

The Possibility of Sacrifice: A Levinasian Reconceptualisation of Supererogation

by

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Declaration

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Abstract

This study offers a reconceptualisation of supererogation based on the ethics of Emmanuel Levinas. The study comprises two parts. In Part I, a critical analysis of supererogation, understood as encompassing moral acts that go beyond duty, is given. The analysis unfolds at the hand of the traditional – chiefly analytic – reading of supererogation, and centres on three ethical concepts that problematise supererogation: proximity (the physical and psycho-social distance between the moral agent and the recipient of his/her aid), asymmetry (between the spectator and the performer of a supererogatory act), and autonomy. The analysis examines both supererogatory acts and supererogatory attitudes. It is argued firstly that autonomy is not a necessary feature of supererogation; and, secondly, that a supererogatory attitude (preliminarily described as a primitive moral response that recognises the suffering of another as like my own) can be understood as constitutive of supererogation. Furthermore, it is argued that supererogation can be conceptualised without recourse to the grounding concepts of duty or obligation.

In Part II of the study, the theoretical resources of the continental philosophical tradition are employed as a means to reconceptualise supererogation, and to overcome the difficulties identified in Part I. The case is made that the ethics of Levinas is well-suited to conceptualise supererogation, because both share a regard for the value of saintliness. An exegesis of Levinasian ethics is presented and unfolds by reinscribing the three supererogation concepts of proximity, asymmetry, and autonomy into Levinasian terms. In order for these reinscribed terms to constitute a meaningful reconceptualisation of supererogation, a circumscription of a Levinasian normativity – framed as an operationalisation of Levinasian ethics – is

undertaken. It is argued that a Levinasian normativity operates as a recursive and provisional imperative, and that it is grounded on the undecidability between ethics and politics. The argument continues by claiming that the undecidability of Levinasian normativity also arises because each moral act, no matter how quotidian, contains within it the possibility of sacrifice.

In conclusion, the study argues for a reconceptualisation of supererogation, *sans* obligation or duty, as the possibility of sacrifice, which operates as a recursive and provisional modality in response to undecidability.

Opsomming

Hierdie studie offer 'n herkonseptualisering van oordadigheid wat gebaseer is op die etiek van Emmanuel Levinas. Die studie word in twee gedeeltes uiteengesit. In deel een word 'n kritiese analise van oordadigheid, wat omvattend verstaan word as 'morele aksies wat hoër as pligte gesien word', gegee.

Hierdie analise openbaar, aan die hand van die tradisionele – hoofsaaklike analise -, die lesing van oordadigheid. Hierdie analise sentreer op drie etiese konsepte wat die probleem van oordadigheid uitwys, nl: nabyheid (die fisiese en psigo-sosiale afstand tussen die morele agent en die ontvanger van sy/haar hulp), ongelykmatigheid (tussen die toeskouer en die deelnemer aan 'n oormatige aksie) en outonomie. Die analise ondersoek sowel die oordrewe aksies as die oordrewe houding. Daar word ook geargumenteer dat outonomie nie 'n nodige kenmerk van oordadigheid is nie, en dat 'n oordrewe houding, voorafgaande beskryf is as 'n oorspronklike morele aksie wat die lyding van ander soos myself erken en kan verstaan word as 'n samestelling van oordadigheid. Verder word geargumenteer dat oordadigheid sonder enige hulpmiddels of 'n grondslag van pligte of verpligtinge voorgestel kan word.

In die tweede gedeelte van hierdie studie, gebruik die argument die teoretiese hulpbronne van die kontinentale filosofiese tradisie as middele van herkonseptualisering en oordadigheid, en om die probleme te oorkom wat in die eerste gedeelte van die studie geïdentifiseer is. Die saak is geformuleer dat die etiek van Levinas goed toepaslik is om konseptualisering van gediensigheid, omdat albei waarde heg aan heiligheid. Die uitligging van Levinase etiek is voorgelê en ontvou met herskrywing van die drie oordrewe beginsels nl; nabyheid, asimmetrie en

autonomie in Levinasiaanse terme. Om 'n betekenisvolle gevolgtrekking uit hierdie herskryde herkonseptualisering oordrewe term te maak, word 'n omskrywing van 'n Levinasiaanse normativiteit ontwerp as 'n operasionaliseringsraamwerk van Levinas se etiek, onderneem. Daar word geargumenteer dat Levinasiaanse normativiteit optree as 'n herhalende voorlopige noodsaaklikheid en is gefundeer op die onvermoë om te besluit tussen etiek en politiek. Die argument word verder gevoer deur die aanname te maak dat die onvermoë om 'n besluit te neem van die Levinasiaanse normativiteit navore kom omdat elke morele aksie, maak nie saak hoe alledaags, daarin die moontlikheid van opoffering bevat.

Ten slotte, argumenteer die studie vir 'n herkonseptualisering van oordadigheid sonder verpligtinge, as die moontlikheid van opoffering, wat opereer as 'n rekursiewe en voorlopige modaliteit as 'n reaksie op die onvermoë om te kan besluit.

Dedication

This study is dedicated to my wife, Bronwyn Andrade. Thank you for your unwavering and tireless support in this endeavour, without which, this work would not have been possible. Your unconditional love is the source and sustenance of all my being; in the words of Brian Molko, 'Without you I'm nothing'. Your generosity towards people, family, friend and stranger, is an embodiment of the ideas I try to articulate in this study. I can only hope to emulate you.

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Infinity, “My child is a stranger (Isiah 49), but a stranger who is not only mine, for he *is* me. He is me a stranger to myself”.

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Introduction

Supererogatory acts are moral acts that go beyond duty. However, this standard and basic first definition of supererogation fails to capture the allure and ambivalence the concept holds for ethical inquiry. While the term ‘supererogation’ is philosophically technical, and perhaps also “ugly and unpronounceable” (Cowley 2015; 1), supererogation is easy to recognise and understood in the paradigmatic cases of saints and heroes. We acknowledge the actions of saints who selflessly sacrifice their own comforts for others as going beyond what is ordinarily expected of us as *good* people. Similarly, we regard the actions of heroes who risk their life and property to save others from harm as *extraordinary*, i.e. more than ordinary morality asks of us.

We thus praise and admire the lives and actions of saints and heroes; *a fortiori* we praise and admire supererogatory actions, although crucially, we do not assign blame if a moral agent does *not* perform a supererogatory, saintly or heroic act. So, it is a deeply ambivalent admiration that we experience. The revision of the subtitle of a recent popular non-fiction work investigating the lives of contemporary ‘saints’ by Larissa Macfarquhar (2015) titled *Strangers Drowning*, illuminates this ambivalence. In the first printing of the book, the subtitle reads ‘Voyages to the Brink of Moral Extremity’. In subsequent printings, this was changed to ‘Impossible Idealism, Drastic Choices, and the Urge to Help’. It would seem that common morality has it, then, that while rescuing drowning people and donating large sums to charity is good, beyond a certain point it can also be *extreme*; that continuously choosing to help others at the expense of your own well-being can be a *drastic* path to follow;

and that the desire to reach and save all those suffering in the world is not just idealistic, but *impossible*.

Another way to characterise the actions of saints and heroes, that is, supererogatory actions, is to say that they are just too morally demanding. It is uncontroversial to claim that we all have a moral duty to help the other when they are in need, or that morality imposes obligations to the other upon us¹. What *is* controversial is to mark where those obligations end, beyond which point obligations become so demanding we can in good conscience claim that we have done enough, that we have discharged our moral duties. Formulated differently, we may ask: Where does moral obligation end and supererogation begin? Is it even possible, or desirable to demarcate such a boundary? What implications, if any, follow from establishing such a point? Can supererogation be conceptualised in the absence of obligation or duty? These questions will drive the current study.

Besides the important theoretical issues in ethics that these questions raise, they also speak to practical ethical dilemmas in the contemporary milieu, especially as they concern aid and rescue work. If we regard donating to aid agencies who seek to eliminate starvation as obligatory, this may lead us to discount the unintended consequences such aid might cause, such as population explosions, and dependency and distortions in local food and agricultural markets. In other words, what may be required in this instance is not a more demanding morality (that is, a supererogatory action) but a more responsive politics.

¹ I take up the case of the amoralist and moral sceptic below and address them directly in the concluding chapter of this study.

1. Supererogation, a conceptual mapping

A further motivation for the current study's focus, which I take from David Heyd (one of the most important theorists of supererogation), is that the "problem of supererogation permits classical and current theories to be explored from an unusual angle, and such an exploration may underline both some merits and some flaws and inconsistencies in those theories" (1982; 10). The classical and current theories Heyd refers to, and which he explores from supererogation's unusual angle in his 1982 monograph *Supererogation*, are Kantianism, utilitarianism, virtue ethics² and contract theories³. What these theories share (although virtue ethics is something of an anomaly) is that they are typically representative of *analytic* ethical theories.

As typical analytic ethical theories, what consequentialism (exemplified by utilitarianism) and deontology (exemplified by Kantianism and proto-Kantian contract theories such as Rawls's Egalitarian Theory) share is that both treat "ethical imperatives [...] as if they were immutable truths, the validity of which remains unaffected by the particularities of personal, interpersonal and contextual variables" (Painter-Morland 2008; 52). One way to describe the moral agent at the centre of such theories is to say that he/she must always act in an impartial way, recognising that "morally speaking, I am no more important than anyone else" (Cullity 2004; 92). Impartialist ethical theories, or impartialism, thus "identifies morality with a

² Heyd (1982; 35-48) does not discuss 'virtue ethics' *per se* as it has come to be known after Anscombe's (1958) 'Modern Moral Philosophy', but rather the 'Greco-Roman view' of beneficence and altruism in Aristotle and Seneca. Because 'virtue ethics' is grounded upon Aristotle's work, principally *Nicomachean Ethics*, I use 'virtue ethics' as a convenient shorthand to describe Heyd's investigation in this regard. In the event, I do not discuss virtue ethics in any depth in the study, beyond a cursory paragraph in the first chapter (§ 2.1) as it does not bear materially upon my argument.

³ Heyd critiques how Rawls' (1972) *A Theory of Justice* and Richards' (1971) *A Theory of Reasons for Action*, as contract theories, deal with supererogation. As with virtue ethics, I do not discuss contract theories in any depth in the study beyond a cursory paragraph in the first chapter (§ 2.1) as they, too, do not bear materially upon my argument.

perspective of impartiality, impersonality, objectivity, and universality” (Alford 2001; 149). Impartialism presents an intractable problem to analytic ethical theories such as Kantianism and utilitarianism because it fails to adequately “understand the way in which human subjectivity is shaped and informed in and by the confluence of historical, societal and cultural variables in the lives of individuals” (Painter-Morland 2008; 91). Impartialism also encroaches upon the autonomy of the individual moral agent to pursue his/her life goals and dreams (Williams 1973, 1981a, 1981b).

I will follow Heyd’s (1982) critique of how both Kantianism and utilitarianism fail to account for supererogation’s special deontic status and attempt to assimilate it into their ethical frameworks, and in the process underline the flaws and inconsistencies in their theories. Heyd describes Kantianism’s and utilitarianism’s assimilation strategy as a two-pronged approach that involves firstly reducing supererogation to obligation, and then extending the scope of that obligation. An original contribution I offer to the scholarship is to demonstrate how this assimilation strategy operates in a very particular utilitarian setting, namely in Peter Singer’s so-called life-saving analogy (hereafter referred to as the LSA), posited in his seminal 1972 essay ‘Famine, Affluence and Morality’, in which he seeks to equate a failure to donate to aid agencies and charities with a failure to save a drowning child in a pond.

I concur with Heyd’s (2015; 41) remark that the question of the status of supererogation, in the final analysis, concerns “conceptual mapping rather than moral truth,” and as such I will proceed without attempting to settle on any fixed definition of supererogation (as well as for other reasons that will become apparent in chapter four). However, I also believe that Heyd’s conceptual mapping reaches a *cul-de-sac* that must be traversed. There are two main reasons for this. Firstly, Heyd (1982; 1) notes that “supererogation is primarily attributed to acts or actions rather

than persons, traits of character, motives, intentions, or emotions". It is a position that he himself does not stray too far from. However, some, most notably Cowley (2015), have recently argued that a moral agent's character, motives, and attitudes can in some cases be constitutive of supererogation. Cowley (4) argues that dismissing the supererogator's *perspective* as irrelevant, or as an "emotional distortion", impoverishes our understanding of the supererogatory act. He suggests that "the objective meaning of the [supererogatory] act partly depends on the way the supererogator comes to think about it" (*ibid.*). It is this consideration that motivates my decision to examine (in chapter two) supererogatory *attitudes*, as distinct from, but also as constitutive of, supererogatory *actions* (which I examine in chapter one). The second reason I believe Heyd's conceptual mapping of supererogation reaches an impasse follows from my analysis of supererogatory attitudes. Part of Heyd's critique of analytic ethical theories, such as Kantianism and utilitarianism, with respect to supererogation, is that in attempting to assimilate supererogation, these impartialist theories restrain the autonomy of the moral agent to perform supererogatory acts. Heyd (2015; 45) argues that supererogatory acts are identifiable by their "optionality, agent discretion and non-universalizable nature". However, I will argue – following Williams (1981b, 1993); Taylor (1995, 2002, 2012); Archer (2015) – that moral autonomy is not necessary for supererogation. Furthermore, I will argue that the theoretical resources present in the analytic philosophical tradition are insufficient to move the conceptualisation of supererogation forward after this important result.

It is at this juncture that I will attempt a leap across a philosophical and concomitant terminological divide, a leap which will see my argument shifting register from one engaged in the analytic tradition, to one engaged in the so-called 'continental'

tradition. This is in service of restoring an ethical significance to supererogation now left precarious because of what I argue are analytic philosophy's shortcomings, particularly its impartialism. Painter-Morland (2008; 91) argues that "the continental philosophical tradition rejects the idea that [the moral responses of individuals] can be prescribed or proscribed in the form of immutable principles, codes or laws [since these] are seen as being, in a sense, called forth by appeals that emanate from a particular set of situational, contextual and relational contingencies". In other words, my shift to the continental philosophical tradition will allow me to examine supererogation in the absence of individual moral autonomy as understood in the analytic tradition (which is now governed by relational and other contingencies), and without the need to posit universal and fixed principles that transcribe supererogation. In order to facilitate this shift in philosophical register, the study is divided into two parts – Part I: Uncertainty, the style and terminology of which will track an analytic tradition, and Part II: Undecidability, the style and terminology of which will track the continental tradition.

Having made this very broad distinction, it goes without saying that the continental tradition covers an extremely wide-ranging *oeuvre* and the schools of thought that fall under it usually centre around the texts of a particular theorist⁴. Delving into this taxonomy is beyond the scope of this study. What is important to note is that the concept of (moral) 'duty' or 'obligation' becomes much less significant in continental ethics, precisely because duty is associated with impartialism, that is, duty lends itself to universalisation. This further complicates conceptualising supererogation because the 'duty' in the 'beyond duty' of supererogation becomes unworkable.

⁴ See Simon Critchley's *Continental Philosophy: A Very Short Introduction* (2001) for a concise introductory account.

'Situational, contextual and relational contingencies' mean that responsibility becomes the central concept around which continental ethics converges.

Nonetheless, this still leaves a wide range of continental philosophers and/or schools of thought available for a reconceptualisation of supererogation.

2. A Levinasian reinscription of supererogation

It is my contention that the work of Emmanuel Levinas (who, however one may wish to categorise him, at the very least falls within the continental philosophical tradition) is particularly well suited to reconceptualise supererogation. My reason for this claim is that Levinas has a noteworthy interest in the figure of the saint, which as I noted above, is one of the paradigmatic figures within the supererogation literature.

Levinas (1988; 172) says that

we cannot not admire saintliness. Not the sacred, but saintliness: that is, the person who in his being is more attached to the being of the other than to his own. I believe that it is in saintliness that the human begins; not in the accomplishment of saintliness, but in the value. It is the first value, an undeniable value.

By enlisting Levinasian ethics, I will attempt to offer a viable reconceptualised supererogation that draws on the figure of the saint and the purported sacrifices that saints make. My strategy will involve, as an initial move, reinscribing in Levinasian terms three concepts that I argue, in the first part of the study, are central to conceptualising supererogation, namely proximity, asymmetry and autonomy.

Another reason for choosing Levinasian ethics as a means to reconceptualise supererogation is how it deals with moral scepticism. Analytic, that is, impartialist, ethical theories need to resort to the problematic notion of universalisability in order

to make sense of the moral sceptic's and egoist's challenge contained in the questions 'Why act morally?' or 'Why should the other concern me?'. Whereas, for Levinas, moral scepticism is the very driver of a responsible ethical concern for the other. This is because moral scepticism, on Levinas' account, involves a performative contradiction in that the very posing of such questions must presuppose an ethical subjectivity. Levinas bases such subjectivity on the unconditionality of being hostage to the other.

Nonetheless, the difference between Levinas and the analytic tradition is less schism than chiasmus. The intersection, I argue, is to be found in the critique of moral 'rationality'. Alice Crary's (2007) *Beyond Moral Judgement* (an analytic work) argues for an affective rationality that sees emotions, intuitions, and feelings as being just as important to moral rationality as objectivity and judgement. Crary's project thus finds a natural fit with, but also a fruitful extension of, Levinasian ethics, which is more attuned to moral sensibility than moral knowledge – or so I will argue. As such, I believe that my Levinasian reinscription of supererogation could also find a welcome reception in the analytic philosophical tradition as I present it.

As a first step in this endeavour, I provide an exegesis of Levinas's work in the first half of Part II (chapter three). Levinas's work is itself a radical reinscription of ethics traditionally understood, but it is not *an ethics per se*. Perpich (2008; 12) argues that "Levinas' work is not about the specifics of our moral life so much as it is a struggle to say how we come to find ourselves within moral life at all". Levinas does not set out to find out what ethical duty is, or how far such a duty may extend once established. Rather, Levinas seeks to account for the essence of the ethical relation in general, or what Critchley (1999a; 3) has called the "primordial ethical experience".

In *Totality and Infinity* (1969), Levinas describes the primordial ethical experience as a face to face encounter with the other, where the face of the other represents that which cannot be represented; that is, the alterity and/or singularity of the other. All attempts by the ego to represent the alterity of the other serve only to diminish the other's alterity. The "imperialism of the same" (1969; 39) describes how ontology seeks to reduce the alterity of the other, by trying to categorise the other into a totality of other and same. The only ethical way to avoid this totalisation is by viewing the other as 'exteriority', that is, exterior to all systems of knowing and being (ontology) and, as per the idea of infinity, presenting itself as that which "exceeds *the idea of the other in me*" (1969; 50). Levinas describes an asymmetry of representation – the other "comes from a dimension of height" (1969; 215) – between the other and the ego. The subjectivity of the ego is held hostage by the other because the ego can never represent the other. Only the other, as face, can represent his/her singularity (alterity). It follows that if I can never faithfully represent you and your ethical claims (as doing so will totalise your otherness), then I can never discharge my moral responsibilities to you fully. This leads to one of Levinas's central claims, namely, that we are infinitely responsible to, and for, the other.

Infinite responsibility is even more demanding than the 'moral demandingness' that one finds in the conventional defence against emulating the lives and actions of saints and heroes, purportedly supererogatory agents. In order to save us from being consumed by this infinitely demanding responsibility for the other (cf. Critchley 2012), and to be able to offer a reconceptualised supererogation in the absence of moral autonomy as understood in the analytic tradition, I will turn to Levinas' notion of justice, or the political. The third party to the original face-to-face encounter – the 'other other', so to speak – marks Levinas' move to the political because it means

that I must equalise the alterity of the other with the alterity of the third (the other other) in order to compare them and thus decide who comes first. But in so doing, I totalise the other. The presence of the third, who is also contemporaneous and coterminous with the other, forces an impossible decision on me: How can I remain ethical, that is, maintain responsibility for the alterity of the other, when politics requires me to decide which alterity will be diminished and how? Following Jacques Derrida (1992), I will call this the ‘undecidable decision’. Critchley (1999b; 108) argues that “it is because responsibility is infinite that the decision is always undecidable”.

Derrida posits the ‘quasi-transcendental’ as a means to navigate this undecidability, which, in a nutshell, envisages approaching ethical injunctions, that is to say, justice or politics, “*as if they were universal rules*, but we have to remotivate the legitimacy of the rule *each time we use it*” (Cilliers 1998: 139). Instead of employing Derrida’s quasi-transcendental, I will in this study turn to the work of Preiser and Cilliers (2010), and Woermann and Cilliers (2012), who use Complexity Theory to posit a much more intuitive and workable version of the quasi-transcendental, contained in what they call the ‘provisional imperative’. The provisional imperative (a meta-ethical imperative like Kant’s categorical imperative), pared to its essence, reads as follows – “when acting, always remain cognisant of other ways of acting” (Woermann and Cilliers 2012; 451).

I will place the provisional imperative at the centre of what I will call a ‘Levinasian normativity’, which I distinguish from a Levinasian ethics. Levinasian normativity, as I will use the term, can also be regarded as a way in which to operationalise Levinasian ethics which I, in turn, understand as the interruption of the political by the ethical. This normativity will however be a “normativity without norms” (Perpich

2008; 126) which consists in the contestation of norms; or, rather, in the condition of the never-ending contestability of norms.

One of the most quoted lines in the Levinasian *oeuvre* is Levinas's remark that "[m]y task does not consist in constructing ethics; I only try to find its meaning" (1985; 90). My attempt to construct a Levinasian normativity, based on the provisional imperative, is a direct response to the much less repeated remark Levinas offers as follow-up to the above: "one can without doubt construct an ethics in function of what I have just said, but this is not my own theme" (1985; 90). This invitation is, however, so reticent and effacing that all such attempts in the Levinasian scholarship inevitably begin with a list of caveats and cautions.

To mention but two: in the business ethics literature, Forstorp (2007; 300) warns that "applied ethics and its imperative of application can be regarded as an example of the 'totalizing' attempts in philosophy". Concerning environmental ethics, Casey (2000; 11 in Perpich 2008; 159) argues that the choice between "the face that is strictly human (and then no ethics of the larger environment is possible) or [as] part of a decidedly non-ethical totality called 'life' or 'nature' [...] gets us nowhere when we want to consider right and good action in the non-human world." Perpich (2008; 159) calls out these commentators who "regularly want to divorce [Levinas'] work from so-called normative ethics [but then do not] adhere to the terms of such a divorce." In the case of Forstrop (2007; 300), he argues that "any business activity is a configuration of the consumer, an interpellation and a way of understanding the other" and proceeds to apply Levinas to fundraising discourse. In the case of Casey, his project centres around a substitute for the (Levinasian) face, although "not to make of nature as a whole a kind of analogue of the face" (Perpich 2008; 160). In constructing a Levinasian normativity, I intend to pay attention to the necessary

caveats and cautions such an enterprise elicits, while at the same time arguing that the breaches Perpich alludes to are an inevitable compromise that must be accommodated if such an enterprise is to gain any traction.

My original contribution to the scholarship in the second half of this study, then, is to operationalise Levinas' ethics by constructing a Levinasian normativity *in service of a reconceptualisation of supererogation*. This, to my knowledge, has not been attempted in either the supererogation or Levinasian scholarship⁵. Furthermore, my use of the provisional imperative to construct such a Levinasian normativity is also novel and brings together supererogation and 'the ethics of complexity' (Woermann and Cilliers 2012). Very briefly, the ethics of complexity is concerned with the normative implications that follow from the attempt to model (represent) complex phenomena and systems.

The conclusion that I reach at the end of the study is a radical and counter-intuitive one: every moral act is a supererogatory act and every moral actor a saint (or rather, a provisional saint) because every moral act, no matter how small, contains the *possibility* of sacrifice. Actual sacrifice makes this implicit state of being in the world with others explicit. Supererogation is the saintly potentiality at the core of every moral act.

3. Stating the problem and motivating its importance for ethical enquiry

⁵ Supererogation as a topic is almost absent in the continental philosophical tradition. A recent edition of the Royal Institute of Philosophy Supplement (77, 2015), based on the Institute's annual conference in Dublin 2014 and devoted to supererogation, had just one paper out of ten that is described as falling within the continental tradition. In the event, the continental philosopher enlisted to explore supererogation is a very obscure one, French philosopher, Jean-Marie Guyau (1854–88).

Within ethical enquiry, supererogation problematises, and is in turn problematised by, both moral autonomy and duty. Autonomy is problematic because agency is central to ethical subjectivity – if a moral agent has no choice in deciding whether to pursue a course of action, how can he/she be held responsible? Duty is problematic because it raises questions about the limits of duty – how far should duty extend? The limits of duty implicate autonomy, in that the wider the duties extend, the more they potentially encroach upon autonomy. It follows that if supererogation can only be conceptualised with reference to autonomy and duty, and these two concepts are problematic, then conceptualising supererogation will also be problematic. However, if other philosophical traditions can offer theoretical resources to rehabilitate the concepts of duty and autonomy and overcome their respective shortcomings, then a reconceptualised supererogation is possible. A satisfactory account of supererogation is important for both meta-ethical and normative reasons, because supererogation addresses not only the limits of moral responsibility, but also the constitution of ethical subjectivity. Therefore, the *first research question* this study aims to answer is:

Can supererogation be conceptualised without the concepts of obligation or duty?

As prolegomenon to answering this question, the following research question needs to be addressed: Is autonomy a necessary or sufficient requirement for supererogation?

The *second research question*, which follows from the first question being answered in the affirmative is:

Can a Levinasian ethics offer a viable framework within which to conceptualise supererogation?

As prolegomenon to answering this question, the following research question needs to be addressed: Can a Levinasian ethics be enacted and, if so, how?

4. Structure of the study

In chapter one, I introduce supererogation and consider various definitions offered as well as paradoxes and problems – both meta-ethical and normative – associated with it. I follow Heyd's (1982) analysis of how certain ethical theories, in particular Kantianism and utilitarianism, attempt to assimilate supererogation within their frameworks. I then use Heyd's schema to critically analyse Peter Singer's so-called life-saving analogy (LSA), which Singer offers in his 1972 essay 'Famine, Affluence and Morality', as a means to explore how this assimilation strategy operates in a practical context. I will argue that the LSA fails, and *a fortiori* the attempt to reduce the supererogatory to the obligatory fails, because the LSA is grounded in utilitarianism. Furthermore, I will argue that utilitarianism (at least with respect to supererogation) fails because of its impartialism. In turn, because Kantianism shares these impartialist features with utilitarianism, it too fails to satisfactorily account for supererogatory actions.

In chapter two, I shift the analysis of supererogation from supererogatory actions to supererogatory attitudes. I explore how moral autonomy is implicated in supererogation through a consideration of cost to the moral agent. Following Archer (2015), who employs Bernard Williams' (1993) notion of a moral incapacity, I argue that if the supererogatory act no longer constitutes a cost to the moral agent, because he/she could not act otherwise, then the autonomy of the moral agent to perform or not to perform a supererogatory act is no longer a distinguishing feature of supererogation. Craig Taylor (1995) extends Williams' notion of a moral incapacity

which goes beyond moral deliberation to include ‘primitive’ moral responses, that is, unthinking and immediate moral responses. I conclude the chapter by positioning Craig Taylor’s (2002; 2012) work on primitive moral responses as responses that might ground supererogation and that could therefore be considered as a particular kind of supererogatory attitude.

Chapter three, which also commences Part II of the study, is primarily an exegesis of Levinas’s two main works, *Totality and Infinity* (1969) and *Otherwise than Being* (1998). This will unfold as an examination of three particular concepts found in these texts – namely, proximity, asymmetry and autonomy – which I identify as also being central to an adequate conceptualisation of supererogation. I also explore Levinas’s (problematic) move from ethics to politics by way of the third, and outline Derrida’s notion of undecidability as a possible means to navigate this move.

In chapter four, I attempt to construct a Levinasian normativity, otherwise an ‘operationalisation’ of Levinasian ethics, in service of a reconceptualisation of supererogation. Thereafter, I return to Taylor’s primitive moral responses – argued for as grounds for supererogation in chapter two – and reinscribe them into Levinasian terms. This reinscription will make the case for a Levinasian (primitive) moral response (to the other and the other’s suffering) which grounds supererogation, and which manifests in the provisional imperative operating as a recursive modality. I then critically assess Levinas’ claims about sacrifice and saintliness to argue that Levinasian normativity is essentially supererogatory and that every moral act, however commonplace, is supererogatory. I conclude the chapter by considering two possible objections to my finding, firstly that Levinasian normativity as supererogatory renders all morality banal, and secondly (and also

paradoxically) Levinasian normativity renders morality too demanding. I reject both these positions in turn.

Chapter five, which serves as an epilogue to the study, returns once again to addressing the analytic/continental divide in contemporary philosophy. A significant feature of my methodology in the study involves ‘translating’ analytic ethical terms into continental ethical terms in order to demonstrate both the lacunae and continuities between the two traditions. However, some might claim that such purported ethical isomorphism ignores an ethical remainder and that my reinscription flattens the distinctions between the two traditions, instead of allowing them to speak on equal footing. The concluding chapter addresses these objections through an examination of moral scepticism.

PART I – Uncertainty

Chapter 1: Supererogatory actions

1. Introduction

Supererogatory acts are moral acts that go ‘beyond duty’. While the moral agent is neither required nor prevented from performing these acts, the optional nature of supererogation makes them morally significant – they are praiseworthy when performed; and yet not blameworthy when not performed. Typically, supererogatory acts involve sacrifice, as can be gleaned from the title of J.O Urmson’s (1958) seminal essay ‘Saints and Heroes’, which single-handedly revived the philosophical interest in supererogation, although he never once uses that term. This does not mean that the sacrifice the moral agent makes need reach the level associated with either a saint or a hero. Nonetheless, supererogation does seem to involve some moral cost to the agent, precisely because it is not required of the agent.

Supererogation presents a problematic lacuna in classical ethical theories such as Kantianism and utilitarianism: for the Kantian, supererogatory acts, as non-obligatory acts, are not covered by duties which follow, *inter alia*, from recognising others as members of a kingdom of ends. The utilitarian, on the other hand, struggles to accommodate supererogation because non-deontological ethical theories such as utilitarianism are not based on duty, and so speaking of *beyond* duty becomes meaningless.

Part I of this project, ‘Uncertainty, a conceptualisation of supererogation’, is divided into two chapters, with the first examining supererogatory actions, and the second examining supererogatory attitudes. In this chapter, I will follow David Heyd (1982) in his eponymously titled monograph on supererogation, in which he attempts to define

the concept of supererogation, study its relation to other moral concepts, and justify its special status. Furthermore, I concur with Heyd's remark that the "problem of supererogation permits classical and current theories to be explored from an unusual angle, and such an exploration may underline both some merits and some flaws and inconsistencies in those theories" (*ibid.*; 10).

The chapter starts with a brief history of the origins of supererogation in the story of the Good Samaritan and its status within the Catholic Church. Thereafter I consider some definitions of supererogation which culminate in the paradox of supererogation. This paradox can be traced to the 'good-ought tie-up' and reasons for action: How can that which is good for the moral agent to do, *not* be what he/she, ought to do? If an action is praiseworthy, as supererogatory actions purportedly are, why need the agent *not* perform them? The section continues by considering a strategic move that attempts to reduce the supererogatory to the obligatory, and so to assimilate supererogation into a theoretical framework. This is undertaken at a meta-ethical level and examined at the hand of Kant, who attempts to reduce the ostensibly supererogatory act of charity to the obligatory act of justice.

Concurrent with a reductionist strategy to assimilate supererogation, and thus deny it a special deontic status, is a strategy to extend the meaning and scope of duty. In section three, this is examined at the normative level through a critical analysis of Peter Singer's so-called life-saving analogy (LSA), which I use as a proxy for investigating such utilitarian strategies in general. Singer's LSA, first posited in 'Famine, Affluence and Morality' (1972), seeks to equate failure to donate to aid agencies and charities with a failure to save a drowning child in a pond. Singer hopes to base the LSA on (what I call, following Miller (2004)) a 'principle of sacrifice' – "if it is in our power to prevent something bad from happening, without thereby

sacrificing anything of comparable moral importance, we ought, morally, to do it” (1972; 231). I divide my analysis of Singer’s argument, as it appears in ‘Famine, Affluence and Morality’, into two stages: firstly, I consider whether the analogy between rescuing a drowning child and donating to aid agencies holds; secondly, I ask whether or not Singer’s sacrifice principle is legitimate, and as such whether or not it can support the drowning child part of the analogy.

§ 3.1 tackles the first stage of the analysis where I interrogate two chief objections to the analogy at the centre of the LSA: the problem of proximity – the fact that the drowning child is here, in front of me, while the starving children who would benefit from my donation to an aid agency are far away; and the fair share objection – that there are many others in the same, financial, position as me, but if they do not contribute to aid agencies, it potentially increases my moral obligation to assist the destitute (both near and far) to make up the shortfall. Singer’s dismissal of the proximity objection is assisted by employing arguments that expand the concept of physical and psycho-social distance. However, because Singer also appeals to impartialism in his dismissal of the proximity objection (which I in the final section argue is problematic), this then *ipso facto* overrides, and in turn reverses, his specific dismissal of the proximity objection. I continue, arguing that Singer fails to defeat the fair share objection because he appears to conflate duties of rescue (of a drowning child) with duties of justice (which are concerned with poverty). This conflation can also be seen as a species of moral demandingness.

§ 3.2 tackles the second stage of my analysis of the LSA: investigating the theoretical underpinnings to the LSA by inspecting the sacrifice principle itself, which Singer claims is not beholden to any theoretical framework for its legitimacy. The second stage of analysis will, in turn, be sub-divided into two further parts. Firstly, I

will argue, following Gomberg (2002), that the sacrifice principle does not rest on an a-theoretical argument but is actually just a utilitarian principle. Aiding this project will be a consideration of Cullity's (2004) principle of beneficence that hopes to stand in for the sacrifice principle. Secondly, I will argue that utilitarianism itself is problematic; the logic being that if utilitarianism is problematic and the sacrifice principle rests on utilitarianism, then the sacrifice principle is thereby also problematic. As such, it cannot provide theoretical support for the LSA. I will argue that utilitarianism is problematic because it is essentially impartialist, an argument which is undertaken in the final section.

The final section brings utilitarianism and Kantianism back together, and their problematic treatment of supererogation, but this time as ethical theories which can be described as impartialist. Impartialism, in its abstraction to the universal and impersonal, denies the individual moral agent space to pursue his/her life projects (cf. Williams 1973; 1981a; 1981b) and express his/her character through optional and autonomous decisions (including such decisions to, on occasion, act in a supererogatory fashion). Lastly, I consider the argument Susan Wolf (1982) presents in 'Moral Saints' as another way of understanding the challenge thrown up by impartialism – in particular the encroaching upon, and erasure of, individual moral autonomy – and the contrasting value of supererogation to meet that challenge. The chapter ends with Wolf's (438) claim that "any plausible moral theory must make use of some conception of supererogation". I hope to show that impartialist ethical theories such as Kantianism and utilitarianism do not. Furthermore, because impartialism challenges the plausibility of utilitarianism, utilitarianism cannot provide legitimacy to Singer's sacrifice principle, and *a fortiori* the LSA.

