhaps the first of these two possibilities is more readily likened to negation than is the second. But it is not possible, in this first case, to conceive what an omission of the omission would be' (pp. 33-34). Compare also L. Nelson, *System of Ethics*, section 24, New Haven, 1956 (transl. from the German, Leipzig, 1917).

If now we are to arrive at an adequate classification of moral concepts, I suggest we must so interpret 'good' and 'bad' in their present use that their application to performance is logically independent of their application to non-performance; that is to say, 'It would be good to do A' does not imply 'It would be bad not to do A,' and 'It would be bad to do A' does not imply 'It would be good not to do A.'

Let us now say that an act is *obligatory*, or a *duty*, if it would be good to do and bad not to do. And let us say that an act is *forbidden*, in the sense in which we have been taking this term, if it would be bad to do and good not to do.¹⁶ Hence performance is obligatory if and only if nonperformance is forbidden, and performance is forbidden if and only if nonperformance is obligatory.

An act, the performance of which is *supererogatory*, may now be described as something which it would be good to do and neither good nor bad not to do. An act, the *non*performance of which is supererogatory, would thus be something which it is good not to do and neither good nor bad to do. (Our examples of supererogation, up to now, have been examples of supererogatory performance. People not demanding their rights provide us with obvious cases of supererogatory nonperformance).

An offensive performance, or *offence of commission*, now becomes something which it would be bad to do and neither good nor bad not to do; and an offensive nonperformance, or *offence of omission*, something which it would be bad not to do and neither good nor bad to do.

An example may help us now to contrast supererogatory commission and omission with offences of commission and omission. If the waiter is not busy, failure to tell him that he has brought the wrong desert may be supererogatory omission; but if he is told and then returns with the proper desert, failure to say 'Thank you' may be an offence of omission; a generous tip would then be supererogatory commission and a complaint to the manager an offence of commission.

An *indifferent* act — one which is 'totally indifferent' — would now become one such that performance is neither good nor bad and

16. We may leave undecided the question whether it is better to *define* the terms 'obligatory' and 'forbidden' in this way or to define them in the way suggested in section 2 above.

nonperformance neither good nor bad. Hence we have a way of distinguishing the supererogatory — and the offensive — from the indifferent.

We may continue to say, as before, that an act is *permitted* provided only it is not forbidden, and that an act is *unrequired*, or nonobligatory, provided only that it is not obligatory. Thus offensive commission and offensive omission are permitted, just as supererogatory commission and supererogatory omission are unrequired.

There remain two possibilities: those acts such that both their omission and commission would be good, and those such that both their omission and commission would be bad. Each of these suggests a kind of moral perplexity, the first but not the second a state of blessedness. There are no terms, so far as I know, that have been used to designate just these two categories. Let us say that acts of the first type — those things which it would be good to do and also good not to do — are *totally supererogatory*; and let us say, similarly, that acts of the second type — those things which it would be bad to do and also bad not to do — are *totally offensive* (thus using 'totally' in a way analogous to that in which it is used in the theory of relations). What would exemplify these categories? There are at least two possibilities.

(i) A strict utilitarianism, or ethics of consequence, would require us to say that, if there were an act such that its performance would increase the amount of value in the world and such that its nonperformance would increase the amount of value in the world by exactly the same amount, then that act would be 'totally supererogatory,' as defined. If the only morally relevant consequences of a contemplated act would be that its performance would bring about a certain amount of pleasure to one person and its nonperformance would bring about that same amount of pleasure to another person then, on a strictly utilitarian ethics, the act would be totally supererogatory. Replacing 'pleasure' by 'displeasure,' we could similarly describe an act which would be totally offensive.

(ii) If promise-keeping is always good, and if it is possible to promise a tautological act (e.g. 'I promise either to go or not to go'), then it is possible to find an act (in this instance, my going) which is totally supererogatory. And if promise-breaking is always bad, and if it is possible to promise a contradiction (e.g. 'I promise to go now and not to go now'), then it is possible to find an act (again, my going) which would be totally offensive. Other non-utilitarian rules provide similar possibilities.