2. Supererogation: a conceptual mapping

Supererogatory acts⁶ refer to moral acts that go ‘beyond duty’; as such, these moral acts are non-obligatory. Furthermore, these acts are optional for the moral agent to perform (Heyd 1982, 2015). This is a useful, first characterisation of the nature of moral acts, encompassed by the concept of ‘supererogation’. The term ‘supererogation’ is a philosophically technical one, and perhaps, also, as characterised by Cowley (2015; 1), an “ugly and unpronounceable” one. He speculates that this is the reason why J.O. Urmson avoided the term in his seminal 1958 paper ‘Saints and Heroes’ (which, as Heyd [2015; 25], remarks, single-handedly revived the idea of supererogation from its “post-reformation slumber”), opting instead for more familiar incarnations of the concept as alluded to by the eponymous protagonists in the paper’s title. The ‘paradigm cases’ of supererogation discussed by Heyd (1982; 142-164), such as beneficence (including charity and generosity), volunteering and forgiveness, are intuitive to grasp as actions that go ‘beyond duty’; they also show that supererogatory actions can be encountered in the quotidian and are not reserved only for dramatic demonstrations of self-sacrifice⁷.

The origin of the term ‘supererogation’ can be traced back to the parable of the Good Samaritan, as related in the New Testament of the Bible. The Good Samaritan, after encountering a man by the side of the road who had been robbed and beaten up, tends to his injuries, takes him to an inn, pays two pence over and instructs the

⁶ Heyd (1982; 1) notes that “supererogation is primarily attributed to *acts* or *actions* rather than persons, traits of character, motives, intentions, or emotions”. Others caution against this focus on acts, and argue that a moral agent’s character, motives and attitudes can in some cases be constitutive of supererogation (Cowley 2015). This important distinction is reflected in chapter 1’s focus on supererogatory *actions* and chapter two with supererogatory *attitudes*.

⁷ Whether or not small acts of kindness should be regarded as supererogatory is contentious, with some arguing that a significant cost is necessary in order for an act to qualify as supererogatory (Drummond-Young 2015). This concern is taken up in chapter two §.3. under the notion of an ‘appeal to cost’.

innkeeper to keep an account of any further expenses accrued thereafter which he, the Good Samaritan, will reimburse on his return. The Latin phrase *quocumque supererogaveris* translates as ‘whatsoever thou shalt spend over and above’, in reference to the promise of the Good Samaritan to pay for any further expenses incurred by the innkeeper in accommodating the man (Heyd 1982; 17). While the Samaritan’s duty (as a Christian) ends once he has tended to the victim and got him to a place of rest, the payment for further expenses goes beyond this Christian duty (*ibid.*).

The Catholic Church later developed the doctrine of supererogation, which reached its apogee in the institution of Indulgences, whereby the “remission of penance and temporal penalties attached to sin” achieved through the meritorious good works of the Saints could be bequeathed to the Church and used to ‘compensate’ those joining the Crusades; or allocated to those with means to purchase them (19).

Arguably, it was this instrumental interpretation of the parable of the Samaritan (and our contemporary understanding of supererogation), together with the subsequent corruption that sprung up around indulgences, that contributed to the Reformation.

The supererogatory acts of the Saints had been perverted for monetary gain.

Supererogation has since progressed from Christian ethics, “spill[ing] into secular ethics, initially living in the shadows though” (Wessels 2015; 87). Beyond the brief discussion above, supererogation’s development in religious thought will not be undertaken here, although a trace of the theological remains in our usage of the term ‘saints’⁸.

⁸ For a comprehensive discussion of supererogation’s theological origins in Christianity, see Heyd 1982; Chapter 1.

In attempting to map the contours of supererogation, Urmson (1958) takes aim at the traditional classification of moral actions as either obligatory, permissible or forbidden. This tripartite deontic scheme, purporting to exhaust the category of all moral actions, failed (he argues) to account for actions that did not fit neatly into any of those categories, such as saintly and heroic actions. Although saintly or heroic actions are neither obligatory nor forbidden, saying that they are permissible, while true, fails to capture important features about them, namely, that declining to take up such permissibility is not blameworthy.

Heyd (1982; 115-116) offers a formal definition of a supererogatory act as (1) neither obligatory nor forbidden; (2) one whose omission is not an instance of wrongness (or deserving of sanction or criticism); (3) morally good; and (4) one that is done voluntarily for the sake of another's good (and is thus meritorious). Heyd takes conditions (2) to (4) as sufficient conditions for supererogation, justifying the inclusion of (1) for expository and convenience purposes.

Later, Heyd (2015; 44-5) recounts how Urmson (1988; 167-9) would, some thirty years after 'Saints and Heroes', regret replacing the tripartite deontic structure – obligatory, permissible and forbidden acts – typical of moral theory at the time, with a tetrachotomy which included supererogatory acts. In his revisiting of supererogatory acts, Urmson notes that common everyday acts, such as kindness and considerateness, are praiseworthy and non-obligatory, but far removed from the actions of saints and heroes. Central to Urmson's retreat from treating supererogatory acts as a distinct class of moral acts is his observation that supererogatory acts do not all involve sacrifice. This idea, that a great cost to the agent need not be a determining factor in considering whether or not an act qualifies as supererogatory, is an important one and is examined in more depth in chapter

two. Urmson concludes that the significant heterogeneity between holding an open door and jumping on a grenade to save one's fellow platoon-members, for example, should thus preclude a special category of the supererogatory.

Heyd (2015; 45) rejects Urmson's *volte-face*, noting that Urmson himself pointed out that supererogatory acts share two common properties: "being non-obligatory and yet having moral significance." In other words, both the acts of holding an open door and jumping on a grenade to save one's fellow platoon-members are not required by duty, but both are morally significant; we would praise the agent performing these actions, the former for their courteous behaviour, the latter for their heroic behaviour. Heyd (*ibid.*) thus urges us to ignore Urmson's later position, which sees the supererogatory as indistinct from other moral actions, because supererogatory actions all share the following features: their "optionality, agent discretion and non-universalisable nature".

Although Urmson and Heyd are the two central figures in the contemporary supererogation debate (which starts with Urmson's 1958 paper), the literature abounds with varying definitions of supererogation. Cowley (2015; 2) considers and distils the vast literature down to two broad groupings: the first basic definition frames a supererogatory act as "a morally admirable act that in some way goes 'beyond the call of duty'"; while the second definition accounts for the responses of others "according to which a supererogatory action is *praiseworthy* (or at least admirable) if performed, but not *blameworthy* if omitted." These two broad definitions capture the two moral elements that Heyd ascribes to Urmson above, that is, optionality and moral significance.

For the purposes of this study, I will proceed without adopting any particular definition of supererogation but will try, instead, to understand it by examining the various features of the many definitions offered. These features include, *inter alia*, praise/merit and blame/sanction, optionality/voluntariness, beyond duty, non-obligation, omissions and permissions. Heyd remarks that the question of the status of supererogation, in the final analysis, concerns “conceptual mapping rather than moral truth” (2015; 41).

2.1 The paradox of supererogation and reasons for action

Heyd (1982; 3) describes “the philosophical problem of supererogation [as] twofold: theoretical and moral (i.e. meta-ethical and normative respectively)”. The first, meta-ethical, problem of supererogation will be examined in the remainder of this section (and again in § 4 below); while the second, normative, problem of supererogation will be examined in § 3 to follow. The theoretical/meta-ethical problem of supererogation appears in the following purported paradox⁹:

acts of supererogation are, by definition, distinguished from acts of duty; on the other hand, they have meaning only in the framework of a moral theory based on the concept of duty [...]. Non-deontological theory [...] cannot accommodate supererogation, because if there is no duty, then *a fortiori* there

⁹ Kamm (1985) describes another interesting paradox that arises from the interplay between supererogation and obligation: it is sometimes permissible to perform a supererogatory action rather than an obligatory action; that is, we can on certain occasions perform an action that goes beyond duty and in the process forgo doing our moral duty in that situation. Kamm asks us to consider the case where I have promised to meet a friend for lunch at a certain time (thus having a moral duty to uphold that promise). On my way to meet my friend, I come across a car crash in which an injured victim requires a kidney transplant to survive. Donating the kidney goes beyond duty – it is supererogatory – but I am willing to do it. It is absurd to claim that I can’t perform the supererogatory act because I have a previous moral duty, to uphold a promise, which must be discharged first (119-120). Nonetheless “we do have to make certain efforts to do our duty, though we need not make the same efforts to do a supererogatory act which we may nevertheless do instead of duty. Furthermore, we may not violate a duty for some personal goal, though we may pursue the same personal goal instead of doing a supererogatory act for the sake of which we may violate the duty” (119).

cannot be action which transcends duty. On the other hand, a purely deontological theory (like Kant's) does not leave room for supererogation, either, for supererogation, is a class of non-obligatory acts (*ibid.*).

Put simply, the paradox is how can a purportedly 'good' action be optional if that action is morally better than the non-optional alternatives? The source of the paradox can be traced back to the so-called 'good-ought tie-up': if an action is good, then an agent ought to do it. Heyd traces Raz's (1975) formulation of this dilemma into the language of reasons for action. Raz, according to Heyd (1982; 167-8), has it that

if a supererogatory action is morally good (praiseworthy) there must be reasons for doing it, and these reasons must outweigh any conflicting reasons for not doing it; as there are conclusive reasons that require the performance of the act, one ought (conclusively) to do it; but if the action ought to be done, omission must be blameworthy. It seems therefore, that an action cannot be both morally good and optional.

Heyd's counter-argument is that Raz is conflating evaluative with deontic concepts, or, to put it somewhat differently, as Levy (2015; 234) does, "a causal picture of action has infected a normative explanation of action." There are a wide range of often incompatible uses of 'ought'. 'Ought' can be used in a commendatory way and, in such cases, its use is tied up with 'good', which then provides a reason for action; but only if 'good' is interpreted impersonally (Heyd 1982; 171-2). He continues:

The existence of a gap between judgements of what is good to do and what one ought to do is that 'good' may be used impersonally, while 'ought' involves human agency. This is a general difference between value concepts and deontic concepts. 'Good' characterises states of affairs, motives,

personality traits as well as actions, independently of the existence of agents who can bring them about or hope to. 'Ought', however, at least in its prescriptive sense, applies only in situations in which there is an agent of whom a certain action is required [...] it cannot be the case, therefore, that any valuable state of affairs in itself constitutes a reason for action (in the sense of 'ought') for an individual person (*ibid.*).

Prescriptive reasons for action for Heyd, then, do not exhaust all that is unique about supererogatory actions. (A deeper critique of reasons for action, which will involve conferring on them more expansive roles, with respect to supererogatory actions, will be undertaken in chapter two.) Part of Heyd's project to justify the special deontic status of supererogation involves examining how particular moral theories treat the notion of the supererogatory within their frameworks. One particular, and common, strategy, is to simply, in the term preferred by Levy (2015), 'assimilate' the supererogatory within their frameworks, and so dispense with the supererogatory as a distinct class of moral acts. Heyd (1982; 52), in relation to Kantianism, calls the attempt to reduce the supererogatory to the obligatory a reductionist strategy.

Before examining how both the Kantian and utilitarian attempt such a reductionism, I will briefly note some of Heyd's remarks about supererogation and virtue ethics in this paragraph, and theories of (Rawlsian) justice in the next. Paradigmatic supererogatory acts such as those performed by Urmsen's saints and heroes do often demonstrate great moral virtue, such as courage, and the good character of the moral agent performing them. However, not every supererogatory act need manifest virtue (running into a collapsing building to save a child might, in the circumstances, be less courageous than foolhardy, especially if one also has children who might be bereft a parent should the attempted rescue turn tragic), while

not every virtuous act is supererogatory (it hardly makes sense to describe being a loyal friend as going beyond duty). Heyd (2015; 32) agrees with the claim that the virtuous agent does not act *only* from duty but also from a particular character, yet “that does not mean that a virtuous person does necessarily *more* than her duty. If the virtuous person has only one moral option in any particular situation, then the question of whether this choice is obligatory or supererogatory does not make sense. It is simply the only right choice.” Nonetheless, the interplay between virtue and supererogation shows that supererogation needs to be understood more broadly than just supererogatory *action* (see footnote 6).

Heyd (1982; 95) argues that contract theories of justice such as that of Rawls (1972) struggle less with the concept of supererogation than consequentialist and deontological theories because justice, rather than duty or utility, is the central moral concept, so “although we cannot be more just than justice requires, we can do more good than required by justice.” Furthermore, Rawls’ theory of justice, although unsystematic in its treatment of supererogation, still “constitutes an explicit recognition and a tentative explanation” of the supererogatory (Heyd 1982; 101). Nonetheless, Rawls fails to adequately account for the supererogatory because supererogation lies outside the scope of the social contract entered into by the rational, self-interested maximizers in the Original Position; the reason being that there are no principles of supererogation that can be agreed upon in the originary position (*ibid.*).

Rawls argues that supererogatory acts belong to the category of moral permissions that don’t require an explicit recognition of the originary social contract. However, permissions are not morally neutral either: “Their moral worth is at least partly related to the values which the contractors in the Original Position try to realize as much as

they can. Supererogatory acts are beyond duty but aim at the same type of values as obligatory actions” (*ibid.*). So, although Rawls recognises that there are moral acts that go beyond duty, that recognition is secondary insofar as it plays no part in establishing the foundation of his theory of justice, that is, the original position. Furthermore, because supererogatory acts have no moral significance for Rawls beyond permissions, his theory of justice will necessarily fall back onto the classic tripartite deontic scheme of obligatory, forbidden and permissible actions that Heyd argues is so problematic.

2.2. Assimilating supererogation

2.2.1 Kantian¹⁰ reductionism

In the *Metaphysics of Morals* (1964; 21-22 in Heyd 1982; 51), Kant declares that “an action that is neither commanded nor forbidden is merely *permissible*... An action of this kind is called morally indifferent.” It is this tripartite deontic classification of actions that Urmson argues is inadequate to account for supererogation, precisely because supererogatory actions, as permissible actions, are not morally indifferent. The problem Kant faces with respect to supererogatory acts, argues Heyd, stems from Kant’s understanding of moral duty as a categorical imperative. As a categorical imperative, an obligatory act is not optional for the moral agent to perform. Furthermore, acts should be performed “wholly out of respect for duty and not from aroused feelings” (Kant 1949:192), whether they be ignoble feelings such as pride,

¹⁰ Kantianism may be considered the prime exemplar of deontological ethical theories, which see ethics as being “about duties and about the intentions with which you do them” (Jones et al. 2005: 154). Kantianism can be understood by considering the two formulations of Kant’s Categorical Imperative: “Act only according to that maxim by which you can at the same time will that it should become a universal law” (Kant 1959; 39) – the universalisation formulation, and: “Act so that you treat humanity, whether in your own person or in that of another, always as an end and never as a means only” (47) – the human dignity formulation.

or more noble feelings such as love or compassion. In other words, the only legitimate reason for action is a reverence for moral law.

Heyd (1982; 52) ascribes to Kant a conflict between a desire for a rigorous theory of duty while acknowledging humanity's aspirations to perfection, a conflict Heyd characterises as Kant's 'Rationalism' versus his 'Pietism.' Heyd attributes two complementary strategies to Kant, which aim to resolve this conflict: firstly, reducing the supererogatory to the obligatory; secondly, extending the meaning and scope of duty. The second strategy, says Heyd, usually just makes the first strategy more plausible, although it may on occasion grant some space to supererogatory acts.

"These two strategies are not always clearly distinguished from each other and should be understood merely as auxiliary tools of analysis and interpretation" (*ibid.*).

In positing a distinction between imperfect and perfect duties, Kant hopes to extend the meaning and scope of duty. By this mechanism, room is made to encompass a purportedly supererogatory act such as charity. With duty thus extended, Kant can now more plausibly reduce the supererogatory act of charity to the obligatory duty of justice. The next two paragraphs delineate how this two-fold strategy proceeds.

In the *Groundwork* (or *Fundamental Principles of the Metaphysics of Morals*), Kant (1948) distinguishes between perfect duties, which are narrow and "allow no exception in the interest of inclination", while imperfect duties are wide and allow for some exception (in Heyd 1982; 62). Keeping a promise is a perfect duty, as the moral agent has no choice as to how to fulfil that duty except by keeping the promise; whereas an imperfect duty, such as charitable giving, can be discharged in a number of different modes such as, for example, deciding who to give to and how much. However, for Kant, imperfect duties are just as compelling as perfect duties, their prescriptive force being equal. More importantly, for the present argument, the

distinction between the obligatory, in the case of perfect duties, and the optional, in the case of imperfect duties “lies *within* the sphere of duty” (*ibid.*). In other words, imperfect duties do not ‘go beyond’ duty as such, and so an imperfect duty, although allowing the moral agent more choice than a perfect duty, is still not a supererogatory action. This is because the choice just concerns the mode of application of the obligation, not whether to fulfil the obligation or not. However, once the obligation is fulfilled, one cannot fulfil more than that obligation.

The strategy to extend the scope of duty, Heyd says, is usually to make the strategy of reducing the supererogatory to the obligatory more plausible. So, Kant extends the scope of duty by categorising charity as an imperfect duty, and then *reduces* charity (ostensibly a supererogatory act) to justice (ostensibly an obligatory act), the former being (imperfect) “duties of good-will, or benevolence”, the latter being (perfect) “duties of indebtedness or justice” (Kant 1963; 191 in Heyd 1982; 58). Heyd (1982; 58-9) reconstructs how Kant effects this reduction from Kant’s argument in the *Lectures on Ethics* (1963; 194-5): if we all did what justice required of us, there would be no misery in the world (barring sickness and misfortune), and as such, no need for charity (or any other supererogatory acts). Human nature is, however, unjust, and so Providence has implanted the “instinct of benevolence” in us such that we may “restore what we have unrighteously procured”. We are therefore all responsible for injustice, whether directly through violating another, or indirectly by belonging to an unjust society, and thus charity is “a duty we owe to mankind... an act of duty imposed upon us by the rights of and the debt we owe to them.”

Heyd (1982; 59) dismisses Kant’s move by noting that illness and tragedy often drive the need for charity, and these are independent of the justice of our social institutions. Additionally, even in a world where everyone enjoys their fair share,

there are good reasons why people would want to do more, and sacrifice their share for others (family, friends and strangers) who have less. These reasons might include generosity which, for those so inclined, “is a value that must be expressed in action” (*ibid.*). Kant’s rejoinder to Heyd would likely be to call such self-sacrificing (supererogatory) acts charity and a violation of one’s duties to oneself. Heyd (60), however, rejects this by asking us to imagine counter-examples: an extremely generous, and supererogatory, act of beneficence may be regarded as a vice (self-indulgent prodigality) but hardly as a violation of duty. Thus, “the pursuit of one’s perfection, even if it is *morally* valuable, cannot be treated as a duty, and *ipso facto* as supererogatory” (*ibid.*). Heyd thus rejects Kant’s reductionist attempts to accommodate supererogation as a limiting and/or marginal case within his ethical framework, calling such attempts “qualified supererogationism” (4).

2.2.2. Utilitarian¹¹ reductionism

In his seminal 1972 essay ‘Famine, Affluence and Morality’, Peter Singer also attempts to reduce charity to duty, in order to assimilate supererogatory actions, except in this case, as one of the leading contemporary exponents of utilitarianism. More than 35 years later, Singer (2009; 259) would confirm that (in reference to ‘Famine, Affluence and Morality’), “I originally used the term ‘moral obligation’ in order to break away from the idea that giving to assist the poor is ‘charity’, that is, something that is good to do, but not wrong not to do [that is, supererogatory]. I wanted to suggest that failure to make a significant effort to assist the desperately

¹¹ Utilitarianism, as an example of a non-deontological theory (and prime exemplar of consequentialism), can be distilled into three propositions: 1. Actions are to be judged right or wrong solely by virtue of their consequences; 2. In assessing consequences, the only criterion is the amount of happiness and unhappiness that is created for everyone affected by a given action; and 3. Each person’s happiness counts the same (Rachels 2007: 100).

poor is a failure to meet some minimal standard of moral decency.” The reductionist mechanism at the heart of Singer’s essay is what has come to be called the life-saving analogy (LSA).

The LSA will be interrogated in the section immediately following. Although the LSA can be understood as a meta-ethical strategy to reduce charity (an ostensibly supererogatory act) to obligation, it can also be seen as an attempt to expand the meaning and scope of duty. As such, it operates in a similar way to how Heyd characterises Kant’s reductionist strategy, namely, expanding the scope of duty to make the reduction of the supererogatory to the obligatory more plausible.

Heyd (1982; 73) discusses the “deontic implications of utilitarianism” that follow from characterising the moral status of actions in terms of the goodness (or utility or welfare) of their consequences, which is that “actions can be described as obligatory only if certain conditions relating to their outcome obtain”. Put differently, although utilitarians do not generally speak of a moral duty as Kantians do, an action can be said to be obligatory (and hence falling under a duty to perform it) only if it would result in the most good for the most moral agents. The upshot is that “while deontology tends to be too strict in its definition of ‘moral’ (considering only obligatory actions as having moral value), Utilitarianism is inclined to provide a definition of ‘moral’ which is too wide (taking every ‘useful’ action as morally good)” (*ibid.*). Starting from opposite positions, utilitarianism and Kantianism, reach the same conclusion in denying supererogation a place within their respective ethical frameworks. Utilitarianism, because “no action which is morally good can be non-obligatory” [that is, no action which increases the overall balance of utility should not be obligatory]; and Kantianism, because “no action which is beyond duty can be

morally good” [that is, no action which does not meet the categorical imperative can derive from the moral law] (*ibid.*).

3. The demarcation of duty analysed through the life-saving analogy

Heyd identifies the problem of supererogation as twofold: as meta-ethical and as normative. Heyd (1982; 4) describes the normative problem of supererogation as mainly concerned with “the demarcation of duty and ‘beyond duty’”. Moral agents can share the same meta-ethical understanding of the concept of duty – as something which flows from the moral law, or from an obligation to maximize happiness, for instance – and yet still disagree over what the limits of that duty may be (*ibid.*). In this section, I will be moving from a consideration of the meta-ethical challenges supererogation faces and focus the analysis at the normative level. What follows in this section is an exploration of one attempt to demarcate a boundary between supererogatory and obligatory actions, undertaken through a critical analysis of Peter Singer’s LSA. I will argue that the normative principle on which the LSA turns is justifiable on utilitarian grounds, and as such the analysis of the LSA will serve as a proxy for an analysis of utilitarianism, with respect to the demarcation of duty and the normative problem of supererogation.

My reason for focusing only on utilitarianism with respect to the demarcation of duty is contained in Heyd’s (73) observation that the notion of duty for utilitarianism is derivative – duty is “defined by the theory in terms of the concept of the good”, that good being the welfare of the maximum moral agents. Kantians, conversely, see the concept of duty as primary and the moral goodness that follows from doing one’s duty as derivative. In other words, demarcating the limits of duty from a perspective which understands duty as derivative more clearly demonstrates how moral

boundaries are arrived at. So, if moral boundaries are *derived* from a conception of duty, then the demarcation must be made explicit.

The Kantian, on the other hand, in calling something a duty, already implies a demarcation. The Kantian is, in a manner, always operating at the meta-ethical level: the categorical imperative provides the rule which then frames the moral boundaries of the situation. The moral agent then acts within the boundaries set by that rule by applying the rule to the situation. The utilitarian is not, however, guided by a formal moral theory, and what guides his/her reason to act is shaped by the situation in so far as the situation presents different possible outcomes. These different outcomes will have differing utility values which will, in turn, shift the moral boundaries to accommodate the maximum utility accordingly. An analysis of utilitarianism, via an analysis of the LSA, is thus better suited to illuminate the normative problem of supererogation. Kantianism's problems with respect to supererogation are returned to once again in § 4, where both utilitarianism and Kantianism are presented as instances of impartialism, which is a meta-ethical concern that completes the circle of analysis.

The life-saving analogy

In 'Famine, Affluence and Morality', Peter Singer (1972) argues for, and develops, what has come to be known as the life-saving analogy (LSA). Singer commences the construction of his analogy by first positing a seemingly uncontroversial moral principle: "if it is in our power to prevent something bad from happening, without thereby sacrificing anything of comparable moral importance, we ought, morally, to do it" (231). Singer then considers an application of this principle: a child is drowning in a shallow pond that I happen to be walking past. Most would agree that I ought to

wade in and pull the child to safety; muddying my clothes and ruining my new shoes is a small price to pay for saving the child's life. Singer then argues that allowing the poor to starve is analogous to letting a child drown. Just as we have a moral duty to save a drowning child, we, especially those in the developed world, have a similar moral duty to assist those suffering from malnutrition, hunger and disease in the developing world. This assistance to the poor will primarily take the form of financial donations to charities and aid agencies.

I will divide my analysis of Singer's argument, as it appears in 'Famine, Affluence and Morality', into two stages: firstly, I will consider whether the analogy between the drowning child and the starving child holds (undertaken in § 3.1 below); secondly, I will investigate whether Singer's principle is legitimate or not, and so determine whether it can support the drowning child part of the analogy (undertaken in § 3.2 below). The former consideration assumes that the principle can indeed support the analogy, while the latter consideration possibly prevents the analogy from getting off the ground in the first place. Following Miller (2004), I will call Singer's principle the 'sacrifice principle'. Furthermore, the sacrifice principle is purportedly 'a-theoretical', meaning that such a principle should be acceptable to not just consequentialists, but also, *inter alia*, Kantians, virtue theorists, existentialists and post-structuralists; Singer (2007;476) hopes to throw "a broad net", but also concedes that "some will start from different foundations and will not accept the principles from which [...] I begin" (*ibid.*).

The second stage of my analysis – considering the legitimacy of the sacrifice principle – will in turn be sub-divided into two further parts. In § 3.2 I will argue, following Gomberg (2002), that the sacrifice principle is founded on utilitarianism. Demonstrating that Singer's sacrifice principle is not supported by an a-theoretical

argument, but is actually just a utilitarian principle, will complete the first part of the project to undermine the sacrifice principle. The second part will need to show that utilitarianism itself is problematic; the logic being that if utilitarianism is problematic and the sacrifice principle rests on utilitarianism, then the sacrifice principle is thereby also problematic. This is undertaken in § 4 where I argue that utilitarianism fails because of its impartialism. The legitimacy of sacrifice principle thus undermined, the LSA becomes fatally compromised, and so thwarts Singer's attempt, and *a fortiori* utilitarianism's attempt, to redraw the boundaries between obligation and supererogation.

3.1. *The problem with the analogy in the LSA*

Returning to the analysis of the LSA itself (Singer obviously regards his sacrifice principle as legitimate), the arguments considered below attempt to show that the two scenarios – saving a drowning child and donating to an aid agency – are comparatively and significantly different, and as such the analogy fails in its own terms. Singer anticipates two objections to the LSA: firstly, the proximity, or distance objection – that the child drowning is close to us, whereas those starving in the developing world are far away – and, secondly, what has been called, following Liam Murphy (2000), the 'fair share' objection – that there are many others in the same, financial, position as me, but if they do not contribute to aid agencies, it potentially increases my moral obligation to assist the destitute (both near and far) to make up the shortfall.

The 'fair share' objection will be considered in § 3.1.2 below, where I hope to show, by contrasting duties of rescue with duties of justice, that Singer fails to overcome it. This finding will support the analysis of the theoretical underpinnings of the LSA

(undertaken in § 3.2) which, as I will demonstrate, problematise Singer's attempt to redraw the boundaries between obligation and supererogation. I now turn to considering the proximity objection to the LSA.

3.1.1. *Problematizing proximity*

The proximity, or distance, objection hopes to deny the moral equivalence attempted by the LSA by pointing to the fact that the drowning child is here, close by, in front of me, now; while the starving child, who will be assisted by the aid agencies I donate to, is far away, usually in another country or another continent, and reaching him/her is typically deterred by logistics and other practical issues. Singer (1972; 232) dismisses the objection by arguing that "the fact that a person is physically near to us, so that we have personal contact with him, may make it more likely that we *shall* assist him, but this does not show that we *ought* to help him rather than another who happens to be further away". He attributes this confusion to practicality, noting that it is easier to judge how to assist someone who is close by.

While the analysis to follow will support Singer in his dismissal of the proximity objection, I nonetheless hope to show that Singer moves too quickly, and that proximity *is* highly problematic. Furthermore, the analysis will be useful in ruling out other considerations commonly mistaken for, and conflated with, proximity, such as salience. Such considerations might be responsible for scuppering the analogy between the drowning child close by and the starving child far away. § 3.1.1 will proceed by first examining Kamm's (1999) reframing of proximity to include not only the physical distance between a moral agent and a 'victim', but also the physical distance between the moral agent and the means available to save that victim.

Thereafter I inspect proximity as ‘psycho-social distance’, which in the event, will be shown to be commensurate with salience.

a). Physical distance

Frances Kamm (1999) takes up the distance objection in her essay, ‘Does Distance Matter Morally to the Duty to Rescue?’ The question is intended to rule out considerations, other than distance, that might render the LSA dis-analogous. In order to consider what these other considerations might be, Kamm (658), as a first step, argues that “if we are trying to find out whether a factor X matters *per se* [...] we must construct a set of comparable cases, one with factor X and one without it, and hold all other factors in the two cases constant. I call this ‘equalizing the cases’”. (In § 4 this equalising of cases is described as an impartialist strategy of ‘picking out’ commonalities which, problematically, erases the individuality of the moral agent).

One way to ‘equalise the cases’ between the drowning child and the starving child in the LSA is to note that there is only *one* drowning child who needs our help, whereas there are likely to be *many* starving children needing our help, and that it is this factor – the number of victims, rather than distance – that matters *per se*. Thus, in order to equalise the cases, one would need to consider the scenario where we can save *one* child drowning in front of us and the scenario where we can save only *one* starving child (through donations to aid agencies) who is far away. If we decide that it made no difference whether we could save one or more victims, we could then eliminate this factor – the number of victims – from our considerations, and be satisfied that it was distance *per se* that was producing the differing outcomes (assisting the drowning child because he/she is close, while not assisting the starving child because he/she is far).

Other factors that need to be varied in comparing the two cases, in order to be sure that one is dealing with distance *per se*, might include the probability of success – jumping in to rescue a drowning child is more likely to save a life than is donating to an aid agency; or the mechanism of rescue – the fact that, in the case of the drowning child, money will be lost (in replacing the water-damaged shoes, for example), while in the case of the starving child, money itself (via donation to aid agencies) becomes the mechanism whereby the victim is saved.

These factors – number of victims, probability of success in saving a life, mechanism of rescue, *inter alia* – may thus be considered countervailing to the argument that it is distance that matters to the duty to aid. Furthermore, in controlling for these various factors, we need to consider that, although one factor may carry certain weight in our comparison, such a factor “can be swamped by, or interact with, certain contextual factors so that it sometimes has no weight” (Kamm 1999; 658). After a consideration of a host of these equalising cases, Kamm (672) arrives at the conclusion that “reference to distance between *ourselves* and strangers [...] is misleading” and that moral proximity should be understood not just in relation to the person requiring help, but also in terms of the moral agent’s proximity to the threats and means to assist that person.

These means of assistance may themselves be far away from either the moral agent or person requiring help, or both, but in all of these cases, Kamm argues that there is still a compelling argument that a duty to aid exists. So, by way of an imaginary scenario, we may not be physically close to a drowning child, but we can still see that a child is drowning in our local pond, some kilometres from our home because we are connected to a live webcam feed trained on that pond for the purposes of observing wild birdlife. The fact that we are physically far away from the drowning

child is immaterial if we can also imagine that there is some kind of mobile app that we can activate right then and there to trigger rescue machinery situated at the pond's edge to scoop the drowning child out of the pond.

In other words, a duty to aid based on proximity can also be used as a reason in support of a duty to aid distant strangers, if distance is understood as proximity to not just the agent or victim, but also proximity to the means to assist the victim. The answer, then, to the question Kamm asks in the title of her essay, is that distance does *not* matter morally to the duty to rescue. So, although Kamm reaches a similar conclusion to Singer, her reasons are instructively different and allow for an expansion of the notion of physical distance.

b). Moral salience, or psycho-social distance

One factor that merits separate consideration from the other factors considered by Kamm is moral salience. Salience, rather than proximity, it is argued, is the factor that should be regarded as that which generates the duty to aid. Kamm (1999; 664) distinguishes salience from proximity, saying salience “refers not only to the obviousness and inescapability of noticing need, but also to the continuing imposition of this knowledge on us.” Kamm (664) argues, however, that need at a distance can also be salient if, say, I had very long-distance vision, and so salience is a factor that can be equalised in both near and far cases. (In an age of live-streaming, positing ultra-long-distance vision may not be necessary to make the point that salience can be a factor at any distance). Unger (1996) argues that although salience puts us under psychological pressure to aid those close by, it does not of itself generate the duty to aid.

However, salience can also be understood as a form of proximity. Hanna (1998; 462) describes what she calls, 'psycho-social distance', which arises from "separational moral thinking" and involves thinking of the world

as filled with 'moral situations' [which] are discriminable real-world events involving moral agents embedded in their [...] ordinary lives [with] some of their actions, reactions and interactions [and] the immediate actual or possible consequences of those actions [...] and those persons' immediate evaluations of those immediate consequences. Given a moral situation, we automatically distinguish between the 'insiders' and 'outsiders': between (i) those persons whose positioning somewhere in the moral world is inside a given ongoing moral situation, and (ii) those persons who just happen to be outside that situation (*ibid.*).

We thus include a child drowning before us as an insider to our moral situation, resulting in a concomitant duty to assist, while we exclude children starving far away as outsiders to our moral situation and reject a concomitant duty to aid via donation to charities. Hanna continues by arguing that morality is essentially contextual and thus it is legitimate to base moral judgments on discriminations between moral 'insiders' and 'outsiders', and that "what is up for grabs is just *how* we determine the boundaries of the relevant moral situation" (463). Psycho-social distance then, like physical distance, can be extended and facilitates a redrawing of moral boundaries, supporting Singer's project in the LSA, to extend the scope of obligatory actions.

Singer's argument in dismissing the proximity objection (which might have invalidated the LSA) is, I believe, sound. Furthermore, Singer finds support in both Kamm's extension of physical distance and Hanna's extension of psycho-social

distance. However, Singer (1972; 232) also argues that “if we accept any principle of impartiality, universalizability, equality, or whatever, we cannot discriminate against someone merely because he is far away from us.” To recall, Singer bases the LSA on his sacrifice principle, and so the implication is that he regards this principle as impartial and universalisable. I will argue in § 4 that impartiality and universalisability with respect to moral agency are highly problematic, a finding which is grounds to potentially delegitimise Singer’s sacrifice principle and so, *ipso facto*, overrides his specific dismissal of the proximity objection, although Kamm’s and Hanna’s arguments may still stand. If that task succeeds, then the question that will need answering is: ‘If we do not accept any principles of impartiality or universalisability, can we discriminate against someone merely because he is far away from us?’ I will only be in a position to answer this question satisfactorily in chapter four. I now turn to consider the second chief objection to the LSA – the fair share objection.

3.1.2. *Fair share objections*

3.1.2 a.) *Moral demandingness*

One argument against the LSA is that it is too morally demanding when it obligates me to contribute to aid agencies and there are many others who are in the same financial position as me but who do not contribute. A principle, or moral imperative, that requires me to pay more than my fair share – determined by calculating the overall need of those requiring aid divided by the number of persons able to provide such aid – is just too morally demanding to follow¹². Singer’s (1972) argument against the fair share approach proceeds in two stages. The first, which appeals to

¹² Liam Murphy (2000) advocates a ‘fair share’ approach, arguing that one is not required to do more than one’s share, even if others fail in their obligations. Cullity (2004; 76-77) rejects Murphy’s fair share approach, arguing that when others do not contribute their fair share, then we should constitute a new collective of those who are willing to help and recalculate a new share.

the drowning child part of the LSA, is to simply call the claim that “numbers lessen obligation” absurd by phrasing the question rhetorically: “Should I consider that I am less obliged to pull the drowning child out of the pond if on looking around I see other people [...] who have also noticed the child but are doing nothing?” (233). The second part of his argument is more substantive, and tackles the second half of the LSA:

If everyone in circumstances like mine [sufficiently affluent] gave £5 to the Bengal Relief Fund [or any other aid organisation], there would be enough to provide food, shelter, and medical care for the refugees; there is no reason why I should give more than anyone else in the same circumstances as I am; therefore I have no obligation to give more than £5.

Each premise in this argument is true, and the argument looks sound. It may convince us, unless we notice that it is based on a hypothetical premise, although the conclusion is not stated hypothetically. The argument would be sound if the conclusion were: if everyone in circumstances like mine were to give £5, I would have no obligation to give more than £5 (*ibid.*).

As it is, Singer states that the hypothetical does not obtain – “it is more or less certain that not everyone in circumstances like mine will give £5” – and so the argument has no bearing; thus, we *do* have an obligation to give more than £5, even when others do not contribute their fair share.

Another way to consider moral demandingness, with respect to the fair share objection, is to distinguish between so-called ‘iterative’ and ‘aggregative’ approaches; the former usually associated with rare, once-off cases, the later usually with everyday cases. Hooker (1999; 179) argues that saving a drowning child is

probably a rare, once-off case, while donating to charities is likely to be an everyday, recurring situation. An aggregative approach would “consider [it] a moral requirement to make sacrifices over the course of your life that *add up* to something significant” and would not require you to do anything beyond this “even when you could save some additional lives” (180). The iterative approach would arise when, after saving a child from drowning, we continue on our way and happen to come across another child drowning in another pond. The moral force to save that child, assuming that such moral force exists, would not be diminished by the fact that we had just saved a child. Although it is highly unlikely that we will encounter a drowning child very often, and surely never right after we have encountered one already, the iterative approach, and its concomitant problems, arise from the counterpart of the starving child in the LSA. If “this sort of case is iterated enough times [to donate to charities saving starving children], the requirement becomes morally demanding over time. For enough sacrifices, though each is modest on their own, can add up to a huge aggregate sacrifice” (180). Cullity (2004; 78-9) argues that the iterative approach leads to what he calls an ‘extreme’ demand. Cullity’s argument will be returned to in more depth in §. 3.2.1. below.

3.1.2 b.) Duties of rescue versus duties of justice

What the term ‘fair’ in the fair share objection points to is that what one is actually dealing with when considering the moral obligations to donate to aid agencies are issues of justice, and more specifically, distributive justice; unlike our duties to rescue drowning children. In other words, the LSA fails in its attempt to establish a moral equivalence between saving a drowning child and donating to aid agencies assisting starving children, because the former concerns rescue or emergency situations, whereas the latter is concerned with basic justice. When one considers

that rescues are usually rare events and that justice is an ongoing concern, then it becomes clear that the conflation of duties of rescue with duties of justice is a species of moral demandingness. This being so, defeating Singer's dismissal of the fair share objection through showing that the conflation is unwarranted, *ipso facto* supports the argument that the LSA is too morally demanding to stand.

Gomberg (2002; 30) labels the conflation of duties of rescue with duties of justice the "fallacy of philanthropy" which "short-circuits political discussions of large scale causes of poverty." Gomberg (*ibid.*) stipulates 'philanthropy' to mean primarily the "assimilation of the practical issues raised by hunger and poverty to our duty to rescue victims of calamity, secondarily the substantive proposal to give money to hunger relief organisations such as CARE, UNICEF, or Oxfam." It is this assimilation that Gomberg calls the fallacy of philanthropy.

The fallacy of philanthropy circumvents this debate because a rescue situation forecloses us responding with a declaration such as "[t]he issue here is how this emergency arose; therefore, I will devote my efforts to seeking the causes of such emergencies in order to prevent them" (64). He expands,

Speculations about causes of poverty¹³ and consequences of alternative responses are relevant to whether we should aid the victims of absolute poverty, but in our ethical culture parallel speculations about how the child came to be in need of rescue or the consequences of the rescue are irrelevant to whether we must rescue [...] this irrelevance makes for a disanalogy with our beliefs about how to approach issues of absolute poverty

¹³ Gomberg (2002; 61) attributes extreme poverty primarily to capitalism and argues that we should "put an end to market institutions that systematically deprive people of entitlements to food, to put in their place social understandings and relationships that put the fundamentals of human well-being outside the forces of the market."

and its consequences. Here we believe, causes of poverty and consequences of our action are relevant to what we do (*ibid.*).

Singer (1972; 239) argues that these concerns should be seen as practical rather than philosophical concerns, and that they do not challenge the idea that we should be sacrificing things of moral importance to prevent starvation. These practical concerns address such questions as, *inter alia*, whether individual donations are the best means to achieve an end to poverty and starvation (*ibid.*). Singer dismisses the idea that donating to aid agencies *allows* governments to avoid their political responsibilities; but says the onus is on those who refuse to donate to aid agencies *as a means to* force government action, to prove that their stance will so move government to provide aid¹⁴ (*ibid.*). Singer's intentions in enlisting the LSA, however, are not directed at institutions, such as governments, but individuals; and his lament rings true that the excuse of 'it's the government's responsibility' made by many people is a cowardly evasion rather than a principled stance.

Singer also addresses a Malthusian concern that famine relief will merely postpone starvation if population control is not addressed. He accepts that such an argument has merit but rejects the conclusion that this absolves us from obligations to stop starvation because the suffering that starvation causes is happening now; rather, he states "the conclusion that should be drawn is that the best means of preventing famine, *in the long run*, is population control" (1972; 240). [Emphasis added].

¹⁴ A host of commentators argue that governments should not provide any foreign aid at all, and that government-level aid is not only unhelpful, but exacerbates poverty, from inculcating dependency and entrenching corrupt incumbents to the distortion of local markets. A selection of these commentators, which focuses on aid to Africa, includes *The Trouble with Africa: Why Foreign Aid isn't Working* – Robert Calderisi (2006), *Dead Aid: Why Aid is not Working and How There is a Better Way for Africa* – Dambiso Moyo (2009), and *Why Africa is Poor* – Greg Mills (2010).

If this was viewed through the dichotomy of the rescue/justice situation, it would appear that Singer is arguing that we have to assist the starving children *now* because they are in a rescue situation. However, if we cannot extricate ourselves from the present situation, in which children are starving *now*, how will we be able to attend to the plight of the starving children *in the long run*? Schmidtz (2000; 693) puts the matter, perhaps insensitively, thus: we know when we can regard the drowning child scenario as a “solved problem”, whereas we cannot know the same for the multitude of scenarios across the world wherein poverty and starvation occur daily. In the former case, “I know exactly when it will be time to get on with my own life” whereas the latter is a face which “tomorrow will be indistinguishable from the face it presents to me today, no matter what I do.” In the drowning child scenario, “the problem goes away and leaves you alone once you fix it” while in the starving and poverty scenarios, “the problem is a permanent feature of your moral landscape no matter what you do” (*ibid.*).

The simplistic logic that the LSA uses to address matters of causation in duties of rescue versus duties of justice, is captured in a scathing characterisation by Gomberg (2002; 53) as “Drowning? Pull her out! Hungry? Feed her!” This logic fails because the matters that give rise to poverty and starvation are necessarily more complex than those that give rise to children drowning in ponds. Similarly, the consequences that follow from feeding starving children – excessive population growth, dependency, market distortions – are necessarily more complex than those involved in rescuing a drowning child, which may simply entail putting up a fence around the pond and/or holding the parents of the child accountable for negligence.

Gomberg (2002; 40) argues that “our ethical culture treat[s] duties of rescue in a non-consequentialist way [because] our ethical intuitions about rescue are derived

from learned and shared ethical norms.” He continues by arguing that these ethical norms, such as the prohibitions against theft and killing, give rise to ethical duties and arise from “*shared* expectations of conduct [... and] the expectations we share about our responsibilities toward one another; [... so] someone who would allow a child to drown so as not to be late to class *utterly fails our expectations of ethical decency* (41).”

I agree with Gomberg in rejecting Singer’s attempt to dismiss the fair share objection to the LSA through his contrast of duties of rescue with duties of justice. However, his invocation of non-consequentialism and advocacy of ethical norms resulting from shared expectations indicate the need for theoretical underpinnings to both duties of rescue and duties of justice. So, while the analogy in the LSA fails to establish a moral equivalence between saving a drowning child (a duty to rescue) and aiding a starving child (a duty of justice), there are arguably still duties to rescue and duties of justice, albeit incommensurate. In the case of the LSA, the question now reverts back to what generates the duty to rescue (the drowning child)?¹⁵

For Singer, the answer is simple – his sacrifice principle is what generates the duty to rescue (the drowning child). He does not need to posit a separate principle which generates a duty of justice because, by the LSA, a duty of justice is equivalent to a duty of rescue; thus, a duty of justice will also be generated by the sacrifice principle. The sacrifice principle is thus doing a lot of theoretical lifting in the LSA; and if it is found to be problematic, then the LSA will fall apart. Before turning to a critical

¹⁵ This question can also be reformulated in the language of reasons for action as discussed in § 2.1 above. So, the question ‘what generates the duty to rescue?’ can be recast as ‘what reasons do I have for rescuing a child drowning in front of me, or a child starving far away from me?’ As noted in §.2.1, a wider exploration of reasons for action (and thus, by extension, the question of what generates a duty to rescue) is undertaken in chapter two.

analysis of the sacrifice principle which purports to provide a theoretical underpinning to the LSA in the next subsection (3.2), herewith a brief summary of the argument presented in § 3.1 which examined the analogy at the centre of the LSA:

Singer considers the two main objections to his analogy between saving a drowning child in front of me and saving a starving child far away by donating to aid agencies, namely, the proximity objection and the fair share objection. Singer argues that distance between us and those needing help should not matter to whether we choose to intervene. Supporting Singer are both Kamm and Hanna, who motivate for an extension of physical distance and psycho-social distance respectively, both of which make distance irrelevant to the decision to assist. On this approach, the proximity objection to the LSA is overcome. However, by linking proximity to his sacrifice principle, a principle which he argues is impartial and universalisable, Singer opens up a line of attack on those very grounds. The opening to refutation on impartialist grounds is returned to in § 4. On the second objection to the LSA, I argue, following Gomberg, that Singer fails to defeat the fair share objection because Singer is mistakenly conflating duties of rescue with duties of justice. Furthermore, the conflation of duties of rescue with duties of justice is a species of moral demandingness, which requires, *inter alia*, the moral agent to pay more than his/her fair share when others do not contribute to donating to aid agencies. As such, defeating Singer's dismissal of the fair share objection *ipso facto* supports the argument that the LSA is too morally demanding to stand.

3. 2. Theoretical underpinnings of the LSA – the problem with the sacrifice principle

§.3.1 completed the first stage of analysing Singer's normative strategy in 'Famine, Affluence and Morality', to redraw the boundaries between supererogatory and

obligatory actions through the mechanism of the LSA. The first stage examined the analogy between the drowning child and the starving child through a consideration of the proximity and fair share objections. Now, in the second stage of the analysis, I will investigate whether Singer's sacrifice principle is legitimate or not, as the sacrifice principle purports to provide the moral foundation for the LSA. Whereas the first stage of my analysis assumed, for the sake of argument, that the sacrifice principle *could* support the analogy (although the analogy was subsequently found to be flawed), the argument in the second stage of my analysis would prevent the analogy from getting off the ground in the first place.

The second stage of my analysis – considering the legitimacy of the sacrifice principle – will in turn be sub-divided into two further parts. Firstly, I will argue, following Gomberg (2002), that the sacrifice principle rests upon a utilitarian foundation. Secondly, I will argue (in §.4) that utilitarianism itself is problematic; thus, if utilitarianism is problematic and the sacrifice principle rests on utilitarianism, then the sacrifice principle is also problematic.

Gomberg (2002; 20, footnote 45) calls Singer's use of the sacrifice principle to argue that we ought to save a drowning child in front of us as well as donating to aid agencies, an "a-theoretical argument". By this, Gomberg means that Singer hopes to prove his argument without appealing to any particular ethical theory. Singer (2007; 476) confirms as much when, some 35 years after publication, he states that in 'Famine, Affluence, and Morality' he was trying to throw a theoretically "broad net. The practical issue [being] too important to write about in a way that appeals only to consequentialists, or to Kantians or to virtue theorists." However, in 'Famine, Affluence, and Morality' Singer (1972; 238) betrays his utilitarian allegiances when he notes that the objection to his "attack on the present [1972] distinction between

duty and charity is one which has from time to time been made against utilitarianism” which would have us “working full time to increase the balance of happiness over misery”.

Gomberg (2002; 20) continues: Singer fails to fully bracket his theoretical justifications and “this is Singer’s quandary: he is a utilitarian who wishes to use an a-theoretical argument for an obligation to aid victims of absolute poverty; he assumes that his a-theoretical argument is compatible with his commitment to utilitarianism as the fundamental practical imperative”. In order to fully flush out the utilitarian foundations at the heart of the LSA and to sharpen the argument that the sacrifice principle is necessarily a utilitarian principle, I will contrast the sacrifice principle with another ethical principle that purports to ground both rescuing a drowning child and donating to aid agencies.

3.2.1. *Cullity’s Principle of Beneficence*

In *The Moral Demands of Affluence*, Cullity (2004) substitutes Singer’s sacrifice principle as a starting point to ground both rescuing a drowning child and donating to aid agencies with a principle of beneficence¹⁶. Beneficence, for Cullity (16) is simply a concern for other people’s interests, and when we save a drowning child who is

¹⁶ Another principle that might be acceptable to ground our duty to rescue, besides the sacrifice principle or principle of beneficence, is proposed by Miller (2004), who advocates for a ‘principle of sympathy’, a more moderate duty, which he describes as:

One’s underlying disposition to respond to neediness as such ought to be sufficiently demanding that giving which would express greater underlying concern would impose a significant risk of worsening one’s life, if one fulfilled all further responsibilities; and it need not be any more demanding than this (359).

So, the sympathy principle would require us to be cognisant of the suffering in the world and take steps to assist in alleviating that suffering where we could, but would not require us to be actively seeking out all the trouble spots in the world, or even our own local community, or the poverty relief programmes out there designed to address those respective trouble spots. The sympathy principle would reign in frivolous and ostentatious spending but not require that we consider, and agonise over, each and every purchase we make as an opportunity lost, forever, to save another human being.

close, or a starving child who is far away via donations to aid agencies, it is their interests (in not drowning or not starving) that generate a duty to help them. Cullity (31), in a similar move to Singer, notes that his argument, founded on a principle of beneficence, does not presuppose any theoretical allegiance to either Kantianism, consequentialism or virtue ethics. But why, asks Singer (2007; 476), should we accept the principle of beneficence as opposed to his sacrifice principle? “It has to be recognized that some will start from different foundations and will not accept the principles from which Cullity, or I, begin.” The problem, however, is that Singer is not here using ‘foundations’ to go all the way down: here Singer starts from the foundation of the sacrifice principle to argue that we should rescue drowning children. However, the question that needs answering is ‘what founds the sacrifice principle?’ If we start from the ‘foundation’ of the beneficence principle to argue we should rescue drowning children, the question of what founds the beneficence principle will still remain. Singer (480) gets to the heart of the matter when he argues that a sacrifice principle or a principle of beneficence must be supported by a different argument, which “might, for instance be based on the nature of ethics and the requirement of universalizability, or impartiality, as an element of ethics.” Here, Singer is implicitly conceding that the sacrifice principle cannot be an a-theoretical principle. However, I still have to argue that the sacrifice principle is necessarily a utilitarian principle. Before proceeding to that argument, it is illuminating to consider Cullity’s motivations for substituting the sacrifice principle with a principle of beneficence.

Cullity (2004; 12) describes Singer’s form of argument in the LSA as following a “subsumptive picture of moral justification” which “treat[s] the task of justifying moral

judgements about particular actions as the task of identifying general moral principles under which those judgements can be subsumed as instances.” Thus

according to Singer, we can explain what is wrong about failing to pull the child from the pond by invoking the principle that the failure to avert great harm to someone else at a comparatively insignificant cost to yourself [essentially, the sacrifice principle] is wrong (other things equal). The argument for the life-saving analogy then continues by pointing out that this principle covers the failure to contribute to aid agencies as well; therefore, that must be wrong too. (*ibid.*)

Cullity states that such subsumptive forms of argument are problematic and that enlisting a principle of beneficence overcomes this. In other words, Cullity is concerned that the analogy Singer tries to make in the LSA is too tenuous, a concern which the analysis in §.3.1 confirms. The figure below illustrates the contrast between Singer’s subsumptive strategy in the LSA and Cullity’s use of the beneficence principle.

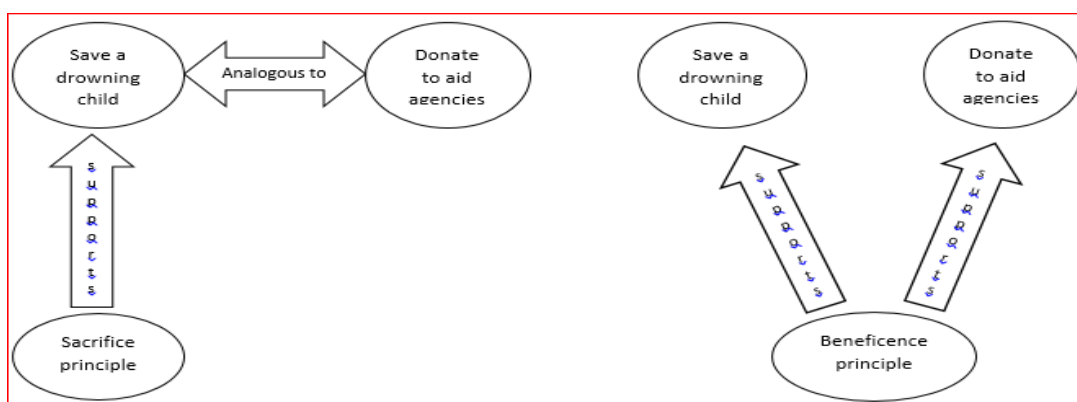


Figure 1: Illustrated comparison of sacrifice principle and beneficence principle.

3.2.2. The Extreme Demand and the utilitarian essence of the sacrifice principle

Cullity considers an iterative approach (see § 3.1.2 a) to the moral demand to donate money to aid agencies. This iterative approach leads to what he calls ‘the Extreme Demand’, and entails that:

I am morally required to keep contributing my time and money to aid agencies (or to some other comparably important cause), until either (a) there are no longer any lives to be saved (or comparably important goals achieved) by those agencies, or (b) contributing my share of the cost of our collectively saving one further life (or doing something comparably important) would itself be a large enough sacrifice to excuse my refusing to contribute (2004; 78-9),

The Extreme Demand thus appears to be almost similar to Singer’s sacrifice principle, up to and until the level of marginal utility, or “the level at which, by giving more, I would cause as much suffering to myself or my dependants as I would relieve by my gift” (Singer 1972; 241).

Cullity, however, rejects the Extreme Demand, and so *ipso facto*, Singer’s sacrifice principle. Cullity (2004; 10) notes that people have other interests besides not drowning and not starving, and “pressing the life-saving analogy suggests that threats to life exhaust what is bad about extreme poverty.” Ours and other people’s interests, including those starving in abject poverty, encompass such life-enhancing goods as friendship and pursuing personal achievements, like learning to play a musical instrument, for instance.

However, the iteration of the Extreme Demand – sacrificing up to the point of marginal utility – denies us, and others, the opportunities to pursue these goods because “when I do so, I should accept that there are almost always going to be more impartially valuable things I could be doing instead” (131). The Extreme

Demand considers other interests, such as cultivating friendships, wrong for us to have (because there are starving children in the world), with the result that “someone else’s interests in getting what it is *wrong* for her to have cannot be a good reason for requiring me to help her” (137).

Consider a child in a refugee camp orphaned and left without any relatives as a result of a war. The gift of a doll would provide succour to this girl and perhaps be the impetus to a comforting friendship with another child in the refugee camp. However, according to the Extreme Demand, the gift of a doll might seem extravagant at worst, and unnecessary at best, when what is needed is more food for the refugees in the camp; thus, it would be wrong for the girl to have the doll. And because it is wrong for the girl to have the doll, despite the comfort and potential friendship it may bring her, this means I do not have a good reason to help her acquire that doll (by donating to a charity that collects old toys in the developed world and distributes them in war-zone refugee camps, for instance). The Extreme Demand, flowing from an iterative approach, thus leads to an absurd conclusion and must be rejected.

Singer (2007; 481) faults Cullity’s rejection of the Extreme Demand, and *ipso facto* the sacrifice principle up until the level of marginal utility, by considering two implications that follow from Cullity’s claim that the Extreme Demand does not provide reasons for us to assist others when they pursue non-altruistic interests. The first is to consider whether the Extreme Demand implies “that the interests of others in achieving the fulfilments of ordinary life do not provide reasons for us to assist them *when instead we could be saving the lives of others?*” (*ibid.*). If so, Singer says that he sees no problem: the greater good of saving lives must always win out over the lesser good of friendship and personal achievements, and so the

Extreme Demand should not be rejected as absurd. This stance is a utilitarian one, and once again demonstrates the fiction that the sacrifice principle is a-theoretical, and so, must inevitably be abandoned.

Another way of understanding Cullity's claim, argues Singer, is that the Extreme Demand implies that the interests of others in achieving the fulfilments of ordinary life do not provide reasons for us to assist others *even when assisting them has no impact on our ability to save the lives of others*" (*ibid.*). It is this implication, continues Singer, which Cullity's argument – that the extreme demand should be rejected because it has absurd implications – needs in order to succeed. However, the above cannot be an implication of the Extreme Demand, because the Extreme Demand is compatible with consequentialism, which holds that "if we can cause someone's interests to be satisfied, without thereby harming anyone else, or failing to satisfy greater interests that we might have satisfied, we should do so" (*ibid.*). Cullity's argument fails, argues Singer, because Cullity is slipping "non-consequentialist assumptions into his argument [...] consequentialist reasons for action depend on the background assumptions of what is within your power to change" (*ibid.*). Singer continues with an example to illustrate this assertion:

Suppose you have some spare time next week, and you could use it so save the lives of several people, but instead you choose to improve your skills in playing the guitar [...] suppose also that there is nothing I can do to affect your decision to spend your free hours next week practising the guitar. What I can do, however, is give you some tips on how best to improve your guitar playing. If I give you these tips, you will have a much more fulfilling week than if I do not give them to you. Everything else is equal – whether or not I give you tips will have no impact on either your or my life-saving activities, now or

at any future time. Then, on consequentialist views I do have good reasons to give you the tips, and these reasons are independent of whether I judge that it is wrong of you to spend your spare time next week playing the guitar, rather than saving lives. Any other approach would, for a consequentialist be pointless moralism (481-2).

However, I believe there is another way to characterise withholding guitar-playing tips in the above case which is less pointless moralism, and more an attempt, however misguided, at moral persuasion. By withholding guitar-playing tips, on this understanding, I would hope to get my friend to consider his position of not doing more to contribute to saving lives. I could point out that, even if he did not have the time, he could instead donate money to life-saving aid agencies. At the very least, I would hope that my withholding guitar-playing tips would make him realise that there are repercussions to his position, however small, which might include a questioning of our friendship, for example. In response to this, I believe Singer would merely emphasise his point that “there is *nothing I can do* to affect your decision to spend your free hours next week practising the guitar”, which would include carefully constructed moral arguments, other than consequentialist arguments, attempting to persuade a change of mind. Thus, for Singer, we do have reasons to help others achieve their goals, which do not include assisting other others who are suffering by donating time or money to aid agencies, because not helping them achieve these other goals has no effect on the goal of assisting other suffering others.

After this rebuttal of Cullity’s rejection of the Extreme Demand, Singer asks whether one needs to be a consequentialist to accept the Extreme Demand. Or, which amounts to the same thing, does one need to be a utilitarian to accept the sacrifice principle? At this point, it is clear that Singer should abandon the pretensions of the

sacrifice principle being independent of a particular moral theory. Nonetheless, Singer (482) replies that it is not necessarily the case that one has to be a consequentialist to accept the Extreme Demand, “only that on some non-consequentialist views, the Extreme Demand leads to absurd conclusions.” One such absurd conclusion being the conclusion that Cullity draws, specifically, that “someone else’s interests in getting what it is *wrong* for her to have cannot be a good reason for requiring me to help her.” Singer continues that the problem lies with “the moralistic screening of interests that supposedly give rise to reasons for us to assist” (*ibid.*). As examples of this moralistic screening of interests, Singer refers to countries which block needle-exchange programmes for heroin addicts or block the distribution of condoms in prisons where there is a high risk of HIV transmission through anal sex.

However, a utilitarian is also always screening interests, in order to try to determine the overall utility that may result from a particular course of action. On some accounts, this screening for utility is just another form of moralism, which involves, *inter alia*, “thinking about morality [...] in ways that discount the importance of other (non-moral) values” (Taylor 2012; 2). The subject of moralism needs deeper examination, which I turn to in chapter two, § 5. At this stage, I only wish to counter Singer’s claim made above that one need not necessarily be a consequentialist to accept the Extreme Demand (and/or the sacrifice principle) *because* non-consequentialism involves a moralistic screening of interests. In other words, my claim is that the sacrifice principle necessarily involves accepting utilitarianism to support it¹⁷.

¹⁷ While not all non-consequentialist positions are deontic, I am only concerned with deontic non-consequentialist positions, such as Kantianism, at this stage of the study. The analysis in this chapter has

This completes the first stage in arguing that the sacrifice principle, which purports to underpin the LSA, should be rejected: the sacrifice principle is not a-theoretical, but rests on a utilitarian foundation. The second stage in rejecting the sacrifice principle is showing why we should reject that utilitarian foundation. I will argue in the next section that we should reject utilitarianism because of its impartialism. That argument established, the case for rejecting the sacrifice principle can be concluded. With that completed, I will then be in a position to claim that Singer fails to establish the LSA, and so, *a fortiori*, fails to redraw the boundaries between supererogatory and obligatory acts, which is how § 3 started.

§ 3 commenced with what Heyd (1982; 4) calls the normative problem of supererogation, which is concerned with the demarcation of duty. I opted to examine this normative problem by way of utilitarianism, because the notion of duty for utilitarianism is derivative, which better illuminates how the demarcating of boundaries between supererogatory and obligatory actions is attempted. Investigating one such strategy was undertaken by approaching Peter Singer's LSA (1972), which I intended to serve as a proxy for investigating such utilitarian strategies in general. Part of that investigation included demonstrating that the attempt in the LSA was not an a-theoretical attempt to redraw the boundaries between supererogation and obligation, or charity and justice, but a utilitarian attempt.

4. Impartialism and supererogation

focused on deontic and consequentialist positions, specifically Kantian and utilitarian positions, with respect to how they attempt to assimilate supererogation into their ethical frameworks. Other non-consequentialist positions, such as post-structuralist positions, are taken up in chapter three and following.

The last section of this chapter brings together a critique of both Kantianism and utilitarianism as theories that embody impartialism. Impartialism can be understood as a meta-ethical concern, as against a normative concern such as the demarcation of duty considered in the previous section. Returning to the meta-ethical level first introduced in §2.1 thus completes the circle of analysis with respect to how supererogation is dealt with in these two ethical theories.

Impartialism, says Cullity (2004: 92), is simply the recognition that “morally speaking, I am no more important than anyone else.” Impartialism includes deontological (Kantianism) and consequentialist (utilitarianism) ethical theories and “however different these approaches, each identifies morality with a perspective of impartiality, impersonality, objectivity, and universality” (Alford 2001: 149). However, impartialism requires us to disregard the *individual* drowning child in front of us or the *individual* starving child far away, and instead “[pick] out some common factor in both cases, such as the good I could do for another” (Taylor 2012; 79). This impartialist ‘picking out’ is what drives the analogy at the heart of the life-saving analogy; it is also what Kamm is doing when she attempts to ‘equalize the cases’, as was discussed in the problem of distance in § 3.1.1.a above. Taylor (2012; 79) urges us to see the claims of those far away as “*extensions of*, not as *analogous to*” our existing web of moral relationships with other human beings such as those who are suffering in front of us. Singer (2011; 11) argues that all ethical theories, from Kantianism, to existentialism, to utilitarianism, “agree that the justification of an ethical principle cannot be in terms of any partial or sectional group. Ethics takes a universal point of view.” Put in the modern language of equality, impartialism provides us with “the principle of equal consideration of interests” whose “essence...is that we give equal weight in our moral deliberations to the like interests of all those affected by our actions” (20).

Miller (2004; 367) argues that the utilitarian conflates consideration for others with respect for others, which is problematic, and that “Equal respect does not entail equal concern¹⁸.” This becomes most apparent when considering special relationships, such as those among family members: “I do not regard the life of the girl across the street as less valuable than the life of my daughter, but I am not equally concerned with her. I am not inclined to do as much for her when she is just as needy as my daughter, even if her parents have reached their limit” (*ibid.*). This is not to say that the utilitarian does not permit showing greater concern for one’s daughter, indeed, doing so creates more utility in the world because of the happiness it brings to both parents and children. Still, even this greater concern would have implications unacceptable to Miller.

The utilitarian would not describe sending one’s child to college as displaying unequal respect to the poor and would consider the unequal consideration involved in that decision permissible. However, Miller asks us to consider sending one’s daughter to an expensive college which would ensure her the best possible education. This unequal consideration of the interests of your daughter relative to the interests of the poor would be unacceptable to the utilitarian, because you could send your daughter to a much cheaper college, and the money saved from that decision could then be given to the poor. Although this arrangement might increase the overall utility in the world, Miller argues that “I do not manifest unequal respect or show that I attribute less worth to some lives when I use money to pay for an excellent college education for my daughter, rather than not doing so and risking worsening her life” (369). This is because wanting the best college for my daughter

¹⁸ The formulation ‘equal respect for others’ is a very Kantian formulation. What Miller means is that respecting others, in terms of being cognisant of their interests, does not mean we should grant equal weighting to those interests.

“expresses an appropriate valuing of our special relationship” and not the view that her life is more valuable than a poor child in the developing world (*ibid.*).

Schmidtz (2000; 689) argues that impartialism attempts to erase “a pivotal feature of our moral psychology that when we focus on something, it takes on added moral significance.” Schmidtz calls this the ‘phenomenon of selective focus’. Schmidtz retells the story of animal rights activist Paul Watson, who had gone to Japan to confront fishermen killing dolphins. When Watson was posed with the question of who he would save if both a fisherman and a dolphin were found caught in a net, he replied with, “I did not come to Japan to save fishermen; I am here to save dolphins” (Watson 1995; 341 in Schmidtz 2000; 689). Schmidtz interprets Watson’s answer as the statement that although he (Watson) “may be philosophically committed to viewing humans and dolphins as equals, he has no obligation to be preoccupied by that particular commitment. He is committed to *respecting* humans and dolphins alike, but he is not committed to giving them equal time when deciding how to plan his life” (*ibid.*).

The best articulation of this line of thought, which opposes impartialism, and is contained in Miller’s and Schmidtz’s arguments above, is developed in Bernard Williams’ work (1973; 1981a; 1981b). In ‘Persons, Character and Morality’, Williams (1981a; 5) starts with the idea that each individual has a set of desires and concerns, which he calls ‘projects’, that help to constitute a character. These projects, which can be either one separable project or a nexus of projects, need not be one’s *raison d’être* in the sense that frustration thereof would be grounds to commit suicide, nor do these projects need to be selfish or even self-centered. Nonetheless, these projects give meaning to the moral agent’s life and provide “motive force which propels him into the future” (13). Utilitarianism would require us, as impersonal utility-

maximisers, to shelve, or seriously contradict, our personal projects, and so act anathema to our characters, whenever such conflicting demands arise (14). As for the Kantian who, in abstracting morality, effaces the individual, “there can come a point at which it is quite unreasonable for a man to give up, in the name of the impartial good ordering of the world of moral agents, something which is a condition of his having any interest in being around in that world at all” (*ibid.*).

Although Kant, in the *Groundwork for Metaphysics of Morals*, speaks of duties to oneself – to develop one’s talents for example¹⁹ – the individual’s identity is nonetheless effaced in the process. The duties owed are to a self that is indifferent to particular circumstances or context, such that the duty to develop one’s talent must manifest itself universally. Furthermore, the moral motivation that drives the duties to the self must derive from reverence for the moral law, which in turn is derived from the rationality of the human being. Kantianism, as much as utilitarianism, serves as an exemplar of impartialism, which obligates the moral agent to bracket his/her identity as a singular individual, with all the accompanying relationships, concerns and foci that constitute that identity. Furthermore, this bracketing of the moral agent’s identity must occur alongside his/her deliberation of the optimal course of action to pursue in any particular moral situation; or whether such action demonstrates sufficient regard to treating those affected by his/her action as ends in themselves. We have lives to lead, our dreams and aspirations are important to us and, even if they may appear eccentric or frivolous to others, they are at the center of who we are.

¹⁹ See <https://plato.stanford.edu/entries/kant-moral/#ForUniLawNat> (accessed 2 May 2017)

Impartialism attempts to reduce these singularities and the complexities of moral motivation to a simple, universalisable moral calculus, or moral imperative. As Heyd (1982; 174) argues, “If everyone worked for the promotion of the *general* good, whose good would be promoted?” Pursuing this abstract ideal robs the individual moral agent of the right to be different, turning him/her into a mere “locus of causal intervention in the world towards the achievement of that ideal” (*ibid.*).

Supererogation, which both Kantianism and utilitarianism try to assimilate into their theoretical frameworks, however, requires that the intrinsic value of individual autonomy be given expression (175). This is the chief attraction of the supererogatory act – its gratuitous and spontaneous nature. Supererogatory action is free from the impartialist imperative to follow abstract principles and

not being universally required (of everyone in a similar situation), supererogatory action breaks out of the impersonal and egalitarian framework of the morality of duty – both by displaying individual preferences and virtues, and by allowing for some forms of favoritism, partial and unilateral treatment of someone to whom the agent wishes to show special concern [...and] these characteristics of supererogatory behavior are valuable partly because some types of virtuous behavior can be realized only under certain conditions of complete freedom and would be stifled under a more totalitarian concept of duty (*ibid.*).

The supererogatory act springs from the initiative of the moral agent and is entirely optional, against the obligatory act which springs from the impartialist injunction to obey a universal, impersonal duty. Withholding the initiative of the moral agent also frustrates the normative project of demarcating the boundaries of obligatory and

supererogatory actions. One way of understanding this is to recall that Singer (1972; 232) (see § 3.1.1.b above) argues that “If we accept any principle of impartiality [...] we cannot discriminate against someone merely because he is far away from us.” In other words, impartiality, by restricting the spontaneity of the moral agent, does not allow the moral agent the autonomy to decide whether or not shifting the boundaries of obligation to include those suffering far away from us is warranted in any particular situation.