Our classification may now be put more schematically. I have said that to determine the moral status of any particular act we must decide (a) whether its performance would be good, bad, or neither good nor bad, and (b) whether its nonperformance would be good, bad, or neither good nor bad. For any act, therefore, there are nine possibilities, which are represented in the accompanying table. The letters 'g,' 'b,' and 'n,' respectively, stand for 'good,' 'bad,' and 'neither good nor bad' (= 'neutral'); they are paired in such a way that the first member of each pair refers to performance, the second to nonperformance.

1. b, b Totally offensive
2. b, n Offence of commission
3. b, g Forbidden
4. n, b Offence of omission
5. n, n Totally indifferent
6. n, g Supererogatory omission
7. g, b Obligatory
8. g, n Supererogatory commission
9. g, g Totally supererogatory.

It would be possible, of course, to replace the table by still another diagram.

We may now suggest, very briefly, the way in which this table might be used to classify moral systems.

7. The richest moral system would be one allowing all nine possibilities to be exemplified. The poorest system would be one allowing none to be exemplified; such a system would imply that there are no acts, and perhaps should not be called a moral system at all. (Determinism might be said to imply a system of the latter sort.) According to certain nihilistic moralities, only the fifth possibility — total indifference — is capable of being exemplified. According to utilitarianism, in the strict sense of this term, the even-numbered lines are to be excluded, since strict utilitarianism implies that, for any act, if its performance is better than its nonperformance, its performance is obligatory, and if its nonperformance is better than its performance, its performance is forbidden.¹⁷ But the strict utilitarian may

17. 'Certainly we should agree that a truly moral man cannot say to himself "This is the best thing on the whole for me to do, but yet it is not my duty to do it though it is within my power"; this would certainly seem to common sense an immoral paradox.' Sidgwick *The Methods of Ethics*, 6th ed., London, 1901, p. 220.

be able to find instances of each of the odd-numbered possibilities. A moral system more rigorous than strict utilitarianism would allow for the possibility of only lines three and seven, thus classifying every act as being either obligatory or forbidden.¹⁸ For some of us, it seems plausible to suppose that all of these categories, with the possible exceptions of the first and the last, are capable of being exemplified. This view, since it implies that there may be both permissive ill-doing and nonobligatory well-doing, is certainly latitudinarian. We may think of such a morality as being laid down by a charitable Lawgiver who, in an act of supererogatory omission, refrains from commanding what is too difficult.¹⁹ A Lawgiver who was even more charitable, or more lenient, might provide only for supererogation, offences and the totally indifferent; still another Lawgiver might provide only for supererogation and the indifferent; still another for supererogation alone. More rigid Lawgivers would restrict themselves to the first five possibilities or to some subclass thereof.

Since there are nine possibilities for every act, we could continue until we had described 512 possible moral systems, but most of these would be of little interest. And by replacing our pair of contraries, 'good' and 'bad,' with other pairs, e.g. 'meritorious' and 'demeritorious,' we could classify acts in still other ways and multiply the number of possible systems *ad infinitum*. But I think that 'good' and 'bad,' if they are taken in the way I have suggested above, provide us with the system we set out to find.

8. 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*

18. In his discussion 'Of the Bad Principle in Human Nature,' in the first part of *Die Religion innerhalb der Grenzen der bloßen Vernunft*, Kant says that it is in general 'important for Ethics to admit, as far as possible, no intermediates, either in actions or in human characters . . . Those who are attached to this strict view are commonly called *rigourists* (a name that is meant as reproach, but which is really praise): and their antipodes, who may be called *latitudinarians*.' *Kant's Critique of Practical Reason and Other Works*, ed. by T.K. Abbott, 6th ed., London, 1959, p. 329.

19. Acts of trifling supererogation are not difficult to perform; but it would be difficult for anyone to perform *all* of those acts of trifling supererogation that are in his power; similarly for the omission of trifling offences.

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 the situation which the act would bring about is one which 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.²⁰

20. I am indebted for suggestions and corrections to John T. Stevenson, John Ladd, Richard Schmitt and John W. Lenz; it was Mr. Stevenson who first presented me with the problem of this paper.