4.1 Moral saints

Another way of understanding the challenge raised by impartialism – in particular, the encroaching upon, and erasure of, individual autonomy – and the contrasting value of supererogation to meet that challenge, is to consider the argument Susan Wolf presents in ‘Moral Saints’ (1982). Wolf argues that, even if such a high standard as Singer’s sacrifice principle could be achieved, it would nevertheless be wholly undesirable. Wolf’s moral saint is a person “whose every action is as morally good as possible, a person, that is, who is as morally worthy as can be” (419) such that her life is, of necessity, “dominated by a commitment to improving the welfare of others or of society as a whole” (420). In devoting most of her time to fighting poverty, volunteering for good causes and donating her money to aid agencies, she is also not playing the guitar, reading philosophy or practising her backstroke technique. While none of these could claim to be “a necessary element in a life well lived, a life in which *none* of these possible aspects of character are developed may seem to be a life strangely barren” (421).

Furthermore, the moral saint would have to rule out other non-moral characteristics which go against “the moral grain”, such as a cynical or sarcastic wit, because this

“requires that one take an attitude of resignation and pessimism toward the flaws and vices to be found in the world” (422). Against this, the moral saint seeks out the “best in people” and “gives them the benefit of the doubt”; in short, someone who is “very, very nice” and not offensive (*ibid.*). But, argues Wolf, “there seems to be a limit to how much morality we can stand”; or, rather, “there is a limit to how much of any single value we can stand” (423). The suspicion we feel towards moral saints can also be gleaned in the use of such epithets as ‘do-gooder’. Further, continues Wolf, moral saints not only sacrifice activities and events that conflict with the attainment of moral perfection, they also suppress and subsume their desires for these things. The people who we admire and look up to are well rounded in their pursuits and inclinations, and they personify *non-moral* virtues such as athletic prowess or a scathing and irreverent sense of humour (426).

Carbonell (2009; 372) rejects Wolf’s characterisation of the moral saint as such a bleak and unattractive person, because “moral commitments do not grossly distort an agent’s personality to the extent she proposes.” Carbonell offers the life of one Dr Paul Farmer, a doctor and medical anthropologist at Harvard Medical School, as an attractive counter-example to Wolf’s undesirable moral saint. Through his non-profit organisation, Partners in Health, Farmer runs clinics that treat the world’s poorest and sickest patients. In spite of Farmer’s extreme devotion to others and the sacrifices he has made, his life is anything but barren; indeed, he flourishes. Larissa MacFarquhar (2015; 11), in *Strangers Drowning*, remarks that the question of whether living the life of a moral saint is desirable or not cannot be answered in the abstract, *pace* Wolf, and that “only actual lives convey fully and in a visceral way the beauty and cost of a certain kind of moral existence.” Her book goes on to relate the lives of several individuals Wolf might call moral saints, but which she calls ‘do-

gooders' – a pejorative word intended to demean but whose value she hopes to restore. Nonetheless, MacFarquhar (12) agrees that the notion of a moral saint at the very least invokes profound ambivalence, not least because “if do-gooders are always thinking of how the world is unjust and needs to be changed – if they want to replace our world with another, better one – then do they love the world that we know, which is the world as it is?”

In a later rebuttal to Wolf, Singer (2011; 213) asks us to consider the case of a doctor facing a hundred injured victims of a train crash and the moral opprobrium we would feel if the doctor decided to only treat fifty victims, and then went to the opera, justifying his doing so on the grounds that attending opera is part of a well-rounded human life. Of course, in *that* situation no one would consider the doctor's actions ethical; but, to recall the discussion from § 3.1.2b which sought to distinguish duties of rescue from duties of justice, the situation Singer describes is a rescue situation which throws up different moral duties than when issues of justice present themselves. Schmitz argues, (2000; 700): “It seems inescapable that emergencies and chronic problems are two different things. When we assume a burden of long-term care, we give up the life we had. When we help out in a one-shot emergency, we are inconvenienced, maybe even at risk, but we are not abandoning life as a member of a kingdom of ends and replacing it with life as a mere means.”

Continuing with Wolf's argument, she notes that, on first appearances, both utilitarianism and Kantianism would seem to support the appearance of the moral saint in their theories, together with the moral demandingness that such a position entails. However, argues Wolf, both have reason to reject the moral saint. The utilitarian would not support *everyone* pursuing moral sainthood as a universal ideal, because “a world in which everyone, or even a large number of people, achieved

moral sainthood – even a world in which they *strove* to achieve it – would probably contain less happiness than a world in which people realized a diversity of ideals involving a variety of personal and perfectionist values” (1982; 427). Other pragmatic reasons for the utilitarian, which weigh against everyone striving for more sainthood, would include noting that encouraging people to strive toward happiness-producing goals that are more attractive and attainable would more positively influence people and so likely result in greater overall good (*ibid.*).

Despite the unattractiveness of the moral saint depicted by Wolf, the utilitarian may still not be rationally convinced, at the *personal* level, to abandon his quest for moral sainthood, because the empirical suffering in the world would still far outweigh any happiness he or she, as an *individual*, would accrue by living a more well-rounded, less saintly life. Psychologically, devoting all one’s attention to the downtrodden and poor would most likely impose a toll on one’s sanity. However, the individual utilitarian should not act self-righteously when others note that his/her striving for moral sainthood might exact such a cost (428). Nonetheless, ‘sucking-it-up’ and not acting ‘holier than thou’, while making this perfect utilitarian a less “nauseating companion [... and] a more bearable public personality [...], is at the cost of giving him a personality that must be evaluated as hypocritical and condescending when his private thoughts and attitudes are taken into account” (*ibid.*). Thus, even at the individual level, as opposed to the more general public level, moral sainthood should be morally unattractive to the committed utilitarian.

The Kantian faces a similar motivational quandary: developing one’s powers to achieve physical, artistic and intellectual excellence must arise, as a Kantian, from the reverence we have for human dignity. While this is a commendable motivation, “it is hardly what one expects to be dominantly behind a person’s aspirations to dance

as well as Fred Astaire [or] paint as well as Picasso” (431). Interpreting Kantianism as “providing a stringent but finite set of obligations and constraints [so] that one is as morally good as can be so long as one devotes some limited portion of one’s energies toward altruism and the maintenance of one’s physical and spiritual health” is something the average moral agent can embrace “without [it] swallowing up the perfect moral agent’s entire personality” (431-2).

The implications of this interpretation of Kantianism, which places an “upper bound on moral worthiness”, are that, despite Wolf’s claim that the moral saint is an undesirable role model, “it seems perverse to insist that, were moral saints to exist, they would not, in their way, be remarkably noble and admirable figures” (432).

Placing upper bounds on moral worthiness would rob us of identifying and lauding remarkably noble and admirable figures. It would also strip us of the moral instrument of praise for the actions performed by moral saints, which is just another way of recognising that supererogatory actions are not morally insignificant. It would be wrong however, to draw the implication from this that we should allow moral agents to be morally ‘average’ simply to facilitate moral sainthood. Wolf’s point is that placing upper bounds on moral goodness restricts the autonomy of the moral agent to express his/her moral identity by performing, *inter alia*, supererogatory acts, acts which we deem praiseworthy.

Wolf introduces the ‘moral point of view’ which recognises that “one is just one person among others equally real and deserving of the good things in life as a fact with practical consequences [and] competing moral theories offer alternative answers to the question of what the most correct or best way to express this fact is” (437). This is just another way of describing impartialism. Against this problematic impartialist ‘moral point of view’, Wolf offers ‘the point of view of individual perfection’

which is the point of view “from which we consider what kind of lives are good lives, and what kinds of persons it would be good for ourselves and others to be” (437). Wolf concludes that from the ‘moral point of view’, which includes a utilitarian and a Kantian point of view, if there are reasons to live lives that seem good from outside that point of view and thus not morally perfect, then “any plausible moral theory must make use of some conception of supererogation” (438).

It follows, then, that because utilitarianism and Kantianism, both exemplars of impartialism, try to drive supererogation from their theoretical frameworks through reductionism, supplemented by a strategy to extend the meaning and scope of duty, they suffer a deficit of plausibility. The analysis in this final section, focusing on the impartialism essential to both utilitarianism and Kantianism, supports the conclusions reached elsewhere in this chapter that see both utilitarianism’s and Kantianism’s treatment of supererogation as problematic. Finally, my critique of impartialism presents good reasons to question utilitarianism, or at the very least to doubt its strength to provide foundational support to an ethical principle such as Singer’s sacrifice principle. This section thus also completes the second stage in rejecting the sacrifice principle, and *a fortiori*, the LSA as a mechanism in a supplementary strategy to reduce supererogation to obligation.

5. Conclusion

The chapter traced a conceptual mapping of the moral phenomenon of supererogation, which included investigating whether its unique characteristics justify a special deontic status. Supererogatory acts, as non-obligatory acts that go beyond duty, are morally meritorious because, it was argued, they are gratuitous and spontaneous. It was argued that supererogation must not be allowed to simply

vanish through a process of assimilation into an ethical framework that discounts its significance. In this regard, the concurrent strategies of reducing the supererogatory to the obligatory, examined at a meta-ethical level through a Kantian lens, and extending the meaning and scope of duty, examined at the normative level through a utilitarian lens, were both found wanting. The latter utilitarian strategy was the subject of a critical analysis of Singers' life-saving analogy (LSA) and his principle of sacrifice.

Common to the failures of both theories was a "resistance to the supererogatory [that] stem[med] from the urge to deny a personal dimension in morality in favor of the universal" (Levy 2015; 239). This failure was traced to the impartialism at the centre of both Kantianism and utilitarianism. Impartialism, in aspiring to abstract ideals, either encroaches upon or erases the autonomy of the individual moral agent, denying him/her the opportunity to express his/her moral identity by performing, *inter alia*, the purely optional and spontaneous supererogatory act.

A critique of impartialism also demonstrates that attempting to conceptualise supererogation through *actions* alone is bound to leave something of moral significance out. The 'inner' life and character of the moral agent, their spontaneity and autonomy, all speak to, *inter alia*, supererogatory *attitudes, intentions and emotions*. These need to be explored further in order to map out the conceptual boundaries of supererogation and the ethical dilemmas and conundrums that arise in its wake. This is undertaken in the chapter that follows.

Chapter 2: Supererogatory attitudes

1. Introduction

In the previous chapter, the conceptualisation of supererogation proceeded primarily by examining supererogatory *actions*. In this chapter, the focus will shift to supererogatory *attitudes*, which also encompass the motives and, to a degree, the character, of the moral agent. This shift in focus will allow for an expansion and deepening of the conceptual mapping of supererogation that was started in chapter one. The rationale for examining supererogatory attitudes as distinct from supererogatory actions is contained in Cowley's (2015; 4) concern that dismissing the supererogator's *perspective* as irrelevant, or as an "emotional distortion", impoverishes our understanding of the supererogatory act. He suggests that "the objective meaning of the [supererogatory] act partly depends on the way the supererogator comes to think about it" (*ibid.*).

Cowley is here referring to the oft noted response of heroes who think about their actions as something they were obliged to do; that is, they think of their actions as meeting a moral duty and not something that exceeds such a duty. Supererogatory attitudes, for Cowley, point to the conceptualisation of supererogation that need not always, or mostly, involve sacrifice (14). He considers giving someone the benefit of the doubt, or hoping for the best, or trusting someone, as worthy of moral merit because such actions display a supererogatory attitude, "not because they go beyond the call of *moral* duty, but because they go beyond the epistemic duty to apportion belief to available evidence" (*ibid.*).

The chapter will start with a brief examination of what the literature regards as a paradigmatic supererogatory act – forgiveness – in order to demonstrate how

supererogation can be constituted by a supererogatory attitude. Thereafter, I trace Horgan and Timmons' (2010) comparative phenomenological description of obligatory and supererogatory actions, which they undertake in order to advance a reason for action that performs a moral-merit-conferring role. A moral-merit-conferring reason is a reason that regards the moral merit of an act – that is, its praiseworthiness borne of, *inter alia*, its voluntariness – as sufficient reason to perform that act.

The third section considers how an appeal to cost – the hero's purported sacrifice alluded to above – typically serves to justify supererogation's optional nature, with a resultant asymmetry of blame: the spectator to a moral situation cannot blame the moral agent for failing to perform a supererogatory act, but the agent can nonetheless still hold himself responsible. However, Bernard Williams' (1993) notion of a moral incapacity problematises the understanding of supererogation as sacrifice, because if the moral agent believes he 'could not act otherwise', that he was morally incapable of *not* acting supererogatorily in the situation, then cost does not factor into the equation. However, if the supererogatory act no longer constitutes a sacrifice for the moral agent, then the supererogatory act need also not be voluntary. An important result is established: the autonomy of the moral agent to perform or not perform a supererogatory action is no longer a distinguishing feature of supererogation. This is not to say sacrifice, or cost, will never feature in a supererogatory action, just that its appearance is no longer a necessary condition for supererogation.

Section four unpacks Craig Taylor's (1995; 2002) criticism of Williams' moral incapacities which, as the end-point of moral *deliberation*, fall short of recognising how a moral incapacity can manifest itself as a primitive response to a situation.

Taylor describes a primitive response as a response that “cannot be further analysed, broken down and explained in terms of something more basic, such as an agent's motives, beliefs and practical deliberations” (1995; 282-3). However, I argue that his privileging of sympathy as a paradigmatic primitive response, which he characterises as similar to Wittgenstein’s ‘attitude toward a soul’, falls short. My concerns centre on sympathy as a recognition of another’s suffering *as like my own*. Empathy as imagination, I argue, is able to sidestep the difficulties associated with this conception of sympathy. I argue that supererogation consists in an attitude – an attitude towards a soul – which manifests in a primitive moral response to the other.

The problem with such a position is that primitive responses can go awry, particularly as they sometimes need to default to judgement and reasons. The penultimate section of the chapter revisits the problem of impartialism, first encountered in chapter one, with this in mind. I trace Taylor and Alice Crary’s (2007) arguments for an affective moral rationality, that is, a moral rationality based on emotions and feelings that can motivate and serve as grounds for moral action, including supererogatory action.

The final section of the chapter explicitly brings together chapter one, supererogatory actions, and chapter two, supererogatory attitudes. I distil the problems raised by impartialism (and exemplified by the LSA examined in the previous chapter), together with the problems raised by the asymmetry of blame and moral incapacity in the current chapter, into what I term, following Desmond (2010), a ‘paradigm of uncertainty’. In contradistinction, I propose that a supererogatory attitude, described as an attitude towards a soul manifesting in a primitive moral response, be described, once again following Desmond (2010), as fitting a paradigm of undecidability.

2. The phenomenology of supererogation

2.1. Forgiveness as an example of a supererogatory attitude²⁰

In addition to the philosophical issues it raises, forgiveness covers a wide area of enquiry encompassing, *inter alia*, jurisprudence (with its legal concerns of mercy and pardon), sociology (in particular, criminology and theories of punishment) and politics (as it relates to such interventions as the South African Truth and Reconciliation Commission, set up to investigate apartheid-era atrocities, to achieve retributive justice). My examination of forgiveness in this section is a very narrow one: I employ the personal dimensions of forgiveness to demonstrate the notion of supererogatory attitudes, motives and perspectives – as against supererogatory actions – as a modality of supererogation.

The Oxford English Dictionary defines forgiving someone as stopping feelings of anger or resentment towards (someone) for an offence, flaw, or mistake²¹. Heyd (1982: 154-164) argues that forgiveness should be considered supererogatory because it is also – to recall of supererogatory actions, neither morally required, nor prohibited – optional, and morally praiseworthy²² (see chapter one, §.2). Heyd (152) begins by describing a supererogatory ‘forbearance’ as “when a person does not do something which he is morally *entitled* to do”. So, for example, a person, A, might not press another agent to fulfil an obligation that he/she has made to A, even though A is morally entitled to do so. Person A could decide to grant a grace period to the

²⁰ For a recent systematic treatment of forgiveness in Anglo-American philosophy, see Griswold (2007).

²¹ See <https://en.oxforddictionaries.com/definition/forgive> (accessed March 20, 2017)

²² Gamlund (2010) posits that the conditionality of the forgiveness granted is significant in determining the supererogatory status of forgiveness. He argues that, whether the wrongdoer is repentant, or not, is morally relevant and, as such, conditional forgiveness – forgiving repentant wrongdoers – is sometimes a duty and sometimes supererogatory, whereas unconditional forgiveness – forgiving unrepentant wrongdoers – is typically supererogatory (541).

other agent who had made a certain promise to him/her after the agreed-upon time for the fulfilment of such promise has passed. Although the 'to do' part of the above phrase 'morally *entitled* to do' indicates an action, Heyd cautions that forgiveness involves "more than just refraining from punishment and resentment" (*ibid.*). What the *act* of omission entails is constituted by a change in *attitude*.

Forgiveness is a supererogatory forbearance, since the aggrieved party is morally entitled to harbour feelings of resentment and claims to retribution towards the one who has wronged them, and yet chooses not to (162)²³. Heyd (2005; 154) says that "human resentment is an understandable response to insult and injury, since human beings are sensitive about their self-respect and eager to assert it when they are offended." It is this giving up of justified resentment that the aggrieved party is entitled to that makes forgiveness so morally praiseworthy and beyond duty. The giving up of justified resentment is a forbearance that is "constituted by a 'change of heart', an expression of a new *attitude*, the willingness to restore personal relations of friendship" (159; [emphasis added]). The aggrieved party's *perspective* toward the wrongdoer changes when forgiveness is offered; *apropos* the colloquialism that, henceforth, we see the wrongdoer in a different light.

What this change in perspective typically entails is a separation of the act of wrongdoing from the person of the wrongdoer (Benbaji and Heyd 2001; 571). This strategy allows us to maintain our "commitment to those values on the basis of which the initial negative response was made" (573). Thus, in forgiving someone who has broken his/her promise to us, we do not thereby demonstrate that we do not value

²³ See Hamilton's (2015) discussion of Auschwitz survivor Jean Amery, whose response to his torture by his Nazi captors was to hold "fast to his resentment, believing it to be, amongst other things, a fitting way of bearing witness to the horrors he had suffered" (2015; 199).

upholding promises; we can still find the *act* of breaking a promise unforgivable even as we grant the promise-breaker forgiveness.

Heyd (2005; 159) emphasises the personal dimension of an individual's perception (toward their wrongdoer) present in forgiveness, and contrasts this with the impersonal and impartial principles required in considerations of justice and duty. Going beyond duty, Heyd reminds us, "is often either motivated by personal affinity to another person or creates such a personal relation" (*ibid.*).²⁴ This brief examination of forgiveness has served as demonstration that agential attitudes and perspectives can be constitutive of supererogation. The subjective perspective of the moral agent, however, goes further, and in this regard Cowley (2015; 4) suggests that "the objective meaning of the [supererogatory] act partly depends on the way the supererogator comes to think about it." I explore such further perspectives in what follows.

2.2. *Moral-merit-conferring reasons for action*

A description of the supererogator's subjective perspective is attempted by Horgan and Timmons (2010; 46-50), who offer a comparative phenomenological description of obligatory and supererogatory acts. Horgan and Timmons (41) ascribe to the term 'moral phenomenology' a "what-it-is-like-ness of one's moral experiences" which is "largely [a] first-person enterprise of observing one's own moral experiences with the aim of describing them and comparing them with first-person descriptions that others offer of their moral experiences."²⁵

²⁴ This reaffirmation of the personal in contrast to impartialism was examined in chapter one, §.4.

²⁵ Horgan and Timmons note that their usage of the term 'phenomenology' does not cover moral philosophy in the phenomenological tradition, as initiated by Edmund Husserl and found in the work of Martin Heidegger or Emmanuel Levinas, for example. Levinas' work is very important in the argument of this study and will be returned to extensively in chapter three and following.

Their phenomenological description is delineated in support of their argument that a moral reason to perform an action can also play a non-requiring role; in particular, a moral-merit-conferring role (53-56). What this entails is that “a moral reason, M, plays a moral-merit-conferring role when performing an action for reason M confers some degree of moral merit on an action which, were it performed for some other reason, would either lack merit or enjoy less merit” (54). In other words, Horgan and Timmons hope to describe how a reason for action with respect to a supererogatory action operates, that is, by conferring merit on the action in question, which is optional for the agent to perform.

Horgan and Timmons follow Joshua Gert (2004), who distinguishes between a practical reason which has a requiring role and one which has a justifying role. To illustrate this distinction, they note that, while one can be morally justified in harming or killing in self-defence, one is not morally required to do so (Horgan and Timmons 2010; 53). It is the possibility that a moral agent’s reason for performing a supererogatory action can be moral-merit-conferring, without also being requiring, that a supererogatory action can be “deontically optional yet morally meritorious” (63); or, as per previous formulations, supererogatory acts are voluntary yet praiseworthy.

Turning to the moral phenomenology Horgan and Timmons offer in support of their moral-merit-conferring reasons, they compare and contrast the phenomenological details of the moral experiences of three agents – the first two moral agents experience their situation as an instance of duty, while the third experiences it as an instance of supererogation. The first moral agent agrees to do volunteer work for a charity on the weekend, while the second moral agent happens upon a donation request in his/her post and decides to donate to an aid agency. The first agent

commits to a specific course of action (to help with a clean-up effort) and thus incurs a perfect Kantian duty, while the second agent incurs an imperfect Kantian duty because his/her obligation is not specific – he/she can donate any amount he/she wishes, for example. To recall, a perfect duty gives the moral agent no choice as to how to fulfil that duty because a specific course of action is prescribed in the duty, whereas an imperfect duty can be discharged in a number of different ways, depending on the circumstances in which the duty arises (see chapter one, §.2.2.1).

Horgan and Timmons provide a bare psychological sketch of the two agents, imagining their inner dialogue: when Saturday comes, the volunteer (the first moral agent)

is not in the mood to participate; she would rather take it easy. She considers just not showing up, thinking that because of the many volunteers likely to be involved, her not showing up would not make a noticeable dent in the clean-up effort. But she thinks, “Once I get out there, maybe I’ll perk up and it won’t be so bad, and besides, I did say I’d help, so I really *ought* to get ready and just go.” With that thought, she looks for her gardening gloves, which she’ll need for the job (43).

The second moral agent who happens upon a donation request letter in his post, which he usually just throws away, but for no particular reason now opens, finds himself moved by the reports contained in the letter and

decides to do a bit more exploring by going to the organization’s website, where he listens to radio broadcasts, watches videos, and reads more about the needs of people across the globe. He hasn’t made charitable donations in the past – it never seriously entered his mind – but now he is thinking about it.

He thinks about his own well-being and reflects on the kind of good luck he's had throughout his life, compared to the bad luck of people living in hostile circumstances. As he mulls this over, he thinks, "Well, I don't *have* to give to this organization – and besides, don't I pay taxes, and doesn't some of that money go to foreign aid? But I really *should* give something to some organization some time or another. And why not do it now? So that's what I *will* do." Don clicks the "donate" button [...] (*ibid.*).

Although different, Horgan and Timmons describe both these experiences of moral obligation as a "felt demand that itself is experienced as a kind of vector force, [with an] 'objective feel' [that] appears to come from features of the situation that one confronts and that are independent of one's desires, preferences, and aversions" (44). Indeed, the volunteer experiences the demand of her promise to help as contrary to her preferences; she would prefer to stay at home when the weekend arrives. Furthermore, there is the basis of this felt demand, which they label a 'fittingness' relation, "in which some consideration favours, and thus constitutes a reason for, some action or attitude" (*ibid.*).

In addition to a 'felt demand', there is also a "sense that one would be subject to some sort of psychic discomfort as a result of failing to perform the contemplated obligation-fulfilling action" (46). Such psychic discomfort might vary from feelings of guilt to mild disappointment in oneself. Furthermore, both would be cognisant that "certain considerations constitute reasons that *require* that one undertake either some fairly specific course of action (in the case of perfect obligation), or that one undertake some course of action some time or other (in the case of imperfect obligation)" (47).

Coming to the experience of the third moral agent performing a supererogatory act, Horgan and Timmons imagine (47-8) a fairly mundane act but, nevertheless, one done from altruistic motives. On moving into a new community, our moral agent, Olivia, learns that a neighbour, Mary, who has recently lost her husband to cancer, is an avid baseball fan but no longer attends games on account of having no one to go with. It occurs to Olivia

that it would be a nice gesture to offer to go to a [baseball] game with Mary, although she herself had no particular interest in the game. But she thinks: “Here is a chance to do something nice for someone, and the fall semester doesn’t start for another couple of weeks. Why not?” She calls Mary, who is delighted by the invitation, and they end up going to a game [...] Olivia does not feel a demand of any sort to take Mary to a baseball game. Nor does she experience any sort of demand to do something nice for Mary or for neighbours generally. Olivia isn’t callous; she would gladly do favours for others if *asked* [...] she is simply moved by her neighbour’s circumstances, together with the fact that there is something she can do that would be much appreciated by Mary. Taking Mary to the baseball game would be “beyond the call of duty” and, in effect, is experienced by Olivia as such. We say “in effect” because of course, while the thought that her offer is beyond the call of duty need not enter Olivia’s mind, her experience involves her sense that the offer is not something she is morally required to do, but something that it would be good to do (*ibid.*).

Horgan and Timmons argue that Olivia’s not experiencing inviting Mary to a baseball game as a felt demand is qualitatively different from the volunteer’s and donator’s experiences who do feel their experiences as such (49). This phenomenology, they

conclude, is evidence for their claim that moral reasons can perform not just requiring roles, as in the latter, but also favouring, or moral-merit-conferring roles, as in the former. Horgan and Timmons's account of the phenomenology of supererogation contributes to expanding the understanding of supererogation beyond just actions; where the supererogatory attitude of the agent constitutes a moral-merit-conferring reason for action. In the following section, I continue exploring supererogatory attitudes by examining how the moral agent experiences cost.

3. The appeal to cost and the asymmetry of blame

One of distinguishing features of the supererogatory act noted thus far is its voluntariness, which is in turn deeply entwined with the autonomy of the moral agent. Yet, why that should be significant has not yet been completely explained. Part of the reason why supererogatory actions should be optional, is what Drummond-Young (2015; 127) calls 'the appeal to cost' consideration, a consideration she critiques as problematic²⁶. Tied to the appeal to cost consideration is 'the perspectival problem' of supererogation, (also Drummond-Young's term (125)). Supererogatory acts have a dual perspective in that the spectator to an act can view the act as supererogatory, whereas from the perspective of the agent, that same act may be regarded as a mere obligatory act. Before examining the issue of differing perspectives, I will first expand on the notion of cost and voluntariness.

The supererogatory act needs to be a voluntary act because, it is argued, performing such an act usually comes at considerable cost to the moral agent, the notion of cost

²⁶ In addition to the central problem discussed in the section, Drummond-Young (2015; 127-8) raises two other problems that the appeal to cost faces: 1. There are also *duties* that are hard to fulfil because they are costly and risky, so supererogatory actions do not have a monopoly on cost; and 2. The prevalence of low-cost favours and small supererogatory acts such as kindness (see also Cowley 2015 in this chapter's introduction).

encompassing “money, time, effort and life itself”, as well as related opportunity costs borne from acting beyond duty (Kagan 1989; 232). Obligatory moral actions do not ordinarily incur a heavy cost to one’s capacities to pursue one’s (Williamsian) ground projects, for example, while supererogatory actions usually do. It is partly because Singer purports to ground the LSA on a principle of *sacrifice* that his project fails to equate charity with justice (see chapter one, § 3). The LSA is meant to circumvent the appeal to cost argument which would ordinarily see the cost of donating to aid agencies up to the level of marginal utility as supererogatory.

The eponymous hero of Urmson’s (1958) essay ‘Saints and Heroes’ is a soldier who throws himself onto a live grenade in order to save the lives of his comrades. The soldier pays the ultimate cost for his supererogatory act – with his life; and his sacrifice, voluntarily offered, is praiseworthy. Cowley (2015; 5) raises some problematic points in relation to such a grenade-jumper: if the grenade-jumper dies in his attempt then “it is not clear what he has incurred is a cost given that he does not live to *experience it as a cost*”, even though he might experience such risks and anticipated costs in the moment of jumping before he is killed. Or, if the grenade-jumper believes that he will be killed by the explosion anyway (because he is closest to it perhaps), he may calculate that he has nothing to lose, and so may as well try to save his comrades’ lives. Thus, the appeal to cost distorts our understanding of the act as supererogatory.

The soldier’s objective action of jumping onto the grenade and covering it with his body also presents a problem of perspective. An asymmetry of perspective arises between the spectator of a purported supererogatory act and the moral agent performing that act. To the observer of the scene, the act, in this instance covering a live grenade with one’s body, is praiseworthy because it goes beyond duty, even

beyond those duties expected of a soldier in wartime; and yet, to the soldier, the action may appear as precisely just his duty. This asymmetry, a function of the optional nature of supererogation, explains Levy (2015; 229), should be understood as “how *others* are restricted from asserting that the supererogatory action is obligatory or (morally) blaming the actor for non-performance [in the event that such action is deemed obligatory].”

The following refrain is a common one in the literature: “I don’t think I did anything that special. I think what I did is what everybody normally should be doing. We all should help one another. It’s common sense and common caring for people” (Monroe 1996; 104, in Horgan and Timmons 2010:40). This quote is from an interview with a so-called ‘righteous gentile’ who risked his life to hide Jews from Nazis during the Second World War. The supererogatory act does not present itself as optional to the agent to perform and “nobody else can call on him to perform such an act as they can call on him to tell the truth and to keep his promises”²⁷ (Urmson 1958; 204).

Levy (2015; 229) describes these expressions of an action appearing as necessary (the ‘I had no choice’ refrain) to a moral agent as his/her “*consenting to his responsibility* for acting.” So, to repeat -the optionality of supererogation results in an asymmetry: Levy describes supererogatory acts “as those in which the subject who acts can hold himself responsible, when no one else could” (230).

²⁷ Alford (2007; 226) pieces together typical narratives of whistleblowers, whose sacrifices (such as losing their jobs, in order to bring attention to organisational wrongdoing) are often characterised as supererogatory: “I did it because I had to ... because I had no other choice ... because I couldn’t live with myself if I hadn’t done anything ... because it was speak up or stroke out. What else could I do? I have to look at myself in the mirror every morning.” He describes their compulsion to act as they do as one of ‘choiceless choice.’

Some argue that such first-hand accounts are really just misdescriptions – the moral agent is either misremembering his/her experience, or is being overly modest (Horgan and Timmons 2010; 40) and, as such, the action is still supererogatory. However, some theorists, most notably Bernard Williams (1981b; 1993), regard the claim that a moral agent could not act otherwise in a particular situation as a genuine incapacity, a ‘moral incapacity,’ as Williams calls it. I examine this next.

3.1. Moral incapacity and the implications for autonomy

Bernard Williams (1981b) first introduced the notion of an incapacity to perform a particular action as tied to a ‘practical necessity’, which concludes a deliberative process following the question ‘What ought I to do?’ This ‘ought’ need not involve any moral obligation at all. However, when the ‘ought’ does involve a moral obligation, it might well be that the moral agent ought *not* to do that particular thing, because he/she may also be under some other moral obligation (125). Such conflicting moral obligations might arise in the situation of a moral dilemma, for instance. Expanding on this distinction, Williams explains that “ought is related to *must* as *best* is related to *only*” (*ibid.*). What this means is that “by telling someone that he ought to do X if he wants Y is that X is the best or favoured means to Y; if it is the only means to Y, then he *must* do it if he wants Y” (*ibid.*).

After weighing all the options and courses of action available, the moral agent might conclude that he/she must perform a particular action and that he/she cannot do otherwise, because it is, for him/her, the only way to achieve a particular outcome. The ‘cannot’ is not a physical impediment, a rhetorical sleight or a psychological deceit; all of which becomes apparent when a moral agent claims that he/she cannot perform a certain act but then intentionally does so (128). The differences between

practical necessity and 'ought' are also illustrated by contrasting this 'cannot perform a certain action' with the claim that one *ought* not to perform a certain action (which can still be true, even when the moral agent performs that action).

In reaching the conclusion that he/she ought to perform a certain action as a *practical necessity*, the moral agent recognises that such conclusion represents "a certain incapacity of mine" (*ibid.*). Williams, some twelve years later, develops this idea into the notion of a moral incapacity, which is not "an incapacity to engage or be engaged in moral outlook" but rather

incapacities that are themselves an expression of the moral life: the kind of incapacity that is in question when we say of someone, usually in commendation of him, that he could not act or was not capable of acting in certain ways (1993; 59).

Williams uses as a paradigmatic example of moral incapacity, Martin Luther at the Diet of Worms in 1521. There, Luther famously declared 'hier stehe ich, ich kann nicht anders' (Here I stand; I can do no other). Williams argues that, by this declaration, what Luther "meant [was] that having reached this position, there were indefinitely many things he could now not do" (61). He could not recant, and disavow his criticisms of the Catholic Church contained in his 95 theses because "Luther's practical necessity to act as he did is one that is an expression of his moral outlook" (Archer 2015; 112),

Williams distinguishes moral incapacity from other physical and psychological incapacities, with the chief criterion being that "a moral incapacity belongs to the species: incapacity to do a certain thing knowingly" (1993; 62). If I cannot lift 500kg then that is a physical incapacity; however, if under hypnosis, it turns out that I can,

after all, lift 500kg, then it is not true that I possess that incapacity, at least under certain conditions (*ibid.*). A psychological incapacity, however, might preclude one from performing a certain act if one were knowingly conscious of it – Williams uses the example of eating roast rat: if one were made aware that one was eating rat, instead of chicken, for instance, then by continuing to eat the roast rat one could not plausibly claim that one has a psychological incapacity, manifested in disgust with eating rat (*ibid.*). If, however, I cannot take another bite at the behest of a roast rat-aficionado, I might try to overcome this psychological incapacity, but in spite of all the aficionado's persuasion, still fail to do so.

A moral incapacity, however, reveals itself “in the fact that for the appropriate kinds of reasons, I will never try” to overcome that particular moral incapacity (63). This is because moral incapacities are expressions of the agent's moral life, and in attempting to overcome them, or in ceasing to identify with them, that incapacity no longer counts as a moral incapacity, although as Archer (2015; 115) remarks, the incapacity may still remain as a psychological incapacity. Archer puts forward the example of a person claiming to be incapable of murder yet actively seeking to overcome this aversion – such a person cannot be said to have a moral incapacity for murder; thus, “moral incapacities then are not simply incapacities to act in certain ways, they are also incapacities to try to act in those ways” (*ibid.*).

At this point, Alfred Archer (2015) argues that if a genuine moral incapacity – to perform, or refrain from performing, a particular act – exists, then this undermines the idea that the supererogatory agent is sacrificing something of value, or incurring a considerable cost, to themselves. The traditional notion of supererogation, as involving cost, then, is flawed, with the implication that certain views (or utilitarian strategies such as the LSA – see chapter one, §.3.1) that appeal to it in order to

assimilate supererogation into their theoretical frameworks fail. To briefly recount the argument, supererogation imposes too burdensome a cost for ethical theories to demand of their adherents. If, however, supererogation is assimilated within duty, then what was previously too steep a moral price must now be seen as less costly to the agent within the expanded notion of duty. To continue with the metaphor of price: the assimilation of supererogation to duty amounts to a moral discount on its cost to the agent. Archer (121) concludes that the personal accounts of moral exemplars need to be taken into consideration, and that sacrifice need not be constitutive of supererogation.

An important consequence of this result is that the autonomy of the moral agent, in particular with regard to performing supererogatory acts, comes into question. If the supererogatory act no longer constitutes a sacrifice for the moral agent, then the supererogatory act need not be optional for the moral agent. (This is not to say sacrifice, or cost, will never feature in a supererogatory action, just that its appearance is no longer a necessary condition for supererogation). In other words, the autonomy of the moral agent to perform or not perform a supererogatory action is no longer a distinguishing feature of supererogation. And, while the moral agent might still need to consent to holding him/herself responsible for performing a purported supererogatory act, this autonomy is undermined by the fact that others may now, with more justification, blame him/her for non-performance of the act in question, precisely because such an act is not costly to perform.

4. Primitive responses and autonomy

4.1. Primitive moral incapacities

Craig Taylor (1995) challenges Williams on the idea that moral incapacities only, or typically, result from a deliberative process. To be clear, Taylor elsewhere (2002; 62) notes that Williams does not mean only certain deliberative conclusions that a moral agent does reach, but also conclusions he *might* reach, if he was not deliberating under false assumptions, for example. For Williams (1993; 65), even if no actual process of deliberation occurs, “the idea of a *possible* deliberation by the agent [...] gives us the best picture of what the [moral] incapacity is” [emphasis added]. In other words, a moral incapacity that was not obviously so before deliberation can sometimes reveal itself as such through the process of deliberation.

Taylor (1995; 277) provides the example of a moral agent R, a member of an anti-government movement fighting an authoritarian regime, who discovers that a comrade has betrayed the cause. R deliberates on the appropriate course of action, considering, *inter alia*, the need for a strong show of leadership and discipline, and concludes that the only moral option is to execute his comrade himself. However, when the time comes to confront his comrade, he discovers that he can’t pull the trigger.

Taylor (278) considers what this discovery – that one cannot go through with the act of intentionally killing somebody – entails:

On the one hand, we might say that R has discovered something in this situation about himself, about what real fear is like or whatever – that is relevant to his conclusion that (in the end) he cannot kill his comrade. But on the other hand, it might be suggested that what R has discovered here is *simply that he cannot kill his comrade*.

Taylor argues that it is the latter reply which resists explanation in terms of some further deliberation; whether this entails deliberating about R's life project, or about other information forthcoming from the situation. In other words, further deliberation about whether or not to proceed with the execution, "has simply been ruled out" (*ibid.*).

R's moral incapacity to continue with the execution of his comrade, in spite of all the preceding deliberation, is an example of what Taylor calls a 'primitive response'; 'primitive' being used "to emphasize the point that such responses cannot be further analysed, broken down and explained in terms of something more basic, such as an agent's motives, beliefs and practical deliberations" (282-3). In a later response to a critic, Taylor (2002; 65) elaborates on primitive moral incapacities, saying that "R need not be acting here on the basis of any reason that he might recognise as flowing from his dispositions, commitments, and so on." If indeed R could answer the question why he could not kill his comrade with the reply '*because he is my comrade*', then such a reply would constitute a reason and *ipso facto* would not be a primitive response. Such a reply might indicate a possible psychological incapacity. However, R cannot articulate why he cannot kill his comrade and the reason why he cannot is precisely because such reasons are not present, and cannot be present, to the agent. Nevertheless, such a primitive response is still a moral incapacity insofar as the agent cannot bring him/herself to perform the act in question despite concluding that good reasons to do so exist.

In *Moralism*, Taylor (2012) offers a more concise formulation of his notion of a primitive response, articulating what he takes to be the two most important aspects of a primitive response; first, they

are *immediate and unthinking* in the sense that they are not mediated by certain prior thoughts we might have about the particular human beings we are responding to [...which] is not to concede that such responses are merely mindless or instinctive. Rather, and this is their second aspect, such responses are [...] themselves a *form of recognition* of another's humanity.
(*ibid.*; viii)

A primitive response, such as the example of R above, argues Taylor (2002; 3), is not just a response which moves us to act, but is also “*constitutive* of our conception of human nature” (*ibid.*). Understanding human nature, according to Taylor (9), involves asking “what is the source of the motivation within a particular agent [...] which underlies the reasons an agent gives for acting, and which explains their being moved.” But asking that question is to suppose that “a person's actions can always be explained as flowing from certain features of that agent or of human beings generally, so that a person's actions never themselves feature at the most basic level in our conception of human nature” (*ibid.*). In other words, a primitive response, to the suffering of another for example, is itself both the action (of recognition of such suffering) that the agent performs, *and* that which moves the agent to perform that action. Another important implication of a primitive response as an unthinking and immediate response is that it is not a voluntary response and is thus not an expression of the agent's moral autonomy. This is, however, not problematic insofar as supererogation is concerned, as it has been established that autonomy is no longer a distinguishing feature of supererogation.

Taylor can thus be seen as expanding the role of reasons for action to include such considerations as the motivation of the moral agent for acting in a certain way. However, an important caveat is necessary here: Taylor's primitive response which

moves the agent to act cannot be called a *reason* for action. This would imply that the agent has deliberated on his/her course of action and can articulate, however vaguely, his/her motivations and beliefs flowing from his/her dispositions and commitments and so on. Such a deliberative response would no longer be a primitive response as defined by Taylor. The primitive response, which moves the agent to act, is thus better described as a *ground* for action. Furthermore, because Taylor argues that these primitive responses consist in recognising the humanity of others, I propose to call Taylorian primitive responses, humanity-recognising grounds for action. To expand on what this recognition of our humanity consists in, and to tie these primitive responses to supererogatory *attitudes*, I turn to Taylor's exploration of what he considers the paradigmatic primitive response – sympathy.

4.2. Sympathy as a primitive response and an attitude

Taylor (2002), explores sympathy (in an eponymous monograph) as a paradigm for a primitive response. Taylor argues that sympathy is “a primitive response to the suffering of another” (3). This means that the phenomenon of sympathy cannot be broken down and explained in terms of something more fundamental such as a desire or a motive. Furthermore, sympathy, as a primitive response, consists in recognising the humanity of the one we sympathise with and thus moves us to act.

Taylor considers how we can know that another is suffering, and so be moved to sympathy, by building on the work of Ludwig Wittgenstein's (1958) theory of other minds in *Philosophical Investigations*. Taylor (2002; 5) links a primitive response to what Wittgenstein calls ‘an attitude towards a soul’. Taylor argues that “our conception of thoughts and feelings of others is constituted by our *expressive responses* to their expressive behaviour” (*ibid.*). So, for example, an expression of

sympathy toward someone crying out in pain is an indication of our belief that they are feeling pain – there is no way to ‘know’ when they are in fact in pain the way that I know when I am in pain. While they may be faking their pain, my sympathetic response still constitutes a conception of the other’s pain. Our primitive responses to others thus express our attitude that the human before us is “the kind of being that has thoughts and feelings” (84). This attitude – an attitude towards a soul – is the recognition of the other’s humanity (to feel, to suffer) and is revealed in my primitive response to the other.

Up until now, I have used Taylor’s term ‘primitive response’ to indicate a primitive *moral* response. This does not go against Taylor’s intention, as his argument is that such primitive responses are constitutive of moral agency, but I now want to directly address his caution (2002; 5) that not all primitive responses need be *moral* responses. Besides sympathy, an equally immediate and unthinking (that is, primitive) response to the sight of a leper, for example, could be to turn away in disgust, or embarrassment. Taylor (*ibid.*) argues that these types of (primitive) responses cannot be called *moral* responses. In keeping with his project, he rejects appealing to an agent’s reasons or grounds for action to determine whether or not a primitive response is moral.

Instead, he argues that responses such as disgust are not primitive *moral* responses because they are not constitutive of how we understand human suffering; such primitive responses “fail to recognize the suffering of another *as like one’s own*. More precisely [...] where sympathy is totally absent from our dealings with another we fail to recognize their suffering as making the kind of claim on others that we take it that our own suffering makes” (6 [emphasis added]). Reformulating this point later on (136), he says that “sympathy establishes a certain connection between us, a

connection according to which we recognise others, their joys, sufferings and so on, as *like our own*.” [Emphasis added.]

My concern with Taylor’s argument is that it is the recognition of the suffering of the other, as *like my own*, which is constitutive of moral agency. In order to clarify my concern, consider Taylor’s (2012; 79) rejection of the following possible complaint an impartialist might level against him, as formulated by Cullity (2004; 22): “I make the reason to help other people too self-regarding [in that] this offers a fact about *me* as the reason for helping, rather than the good it would do for *him*.” Taylor (2012; 79) rejects this criticism on the grounds that “the relation between them and me is not itself my reason for helping them. On the contrary [...] my sympathetic response to others itself helps to constitute the web of relationships through which we recognize another as an appropriate object of various kinds of concern.”

However, my concern is less about reasons for helping the other, which may or may not be selfish, but rather how I can *recognise* the sufferings and joys of the other as *like my own*. If I am not in a relationship with the other, then how will I be able to recognise her sufferings and joys as sufferings and joys, much less as sufferings and joys as like my own? Part of my unease with Taylor’s understanding of sympathy as constitutive of moral agency is reflected in Desmond’s (2010; 249) concern with “the extent that the sympathizer has oversight and control *over* the other [...] Sympathy retains us within the circle of our comfort zone.” As the sympathiser, it is *my* response that guides and directs the moral encounter. The other’s reaction to my response, far from demonstrating the complexity of his/her identity, serves only to course-correct my own moral agency. One might ask why Taylor devotes a monograph to sympathy and never once considers contrasting it with a concept very often conflated with it – empathy.

I do not intend to provide a rigorous conceptual analysis of empathy here. Instead I will expand on the very simple Oxford English Dictionary definition of empathy as “the ability to understand and share the feelings of another”²⁸, except that ‘understanding’ here should not be taken as recognition, but rather as imagination²⁹. In order to recognise the feelings of another, one needs to be able to imagine how the other experiences the world and his/her place in the world, as in the colloquial expression ‘to walk in another person’s shoes’. While sympathy might be able to recognise suffering, empathy maps the depth and breadth of such suffering. As such, empathy is also a primitive response and an ‘attitude towards a soul’. However, empathy differs in that it steers clearer of moral judgement than does sympathy, because it operates by imagination. At this stage I will adopt Werhane and Moriarty’s (2009; 4) definition of moral imagination to indicate what I mean – “Moral imagination is the ability to discover and evaluate possibilities within a particular set of circumstances by questioning and expanding one’s operative mental framework”. Empathy as imagination allows me to expand my understanding of the other’s suffering by questioning the assumption that I can recognise suffering as *like my own*. In chapter four, §4.1, I will define imagination as a recursive modality which

²⁸ See <https://en.oxforddictionaries.com/definition/empathy> (accessed 26 July 2017).

²⁹ Empathy, as a philosophical concern, encompasses a very broad literature. Analytic philosophy has recently produced two collections of essays on the topic (Coplan and Goldie 2011; Maibom 2014), as well as a monograph by Stueber (2006). A central figure in the field is Derek Matravers, who provides an overview of the contemporary debate in *Empathy* (2017). Matravers (2017a) divides the current state of the field into the ‘mind-reading’ debate (arising from the functionalist concern of how we can know the contents of another’s mind), and the ‘emotions’ debate (arising within a broader debate on the nature of emotions). The former is concerned with “working out what other people are thinking”, while the latter is “about feeling what other people are feeling.” Within the mindreading debate, Matravers(2017a) cites Stueber’s (2006; 28) definition of empathy as “a form of inner or mental imitation for the purpose of gaining *knowledge* of other minds”. Within the emotions debate, the following Maibom (2014; 3) definition is standard: “S empathizes with O’s experience of emotion E in C if S feels E for O as a result of: believing or perceiving that O feels E, or *imagining* being in C” (emphasis added). From the position that I outline, it is clear that I agree with empathy as imagination. However, my enlisting of empathy should be understood as a tool to interrogate and contrast with sympathy as a *paradigmatic primitive response*, and not as a subject in its own right.

consists in a continuous revision of the infinite representations of the other and the other's suffering, which will in turn guide my response to him/her.

Consider a personal story Taylor (2002; 140) relates about a friend who tries to help a 'bag-lady' on the street by buying her a loaf of bread, only to have it thrown back in his face. Taylor remarks that, in order to understand this exchange, we need to consider that "humiliation is also a form of suffering" (*ibid.*). That is true; but such understanding – of the forms suffering can take – depends on, as he acknowledges, "a good deal of reflection". However, reflection is a deliberation and thus blunts and alters the primitive response which, to recall, Taylor characterises as immediate and unthinking.

In the example of R, (the moral agent who, after reflecting, discovers that at the crucial moment, he cannot pull the trigger on his traitorous comrade (see §.4.1 above)) he, R, can still step aside, reflect further, come back to confront his comrade, lift the gun and still, again, fail to pull the trigger. In other words, further reflection still prevents R from performing the very *specific* action of pulling the trigger. Whereas, in the case of the bag-lady, the moment, so to speak, has passed – further reflection on Taylor's friend's part would surely not include the original action of giving a loaf of bread to the bag-lady.

Will he run after the bag-lady and apologise to her for his presumptuousness, assuming that he recognises that his offer was condescending to the bag-lady? Or is reflecting on the reaction of the bag-lady supposed to inform his response the next time he crosses paths with this particular bag-lady, or another bag-lady? What if the bag-lady cannot physically eat bread, and that is why she threw the bread back? Is it so difficult to imagine a bag-lady who is gluten intolerant? Perhaps the bag-lady

despaired at the thought of yet another day having to eat bread, bread being the preferred choice of bag-ladies, or so Taylor's friend imagines. I can only faithfully recognise the true source of the bag-lady's suffering if I place myself in a relationship with her (benefactor, friend, neighbour, for example), which only then might provide answers to these questions.

Taylor, I believe, fails to heed Williams' (1985/2011; 164) critique that in the present case "*reflection can destroy knowledge*". In the present case, I would argue that the ethical knowledge in question consists in how I respond when confronted with a bag-lady. How do I recognise the bag-lady's humanity which encompasses her suffering in all its various manifestations and complexity? How can I recognise the bag-lady's suffering as like my own when I cannot recognise she suffers wounded pride just as I do? My provisional answer at this stage is that it lies in an empathetic response insofar as empathy avoids compromising moral reflection better than sympathy does and thus keeps the primitive response *moral*. I say 'provisional' because the notions of recognition (of the other), knowledge (specifically ethical knowledge), and the relation between the other and me are highly problematic and must await a deeper analysis in the chapters to follow. Nonetheless I do want to trace both Taylor's (2012) and Alice Crary's (2007) critique of moral judgement as a precursor to the analysis to follow, particularly because it ties back to my earlier examination (in chapter one) of impartialism. Before that, a brief recapitulation of the argument as I presented it in this, and the previous section:

Supererogatory acts are considered optional because, it is argued, they come at considerable cost to the moral agent – this is the appeal to cost argument. Their voluntary nature also results in an asymmetry of blame; that is, we cannot blame, or hold responsible, a moral agent if he/she does not perform a supererogatory act.

However, the moral agent might still hold him/herself responsible for failing to do so, arguing for instance, that 'they had no choice'. Williams takes such claims seriously and posits moral incapacities which, distinct from physical or psychological incapacities, are themselves expressions of the moral life. Moral incapacities manifest as dispositions that preclude a moral agent from even trying to overcome such incapacities. Moral incapacity presents a challenge to the appeal to cost argument as necessary for supererogation, because if the moral agent cannot act otherwise due to a moral incapacity, then understanding their actions as a cost to him/her, as something foregone, becomes difficult. Thus, cost to the moral agent is not a sufficient, or even necessary, condition for supererogation. Even more consequential is that moral autonomy itself is no longer a sufficient condition for supererogation.

I then traced Taylor's critique of Williams' moral incapacity insofar as it is the endpoint of a moral *deliberation*. Taylor expands moral incapacity to include a response which is immediate and unthinking, and which is grounded in a recognition of the humanity of the other, in particular, recognising the suffering of the other. Taylor argues that such a response is constitutive of our moral agency, and calls such a response a primitive response. I critique Taylor's privileging of sympathy as a paradigmatic primitive response, which he characterises as similar to Wittgenstein's 'attitude toward a soul'. My concerns centre on sympathy as a recognition of another's suffering *as like my own*: how am I able to recognise another's suffering as like my own without being in a relationship with them? Empathy, as imagination, sidesteps these associated difficulties that result when sympathy has to fall back on moral deliberation in order to recognise the more complex forms suffering make take.

5. Revisiting impartialism: beyond obligation

Levy (2015) shares an affinity with Taylor's project to go beyond the *deliberation* of moral principles and concepts in order to understand moral agency (although Taylor's project does encounter problems when applied to sympathy, or so I claim). Levy (237) argues that the problem of supererogation arises from an "underlying motive to preserve *obligation* as the focal *moral* concept." He argues that

Some morally fine responses preclude acting to discharge an obligation because they are non-deliberative and non-teleological, e.g. responding with pity. Insofar as the responses are non-deliberative – i.e. because a response is immediate – discharging an obligation does not enter as a motive. Insofar as the responses are non-teleological, they do not have ends, including discharging an obligation. [...] we should allow that the value or *allure* of the good is sometimes modal (i.e. appears as necessary) and motivating but not as an obligation or a reason to be weighed, but in the *recognition* that it is good. The moral worth of an action can arise, I suggest, by its being orientated to or motivated by the good. The supererogatory is clearly this and our esteem for it flows from this recognition (238).

Levy is saying that a supererogatory action *as an instance of the good* can serve to ground action that is not motivated by obligation. Neither reasons, nor autonomy, are necessary for supererogation. What supererogation consists in is a non-deliberative (and non-teleological) response that is immediate, for example, pity. In other words, the moral significance of supererogation consists in its appearance as a primitive moral response, or as previously formulated, supererogation consists in an attitude toward a soul.

Levy (240) also argues that in asserting that the good is always obligatory, “one is asserting that *anyone* is obliged to pursue it. It is as if we are concerned to keep apart the moral worth of an action from the moral character of the actor, so that *anyone*, irrespective of moral character, can be held responsible”. One could also say that, in asserting that anyone is obliged to pursue the good, one is discounting that agent’s primitive response to the other before him.

Levy’s point raises the issue of the impersonal moral agent and recalls the problematic nature of impartialism with respect to morality discussed in the previous chapter. There it was argued, following Bernard Williams, that impartialism would, problematically, require the moral agent to bracket his/her identity, and forego his/her personal relationships, concerns and foci – Williamsian ‘ground projects’ – while he/she deliberated as to the optimal course of action in any particular moral situation. Impartialism, it was argued in chapter one (§.4), encroaches on or erases the autonomy of the moral agent, denying him/her the opportunity to express his/her moral identity by performing, *inter alia*, the purely optional and spontaneous supererogatory act. However, the analysis of the previous section has problematised autonomy with respect to supererogation, such that autonomy is no longer sufficient for supererogation. Supererogation now consists in an attitude – an attitude towards a soul – which manifests in a primitive moral response to the other. The problem with such a position is that primitive responses can go awry, particularly as they sometimes need to default to judgement and reasons. While I argue that Taylor’s analysis of sympathy falls short in this regard, he is keenly aware of the problem, as outlined in my revisiting of impartialism below.

5.1. Moralism as a discounting of primitive responses

Taylor (2012; 57-82) regards impartialism as a distortion of morality, employing the term 'overweening' morality to describe a morality which "overstep[s] its proper bounds" in our lives (ix). Overweening morality, understood as overstepping impartial duties, crowds out other values, such as friendship, and discounts the value of primitive responses. Discounting primitive responses is also typical of what Taylor understands as the problem of moralism.

Moralism, for Taylor (2), "involves flaws indicated both by certain tendencies of judgement and action and by tendencies of moral thought more generally". By 'flaws indicated by moral thought more generally', Taylor means the flaws of impartialism which concern, *inter alia*, its overweening in life. By 'flaws indicated by tendencies of judgement and action', Taylor means to finger moral agents who make not only extreme or excessive moral judgements about people or situations, but who also make moral judgements when they are uncalled for, even though such judgements may be true (*ibid.*).

Moralism, argues Taylor, is problematic insofar as it understands moral thought as fundamentally concerned with moral judgment – the application of moral concepts, principles and theories to actions, people and events (14). Beyond this, moral thought also involves "a kind of knowing *how* to respond to a particular situation as opposed to knowing *that* something is the case, as in an assertion such as 'It is wrong to commit adultery'" (15). It may well be true that it was wrong of your friend to have had an extra-marital affair, and yet instead of ostracising him/her, a better, moral response might be an expression of sympathy, especially if we know, for example, that the marriage had been loveless and abusive for many years. Such sympathy need not be seen as endorsing infidelity; perhaps pity is a more appropriate response, for in such a response we *recognise* how fragile human

relationships can be. Such recognition, captured in the notion of a primitive moral response (as noted previously), is for Taylor constitutive of our understanding of human nature and agency, and provides an argument for understanding moral thought as going beyond judgement.

Alice Crary (2007), in *Beyond Moral Judgement*, also regards moralism as a central moral problem. Her reasons for this mirror Taylor's: by attending only to her individual moral judgements, a moral agent risks assuming

that it must in principle be possible for her to understand the circumstances of her life in the absence of the kinds of refinements of sensibility that explorations of different modes of responses to the world promise to foster. The risk is that of committing herself to simply retaining certain biases or forms of moral ignorance, and the trouble is that, if she commits herself to preserving these biases, however mild and non-judgemental she otherwise is, she can't help but veer toward a kind of moral presumptuousness (196).

It is this presumptuousness which Crary understands as moralism. It paints a picture of the impartial moral agent as one whose moral development has been stunted, and will remain stunted, so long as moral judgement forecloses any need to wrestle with our moral responses as we engage with the world beyond impartial theory.

Crary's understanding of moralism is also a nod to Bernard Williams' 'one thought too many' objection'. Williams' 'one thought too many' objection concerns *how* impartialism resolves the conflict between moral and other demands such as personal projects. Williams (1981a; 17) considers a scenario (posited in Charles Fried's *An Anatomy of Values*, which he quotes in the text) in which a man must decide whom of two people to save from drowning. One of those drowning is his

wife, but the man is now beholden to the impartial demand to treat both equally.

Perhaps the only way for him to remain impartial is to submit the decision to a coin-toss! Williams is puzzled by Fried's answer that "the occurrence of the accident may itself stand as a sufficient randomizing event to meet the dictates of fairness, so he may prefer his friend, or loved one" (quoted in Williams; *ibid.*).

What puzzles Williams is that this person thinks he needs to justify choosing to save his wife in the first place, requiring an exemption from such absurd arbiters as a coin-toss, which can "legitimate his preference, yielding the conclusion that in situations of this kind it is at least all right (morally permissible) to save one's wife" (18). This way of thinking

provides the agent with *one thought too many*: it might be hoped by some (for instance, by his wife) that his motivating thought, fully spelled out, would be the thought that it was his wife, not that it was his wife and that in situations of this kind it is permissible to save one's wife (*ibid.* [emphasis added])

Crary (2009; 198) describes the dynamic at play in Williams' objection as one in which we endorse considerations grounded in our attachments, and yet simultaneously disassociate from those attachments by "adopting a reflective point of view from which they are treated as inessential to who we are". Crary's understanding of moralism clarifies an important point that Taylor (2012; 70) makes, which is not that "we should reject *any* conception of impartialism as relevant to ethics [... Rather, what we should reject is] the way in which, on certain impartialist conceptions of ethics, we conceive of the conflict between certain moral and other values and then how that conflict is to be resolved" (*ibid.*). So, according to Crary (2007; 198), certain impartiality criticisms "show not only that we need to abandon

moral impartiality in order to preserve our integrity but, moreover, that the abandonment of such impartiality is equivalent to the abandonment of an understanding of moral reflection as a rational pursuit”.

What such impartiality criticisms betray is a narrow conception of rationality so that “modes of thought that depart from impartiality in being directly informed by feelings [such as primitive moral responses] have an inherent tendency to fall short of rationality” (199). Such an idea informs the pejorative rejoinder ‘Don’t get so emotional, you won’t be able to think straight’. Crary argues for a wider conception of rationality which regards as confused the idea that “an abstraction from everything affective is necessary to attaining it” (204). By ‘everything affective’ Crary means to include moods, feelings and attitudes, which are not always amenable to deliberation and articulation. Conceived in this wider manner, impartiality is not problematic *per se*; what is problematic is certain moralistic conceptions of impartiality that consider only moral judgements as rational. On this view, rejecting moral responses, “far from seeming like a morally responsible austerity measure (as it does within traditional approaches in ethics [like Kantianism and utilitarianism]), seems like an unnecessarily harsh and morally dangerous one” (206).

Taylor and Crary show us that moral rationality need not consist only in, or primarily of, moral judgement. They argue for an affective moral rationality, that is, a moral rationality based on emotions and feelings that can motivate and serve as grounds for moral action, including supererogatory action. Such an affective moral rationality consists in an attitude, an attitude towards a soul, which manifests in a primitive moral response. This reconceptualised supererogatory attitude will need to be fleshed out in detail in order to situate its moral significance.

Revisiting impartialism brings together supererogatory actions and supererogatory attitudes in order to arrive at a provisional conceptualisation of supererogation. Chapter one approached the conceptual mapping of supererogation through investigating supererogatory actions, while chapter two approached the conceptual mapping of supererogation through investigating supererogatory attitudes. The last section of this chapter presents a way of assembling these conceptual mappings under two distinct paradigms. They also serve to distinguish the first half of this study from the second.

6. A paradigm of uncertainty versus a paradigm of undecidability

In order to distil the problems raised by impartialism with respect to supererogation (and exemplified by the LSA examined in the previous chapter), as well as those of moralism (and exemplified by moral judgments in this chapter), I propose to describe such problems as representative of a paradigm of uncertainty. In contradistinction, I propose that a supererogatory attitude, described as an attitude towards a soul manifesting in a primitive moral response, be described as fitting a paradigm of undecidability. What this means will become clearer in what follows.

My inspiration for this formulation comes from John Desmond's 'A Summons to the Consuming Animal' (2010). Although Desmond is chiefly concerned with animal rights in his essay, his critique, insofar as it focuses on Singer's impartial utilitarianism, is useful for my purposes. Desmond (2010; 246) takes aim at ethical theories that "preserve the notion that it is correct to draw moral boundaries and also to use calculation as a means to reducing complexity in making ethical decisions." As examined in the previous chapter, both Kantianism and utilitarianism, as exemplars of impartialism, attempt to redraw moral boundaries – in the case of

supererogation, by virtue of a reduction strategy that attempts to assimilate the supererogatory within their ethical frameworks.

Ethical complexity arises out of uncertainty: “in everyday life it will often be too difficult to work out the consequences of every decision we make, and if we were to try to do so, we risk getting it wrong because of the pressures of the situation” (Singer 1999; 297 in Desmond 2010; 247). The calculation involved in determining whether an act counts as charity or obligation, whether as a duty of rescue or a duty of justice, necessarily reduces the complexity of the moral situation. The uncertainty of that moral situation is a function of the many factors in play when making that determination, such as those considered by Kamm in relation to distance (chapter one, §.3.1) for example. The agent’s attitudes, perspectives and motives, with respect to supererogation, add still further complexity, which cannot wholly be accounted for in moral calculation. Such calculation requires a symmetrical apportioning of moral blame which results from a universal, requiring reason for action, issuing in a moral *judgment*. It is on the basis of this judgement that I then decide what to do.

A primitive moral response, on the other hand, is an immediate and unthinking response, which, in bypassing deliberation, demonstrates the superfluousness of the agent’s moral autonomy with respect to supererogation. A primitive moral response is thus an *undecidable* response because it cannot be calculated. A primitive moral response recognises the humanity of the other in a moral situation and grounds the agent’s action without thereby constituting a reason for action. Impartialism attempts to overcome this undecidability by “the reduction of undecidability to uncertainty [which is ...] a means to evade exposure to moral complexity and the fact that morality is not a calculable process, nor one where rules can afford any comfort that

might enable us to avoid this responsibility” (Desmond 2010; 247). That is to say, impartialist calculation is an attempt to resolve the uncertainty of a moral situation by offering requiring reasons for action, for example. A primitive moral response, however, recognises that uncertainty cannot only be resolved in this manner, that it might require the intervention of moral imagination aided by feelings and emotions. The second part of this study will thus proceed under a paradigm of undecidability in service of establishing and explicating the moral significance of a reconceptualised supererogation.

Furthermore, the second part of this study will be characterised by a marked change in philosophical language and terminology which, broadly speaking, is typical of *continental* philosophy³⁰. This is in contrast with a philosophical language and terminology that I have thus far been using, broadly considered, *Anglo-American*, or analytic. The purported division is hugely contested – Bernard Williams argues that the distinction rests “upon a confusion of geographical and methodological terms, as if one were to classify cars into front-wheel drive and Japanese” (Critchley 2001; 32). While the geographical distinction would broadly pit the European continent’s philosophy against an Anglo-American grouping (which would also include Australia and Canada, amongst others); the methodological distinction would oppose a *phenomenological*³¹ against an *analytic* methodology respectively.

³⁰ See Simon Critchley’s *Continental Philosophy: A Very Short Introduction* (2001) for a concise introductory account.

³¹ This is not the phenomenology referred to as, in my account, following Horgan and Timmons (2010), the phenomenology of supererogation in §2. See footnote 25. Phenomenology as a branch of continental philosophy starts with Edmund Husserl, whose work is founded on two related ideas: “the idea that thoughts are not subjective mental experiences, but have an objective content that is capable of analysis” and the intentionality thesis: “every thought is directed towards objects in the world and not locked up in some cabinet of consciousness” (Critchley 2001; 14). Following this, Heidegger and Levinas, to put it very roughly, analyse the content of the subjects’ thoughts and experiences in, and of, the world, to arrive at an understanding of subjectivity that is respectively ontological and ethical. These phenomenological projects are examined in chapter three.

I will not elaborate on these terms further, other than to make the reflexive point that the arguments enlisted thus far are illustrative of an analytic methodology, while the arguments to follow will be illustrative of a phenomenological methodology. In defence of such a stance, I invoke Richard Rorty's hope that at some time in the future these divisions will come to be seen as no more than an "unfortunate temporary breakdown of communication" (Quoted in Critchley 2001; 123).

Indeed, if we take Painter-Morland's (2008; 91) characterisation of the continental tradition of philosophy as a "general acknowledgment and appreciation of the role that people's emotions, bodies, relationships, histories and contexts play in shaping their sense of self and any perceptions and beliefs that they may have", then the affinity and resonance with a lot of the theorists examined and enlisted thus far in my argument becomes quite apparent. Nonetheless, in saying that the chapters to follow will pivot toward the continental tradition, I am also endorsing Painter-Morland's (92) description of continental philosophy as that which allows us to "use moral language with care, circumspection and a constant awareness of its inherent limitations".

The use of the continental tradition in general, and Emmanuel Levinas in particular, will facilitate a greater "willingness to reinterpret, rephrase, and translate moral intuitions and insights into different terms [which] is an integral part of moral responsiveness" (*ibid.*). So, for example, I hope to show that reasons for action fits isomorphically neatly with the Levinasian question 'How does the face (of the other) command?'

7. Conclusion

This chapter expanded and deepened the conceptual mapping of supererogation begun in chapter one, through examining supererogatory *attitudes*. The chapter

commenced with a brief examination of what the literature regards as a paradigmatic supererogatory act – forgiveness – in order to demonstrate how supererogation can be constituted by a supererogatory attitude. I then traced Horgan and Timmons' (2010) comparative phenomenological description of obligatory and supererogatory actions. This was in service of understanding how reasons for action can extend beyond just a requiring role, which in the case of supererogatory actions, can also include a moral-merit-conferring role.

Closer examination of the finding from chapter one that the praiseworthiness of supererogation lies in its voluntary nature revealed that such a position relies on an appeal to cost – the sacrifice the supererogator makes in performing the supererogatory act. However, Williams' notion of moral incapacity problematises this position such that cost, or sacrifice is no longer required for supererogation; *a fortiori*, the autonomy of the moral agent is rendered superfluous with respect to supererogation.

I then endorsed Taylor's adaptation of Williams' moral incapacity as a primitive moral response, an unthinking and immediate response which recognises the humanity of another. I established that Taylor's primitive response, as an attitude toward a soul – that is, an attitude that recognises the suffering of the other – is well positioned to serve as a ground to move a moral agent to supererogation. Nonetheless, the difficulties associated with this move, brought to the fore in a critique of Taylor's analysis of sympathy as a paradigmatic primitive response, show that the primitive moral response still needs further explication and development. The penultimate section of the chapter painted the broad strokes of this project which involves making the case, *inter alia*, for an affective moral rationality that goes beyond moral

judgement. In the chapter to follow, and in the second part of this study, I turn to making this case, in service of a reconceptualisation of supererogation.

Finally, I attempt to distil the arguments and findings of the first two chapters into a set of two contrasting paradigms: a paradigm of uncertainty and a paradigm of undecidability. The former broadly represents impartialist approaches to conceptualising supererogation; the latter, is my approach to reconceptualising supererogation. The two paradigms also serve as basic schemata for the structure of the study, which are roughly divided into an analytic and a continental approach to the research question.

PART II – Undecidability

Chapter 3: Levinasian Ethics

1. Introduction

For beauty I am not a star

There are others more handsome by far,

My face, I don't mind it

For I am behind it.

It's those in front I ajar. (Unknown)

Part I of the study was concerned with mapping supererogation, first by examining supererogatory actions, and then proceeding to supererogatory attitudes. My findings revealed the centrality of moral autonomy to the special status of supererogation. Utilitarianism and Kantianism, as exemplars of impartialism, were found to be 'too demanding' as ethical theories because they efface or constrain the autonomy of the moral agent to pursue his/her life projects, which include *inter alia*, the performance of supererogatory acts. While Taylor's primitive responses pointed to a possible solution to the problem of moral autonomy, I argued that his attempt misses the mark.

Moral autonomy was also imbricated with the asymmetry present in supererogation. That asymmetry was explained as an asymmetry of responsibility – who can hold who responsible for performing, or not performing, a supererogatory act – and an asymmetry of perspective – that, from the supererogator's perspective, he/she has no choice but to perform the supererogatory action. Supererogation's asymmetry, I argued, is problematic, rooted as it is in the idea of cost to the moral agent. That is to say, as spectators, we cannot hold the moral agent responsible for failing to perform

a supererogatory act because such acts exact too high a moral cost. A basis in cost, or sacrifice, is questionable as the analysis of Singer's LSA demonstrated. That analysis traced part of the failure to the problem of distance, or proximity.

Having identified three central concerns in my mapping of supererogation – autonomy, asymmetry and proximity – I now turn to the work of Emmanuel Levinas to deconstruct these concepts. I will argue for a Levinasian understanding of these terms which will mark a radical departure from what they signified before. Having given these terms a Levinasian reinscription, I will then be able to reconceptualise supererogation in the chapter to follow. As the notions of duty and obligation become superfluous in a Levinasian ethics, supererogation will need to draw upon other conceptual resources in order to successfully claim any special ethical status. To recall, the paradox of supererogation (chapter one, § 2.1) arises because of its definition in *duty*, as an act that goes beyond *duty*. What I will argue, in the chapter to follow, is that Levinasian ethics can still capture the essence of supererogation as a morally praiseworthy *attitude*, and as such can still afford supererogation a special *ethical* status.

The chapter starts with a brief contextualisation of Levinas' thought, chiefly as a response to Heidegger's positing of *Dasein* as a turn away from epistemology toward ontology. Against this, Levinas seeks to describe a mode of being in the world that is for the other, encapsulated in the oft-repeated Levinasian phrase 'ethics as first philosophy'.

Section three expands on Levinasian metaphysics, investigating key terms in his work such as transcendence, alterity and exteriority. The (problematic) spatial connotations associated with 'exteriority' are extensively examined alongside those

of 'proximity'. The examination of Levinasian proximity is also intended as a contrast to the proximity – the problem of distance – examined in the analysis of the LSA in chapter one, § 3.

Section four examines the asymmetrical relation between the ego and the other, and delineates the implications thereof in terms of an infinite responsibility for the other. The asymmetry between the other and the ego is the result of the other's way of presenting him/herself as 'face', of which I offer a fresh reading as the 'facing face'. The examination of Levinasian asymmetry is also intended as a contrast to the asymmetry – the perspectival problem of supererogation – examined in the analysis of supererogatory attitudes in chapter two, § 3. The section also follows Jacques Derrida's (1978) critique of Levinas' *Totality and Infinity* in 'Violence and Metaphysics' and Levinas' answer to that critique contained in his innovation of the Saying and the Said in *Otherwise than Being*.

The final section of the chapter explores the notion of Levinasian autonomy by way of examining the third – the other other. The third marks the movement from ethics to politics in Levinas' work. The third restores a measure of autonomy to the ego, whose subjectivity is 'held hostage' by the other in the face-to-face encounter. This reclaimed but restricted autonomy consists in the ego needing to choose and compare between the other and the third and thus ensure that justice is done to both.

Using Williamson's moral incapacity and Taylor's primitive response (chapter two, § 3 and 4) together as a point of departure, there is a convergence with Levinasian autonomy: the moral autonomy of the subject is superfluous to the (Levinasian) ethical relation, as it is superfluous to supererogation. However, I argued that

Taylor's primitive response, focused as it is on the moral agent's recognition of, rather than the relation with, the other, falls short. In other words, Taylor's restoration of moral autonomy, albeit more limited than before, oversteps, and as such threatens, the singularity of the other. I argue that Levinas' restoration of autonomy by the third remains ethical because such restoration (through the mechanism of the trace) takes pains to respect the singularity of the other.

This chapter also serves as the first instalment of part II of the study – entitled 'Undecidability'. As such, the chapter unfolds as a delineation of a paradigm of undecidability in the work of Levinas (although the term is not his), concluding with Jacques Derrida's specific use of the term to describe the impasse between ethics and politics. I will adopt this conceptualisation as a way to operationalise Levinasian ethics in the second instalment of part II.

2. Heideggerean ontology and Levinasian metaphysics

2.1 An ethics of ethics

Perpich (2008; 3), following Bernard Williams in *Ethics and the Limits of Philosophy* (1985), describes the Enlightenment's moral question 'what ought I to do?' and Ancient Ethics' moral questions "How should one live?' and 'What is the best life for human beings?', as the "end points of a continuum along which normative ethical enquiry may run, depending on whether it is individual actions or the shape of a whole life that is most at issue." As a straightforward answer to these questions, Levinas' notion of an infinite responsibility will make little sense. How then does Levinas understand the notion of 'ethics'? Perpich (2008; 7) characterises Levinas' work as a "radical rethinking of the question of the meaning of the ethical, but [it] is not *an ethics per se*." She also remarks that "Levinas' work is not about the specifics

of our moral life so much as it is a struggle to say how we come to find ourselves within moral life at all" (12).

Levinas himself remarks that: "My task does not consist in constructing ethics; I only try to find its meaning" (1985; 90). Levinas does not seek to propose moral rules or even offer normative guidelines; he does not seek to define *an* ethics, but rather the essence of the ethical relation in general, or what Critchley (1999a; 3) has called the "primordial ethical experience". As this does not offer itself as a theory of ethics, what is then in question is what Jacques Derrida (1978; 111) calls "an ethics of ethics", which perhaps means 'evaluating whether a particular way of discovering the good is itself a good (that is, ethical) way to proceed in the matter'.

The classical ethical questions 'why be good?', 'why do the right thing?' or 'why should I sacrifice myself for another?' all require reasons and arguments to support any moral claims made. However, for Levinas, those very tools of philosophical enquiry that would help us answer these questions are themselves irretrievably flawed and are bound to mislead us. For Levinas, philosophy, as that which shines a light on the nature of ethics, fails. Levinas would concur with Critchley's (2015; 75) sentiment that "[e]thics can only be articulated ambiguously, enigmatically."

2.2 *Ethics as first philosophy*

Philosophy can be divided into several major areas of enquiry including, *inter alia*, ontology, epistemology, ethics, logic; and, more recently in the era of the professionalisation of philosophy, the philosophy of science and the philosophy of language (to name but two). The questions these areas address are far from settled and the boundaries between them remain fluid. Nonetheless, it is uncontroversial to claim that, broadly speaking, Descartes inaugurated the modern era of philosophy

and placed epistemology at its centre. Epistemology is concerned with the problem of knowledge and is the vehicle driving Descartes' radical scepticism, asking questions such as 'How do I know that I exist?', 'How can I know that others exist?', and 'How can I know that what I perceive is real, and not some kind of illusion?' Thereafter, from Kant's transcendental idealism to Edmund Husserl's phenomenology, these questions would dominate philosophical enquiry, and are moreover inextricably linked to the concomitant problem of transcendence: how can we transcend our limited perception and faculties of reason to discover the nature of the world and things 'in themselves', rather than how they appear to us? Martin Heidegger, arriving after Husserl, argues that philosophical enquiry needs to once more push ontology to the front of its critique. By addressing the question of the *nature* of Being, Heidegger aims to dissolve the question of how we can *know* that Being, which we, as humans, both constitute and are constituted by.

Heidegger thus "breaks with Husserl and the Cartesian tradition by substituting the epistemological questions concerning the relation of the knower and the known, [with] ontological questions concerning what sort of beings we are and how our being is bound up with the intelligibility of the world" (Dreyfuss 1991; 3 in Perpich 2008; 26). The question of how the self can know itself and its world gives way to the question of what the nature of the self in itself and in the world is. In *Being and Time*, Heidegger (1927) sets out to address the question 'What is Being?' In the next two paragraphs, I offer a very brief sketch of Heidegger's project, which serves primarily to contextualise, and contrast with, Levinas's work.

As a first step, Being must be distinguished from beings. Beings are the objects or 'entities' that are (exist) in the world. So, for example, plants, rocks, dogs and humans are all beings who are in the world, and they all share the attribute of Being.

However, all beings taken together do not constitute a genus, as 'Being' is ambiguous (Inwood 2000; 16). Heidegger extends Aristotle's two types of Being, "that'-being, the fact *that* something is or exists, and 'what'-being, what that thing is" to also include a third type of being: "'how'-being, the mode, manner, or type of an entity's being" (*ibid.*; 17). Human beings are different from other beings in that they are the only beings who ask the question 'What is Being?' Their how-being, or mode of Being, is thus markedly different to the mode of being of other beings, such as plants and dogs. Heidegger posits human beings as particular kinds of beings, as *Dasein*. "Dasein is an entity for which, in its Being, that Being is an issue" (1962; 191).

Dasein's mode of Being is an *already knowing* being born into an immanent world, or as Heidegger would have it – 'thrown' into an immanent world. Dasein's situatedness in a world of contingency dissolves the problem of transcendence because, for Heidegger (1988; 300), "[s]elfhood presupposes and is founded on transcendence". Heidegger inverts the Cartesian 'I think therefore I am' into 'I am therefore I think'; thus, I do not need to transcend the world, and myself in the world, to know the world and myself. My Being, as Dasein, is already a transcendent knowing.

Levinas (1969; 45) summarises: "*Being and Time* has argued perhaps but one sole thesis: Being is inseparable from the comprehension of Being (which unfolds as time); Being is already an appeal to subjectivity". For Levinas (1989; 86), this is highly problematic. He claims that "the question of the meaning of being [is] not the ontology of the understanding of that extraordinary verb, but the ethics of its justice". Consequently, he argues that the consideration of ethics, and not ontology, should concern philosophy first. Ethics as first philosophy seeks to *justify* our existence before Being (in both the temporal and positional senses of before).

In *Totality and Infinity*, Levinas (1969) argues that ontology seeks the comprehension of beings by enacting “a reduction of the other to the same by interposition of a middle and neutral term” (1969; 43). Such an ontological strategy is adopted by the ego in the face of the brute facticity and contingency of being (Heideggerean ‘thrownness’), which Levinas calls the *il y a* – ‘there is’. The middle term spoken of above is given by theory and knowledge of the categories of reason in which the ego attempts to understand the solipsistic nature, and limits, of its subjectivity in the *il y a*. However, while the ego can engage freely in the world, and distance itself from the objects in the world, the ego can never be free of itself (Woermann 2016; 129). While we encounter and perceive others in navigating the world, we do not “*experience otherness*” (*ibid.*) as such; the experience of otherness is constituted as a “phenomenology of egology” (Peperzak 1993; 19 in Woermann 2016; 129).

Levinas argues that ontology, as the means whereby the ego attempts to know or experience the other, promotes the freedom of the individual to seek “the identification of the same, not allowing itself to be alienated by the other” (1969; 42). In ontology, the ego tries to maintain its autonomy. However, the freedom of ontology is illusory. The ego, in attempting to grasp the alterity of the other, “discovers the dogmatism and naïve arbitrariness of its spontaneity, and calls into question the freedom of the exercise of ontology” (1969; 43). (‘Alterity’ acquires a particular meaning for Levinas, which is explored in §.3.4 to follow). In other words, in confronting the alterity of the other, which refuses to be assimilated into the ego’s thematisations of him/her, the ego bumps up against the limits of its own freedom to create and define its own subjectivity. Woermann (2016; 130) captures how the other frees the ego from solipsism and the paucity of its own subjectivity: “The presence of

the Other makes me aware of my own solitude [...] that I am alone. But on the other hand, the alterity of the Other confronts me with something wholly different to myself, it allows me to recognise something that I am not and that my existence is not.”

Levinas then coins his definition of ethics, defining ethics as the “calling into question of my spontaneity by the presence of the Other” (1969; 43). He continues:

The strangeness of the Other, his irreducibility to the I, to my thoughts and my possessions, is precisely accomplished as a calling into question of my spontaneity, as ethics. Metaphysics, transcendence, the welcoming of the other by the same, of the Other by me, is concretely produced as the calling into question of the same by the other, that is, as the ethics that accomplishes the critical essence of knowledge. And as critique precedes dogmatism, metaphysics precedes ontology.

Levinas is saying that the strangeness (alterity) of the other can only be preserved if the ego is not free to reduce the other’s otherness to the same of my ego. It is this preservation of the other’s alterity, achieved by arresting the ego’s autonomy desiring to dissolve such alterity through knowledge, which Levinas calls ethics. The accomplishment of preserving the other’s alterity by arresting the autonomy of the ego – so, ethics – Levinas also calls metaphysics, to distinguish its (ethics’) modality from ontology. Finally, because this can only be achieved without the encumbrances of ontology, metaphysics precedes ontology. Otherwise, as previously stated, ethics is first philosophy – ethics precedes ontology.

By ontology, I refer specifically to Heideggerean ontology which, as noted above, is what Levinas aims his critique at in *Totality and Infinity*. Levinas forgoes Heidegger’s term ‘Dasein’, and all the theoretical implications for subjectivity that follow in its

wake, opting to call the human being an 'existent'. Levinas argues that Heidegger's privileging of ontology is to

affirm the priority of *Being* over *existents* [which] is to already decide the essence of philosophy; it is to subordinate the relation with *someone*, who is an existent, (the ethical relation) to a relation with the *Being of existents*, which, impersonal, permits the apprehension, the domination of existents (a relationship of knowing), subordinates justice to freedom (1969; 45).

In this passage, Levinas (1988; 171) means justice to stand for ethics: "In *Totality and Infinity*, the word 'ethical' and the word 'just' are the same word, the same question, the same language". Freedom, on the other hand "denotes the mode of remaining the same in the midst of the other" so that knowledge, as freedom, would be opposed to justice, that is, ethics (1969; 45). This Heideggerean freedom, which would subordinate "every relation with existents to the relation with Being", does not amount to a principle of free will, but rather serves "to maintain oneself against the other" (1969; 46), that is, as ontology. The primacy of the relation with Being, enacted as ontology, "consists in neutralizing the existent in order to comprehend or grasp it" (*ibid.*). In order to guard against this neutralisation of the other, the relation with the other should be primary: ethics comes before ontology. Or as noted in the previous paragraph, ethics or metaphysics precedes ontology. For Levinas, ethics and metaphysics are the same thing.

Already the paradoxical nature of Levinas' work starts to assert itself; Bauman (1993; 71-2) asks "What may 'before' mean when being, ontology, are not yet? Is not the time sequence (to which words like 'before' and 'after' refer) at home in ontology only? Do not simultaneity and succession, 'before' and 'later', appear only together

with the ontological being?” In answering the questions he poses, Bauman (*ibid.*) argues that, for Levinas, “the ‘before’ of moral condition is a *non-ontological* before, a condition in which ontology does not interfere [...] ‘Before’ in the absence or in spite of ontology may have only *moral* sense, and that sense is: *better*.” Thus, to say that ethics is *before* ontology, is to say that ethics *better* represents the mode of being of existents. Levinas (1985; 10) puts it as follows: ethics’ “‘being’ is not to be, but to be better than being.” Bauman (1993; 72) concludes that “the ‘before’ of morality is instituted not by the absence of ontology, but by its demotion and dethroning. Morality is a *transcendence* of being; more precisely the *chance* of such a transcendence”, as explained in the next section.

3. Proximity and infinity

Having contextualised Levinas’ work in the previous section, I continue by expanding on Levinasian metaphysics in this section. My delineation will centre on key Levinasian terms, starting with ‘transcendence’, which I briefly touched upon at the end of previous section. Thereafter I introduce Levinas’ most well-known (and most misconstrued) concept, the face, which awaits a more thorough examination in § 4. Next, I approach Levinasian ‘proximity’ which, together with ‘exteriority’, attempts to circumscribe the “relation without relation” (1969; 80) between the ego and the other. Levinas problematises ‘proximity’ as a spatial term belonging to ontology. The examination of Levinasian proximity is intended as a contrast to the proximity – the problem of distance – examined in the analysis of the LSA in chapter one, § 3. To recall, Singer argues that the proximity of those needing help is morally irrelevant to whether or not we choose to help them. However, I argued that Singer fails on this point because he ties proximity, via his sacrifice principle, to impartialism (in particular, to utilitarianism).

Levinas, in *Otherwise than Being*, argues that “[j]ustice only remains justice in a society where there is no distinction between those close and far off, but in which there also remains the impossibility of passing by the closest” (1998; 159). A first reading of this citation seems to have Levinas offering support to Singer’s position. However, because Singer’s impartial approach is ontological – reducing the otherness of the close by (drowning child) and far away (hungry child) to the same moral response – there is the danger of ‘passing by the closest’. To see how this might be possible, consider the iterative case of the drowning child (chapter one, § 3.1.2): I save one drowning child close by, continue on my way and come across another child drowning in another pond close by. While in the second, third, and fourth iteration of the scenario, I cannot pass by the drowning child without being duty-bound to rescue him/her, after enough iterations I will be ‘let off the (moral) hook’ to save him/her. I will be allowed to ‘pass by the closest’ because marginal utility will eventually kick in wherein the moral calculus will favour such an omission³². As will become clear, Levinas means ‘closest’ to refer not only to our physical distance to the other, but also to how close we come to faithfully representing the alterity of the other. However, the section will also make clear that we cannot call this – ‘representing the alterity of the other’ – ‘representing’. Instead, I will call this way of ‘representing’ the alterity of the other ‘epiphanic representation’.

I conclude the section by enlisting Perpich’s (2008) analysis to unpack Levinasian ‘alterity’, which she argues is better understood as singularity. Such an

³² For example, after saving the fourth drowning child, I am so physically exhausted that going in after the fifth drowning child sees the very real possibility of me drowning, and by extension, also the certainty of the child in the pond actually drowning. In such a scenario, impartialism would sanction me not going in after the drowning child.

understanding focuses less on the difference of the other than on the uniqueness of the other.

3.1 *Transcendence and the idea of infinity*

Contrary to popular views of transcendence, Levinasian transcendence seeks a transcendence of being that “does *not* go ‘outside’ the limits of our finite being [...]

The transcendence of being takes place *in* being, in the finitude of a finite being, and never leaves this finitude behind” (Perpich 2008; 32). *Apropos* this, Perpich quotes Jean Wahl (1944; 38) – to whom Levinas devotes *Totality and Infinity* – “The greatest transcendence consists in transcending transcendence, that is to say, in falling back into immanence.” However, continues Perpich (2008; 32), for Levinas “it is not a matter of ‘falling back’ into immanence, but of seeing in immanence a mode of existing that is already beyond immanence.”

Perpich (30) writes that, for Levinas, the problem of transcendence is “a problem about how the two terms in the transcendence relation can be *in relation* without thereby being assimilated one to the other”. Levinas argues that

as classically conceived the idea of transcendence is self-contradictory [since] the subject that transcends is swept away in its transcendence; it does not transcend itself. If, instead of reducing itself to a change of properties [...] transcendence would commit the very identity of the subject, we would witness the death of its substance (1969; 274).

Perpich (2008; 35) explains: “such a transcending subject fails and ‘does not transcend itself’ since it does not effectively survive the movement of transcendence;

it does not remain itself throughout or after it”³³. In other words, when we attempt to represent the alterity of the other, we are attempting to transcend the inevitable limits of representation. In the act of placing the other in a relation to the representative term, that which is identified as the alterity of the other (before the representation), is displaced, which then results in ‘the death of its substance.’ The attempted representation of the alterity of the other changes, and thus destroys, the alterity of the other.

Levinas navigates this impasse by positing transcendence as ‘the idea of infinity’ (1969; 48-52). Levinas takes inspiration from Descartes’ Third meditation, positing an idea of infinity which describes a relation of the same with the other, “where the transcendence of the relation does not cut the bonds a relation implies, yet where these bonds do unite the same and the other into a Whole” (1969; 48). The reason that this is possible is that in the idea of infinity, “its *ideatum* surpasses the idea” so that “the distance that separates *ideatum* and idea constitutes the content of the *ideatum* itself” (1969; 49)³⁴. The distance between the idea and ideatum of infinity is represented by that which is not capable of representation. That is to say, the representation of the ideatum of infinity in the idea of infinity both includes and exceeds the idea of infinity. As such the two terms – the idea and ideatum of infinity – coincide and can be in a transcendent relation without being assimilated to each other.

³³ For Levinas, as explained by Perpich (2008; 35), this is precisely the situation when we confront death: “Death appears to us as an event we cannot master: in most cases we cannot predict its exact arrival and in no case can we master the event itself, since death is the end of our own existing [...] Levinas asks ‘how can the event that cannot be grasped still happen to me?... How can a being enter into a relation with the other without allowing its very self to be crushed by the other?’ (1969; 77) [...] Death approximates transcendence as a movement toward absolute alterity, but ultimately fails to embody the transcendence relation since the ego does not survive its transcendence.”

³⁴ An ideatum is the external object around which an idea (or concept) forms. In the case of the idea of infinity, the ideatum is the paradoxical object which must both include and exceed itself.

For Levinas, the idea of infinity, whose content exceeds its concept, becomes the model for the ‘exteriority’ (which is delineated in § 3.3 to follow) of the other and

the way in which the other presents himself, exceeding *the idea of the other in me* [...which] at each moment destroys and overflows the plastic image it leaves me, the idea existing to my own measure and to the measure of its *ideatum* – the adequate idea” (1969; 50).

In sum, the structure of representation contained within the idea of infinity becomes, for Levinas, the model for how the other represents him/herself or is represented to the ego without displacing his/her alterity. Just as the ideatum of infinity surpasses the idea of infinity but is nonetheless able to maintain a (transcendent) relationship, the other as transcendent being “is the sole *ideatum* of which there can be only an idea in us [and so] is infinitely removed from its idea” (1969; 49). The other as infinity presents itself to me as that which surpasses itself. Levinas calls the way the other presents him/herself as exceeding the idea of the other in me, ‘face’.

3.2 Proximity and the epiphany of the face

This way of the other’s presenting him/herself as face, is not a presenting of him/herself as an image, because “the look is knowledge” (1985; 85), and knowledge, as ontology, serves to reduce the other to the same. The face “is neither seen nor touched – for in visual or tactile sensation the identity of the I envelops the alterity of the object, which becomes precisely a content” (1969; 194). The other presents him/herself as face, which is not just a presenting *of* his/her face. A presenting *of* one’s face is necessarily a presenting of particular aspects of one’s face – perspectives of the face such as side and front; qualities of the face such as shape and colour; and features of the face such as the eyes and nose. All these are

content; that is, ontological categories and knowledge which reduce the alterity of the other to the same. Perpich (2008; 8) synthesises a clutch of different readings of Levinas' face which confirm that, for Levinas, "the ethical character of the relation to the other is not impressed upon me like a sense-datum or fact (though somewhat like both, it is something over which I exercise little control)". Nonetheless, the other as face still impresses him/herself upon me. What is the representation I am then responding to? The representation of the unrepresentable other, contained in the other as face. The face of the other "represents the inadequacy of every image to the task of representing the other and, as such, paradoxically, represents the impossibility of its own representational activity" (69).

For Levinas, "the face is present in its refusal to be contained" (1969; 194). In other words, the face, while presenting itself at a specific moment, is also not contained in the present because presence, as time, belongs to the order of ontology. The face is "meaning all by itself" and "signification without context" (1985; 86). That is to say, the face represents the other beyond the social context in which the other is encountered, such as "occupation, social status, economic class, heritage, race, gender" (Perpich 2008; 61). The face has "a signifyingness of its own independent of this meaning received from the world. The other comes to us not only out of context, but also without mediation; he signifies by himself" (1987; 95).

The face of the other signifies by him/herself and I cannot reduce this signifying in the categories of my consciousness. Critchley (1999b; 98) argues that "the ethical relation [with the other] takes place at the level of sensibility, not at the level of consciousness." However, this Levinasian sensibility should not be understood as perception – as previously noted, vision and touch, as categories in consciousness, reduce the other to the same. Levinas talks of the 'epiphany' of the face (1969; 51),

as against the appearance of the face, which is “meant to suggest a means of manifestation totally distinct from perceptual appearance or cognition” (Perpich 2008; 61). Henceforth, I will refer to how the other presents him/herself as face as epiphanic presentation, and correspondingly, epiphanic representation.

Levinas (1989; 89) argues that in “sensibility interpreted not as a knowing [...] we have endeavoured to describe subjectivity as irreducible to consciousness and thematization.” Instead, sensibility should be interpreted as a ‘proximity’ where “proximity appears as the relationship with the other, who cannot be resolved into ‘images’ or exposed in a theme” (*ibid.*). Critchley (2015; 81) clarifies this relationship between sensibility and proximity: “the deep structure of sensibility is proximity to the other.”

Proximity as a relationship with the other who cannot be reduced to images – that is, proximity as the face-to-face relationship with the other – is an ‘irreducible relation’ (1969; 79). Proximity for Levinas does not, therefore, refer to our spatial relation with the other whose physical, psychological and psycho-social distance from us determines how they are to be represented, be that as a morally worthy recipient of assistance because they are drowning in front of us rather than suffering hunger far away. Singer’s (ontological) attempt to reduce the relation between myself and the starving child close by and the hungry child far away to the *same* (moral) relation ignores, and thus effaces, the alterity of the drowning other (embedded in duties of rescue) and the hungry other (embedded in duties of justice) (see chapter one, § 3.1.2 b for the contrasting of duties of rescue with duties of justice). Singer’s position, which posits moral relations as a function of ontological proximity – that is, physical, psychological and psycho-social distance – exposes him to the criticisms already examined, (for example, that he is conflating duties of rescue with duties of justice).

These critiques leave the other vulnerable while ethical responsibility awaits its proper attribution. Levinas would regard labelling one other 'close' and/or another other 'far' as an unacceptable reduction of the relationship between the other and me. Whether the other is physically (ontologically) close or far, the other is always metaphysically close. Levinasian proximity means we are always ethically close to, and thus responsible for, the other. As such, because the spatial relationship with the other cannot fully represent the alterity of the other, determining whether one's response falls under a duty of rescue or a duty of justice is not only misguided but unethical.

Levinas calls the irreducible face-to-face relation a "relation without relation" (1969; 80), which he (as explored above) identifies with transcendence. To recall, the two terms in the transcendence relation cannot be assimilated by the other term.

Levinasian proximity thus indicates how *close* we are able to come to faithfully representing the alterity of the other without assimilating the other to the same. The spatial connotations associated with proximity can be tamed by positing closeness to the other as closeness in representing the other but, because the other is infinity, that closeness must bestride an infinitely wide (metaphysical) distance between the other and myself.

To understand the characteristics of the metaphysical field in which proximity can operate non-relationally, and so give meaning to such a relation, I now turn to a delineation of 'exteriority' – another specifically Levinasian term and also a term with spatial connotations.

3.3 Proximity and exteriority: relations without relation

In *Totality and Infinity*, Levinas's project is to position theory, or ontology, "as a respect for exteriority" (1969; 43). He also argues that "Being is exteriority" (1969; 290), and as noted before, for Levinas metaphysics precedes ontology. This means that exteriority precedes being, thus for Levinas being is not ontological, but metaphysical: the "aspiration to radical exteriority, thus called metaphysical [...] constitutes truth" (1969; 29)³⁵. Truth here is closer to fidelity, which is the attempt to represent faithfully the alterity of the other.

Representing being ontologically requires relations and concepts, which create an inside and outside to the chosen system of representation. However, Levinas argues that "the identity of the individual does not consist in being like to itself, and in letting itself be identified *from the outside* by the finger that points to it; it consists in being the *same* – in being oneself, in identifying oneself from within" (1969; 289). In other words, the individual cannot be represented by a relation, concept or theme that is purportedly 'like' it – the individual's being can only be represented by itself, which can only come from the inside of its own being. The being of the individual can only be represented as the same of its being; that is to say being, and representation of being, must coincide. But the individual can only represent him/herself as face, which is the 'oneself from within' as exteriority to the other. Exteriority, because it keeps the same of the other separate from the same of the ego, forestalls ontology which is always moving toward a totality in which everything can be known and represented.

³⁵ The qualifier 'radical' should not be understood as another order of exteriority which operates like the qualifier 'absolute' in 'absolute alterity', which I discuss in the next section. Exteriority, as will be explained below, prevents a totalisation in which the other is reduced to the same. Levinas will also sometimes call this state of totalisation 'The Absolute' (1969; 290). For Levinas, radical exteriority is simply exteriority and, when I refer to exteriority in what follows, I mean Levinasian exteriority, which includes exteriority described as radical or otherwise.

Exteriority, like proximity, is thus not meant to be understood in spatial terms which, in positing boundaries between the face of the other and the ego, demarcates an exterior and interior, an inside/outside relation – “Exteriority is true not in a lateral view apperceiving it in its opposition to interiority” (1969; 290). The concept of ‘relation’ (including spatial relations but excluding the transcendental relation examined in § 3.1 above) belongs to the order of ontology; putting the face of the other and the ego into an inside/outside relation only triggers a reduction of the other to the same. Rather, exteriority is true “in a face to face that is no longer vision but goes further than vision. The face to face is established starting with a point separated from exteriority so radically that it maintains itself of itself” (*ibid.*),

Exteriority, for Levinas, is rather the metaphysical, or non-ontological field where the face of other is *presented* as truth, where “the truth of being is not the *image* of being [...] it is the being situated in a subjective field which *deforms* vision, but precisely thus allows exteriority to state itself, entirely command and authority: entirely superiority.” (1969; 291) Exteriority ‘effectuates’ (Levinas’ term) itself in this subjective field as the “curvature of the intersubjective space” between the faces in the face-to-face relation. This curvature “inflects distance into elevation” and “expresses the relation between human beings” (*ibid.*). The inflection of distance into elevation manifests as an asymmetry between the other and the ego. The nature of this asymmetry is explored in the section to follow.

Elsewhere, Levinas (1969; 215) says that the “being that presents himself in the face comes from a dimension of *height*” [emphasis added], and it is to this notion of height that ‘elevation’ is referring. This inflection, or refraction, ‘produced’ by the subjective field, is not an error but “the very mode in which the exteriority of being is effectuated in its truth.” In other words, the relation between the faces in exteriority are related in

non-related ways – distance becomes elevation – which recalls the relation without relation of proximity, otherwise described as transcendence.

Another clue as to what Levinas hopes to convey about the modality of exteriority comes from the following quote: “in the absolute [the totality of being] the subject and the object would still be parts of the same system, would be enacted and revealed *panoramically*. Exteriority [...] would be converted into the same” (1969; 290) [Emphasis added]. Something can only be revealed *panoramically* in time. Time is an ontological category that also operates spatially. If something is before something else – that is, positionally, in space – I can only know so by perceiving that spatial dimension in time, by moving my vision from one thing to the other, by moving panoramically. With this in mind, I turn to how Levinas (1989; 90) links the non-relational relationality of exteriority and proximity:

The relationship of proximity cannot be reduced to any modality of distance or geometrical contiguity, nor to the simple ‘representation’ of a neighbour; it is already an assignation [...] an obligation anachronously prior to any commitment. This anteriority is ‘older’ than the *a priori* [...] The relationship with exteriority is ‘prior’ to the act that would effect it.

Proximity, I argued, is better understood as metaphysical closeness, that is, a closeness to the representation of the other as face, or what I termed epiphanic representation. Just as ‘prior’ can denote spatiality, it can also denote temporality. Thus, Levinasian proximity also indicates a ‘closeness’ in time, although here time must not be understood as an ontological category, just as proximity understood as distance is not meant to indicate an ontological category. Levinasian proximity, in addition to encompassing closeness to epiphanic representation, further

encompasses a metaphysical closeness meant to convey the ordering of such epiphanic representation in non-ontological time which, as Levinas argues in the citation above, comes after the assignation that the relationship with the other produces.

A typical Levinasian move is to employ a host of terms in respect of one concept. By this, Levinas hopes to unpack a particular concept by offering different perspectives that different terminologies bring in their wake. The end result is not a tautology and the circularity does not beg the question. So, for example, 'the face' is meant to convey how the other cannot be represented using ontological categories; similarly, 'exteriority' is also meant to convey how the other cannot be represented in the ontological order. However, the term 'face' brings the perspectives and problematic of corporeality (and thus perception) to the fore, while the term 'exteriority' highlights the problematic categories of space and time (what Derrida calls the 'Inside-Outside' – see §4.4 below). With this manner of proceeding in mind, Levinas offers another term to sit alongside those of, *inter alia*, the face and exteriority, to convey the concept of the unrepresentable other: 'alterity'. Levinas ties this term explicitly (and, paradoxically, also very casually, as if it were a matter only of preference) with exteriority. In his words: "Exteriority, or, if one prefers, alterity" (1969; 290). I follow in turn how the term 'alterity' serves to demonstrate yet another aspect of epiphanic representation, one which conveys singularity.

3.4 Alterity and singularity

'Alterity' very broadly refers to otherness or difference. However, Levinas warns that 'alterity' should not be understood in its more common contrastive or relative sense, that alterity is not "a dialectical opposition to the other [...nor] the simple reverse of

identity, and is not formed out of resistance to the same, but is prior to every initiative, to all imperialism of the same” (1969; 38). Alterity as difference would constitute a totality wherein the other would be reduced to the same. If the other could be represented as merely different from me, then a system of me and different-from-me would arise, forming a totality of representation. In that system of totality, all the differences would be reduced to aspects that shared the same features; that is, as the signifiers ‘different from X’. The other is not, not me, but is infinity, and the other cannot be integrated into a totalised system of me and not-me because “[i]nfinity does not allow itself to be integrated. It is not the insufficiency of the I that prevents totalization, but the Infinity of the Other” (1969; 80). The other, as infinity, is thus “other with an alterity constitutive of the very content of the other” (1969; 39). Levinasian alterity, manifesting itself as exteriority, is also necessarily *absolute* alterity: if the other merely marked the boundary with, or limit of, the same, then “by virtue of the common frontier the other, within the [totalizing] system, would yet be the same” (1969; 39).

The above characterisation of Levinasian alterity leads Perpich (2008; 18-19) to claim that “Levinas’ conception of alterity is better captured by the idea of *singularity* [rather] than by the notion of *difference* or even *otherness*. It is not the other’s difference from me, but his or her immediate and concrete presence, here and now, in an absolutely unique bit of skin that interests Levinas.” Levinasian alterity, understood as singularity, “guards against a tendency to interpret the adjective *absolute* in the phrase ‘absolute alterity’ in a way that equates the alterity of the other with something remote, distant, inaccessible, and in every respect unswayable” (19). To recall, Levinas seeks a transcendence of being in being, thus “Levinas’ notion of alterity is developed in the service of restoring a meaning to the concrete other

whereby it cannot be reduced either to a dumb materialism or absorbed within an overarching and all-encompassing totality or system” (23).

Both the singularity and the concreteness of the other are captured in the face – the face as ‘the way in which the other presents himself, exceeding *the idea of the other in me*’ is both a transcendence and, as the face of a singular human being, an immanence. However, argues Perpich (2008; 75)

Singularity is not a property or quality of persons, but is produced or performed in an orientation toward the other. The face-to-face relationship and the face itself come about simultaneously. It is *in* this relationship and from this orientation that the other concerns me, claims me, or obliges me as *a face*.”

The coterminous nature of the face-to-face relationship and the face arise precisely because the relationship and the orientation take place as a *facing* first, before a (Heideggerean) Being in which faces face. In the next section, I turn to the question of how the face, as a facing face, gives rise to an infinite responsibility for the other. Before that, a brief summary of the present section:

‘Proximity’ was identified as a key concept within the conceptualisation of supererogation. Levinas’ reinscription of this concept followed through an examination of key terms which all work in service of his central concern: preserving the other from being swallowed by the totality of the same. The face, modelled on the idea of infinity, is meant to capture how the other presents him/herself to the ego, which I have called epiphanic representation. ‘Exteriority’ conveys that such epiphanic representation is not mediated through ontological categories; it is a metaphysical field in which the alterity of the other is manifested. Such alterity can

also be understood as a singularity which, in signifying the concrete uniqueness of the other before me, hopes to capture the immanence of the other in the transcendent ethical relation. All this adds up to a 'Levinasian proximity' indicating a metaphysical closeness to the other. The proximity examined in relation to the LSA (chapter one, § 3.) can be termed an 'ontological proximity' and indicates a physical-psychological-psycho-social closeness (or farness). Metaphysical closeness means we can never represent the other within the ontological category of distance. As such, Levinasian proximity can avoid the critique of the conflation of duties of rescue with duties of justice to which the LSA is vulnerable.

4. Asymmetry and infinite responsibility

This section is primarily concerned with a literature review of Levinas' two chief works, *Totality and Infinity* and *Otherwise than Being*, as far as they concern responsibility and Levinas' understanding of ethical responsibility as an infinite responsibility to the other. Central to an infinite responsibility is a recognition of the asymmetry that exists between the other and the ego. In 'The Asymmetry of the Interpersonal' (1969; 215-6), Levinas states that the "being that presents himself in the face comes from a dimension of height". The other comes from a dimension of height because the 'curvature of the intersubjective space' inflects the metaphysical distance (proximity) between the other and myself into elevation. This inflection creates an asymmetry always in favour of the other. What this entails will become clear as I explore the face and the modalities of representation of the face more expansively in this section. Following this, I explain how Levinas' infinite responsibility inverts the standard account of responsibility. Thereafter, I follow how Levinas deepens the demand of infinite responsibility through the shift that occurs in

Otherwise than Being, which foregrounds his notion of substitution. Levinasian substitution can be understood as a hyperbolic infinite responsibility wherein my subjectivity is rendered completely passive such that I become responsible even for the other's responsibility. I conclude the section by examining Jacques Derrida's (1978) critique of *Totality and Infinity* in 'Violence and Metaphysics' and Levinas' answer to that critique in the notion of the 'Saying' and the 'Said' posited in *Otherwise than Being*.

The examination of Levinasian asymmetry is also intended as a contrast to the asymmetry – the perspectival problem of supererogation – examined in the analysis of supererogatory attitudes in chapter two, § 3. To recall, supererogatory acts are considered optional because they come at considerable cost (sacrifice) to the moral agent. Their voluntary nature also results in a two-fold, interrelated, asymmetry. Firstly, an asymmetry of blame – a moral agent cannot be blamed or held responsible if he/she does not perform a supererogatory act (because it is voluntary, and voluntary because the act costs the moral agent). Secondly, an asymmetry of perspective – from the moral agent's perspective, he/she may feel that he/she 'had no choice' to perform the supererogatory and so holds him/herself responsible, whereas the spectator to the supererogatory act cannot do the same. As argued, this notion of asymmetry is problematic because the purported praiseworthiness of supererogation, based on its voluntary nature, relies too much on the autonomy of the individual. This has important ramifications for ethical responsibility. Levinas' notion of asymmetry, rooted in the face of the other, will allow for a radical expansion of responsibility.

4.1. *The facing face*

For all the reasons examined in the previous section, “the other as a *face* – [...] as *facing* rather than merely *being* – cannot be the object of an adequate representation” (Perpich 2008; 49). If this is the case, how then, asks Perpich (*ibid.*; 87), “does the face of the other command me or concern me?” How can the face signify the needs and suffering of the other when signifying belongs to the order of ontology as opposed to metaphysics? Levinas answers that “access to the face is straightaway ethical” (1985; 85). Elsewhere, Levinas elaborates: “The face is not of the order of the *seen* [...] but it is he whose appearing [...] is also an appeal or an imperative given to your responsibility: to encounter a face is *straightaway* to hear a demand and an order” (2001; 48).

The appearance of the face, as an epiphany, can only appear *in facing* the other and “the *facing* position [...] can be only as a moral summons” (1969; 196; [emphasis added]). Rendering *face* into the present participle *facing* is very rarely employed by Levinas. The rarity of this formulation presents an opportunity to better understand the face-to-face encounter as a relation without relation especially when contrasted with being – which is almost always used in the present participle when not used as a noun to indicate a (Levinasian) existent. This is because facing is already, always relational. A being’s mode of being is Being; while the (Levinasian) existent’s mode of Being is facing; or rather, the face expresses the mode of the other’s being by facing. It is only through facing the other that we come to be as *ethical* subjects.

Consider ‘facing’ as a verb: facing is always *directed at* someone or something. Employing the imperative mood makes this clear – if I command someone ‘Face!’ the first response will be ‘Face what?’ Or ‘Face where?’ I can only ever face towards, or away from, something or somebody; ‘Being’ as a verb, by contrast, does not share this feature of facing as an action that must be relational. This becomes even more

apparent when being is employed in the imperative form ‘Be!’ A puzzled response such as ‘Be what?’ could well yield the answer ‘Be yourself’; or ‘Be how?’, to which Heidegger might reply, ‘Be in the mode of Dasein’ (although the latter reply would be ascribing too much intentionality; Heidegger’s point is that we are always, already, ‘being’ in the mode of Dasein). Conjugating the infinitive of the verb ‘to be’ into the first and third person makes more sense – I am, he/she is – but demonstrates even more so the non-relational essence of the participle ‘being’. This non-relationality of being (in and by itself) is perhaps the reason for the spectre of solipsism that persistently haunts ontology; I can be by myself, precisely because I do not have to be in relation to someone, or something³⁶.

Before proceeding, an important caveat with respect to the term ‘directed’ is necessary. The term ‘direction’ is problematic and recalls Husserl’s intentionality thesis, which Critchley (2002; 8) calls the “fundamental axiom of phenomenology – that all thought is fundamentally characterized by being *directed* towards its various matters” [emphasis added]. Levinas rejects this position, stating in Critchley’s words, that “the ethical relation to the other person is not phenomenological, because the other is not given as a matter for thought or reflection” (*ibid.*). To avoid direction’s problematic phenomenological connotations, Levinas uses the term ‘orientation’ instead. Levinas (1969; 215) describes facing – the other-I conjuncture – as “the inevitable *orientation* of being ‘starting from oneself’ toward ‘the other’”. Thus, the first sentence of the previous paragraph must be corrected to read ‘facing is always

³⁶ One further examination of the grammar associated with Being and facing concerns the definite article. While one can speak of *the* face, and indeed the use of the definite article speaks to the singularity of the other, one cannot speak intelligibly of *the* being, except perhaps as God.

an orientation towards someone. As such, facing is necessarily relational – it is a relation without relation, or rather a non-relative relation that precedes relation.

Facing is always facing *toward* something or someone, and also simultaneously a facing *away* from something or someone. Consider the limerick that serves as the epigraph to this chapter, in particular the part ‘My face I don’t mind it / Because I am *behind* it’: I am not able to ever see my own face except as a reflection, or as presented in a picture. I can never turn my face ‘inward’ (and the metaphorical use of this idea only serves to highlight its conceptual impossibility) to see my own visage because I am behind my face – behind in a physical, spatial sense. I can see my face in mirrors and surfaces but, when looking at myself, I am still looking at those images from behind my face, at that moment. I have been taught that what I see in those reflections are ‘me’ in the sense that those images are a faithful reflection of what my face looks like to others. However, I can never know how I appear to others – they might say that I look to them like how I appear in the reflection of the mirror, but I must always remain sceptical because I cannot get out from behind my face to see my face from the position of the other. All I can only ever see is the other’s face in front of me. I can see everybody else’s face from the vantage point of being before me.

All this comes down to the point that when I am facing, I must be facing *toward* – something or someone – and facing *away from* – myself (because I am behind myself) – at the same time. Thus, facing can be described as a movement – an *orientation* of being ‘starting from oneself’ toward ‘the other’. This facing toward and away can be seen as the movement from the subject’s consciousness or perception to the sensibility of the other. That is to say, the subject *facing* away from him/herself

toward the other comes before the constitution of the subject as a subject exterior to the other. Perpich (2008; 76) clarifies

the face does not exist before the encounter with it. It is not a pre-existing 'something' that the ego bumps up against or discovers [...] The face is not 'there' by itself in a first moment and then encountered in another; rather, the encounter brings me face-to-face with the other. *It is in the encounter that the face is produced as such.*

In other words, *the face becomes a face by facing.* However, warns Bernasconi (2002; 246), this does not mean that "the ethical awaits an empirical encounter, which would seem to leave those who had not had such an encounter free of ethics." That is to say, *the face is always already facing.* To this, Critchley (2002; 12) adds "[i]t is the relation which is ethical, not an ethics that is instantiated in relations." The face transcends the encounter and is also manifested in the encounter, where the subject comes to realise that its subjectivity consists in facing, that is, in being (as facing) *for* the other.

In the opposing orientations constituting the face-to-face relation, the other resists, by facing, my attempts to render his/her face an object of my consciousness. In a formulation reminiscent of the relation without relation, Levinas calls this resistance of the other "the resistance of what has no resistance – the ethical resistance" (1969; 199). Levinas' reasoning, familiar by now, is that resistance would require sense – a pushing or pulling physical force – and so succumb to the ontological siren of reducing the other to the same. Rather, the ethical resistance of the other resists by demonstrating it can offer no resistance to the attempts of the subject to reduce it to the order of consciousness except by facing the subject. The face imposes itself by

facing me and, in so doing, “does not limit but promotes my freedom, by arousing my goodness” (1969; 200).

The face to face encounter thus affirms my subjectivity by issuing me with a ‘summons’ to responsibility (1969; 215), a responsibility for the other whose essence consists in the imperative that I do not try to reduce him/her to the same, which Levinas claims is captured in the commandment “You shall not commit murder” (*ibid.*). Responsibility as a summons, as an imposition, “invoke[s] responsibility as a non-causal, non-physical but still binding force: it arouses, resists, commands, demands, convinces, summons, elects” (Perpich 2008; 87).

4.2 Inverting the standard account of responsibility

Perpich (2008; 81-3) remarks that “in our everyday ways of talking, responsibility is more or less synonymous with accountability”. Responsibility, on the standard account, entails the agent acting *voluntarily*, and is limited to what it is possible for the agent to do – captured in the dictum ‘ought implies can’. Furthermore, responsibility is universal and reciprocal in the sense that it applies to everyone equally. Elaborating on this point, Perpich (83) succinctly captures and clarifies the link between responsibility and reasons for action (examined in chapter one, §. 2.1 and chapter two), arguing that universal responsibility does not mean

that we all have the same responsibilities, but rather that the reasons that justify my responsibility for some action in some particular set of circumstances will hold for all relevantly similar agents, actions, and circumstances. If I am responsible for making some effort to save the child in danger, so are others who find themselves in this or a similar situation. This is so because of the close tie on the standard account between responsibility

and reasons. Reasons clarify the basis for an agent's action; they say why she acted as she did and are capable of exculpating her in the right circumstances. Responsibility on the standard account is attributable when the agent has the right relationship to (and thus the right reasons and motive for) the action in question.

Levinas inverts the standard account of responsibility from one that is limited, dischargeable and reciprocal to one that is "infinite, irrecusable and asymmetrical" (81). Levinas' infinite responsibility subverts the dictum 'ought implies can' so that "the requirement that the scope of responsibility not exceed the power of an individual to meet the demand" is abandoned, implying that, for Levinas, ought *exceeds* can (84).

Infinite responsibility arises because of the asymmetry between the other and the ego produced in the encounter of the face. The ego tries to faithfully represent the other without reducing him/her in a totality of like and same, and thus tries to establish the 'right relationship' with him/her. The ego tries to closer *approximate* the other's singularity, but the ego can never achieve such an epiphanic representation. Only the other can present his/her true, singular, self, as face (by facing) and thus the relationship between the other and the ego is asymmetrical. I can never have, or rather never know if I have, the right relationship with the other (because of the asymmetry of epiphanic representation) and thus I can never know if my reasons to help him/her are sufficient to his/her demand. And, because I can never know if my reasons are sufficient to discharge my responsibility to the other, the responsibility must remain infinite. Levinas describes the asymmetry between the other and the ego as the ego being 'held hostage' to the other: the subjectivity of the ego remains

hostage to the other because the ego can never represent the other; only the other, as face, can represent his/her singularity (alterity).

Levinas' understanding of asymmetry thus shatters the supererogatory asymmetry of perspective recalled in the introduction to this section. For Levinas, whether from the perspective of the supererogator, or from the perspective of the spectator to the supererogatory act, the moral agent 'has no choice' but to perform the supererogatory act. The other can hold the supererogator responsible for failing to perform the supererogatory act *over and above* the supererogator doing so.

Furthermore, even if the supererogator performed the supererogatory act in question, whatever the sacrifice involved, he/she would still not be free to walk away.

The above delineation of an infinite responsibility portrays some of the 'demandingness' of Levinas' position, but it is only when turning to his account in *Otherwise than Being* that a true understanding of the scope and depth of infinite responsibility emerges. Critchley (1999a; 8) describes the mode of *Otherwise than Being* as a "performative disruption of the language of ontology", formulating the contrast with *Totality and Infinity* in the following way – "whereas *Totality and Infinity* writes about ethics, *Otherwise than Being* is the performative enactment of ethical writing." With this description in mind, I continue the delineation of Levinasian infinite responsibility.

4.3. *Substitution: hyperbolic infinite responsibility*

In elucidating the idea that *Otherwise than Being* is a performative rendering of the central ethical concepts of *Totality and Infinity*, Perpich (2008; 118) remarks that, while "the core features of responsibility remain stable between Levinas's two works, they are rendered in *Otherwise than Being* in increasingly hyperbolic terms." The

first analysis of responsibility, in *Totality and Infinity* – as an inversion of the standard account of responsibility – saw responsibility as “infinite, irrecusable and asymmetrical” (Perpich 2008; 81). Infinite responsibility in *Otherwise than Being* now increases “in the measure that it is fulfilled (1998; 93)”, “always with one responsibility more (1998; 10, 84)”, to the point where the persecuted is liable to answer for the persecutor’ (1998; 111)” (Perpich 2008; 118). Infinite responsibility precedes “every free consent, every pact, every contract” (1998; 88); and “not owing to such and such a guilt which is really mine, or to offences that I would have committed; but because I am responsible for a total responsibility, which answers for all the others and for all in the others, even for their responsibility. The I always has one responsibility *more* than all the others“(1985; 99).

This hyperbole is a function of Levinas’ method of explication, especially in *Otherwise than Being* where, as noted, content and form are intertwined. Critchley (2015; 69) argues that “Levinas has one point to make and he keeps coining different terms in order to make it. He doesn’t explain the language he uses, he doesn’t provide definitions of concepts; he just adds another term to a previous term.” The one point Levinas wants to make is that we are infinitely responsible for the other because the other is unrepresentable; only the other, as face, can represent him/herself in epiphanic representation.

Levinas is fully aware that this hyperbolic way of explicating responsibility will frustrate his readers, but he exalts this moving “from one idea to its superlative” where “a new idea – in no way implicated in the first – flows, or emanates from the overstatement [...] Emphasis signifies at the same time a figure of rhetoric, an excess of expression, a manner of overstating oneself, and a manner of showing oneself” (1998a; 89). Levinas coins this “exasperation as a method of philosophy”

(*ibid.*). Clarifying Levinas' method here, Perpich (2008; 119) explains that "the older and more familiar notions of responsibility are not the basis on which a new account is built or justified; rather, hyperbole renders the older notions vulnerable or susceptible to showing responsibility differently and permitting a new sense (meaning and orientation) to emerge." This new, hyperbolic, sense of infinite responsibility emerges around the notion of substitution. Bernasconi (2002; 239) describes substitution as "a putting oneself in the place of the other by taking responsibilities for their responsibilities." Substitution thus means that I am responsible not only *to* the other, but *for* the other. Substitution is thus 'the one-for-the-other'. (Bernasconi (235) calls this Levinas' working definition of substitution).

Levinas argues that substitution means "no one can substitute himself for me, who substitutes myself for all" (1998; 136). What this translates to is that I cannot speak on behalf of the other or substitute my reasons for his/her reasons; I cannot substitute my explanations for why my guilt should be exculpated for the other's explanations – "if I say 'virtue is its own reward', I can only say so *for myself*" (1985; 98). If I try to speak for the other, I "exploit him, for what I am then saying is: be virtuous toward me – work for me, love me, serve me, and so on" (*ibid.*). If I attempt to substitute myself for the other I am trying to represent the other's reasons as my own and, as such, trying to shake off my responsibility for the fidelity of such (unrepresentable) representations.

Levinas (1989; 107) warns however, that "substitution is not an act; it is a passivity inconvertible into an act, the hither side of the act-passivity alternative". Substitution as an act would once again bring in reasons and representations and imply that I can *assume* responsibility for the other. Responsibility cannot be assumed; rather, it is thrust upon me because my subjectivity is held hostage by the other. Critchley

(2015; 71) elaborates on this Levinasian passivity which, though not an act, nonetheless still has ethical force: “passivity that’s more passive than all passivity, an ultra-passivity that might itself be a kind of quasi-activity or a passivity that’s beyond the opposition of activity and passivity.” This impassive passivity recalls Levinas’ description of the resistance of the face to my attempts to represent its singularity as “the resistance of what has no resistance – the ethical resistance” (1969; 199) (see § 4.1 above).

Substitution, first articulated in an essay of the same name, becomes the “centrepiece of the book” *Otherwise than Being* (1998; xli). Following the progression of the chapters in that book, Critchley (2015; 81) argues that “the deep structure of proximity is revealed as substitution”, but proximity in *Otherwise than Being* does not have the sense it had in *Totality and Infinity* – the other as another person. Rather, proximity in *Otherwise than Being* designates an “an alterity that is internal to subjectivity”. To understand what Critchley means by this, it is necessary to understand the shift in Levinas’ argument in *Totality and Infinity* to *Otherwise than Being*. To understand that shift, in turn, it is necessary to first unpack the most incisive and well-known critique of *Totality and Infinity* contained in Jacques Derrida’s (1978) ‘Violence and Metaphysics’.

4.4 The critique of ‘Violence and Metaphysics’

Derrida’s critique of *Totality and Infinity* is focused on Levinas’ central term ‘exteriority’ and all the spatial significations – which are ontological significations – the term brings in its wake. Why use this term, asks Derrida (1978; 140) “in order to signify a non-spatial relationship?” He continues:

If every 'relationship' is spatial, why is it necessary still to designate as a (non-spatial) 'relationship' the respect which absolves the other? Why is it necessary to *obliterate* this notion of exteriority without erasing it, without making it illegible, by stating that its truth is its untruth, that true exteriority is not spatial, that is, is not exteriority? That it is necessary to state infinity's excess over totality *in* the language of totality; that it is necessary to state the other in the language of the Same; that it is necessary to think *true* exteriority as non-*exteriority*, that is, still by means of the Inside-Outside structure and by spatial metaphor; and that it is necessary still to inhabit the metaphor in ruins, to dress oneself in tradition's shreds and the devil's patches – all this means, perhaps, that there is no philosophical logos which must not *first* let itself be expatriated into the structure Inside-Outside (*ibid.*).

What Derrida means is that there isn't a 'view from nowhere', an Archimedean point outside the inside-outside totality, of same and other, in which the exteriority of Being (as alterity) can be conceptualised and expressed. Derrida (1976; 12) calls the quest for this imagined Archimedean point 'logocentrism', which he describes as "the determination of the being of the entity as presence"; that is to say, interiority. One of Derrida's most notorious claims has it that "There is no outside text" (158), which he also formulates as "there is nothing outside of the text" (163) in the same passage. The nuance between these two different formulations is not important for the present purpose, but Derrida's (1988; 136) clarification that "there is nothing outside of context" is. In other words, in the context of the same and the other, there is nothing outside of – exterior to – the totality of the same and the other in which the language of Being, as exteriority, could be made meaningful.

Levinas' attempt to resist exteriority from being expatriated into the structure inside-outside can be discerned in his formulations – irresistible resistance, impassive passivity, relationless relations – which nonetheless always fall back into defining 'the being of entities' as presence, that is, in non-negative terms. Derrida argues, however, that Levinas fails, and the parasitism of the negative on the positive, of non-signification on signification, operates throughout the entirety of *Totality and Infinity* where “the non-ontological ‘experience’ of the face of the Other [is articulated] in the language of ontology” (Critchley 1999a; 8)³⁷. Perpich (2008; 62) elaborates: the face is a bundle of contradictions in which

the negations and inversions employed to differentiate the face from objects, the body, and spatiality seem to work in ways that bind the face all the more inextricably to the horizon of representation and objectification; that is, since the face can be delineated only in a negative fashion, it remains dependant both conceptually and practically on what it is not.

The upshot of this strategy to designate exteriority in negative terms, argues Derrida (1978; 141), is that the infinite, which “is also designated negatively in its current positivity: in-finite” cannot be stated. By insisting that the face, as the infinite expression of the other, cannot appear in its alterity, Levinas “deprives himself of the very foundation and possibility of his own language” (156); that language attempting to inscribe the absolutely other within the same. In other words, says Woermann

³⁷ Critchley (2015; 68-9) describes Levinasian ethics as an “ethics back to front”, at least as it appears after *Totality and Infinity*. What he means is that “for Levinas, the negative becomes positive”, so that ostensibly negative terms such as ‘hostage’, ‘obsession’, ‘persecution’ become a positive *performance* of the paradox of the ethical. The performativity of the ethical is examined in the subsection ‘The Saying and the Said’.

(2016; 132), “[t]alk of the wholly Other tends to slide back into talk of the same, since we are incapable of recognising, or relating with, absolute alterity.”

Derrida (1978; 156) continues, “[w]hat authorizes him [Levinas] to say ‘infinitely other’ if the infinitely other does not appear in the zone he calls the same?” By denying that the other, as absolute other, can appear within the order of ontology where language demarcates the other as other, Levinas perpetrates a “transcendental violence” on the other (*ibid.*). However, the transcendental violence of language is necessary in order to ward off the ethical violence that is enacted in reducing the other to the same; or, to cite Woermann’s (2016; 133) paraphrasing of Cornell (1992; 85), “Ethical asymmetry (the respect for the Other’s otherness) must operate within phenomenological symmetry (i.e. the recognition of the other as ego)”.

4.4.1 Levinas’ reply to Derrida: *The Saying and the Said*

Levinas’ answer to the critique of ‘Violence and Metaphysics’ culminates in his second opus *Otherwise than Being, or Beyond Essence*. In *Otherwise than Being* Levinas enacts a paradigm shift: “It is no longer a question of the Ego, but of me” (1998; 13). What this amounts to, says Critchley (2002; 20), is that “whereas *Totality and Infinity* describes ethics as a relation to the other, *Otherwise than Being* describes the structure of ethical subjectivity that is disposed toward the other, what Levinas calls ‘the other within the same.’” Levinas also formulates this as “I is an other” by which he means “a subjectivity incapable of shutting itself up” (1987; 151). Bernasconi (2002; 240) notes that “the relation to the other is now a bond rather than a form of separation”, while Waldenfels (2002; 73) talks of an “internal intrigue, transforming opposition into entanglement”. A separation implies a totality of same and other, inside and outside, while the notion of a bond avoids this implication. The

relationship of a bond operates differently to the relationship of two separate entities, which I elaborate on below.

In order to distance himself from the accusation of employing ontological language in *Totality and Infinity*, and to give effect to this paradigm shift, Levinas coins the distinction in *Otherwise than Being* between the Saying and the Said. Levinas (1985; 29) describes the difference between these two registers as follows: “Language as saying is an ethical openness to the other; as that which is said – reduced to a fixed identity or synchronized presence – it is an ontological closure of the other”. The Saying hopes to convey to the ego the singularity of the other’s alterity that cannot be captured in the Said of the same; the Saying aspires to enact the ethical that cannot be demonstrated within the ontological Said.

In order to clarify the link between the Saying and the Said with the ‘other-within-the same’ which manifests itself as a bond rather than a separation, it is necessary to once again recall the dynamic operating within substitution discussed in the previous section. As noted, substitution operates as an ultra-passivity, described as a ‘kind of quasi-activity’. Peperzak (1993; 29) argues that Levinas

insists on the absolute irreducibility and incommensurability of speaking as such, in which something – someone – comes to the fore ‘before’ its Said is understood [...] It is surely possible to talk to a speaker in order to reach him/her through language, but that by which the other is someone evaporates as soon as my language thematizes the utterance of a speech.

In other words, I cannot claim my ethical subjectivity as separate from the other through a Saying because such Saying collapses as soon as I have said it. As noted, separation leads down the slippery path of an inside-outside ontology. I can only Say

it if I am separate from the other, but such separation always produces a Said.

However, the relation with the other as a bond – an other-within-the-same – means that the Saying is suspended from collapsing into a Said because I never separate from the other. The reason my subjectivity is never separated from the other is that I am rendered too passive by substitution.

Critchley (2002; 18) elaborates further on the distinction between the Saying and the Said, drawing attention to the performative enactment of the Saying in the Said. The Saying

is the performative stating, proposing or expressive position of myself *facing* the other. It is a verbal and possibly non-verbal ethical performance, of which the essence cannot be captured in constative propositions [...] By contrast, the said is a statement, assertion or proposition of which the truth or falsity can be ascertained. To put it another way, one might say that the content of my words, their identifiable meaning, is the said, while the saying consists in the fact that these words are being addressed to an interlocutor, at this moment each of you [Emphasis added].

The danger is that, in saying this, the Saying has already become a Said. In order to remain ethical, the ego is always having to unsay the Said. Unsay is, however, just another form of stating and thus Unsay becomes yet another Said. Levinas (1998; 3) describes the Sisyphean struggle necessary to keep the Saying from falling back into the Said: “the *otherwise than being* is stated in a saying that must also be unsaid in order to thus extract the *otherwise than being* from the said in which it already comes to signify but a *being otherwise*.” Critchley (2015; 76) describes the tension at play here: “[Levinas] wants the Saying but he has to do it within the Said,

and so he contradicts his purpose. So there is [...] a 'performative self-contradiction in Levinas' thought" (as also pointed out by Derrida in 'Violence and Metaphysics' in reference to *Totality and Infinity*). Kemp (1997; 10) clarifies Critchley's meaning by asking the question "Whatever Levinas' philosophy says about the primacy of saying, does it not do what it itself denounces when it presents itself through the said, through writing?"

'Performative powerlessness' (as Derrida 2000; 467 calls it) is, for Levinas, not a problem of the Saying, but the very essence of the fundamental passivity that drives substitution. I am powerless to assume, or reject, responsibility for the other; I am powerless to substitute myself for the other. These claims are not true in virtue of being Said, but are asserted in Saying them. "The Other, the Self, [...] cannot enter the realm of the Sayable because in all their vulnerability and humility they are too originary [...] and yet we hear them continuously" (Peperzak 1993; 29). We *hear* the other and the self not in the Saying – because hearing would imply a recognisable content which would destroy the originality (alterity) of the Other – but in the trace of the Saying that is inevitably left behind in the Said.

The Said is always preceded by the Saying and never coincides with the Saying (*ibid.*). The trace of the Saying in the Said does not operate like a fingerprint, marking the absence of someone no longer present; rather, the trace is the sign the person inadvertently leaves behind by wiping away his/her fingerprint. The trace is not the mark of an absence, "but the mark of an effacement of a mark that was already the mark of an absence" (Peperzak 1995; 177 in Perpich 2008; 112).

Levinas' concept of the trace is yet another way of trying to convey the same idea of a "signifyingness that does not pass through the ontological structures that make of

the world an intelligible totality constituted by an ego in consciousness” (Perpich 2008; 112).

The Saying can be likened to the idea of infinity as something which surpasses itself and overflows its content. The excess of Saying cannot be captured in the Said, just as the ideatum of infinity cannot be captured in its idea. The trace of the Saying can thus be likened to the face – just as the face represents the unrepresentable other, the *trace* of the Saying represents the unrepresentable Saying. In other words, the mechanism of the trace demonstrates how the face, as a performative Saying of the ethical, can present itself – or is rather always already presenting itself – in the residue of an ontological Said. Expanding further in the terms of this section – asymmetry and infinite responsibility – the Saying is always more than the Said, and thus the Saying and Said are asymmetrical notions. As the asymmetry between the face and the ego results in an infinite responsibility, the asymmetry between the Saying and the Said likewise confirms an infinite responsibility: the Said is infinitely responsible to the Saying to ensure that it, the Said, does not close the bond with the Saying (which is the other), transforming that bond into a separation. A separation introduces the possibility of a totality of same and other, which the innovation of the Saying and the Said as an ‘other within the same’ hopes to overcome. The trace is the manifestation of the infinite responsibility of the ego to the other to never let what it Says (“I am responsible for you”) succumb to the limits of what is Said (I am responsible for you).

To further explicate Levinas’ move from relation with the other as separation (in *Totality and Infinity*) to relation with the other as bond (*Otherwise than Being*), I return to Perpich’s question posed in § 4.1, which was ‘How does the face of the other command me?’ Levinas (in ‘Substitution’) asks “Why does the other concern

me? [...] Am I my brother's keeper?" (1989; 107). These questions are problematic only if one assumes a separation (as opposed to a bond) between the other and the ego:

these questions have meaning only if one has already supposed that the ego is concerned with itself, is only a concern for itself. In this hypothesis it indeed remains incomprehensible that the absolute outside-of-me, the other would concern me. But in the 'pre-history' of the ego posited for itself speaks a responsibility. The self is through and through a hostage, older than ego, prior to principles. What is at stake for the self, in its being, is not to be. Beyond the egoism and altruism it is the religiosity of the self (*ibid.*).

This last sentence recalls the delineation of 'ethics as first philosophy' (see §.2.2) where the primary philosophical task is not to comprehend being but to justify it.

Some commentators argue that Levinas' attempt to safeguard the original asymmetry between the other and the ego through the innovation of the Saying and the Said nonetheless still fails because, notwithstanding the notion of 'the other within the same', "Levinas denies the kernel of a common identity that is needed to facilitate relationality and recognition" (Woermann 2016; 133). Furthermore, argues Woermann, "Saying is silenced in a world dominated by the Said" (*ibid.*). Woermann is here referring to the political, as against the ethical, where recognising the trace of the ethical Saying left behind in the Said becomes increasingly more difficult as the trace becomes more feint in the contestation to recognise its appearance and/or meaning.

In order to address these criticisms, it is necessary to take a step back from the Saying and the Said and return once more to *Totality and Infinity* where Levinas first

explores the other of the other, who is also an other to me; that is, the third party. The delineation of the third straddles both *Totality and Infinity* and *Otherwise than Being* – “the move to *le tiers* [the third] is, for Levinas, clearly also a move from the Saying to the Said” (Critchley 1999a; 229). The delineation of the third will also inaugurate Levinas’ move from ethics to politics and facilitate the Levinasian reinscription of autonomy, the final of the three of the supererogatory concepts, after proximity and asymmetry, that I submit to treatment.

5. Autonomy and the third

5.1 *The third: the other other*

The third does not arrive after the other in the face-to-face encounter, but is already there in the encounter with the other: “It is not that there first would be face, and then the being it manifests or expresses would concern himself with justice; the epiphany of the face qua face opens humanity” (1969; 213). That is to say, each face, as singularity, recalls the singularity of every other face, including my own. Levinas says that “[t]he revelation of the third party, ineluctable in the face, is produced only through the face” (1969; 305).

In § 4.1, I argued that the face becomes a face by facing; that is to say, the singularity of the other is manifested in the face-to-face encounter whose modality, as facing, rests on its relational nature. From the citation above, this reading can be extended to state that, although the face (singularity) of the third cannot be recognised in facing the other (it is only possible for the ego to face one other at a time), the face of the third is nonetheless produced in that same encounter. This is because the ego, in facing the other, can switch to facing the third at any time, and in the process transform the third into the other. However, Alford (2004; 163) clarifies:

“the distinction between the other and the third is not truly temporal. The third was always already there”.

The third provides the ‘kernel of common identity’ Woermann (2016; 134) requires for recognition of the other, avoiding the slide of the other into an absolute other. As Naas (2003; 107), following Derrida, argues: “it is only with the third that we can speak of the first and the second, of the I and the Other”. There is thus “always at least three people [...and as] soon as there are three people, the ethical relation to the other becomes political” (Kearney 1997; 129 in Wolff 2011; 18). Wolff (2011; 25) elaborates on what the political connotes within the Levinasian framework: “The Levinasian subject, always faced with a plurality of ethical others, is constituted as a *political* subject, as a subject whose being consists of having to translate (at the risk of treason) ethics in the world of ontology”. In other words, politics requires calculation and comparison, whose very possibility calls for categories, that is, ontology.

The third thus inaugurates Levinas’ move from ethics to politics. In exploring how Levinas undertakes this enterprise, I will focus on how he reinscribes autonomy. As with the two Levinasian concepts ‘proximity’ and ‘asymmetry’ examined thus far, Levinasian autonomy will be examined with its supererogatory counterpart in mind. This was already touched on at the start of the previous section, focusing on asymmetry, whose supererogatory counterpart – asymmetry of blame and perspective – was seen to arise from its voluntariness; that is to say, the autonomy of the moral agent.

Instead of ‘autonomy’, Levinas uses the term ‘spontaneity’ – as when he defines ethics as “the calling into question of my *spontaneity* by the presence of the Other”

(1969; 43) [Emphasis added] (see § 2.2). By 'spontaneity', Levinas clearly means 'autonomy', insofar as spontaneity (or rather the restriction of spontaneity) signals the loss of freedom to make independent moral choices. As the exposition thus far in this chapter has shown, the ego is not free to choose, or reject, the burden of infinite responsibility, because of the asymmetry between the other and me. The ego is held hostage by the face of the other and, as such, obligations to the other are imposed upon the moral agent whether or not the agent approves of such imposition.

In examining supererogatory actions in chapter one, moral autonomy was seen as essential to overcoming the effacing of individual subjectivity as a consequence of impartialism. The moral autonomy of the subject lay at the heart of preserving supererogation's special moral status and preventing its assimilation into impartial ethical theories such as Kantianism and utilitarianism. However, when turning to supererogatory attitudes, the autonomy of the agent was problematised insofar as the praiseworthiness of supererogation was seen as a function of its voluntariness. Firstly, the autonomy of the moral agent to perform supererogatory acts was undercut by dismissing the cost (sacrifice) appeal which, in turn, upends the asymmetry of perspective and responsibility (chapter two, § 3).

More importantly, however, Williamson's moral incapacity, and Taylor's extension of moral incapacity to include primitive responses which recognise the humanity of the other (so close to Levinasian alterity as singularity), demonstrate that autonomy is no longer sufficient to justify supererogation. At this point, there is an apparent congruence with the Levinasian position – the autonomy of the subject as superfluous to the ethical relation – but Levinas' position goes further. Taylor's humanity-recognising ground as a function of the moral agent's (asymmetrical) recognition returns too much autonomy to the moral agent, whereas Levinasian

autonomy manifests in the passivity of substitution. Levinasian autonomy, by way of the third, restores a measure of choice back to the moral agent and is negotiated in the passage from ethics to politics.

5.2 From ethics to politics and back again

In §.2.1, I spoke of how Levinasian ethics differed from conventional *moral* philosophy and its concerns with justifying human action, by seeking to describe a “primordial ethical experience” (Critchley 1999a; 3). Critchley notes that

Levinas sometimes speaks of this distinction in terms of the difference between the ethical and the moral (although he is not consistent on this point), where the latter refers to ‘the *socio-political* order of recognizing and improving our human survival’ which is itself founded upon the *prima philosophia* of an ethical responsibility to the other [Emphasis added].

In *The Ethics of Deconstruction*, Critchley (*ibid.*) stipulates that he will use a “distinction between ethics and *politics*”, where politics refers to the moral, which is concerned with deriving normative principles to guide *action*, that is, praxis; and ethics refers to the ‘primordial ethical relation’. This stipulation notwithstanding, the citation above makes it clear that politics (as morality) is founded on ethics (‘the *prima philosophia* of an ethical responsibility to the other’); that is to say, politics is derivative of ethics. After *Totality and Infinity*, Levinas (1988; 171) will also refer to the distinction between ethics and justice, where ‘justice’ means politics:

In *Totality and Infinity*, I [Levinas] used the word ‘justice’ for ethics, for the relationship between two people. I spoke of ‘justice’, although now ‘justice’ is for me something which is a calculation, which is knowledge, and which

supposes politics; it is inseparable from the political. It is something which I distinguish from ethics, which is primary.

Following these conventions, I will group justice, politics and morality together and use them interchangeably to refer to moral calculation. I will oppose this cluster of terms to ethics, which will refer to the Levinasian 'primordial ethical relation', which is produced in the face-to-face encounter.

While the face of the other holds my subjectivity hostage, Critchley (2012; 57) notes that "autonomy comes back into the picture for Levinas at the level of another demand, namely the demand for justice, the just society and everything that he gathers under the heading of 'the third party'". Levinas (1998; 104) justifies his move from the asymmetry of the face-to-face encounter with the other, and the infinite responsibility it generates for the ego, to the symmetry introduced by the third as follows: if the other "were my interlocutor I would have had nothing but obligations! But I don't live in a world in which there is but one single 'first comer'; there is always a third party in the world: he or she is also my other, my fellow." The import of this is that, in the words of Alford (2004; 156), "the introduction of the third, saves us from being consumed by the infinite need of the other." Levinas continues with the implications of the introduction of the third: "Hence, it is important to me to know which of the two takes precedence [...] must not human beings, who are incomparable, be compared? Thus justice here, takes precedence over the taking upon oneself of the fate of the other" (1998; 104).

While Levinas concedes that justice, or politics, requires the comparing of equals, he does not thereby concede that ethics is impotent in the face of political demands. Levinas (1998; 157) argues that the third "introduces a contradiction in the Saying";

that is to say the question of justice, the Said, interrupts the ethical relation of the other in the same, and thus, justice is “an *incessant* correction of the asymmetry of proximity” (158) [emphasis added]. The Saying keeps asserting the singularity and incomparability of the other, but the Said, like the scales of justice seeking balance, keeps pulling the third back (producing the third) from the face-to-face encounter with the other, seeking equality and comparison with the other and itself as third. Justice, or politics, as the Said, brings back ontological language, albeit ever so transient, which then calculates the competing demands of the other and the third. However, any actionable result produced from such comparison evaporates as soon as the Saying seeks to Say that which was Said.

The coterminous identity of the other and the third, where “the Other appears in solidarity with all the others [...as] the social order” (1969; 280) means that

Every person I come across is both the other and the third to me. Every person I come across is both a general and equal other with whom I stand in a political relation as well as a specific other who summons me to responsibility in the ethical relation. When faced by the other, I can respond *politically*, seeing the other as my equal, restricting my responsibility to him, insisting on a reciprocity and equality between us, and asserting my rights against his; or I can respond *ethically* by being concerned and assuming responsibility for him beyond what is required by our political equality and reciprocity. Do I relate to the other ethically or politically? I am constantly faced with this choice (Jordaan 2009; 97).

While Jordaan in the main captures what Critchley (1999a; 225) calls the “double structure of community”, his use of the disjunction ‘or’ can be misleading because,

Critchley continues, the “passage from the ethical to the political is not a passage of time, but rather a doubling of discourse whereby a response to the singularity of the Other’s face is, at the same time a response to community [as] a commonality”, that is, as a group of equals. To put it simply, as Wolff (2011; 21) does, “ethics necessarily passes into politics, or in fact, that ethics *has always already passed* into politics” [emphasis added]; or “the ethical subject is always as well the political subject; the one who takes action in response to the call of the ethical demand” (McMurray, *et al.* 2010; 557).

Keeping this last citation in mind, Critchley’s (2004; 178) remark that “politics itself can here be thought of as the art of a response to the singular demand of the other” makes sense – my response to the demand of the other will, of necessity, also be a response to the third, in that my response will have been a political calculation that takes into consideration its simultaneous effect on both the other and the third. As such, argues Wolff (2011; 25), “‘political responsibility’ is a pleonasm.” My infinite (ethical) responsibility for the other is *also* a finite (political) responsibility for the third; or, rather, my political responsibility for the third is contained in my ethical responsibility for the other, so that “[p]eace, or responsibility, to the near one, the neighbour, *is* peace to the one far off, the third party” (Critchley 1999a; 223). The third, argues Levinas (1998; 157), “is of itself the limit of responsibility and the birth of the question: What do I have to do with justice? [...] Justice is necessary, that is comparison, coexistence, contemporaneousness, assembling.”

Justice/politics as the limit of responsibility does not imply “ethics [as] necessarily a restraint on power – i.e. one where politics comes first and then ethics evaluates it later – [rather] politics is the machinery through which the ethical demand can be responded to” (McMurray *et al.* 2010; 546). Echoing this sentiment, Critchley (1999a;

223), in another formulation, remarks that for Levinas “ethics is ethical for the sake of politics”. Driving this machinery is a continuous oscillation from ethics to politics, or from the Said to the Saying, and back again: “The return to the Said is not a return to the pure Said of ontology, but rather a Said which maintains within itself the trace of the ethical Saying” (Critchley 1999a; 232). This ‘second’ Said Critchley calls a ‘justified Said’. The oscillation between the Said and the Saying occurs in a series of infinite iterations in which the former seeks to always closer approximate the latter in its trace. The word ‘oscillation’ is, however, problematic because it connotes temporality which, as ontological category, looms threateningly over the ethical Saying. The moment between the Said and the Saying must exist coterminously, elucidated, as Derrida (1991) would say, together, “at this very moment in this work”.

While the Said attempts to closer approximate the Saying, it must be emphasised that “[e]thical Saying is precisely nothing that can be said” (Critchley 1999a; 43). The Saying is thus indeterminate, but it nonetheless haunts the Said – the Saying “is the perpetual undoing of the Said that occurs in running against its limits” (*ibid.*). The Saying can only be comprehended “in its disruption, or interruption of the Said” (*ibid.*). The ethical Saying thus prevents the ontological closure of the Said, it “interrupts ontology and is the very enactment of the movement from the same to the other” (Critchley 2002; 18). But, as pointed out above, such a movement, as ontological temporality, is impossible. Derrida (1978 in Woermann 2016; 132) argues that such impossibility is the very condition for the possibility of ethics because Levinas’ project is to determine “the essence of the ethical relation in general”.

5.3 Infinite responsibility leads to the undecidable

Despite Derrida's critique of Levinas, they can settle on a common position: Derrida (1996; 86 in Critchley 1999b; 107) argues that "for Levinas and myself if you give up the infinitude of responsibility, there is no responsibility. It is because we act and live in infinitude that the responsibility to the other is irreducible." Furthermore, "*it is because responsibility is infinite that the decision is always undecidable*" (Critchley 1999b; 108). That is to say, because our responsibility is oscillating back and forth between the Saying and the Said, ethics and politics, my decision of how to act at this moment remains potentially suspended between these oscillations³⁸. In 'The Force of Law' Derrida (1992: 24) claims that

the undecidable is not merely the oscillation between two significations or two contradictory and very determinate rules, each equally imperative, [but...] the experience of that which, though heterogeneous, foreign to the order of the calculable and the rule, is still obliged – it is of obligation we must speak – to give itself to the impossible decision.

However, it is this very impossibility of choosing that allows us the possibility of choice, precisely because it could not be calculated beforehand – the Saying cannot determine how the Said will trace its path until it, the Saying, has been Said; if it did, it would not be a Saying but rather a Said. It is important to emphasise that undecidability does not equate to indeterminacy – it is not that I cannot determine what the demand of the other or the third is, but rather I cannot decide which to respond to first. The impossibility of choosing that allows the possibility of choice points to another way of conceiving Levinasian autonomy. While the third restores

³⁸ I will use the term 'oscillation' in spite of the problematic temporal connotations identified with it in the previous subsection. 'Oscillation/s' and 'oscillating' will be used as a convenient shorthand to indicate the diachronic movement of the Saying within the synchronic Said.

autonomy back to the ego, the undecidability involved in asserting that restored autonomy means that such autonomy remains restricted.

While a Levinasian 'politics' can be articulated in a delineation of the third, the undecidability that resides at its centre means that it strains to be exercised in practice. So, while a Levinasian ethics cannot generate specific norms to guide moral action – Levinasian ethics cannot be 'applied' – Levinasian politics, as a navigation of the undecidable, is nonetheless demonstrable. In order to demonstrate, or 'operationalise' Levinasian politics, I intend to enlist Derrida's notion of the 'quasi-transcendental' which will allow an *enacting* of the ethical (as a navigation of the undecidable) instead of just a *thinking of* the ethical. Derrida's 'quasi-transcendental' envisages approaching ethical injunctions (that is to say, justice or politics) "*as if they were universal rules*, but we have to remotivate the legitimacy of the rule *each time we use it*" (Cilliers 1998: 139).

The quasi-transcendental will be used as a framework in which I will situate my reading of infinite responsibility as one that includes an infinite response-ability to the other in order to operationalise Levinasian ethics. The deconstruction in this chapter of the central concepts at the heart of supererogation – proximity, asymmetry and autonomy – points to the need for a deconstruction of supererogation itself. In the following chapter, the operationalisation of Levinasian ethics will be used to achieve this and circumscribe a new supererogation.

6. Conclusion

This chapter was concerned with delineating a Levinasian ethics in order to deconstruct three problematic terms identified in the conceptual mapping of supererogation, namely proximity, asymmetry and autonomy. I showed these to

have radically different meanings when used by Levinas. Proximity, together with exteriority, signified the 'relation without relation' between the other and the ego. This relation took as its model the idea of infinity, as a concept wherein the content of the concept exceeds that concept's ability to represent that content. Proximity, whose spatial connotations Levinas avows, is thus better understood as how close, or not, we are able to faithfully represent, as epiphany, the alterity of the other. Levinasian proximity can thus be described as a metaphysical closeness rather than a physical-psychological-psycho-social closeness.

Asymmetry in supererogation resides in the asymmetry of responsibility and perspective created by the optional nature of supererogation. Levinasian asymmetry, on the other hand, arises between the other and the ego because only the other is able to (re)present him/herself, as face, while the ego cannot do the same. This asymmetry in epiphanic representation means that the ego's subjectivity is held hostage by the other and leads not just to an asymmetry of responsibility, but an infinite responsibility. Levinasian asymmetry takes away the moral autonomy of the ego; that is, the moral agent cannot *assume* responsibility for the other, responsibility is thrust upon the moral agent.

Levinas' introduction of the third – the other to the other – addresses both asymmetry and autonomy with concomitant implications for infinite responsibility. The third party, as contemporaneous and coterminous with the other in the face-to-face encounter, mitigates the asymmetry of infinite responsibility and restores to the moral agent a measure of autonomy. This is because the presence of the third requires the ego to calculate justice and compare between the third and the other, including itself as an other to the other. Justice, or politics, is required to give effect

to ethics and, as such, “politics provides the continual horizon of Levinasian ethics” Critchley (1999a; 223).

Such a politics is fraught with tension. As an oscillation between the Said and the Saying, deciding whether to respond to the other ethically or politically becomes impossible – the undecidable decision. It is this very undecidability, however, that restores autonomy back to the moral agent, giving the agent the real possibility of choice that is not predetermined by calculation. Making that choice is the operationalisation of a Levinasian ethics. An exploration of what this means is undertaken in the following chapter in service of a reconceptualised supererogation.

Chapter 4: Reconceptualising supererogation as a Levinasian normativity

1. Introduction

The previous chapter called for an operationalisation of Levinasian ethics in order to be able to enact the ethical relation and not just think it. This proposed operationalisation of Levinasian ethics is in service of reconceptualising supererogation, and follows on from the reinscription of proximity, asymmetry and autonomy into Levinasian terms in the previous chapter. While enacting ethics is never Levinas' aim, he is not against such a project either; Bernasconi (2002; 250) argues that "the reorientation of thinking that is Levinas's goal [...] matters not at all unless it impacts on our approach to concrete situations so that we come to see them as ethical". Levinas' characterisation of justice (which arises in response to the third), as the *incessant correction* of the asymmetry of proximity, becomes the mechanism which makes this possible. Justice, or politics, is registered in the Said, while ethics is the interruption of this Said by the Saying.

In order to distinguish the *operationalisation* of Levinasian ethics – as the interruption of the political by the ethical – from Levinasian ethics *per se*, I will use the term 'Levinasian normativity' to denote the former. Levinasian normativity thus demands incessant correction. As the oscillation between the Saying and the Said, Levinasian normativity consists in the contestation of norms; or, rather, in the condition of the never-ending contestability of norms. Furthermore, this contestability arises because of undecidability.

The chapter commences by characterising Levinasian normativity as a meta-ethical strategy to navigate the undecidability between ethics and politics, and is based upon Derrida's notion of the quasi-transcendental. Simply put, the quasi-

transcendental allows the Said to operate *as if it were* a Saying. That is, the quasi-transcendental prevents the reification of the Said in decision-making and requires a fresh decision every time a Saying becomes a Said. However, I opt to enlist a more user-friendly version of Derrida's quasi-transcendental, developed by Preiser and Cilliers (2010) and Woermann and Cilliers (2012) as the 'provisional imperative'. In a nutshell, it says, "When acting, always remain cognisant of other ways of acting" (*ibid.*; 451). I will reinscribe this imperative into Levinasian terms.

Section three sees me tying the provisional imperative to a reading of responsibility as an ability to respond to the face and demand of the other, a *response-ability*. I argue that the other as infinity, in epiphanic representation, can also be understood as representing itself in an *infinite number of ways*, rather than *as* infinity. This mode of infinite representation leads to an infinite response-ability to the demands of the other. As the other can be represented in an infinite number of ways, together with my concomitant infinite responses to such (infinite) representations, each representation and response is provisional and subject to revision. The provisional imperative, reinscribed in a Levinasian normativity, is thus a recursive modality which describes the oscillation, or undecidable decision, between the ethical and the political.

The next section employs Levinasian normativity, thus understood, to argue that Levinasian normativity is necessarily supererogatory. I remedy Taylor's primitive moral response (chapter two) with a Levinasian moral response, which grounds supererogation and should also be understood as an attitude. Such an attitude consists in an embracing of our infinite response-ability as an infinite responsibility to the other, even though we cannot *assume* such an infinite responsibility. The effect of the unconditionality of being hostage is that every moral act, no matter how trivial

and banal, is also a supererogatory act, because every moral act contains within it the possibility of sacrifice.

I explore this finding by reconsidering saints and heroes, previously regarded as supererogatory actors because of their voluntary sacrifice, in light of the shared value of openness to the *possibility* of sacrifice. This also returns me to a reconsideration of duties of rescue and duties of justice first encountered in chapter one. I argue that the dichotomy is false, insofar as the saint – ostensibly analogous with a duty of justice – and the hero – ostensibly analogous with a duty of rescue – share the value of openness to the *possibility* of sacrifice.

In the last section I consider, and then dismiss, two objections to the chapter's argument that Levinasian normativity is supererogatory – firstly, that the claim that every moral act is supererogatory renders the term 'supererogatory' vacuous; secondly, that such a claim makes Levinasian normativity too onerous.

2. Constructing a Levinasian normativity (without norms)

The previous chapter, in describing Levinas's project as an 'ethics of ethics' (chapter three, § 2.1), commenced by citing Levinas' remark that "[m]y task does not consist in constructing ethics; I only try to find its meaning" (1985; 90). However, as Perpich (2008; 11) notes, while the former citation is perhaps one of the most quoted lines in the Levinasian *oeuvre*, less often repeated is the following, follow-up remark: "one can without doubt construct an ethics in function of what I have just said, but this is not my own theme" (1985; 90).

In what follows in this chapter, I attempt to construct a Levinasian normativity, otherwise an operationalisation of Levinasian ethics, in service of a

reconceptualisation of supererogation which is grounded in a particular *attitude*. Such a Levinasian normativity will track Levinas' "account of normative force, that is, of how we come to be bound to respond to other's claims. But it [will be] a *normativity without norms*" (Perpich 2008; 126). Otherwise stated, Levinasian normativity will comprise a meta-ethical position whose content consists not of any specific norms but rather delineates the condition(s) any purported norm should satisfy.

Following on from the previous chapter, any *specific* norm consists in a Said, which is a calculation and a politics, while the conditions for the appearance of such a norm are captured in the Saying, which manifests as the undecidable. The undecidable decision is how to respond to the other before me now, either politically or ethically. I have no choice but to respond to the other; I am hostage to the other. However, I still have agency. The undecidability between the infinite demand of the other – the ethical position, and the limiting of that infinite demand by the third – and the political position, means that only *I* can decide. Norms cannot decide, or rather, I cannot rely on norms to decide for me which is the correct decision. The reason for this undecidability is that the other is contemporaneous and coterminous with the third – the other is the third. This undecidable decision cannot be decided after consulting any norm, and yet I need norms to guide me to this decision. Norms can only calculate the point that must be reached in order to make the decision between ethics and politics possible, but once there – that is, once at the point of decision – norms are no longer enough to determine what must be decided.

Perpich (2008; 147) ties norms to the Said – norms are:

a kind of thematization and sedimentation of the life of a people at a particular time in its history. As such, existing norms may always be contested in the name of new self-understandings, emerging or changing social and cultural practices, and ever varied forms of life. Each norm registers a demand, and each norm may be contested in the name of making another or different demand heard.

That is, each Saying contests the Said; each Un Saying (which is also a Saying) of the Said is the registering of another or different demand. As such, Levinasian normativity, as an oscillation between the Saying and the Said, consists in the contestation of norms; or, rather, it is the condition of the never-ending contestability of norms. To recall from the previous chapter, Levinas argues that the Saying interrupts the Said, and thus, justice (or the political) is “an *incessant correction* of the asymmetry of proximity” (1998; 158, [emphasis added]). Levinasian normativity can thus also be described as the meta-ethical strategy of navigating the undecidability of ethics (with politics), where such navigation consists in a contestation.

In ‘Force of Law: The “Mystical Foundation of Authority”’, Derrida (1992) posits the notion of the ‘quasi-transcendental’ as a means to navigate the undecidable. Woermann (2016; 133) formulates it as a means to “enact, as opposed to merely think, the ethical relation.” Derrida’s ‘quasi-transcendental’ envisages approaching ethical injunctions “*as if they were universal rules*, but we have to remotivate the legitimacy of the rule *each time we use it*” (Cilliers 1998: 139). Another way of couching the quasi-transcendental, in Levinasian terms, would be to say that the Said operates *as if it were* a Saying, but we have to re-say the Saying each time we assert the Said. Derrida’s quasi-transcendental approach can thus also be

understood as a way to construct or ‘operationalise’ a Levinasian ethics, which is to give content to the meta-ethical dynamic of the Saying.

Instead of employing Derrida’s quasi-transcendental approach directly, however, I will enlist the work of Preiser and Cilliers (2010), and Woermann and Cilliers (2012) – who use Complexity Theory³⁹ – to posit a much more intuitive and workable version of the quasi-transcendental⁴⁰, contained in what they call the ‘provisional imperative’. I now proceed to explicate the provisional imperative as a preliminary step in operationalising a Levinasian ethics which I attend to in the section to follow.

2.1 *The provisional imperative*

Preiser and Cilliers (2010) develop what they call the ‘provisional imperative’, which operates in a quasi-transcendental manner. The provisional imperative is a meta-ethical position which states that one should, *inter alia*,

1. Justify your actions only in ways which do not preclude the possibility of revising that justification,
2. Make only those choices which keep the possibility of choice open,
3. Your actions should show a fundamental respect for difference [or alterity], even as those actions reduce it⁴¹ (275-6).

The provisional imperative requires that we justify the norms we use to guide our actions and decisions because such norms can always be contested by the other.

³⁹ Woermann (2016; 2) describes Complexity Theory as “an umbrella term covering many different understandings of, and approaches to, the study of complex systems”. She broadly distinguishes philosophical complexity from scientific complexity. While the latter focuses on complex physical, computational, biological and social systems with the aim to formalise and model them, philosophical complexity seeks, *inter alia*, to “focus attention on the normativity that any serious engagement with complexity implies” (*ibid.*). For an account of complex systems and complexity, see Cilliers (1998).

⁴⁰ Preiser and Cilliers (2010; 275 footnote 140) specifically indicate that the provisional imperative can be understood with reference to Derrida’s notion of the ‘quasi-transcendental’.

⁴¹ A fourth injunction is stated which concerns, very specifically, the technical operations of complex systems. It is, on that account, excluded here.

Each undecidable decision, whether to respond to the other ethically or politically, for example, contains the tacit acknowledgement that that decision could have gone the other way, or can go the other way in the future. This is because the norms that guide and lead us to that point of undecidability, where we must make a decision, are contestable and provisional. As such, the undecidability of the undecidable decision is itself provisional.

Woermann and Cilliers (2012; 448) clarify what the provisional imperative entails: while it precludes “a substantive account of ethics [...it] nevertheless constitutes a type of ethical strategy, similar to Kant’s categorical imperative, which urges us to adopt a certain *attitude* when taking ethical decisions” [emphasis added]. (In section four, I will elaborate what such an attitude, with respect to Levinasian normativity, amounts to). While the categorical imperative cannot generate any norms, what it does do is provide a test for determining whether any particular norm is ethical or not. That test is, of course, the test of universalisability. Similarly, the provisional imperative cannot generate any particular norms, but can apply the test of provisionality to determine if any one norm is ethical or not.

Woermann and Cilliers (2012; 451) acknowledge that the idea of a provisional imperative is contradictory, which suggests that the imperative itself is subject to change and thus no longer remains an imperative – an impossible position.

Nonetheless, they argue that this is precisely their intention:

we cannot do away with moral imperatives, but [...] we should also realise that our imperatives are the outcome of [...] ways of thinking about the world, and are thus necessarily exclusionary. Thus, the provisional imperative

stipulates that we must be guided by the imperative, whilst simultaneously acknowledging the exclusionary nature of all imperatives (*ibid.*).

The paradoxical and contradictory nature of the provisional imperative is congruent with other Levinasian formulations encountered before, such as the ethical relation which is a 'relation without relation' and the ethical resistance which is the 'resistance which has no resistance'. These are all impossible positions which are the conditions necessary for real ethical decisions. Contradiction tears at being. The impossible positions put forward above must therefore be as an 'otherwise than being'.

Woermann and Cilliers (2012; 451) argue that the basis for the provisional imperative rests on the contingency of all knowledge. Their argument runs as follows:

All knowledge (including self-knowledge) is limited because, in order to generate meaning, we need to reduce the complexity through modelling. Our models are radically contingent in time and space because they are the product of the resources at our disposal, the choices that we make, and the influences that act upon us (including the influences of others). Since all knowledge is contingent, it is also subject to revision, and therefore irreducibly provisional.

In order to bypass the technicalities with respect to complexity alluded to in the citation above (see footnote 39 in this chapter) – while still remaining true to Woermann and Cilliers' project to circumscribe the complexity of ethics (in this instance, a Levinasian ethics) – I will adapt the above to reflect Levinasian themes: Knowledge of the other is limited because, in order to understand the other's demand, we need to reduce his/her alterity through representation. Our

representation of the other is radically contingent on our choices (albeit they the undecidable decisions between responding to the other ethically or politically, for example) and the influences that act upon us (which include the third). Since our knowledge of the other is contingent, it is also subject to revision.

Woermann and Cilliers (2012; 451) pare the provisional imperative down to its essence – “When acting, always remain cognisant of other ways of acting”. A Levinasian normativity would interpret this imperative as such: ‘when representing the alterity of the other, always consider other ways of representing the alterity of the other.’ We can also characterise the first part of the imperative – ‘when representing the alterity of the other’ – as a Said and thus politically necessary, while the second part – ‘always be cognisant of other ways of representing the alterity of the other’ – as a Saying and, as such, as demonstrative of the ethical. The provisional imperative, reinscribed in a Levinasian fashion, thus describes the oscillation between the undecidability of the ethical and the political wherein Levinasian normativity consists.

In order to demonstrate how the provisional imperative, as the recursive representation of the other, might operate in a Levinasian normativity, I return to an examination of infinite responsibility. My account of the provisional imperative within Levinasian normativity will turn on an understanding of responsibility as an ability to respond to the face and demand of the other, a *response-ability*. Before turning to that, project it is necessary to heed Perpich’s (2008; 87) caveat of overstating the link between response and responsibility, such that responsibility is understood as excluding, or discounting accountability. This is a mistake, she argues, because Levinas’ account of responsibility “is deeply parasitic on the ordinary sense [of responsibility as accountability for example, and] draws its rhetorical force precisely

from its inversion of our expectations and perceptions about responsibility” (*ibid.*). Such inversion, recounted in the previous chapter (§ 4.2), inverts the standard account from a responsibility that is limited, dischargeable and reciprocal, to one that is infinite, irrecusable and asymmetrical. My reinscription of responsibility as response-ability will stay true to Levinas’ understanding of responsibility as a “moral rather than a causal force” (*ibid.*) but will focus on how to navigate the infinity of that responsibility. Infinite responsibility for the other requires an infinite response-ability to the other, precisely in order to be infinitely accountable to the demands made by the other.

3. Infinite response-ability: Representing the other in an infinite number of ways

It is the infinity of Levinasian responsibility that threatens to overwhelm us but, as Derrida (1996; 86 in Critchley 1999b; 107) remarks, “for Levinas and myself if you give up the infinitude of responsibility, there is no responsibility. It is because we act and live in infinitude that the responsibility to the other is irreducible.” Against this, Wood (1999; 117) argues that “[r]esponsibility is not quantifiably (or even unquantifiably) large [that is, infinite] and, therefore, not a basis for guilt through failure to live up to it. It is rather a recursive modality, an always renewable openness.” In what follows, I hope to demonstrate that these two positions are not mutually exclusive. Recursivity, or provisionality, does not reduce infinite responsibility; rather, it brings it within our grasp, however fleetingly.

To recall from the previous chapter (§ 3.2), the face of the other “represents the impossibility of its own representational activity” (Perpich 2008; 69). I called this manner of representation, epiphanic representation – a way of representing the infinite which Levinas takes as the model for the alterity-singularity of the other.

However, Levinas reminds us that his aim is not to show “that the other forever escapes knowing” (1969; 89). Therefore, I conjecture that the other as infinity, in epiphanic representation, can also be understood as presenting itself in an *infinite number of ways*, rather than only presenting itself as infinity. Only the former can take place in immanent being. Thus, the other’s presenting, as face, can be understood not just as a presentation of something unrepresentable, but as something capable of infinite representations. Perpich (2008; 38) argues that “[i]nfinity on Levinas’s view is not a static and completed state [...] but the infinitely repeated production with being of a break within being that nonetheless accomplishes being”.

The idea is easy enough to grasp: I present myself as feminine, but I am neither a fussing homemaker nor a doting mother, contrary to Levinas’ valorisation of the feminine as a paradigm for the selfless being for the other (in 1969; 154-6 and 1998; 75, respectively). That does not mean that I cannot be a ‘homebody’, eschewing social engagements for ‘hygge⁴²’, nor that I do not cherish strong familial bonds. I can choose to present my femininity violently – as do professional female boxers and soldiers – or anachronistically, by enjoying my car-door being opened for me by my male partner. As Walt Whitman (1855/1959: 85) rhapsodises in *Leaves of Grass*, “I contain multitudes”.

It should be noted that the other’s presentation of his/herself is not always, or necessarily, as active as might be inferred from these examples. After Freud, it is commonplace to assert that there are aspects of our psyche and personality that are

⁴² Hygge is a Danish word whose closest English approximation is ‘cosy’. Hygge has trended globally in the last few years as a lifestyle choice which basks in the simple enjoyments centred on ‘hearth and home’. (See, for example, <https://www.newyorker.com/culture/culture-desk/the-year-of-hygge-the-danish-obsession-with-getting-cozy>, accessed 4 January 2018)

hidden from our consciousness (and thus capable of active presentation), which nevertheless still manifest themselves in other ways, such as dreams. Neither the other nor I can always choose how and what we present to the world. However, *the face* still presents *itself* as a representation of my alterity. Perpich (2008; 194) sums up these shifting presentations of the other as face – “‘I am this’, the face says, ‘but not only this’. And even as it refuses representation in one sense, the face demands it in another”. Trying to present its alterity in an infinite amount of ways, “the whole of singularity’s desire and demand is that it be affirmed, and yet every affirmation of it is the beginning of its betrayal” (*ibid.*).

It is at this point that returning to the provisional imperative becomes clear, and warrants repeating the Levinasian reinscription thereof: when representing the other, always consider other ways of representing the other. Each representation of the other is provisional, because each representation is only one of an infinite number of ways in which the other can be represented. Each representation of the other is radically contingent on the context of our face-to-face encounter – do I encounter the female boxer for the first time on the canvas of the ring or stuck by the side of the road with a flat tyre? In the first scenario, she is represented as an independent and dangerous opponent; in the second, as a dependant and vulnerable woman. If I meet this other for the first time in the context of a boxing tournament, then I will need to revise my understanding of who she is when I encounter her again at, say, the animal shelter fundraiser. Such an understanding will be provisional still, subject to revision once more when I encounter her browsing the aisles in the local comic-book store. In each subsequent encounter, at the limit, an infinite number of encounters, she will be represented in a different way, however slight or nuanced. Even in a similar setting, the people who are present will vary or she herself will be in

a different mood, with concomitant effects on how she is represented. The provisional imperative drives the *incessant revision* of the representation of the other.

With the representation of the other established to include representation in an infinite number of ways, I can now move to tie this infinite representation to infinite responsibility. The alterity of the other manifests in the face-to-face encounter by summoning me to responsibility. The face appears, as Perpich (2008; 8) remarks, “in the moment of my *response* to an other whom I do not ‘know’ is there; it consists in a ‘response-ability,’ or a response given before I could know myself to be called.” The other summons me and my response-ability to that summons creates the face to face encounter. I now want to claim that because the other can be represented in an infinite number of ways, I will need to respond to the summons of the face in a correspondingly infinite number of ways. My response-ability to the other is an infinite response-ability to the infinite ways in which the other can present him/herself in the face-to-face encounter.

As per the caveat at the end of the previous section, this response-ability must not be understood circularly as that which causally creates the ethical demand. Rather, response-ability *to* the other is what leads to responsibility *for* the other, understood, *inter alia*, as accountability. Infinite response-ability *to* the infinite representation of the alterity of the other (as face) produces infinite responsibility *for* the alterity of the other; or more concisely: *Infinite response-ability to infinite representation produces infinite responsibility*⁴³. However, argues Perpich (2008; 89), this infinite

⁴³ This way of phrasing recalls Levinas’ notion of substitution (see Chapter 3, §4.3) wherein infinite responsibility means that I am responsible not only *to* the other, but also *for* the other. Bernard Waldenfels (1995), in ‘Response and Responsibility in Levinas’, argues that in substitution there is a danger of “skipping the step of responding” (39) and that “even if we admit that our speaking and doing has to be characterized as responding through and through, we cannot conclude that responding is completely determined by the demand it has to respond to” (46). Waldenfels’ ‘responsive phenomenology of the alien’ (where ‘alien’ can be understood as a type of alterity) attempts, specifically in *Antwortregister* (1994), to delineate a clearer

responsibility should not be construed as “an innumerable collection of duties”. Citing Levinas’ statement “infinity of responsibility denotes not its actual immensity, but a responsibility increasing in the measure that it is assumed” (1969; 244), Perpich (2008; 89) takes this to mean that “the better I accomplish my obligations, the more demands I find addressed to me. It is not a matter of the actual number of demands increasing, but a matter of my sensitivity increasing so that the demands and injustices of which I was formerly unaware now come to press and weigh on my conscience.”

I want to claim that the subject’s increasing sensitivity can be understood as his/her ability to shift his/her response in accordance with the shifting representations of the demands of the other. While the number of demands does not increase, the number of ways in which the demands can be represented, in the face-to-face encounter, does – at the limit in an infinite number of ways. The better I respond to any particular representation of the demand of the other, manifested in the face, the more different representations of the demand are offered up to me, which in turn require still further responses. I can never fully discharge my obligations to the other because the obligation can always be represented in one more fashion.

Bauman (1993; 80) offers another way of understanding why I can never discharge my obligations to the other:

The [ethical] demand, unlike the comfortably precise order, is abominably vague, confused and confusing, indeed barely audible. It forces the moral self to be her own interpreter, and – as with all interpreters – remain forever

distinction between responsivity *to* alterity (the ‘alien’) and responsibility *for* alterity. For a concise summary of Waldenfels’s ideas see Menga (2011; 7-15).

unsure of the correctness of interpretation. However radical the interpretation, one can be never fully convinced that it matched the radicality of the demand.

I have done this, but could I have not done more?

Each interpretation of the demand of the other is open to contestation and revision and is thus provisional.

The provisional imperative, I have claimed, drives the *incessant revision* of the representation of the other. Because representation and response-ability are intimately tied up, I can now add that the provisional imperative also drives my response-ability to the other and his/her demand: my response to the other is incessantly (and infinitely) being revised in accordance with how the representation of the other is revised. My obligation to the other, as a responsibility, will likewise also be revised in accordance with that respective representation and response (to that particular representation) and is thus infinite.

I have also argued that the provisional imperative, reinscribed in a Levinasian fashion, describes the oscillation, or undecidable decision, between the ethical and the political. Bringing together these two claims – the provisional imperative as the undecidable decision between ethics and politics and the provisional imperative as the incessant and infinite revision of representation and responsibility – leads to the following formulation: The provisional imperative is a recursive modality which describes the undecidable decision between ethics and politics. The provisional imperative thus operationalises Levinasian ethics such that infinite responsibility to the other can be attained, however fleetingly, in any one representation of a (finite) responsibility to the other.

With the normativity of a Levinasian ethics inscribed in the provisional imperative, I can now turn to arguing for a Levinasian conceptualisation of supererogation. Before proceeding, a brief summary of this and the previous section's argument:

While Levinas is concerned with describing the primordial ethical relation, he nonetheless concedes that a 'Levinasian ethics' is possible. That is to say, it is possible to operationalise a Levinasian ethics. However, such an ethics is best described as a normativity without norms and consists in navigating the undecidable decision between the political (justice) and the ethical. Operationalising Levinasian ethics thus consists in a meta-ethical strategy. I adopt Preiser and Cilliers' (2010) and Woermann and Cilliers' (2012) 'provisional imperative' – "when acting, always remain cognisant of other ways of acting" – as just such a meta-ethical strategy, and reinscribe it in Levinasian terms: 'when representing the other, always consider other ways of representing the other.'

I continue by arguing that the other as infinity, in epiphanic representation, can also be understood as representing itself in an *infinite number of ways*, rather than as infinity. This mode of infinite representation leads to an infinite response-ability to the demands of the other. Such response-ability should not be understood as displacing responsibility, which is still infinite, irrecusable and non-reciprocal. As the other can be represented in an infinite number of ways, together with my concomitant infinite responses to such (infinite) representations, each representation and response is provisional and subject to revision. Likewise, my responsibility to the other is also provisional and subject to revision, in accordance with that respective representation and response and is thus infinite. The provisional imperative, reinscribed in a Levinasian fashion, is thus a recursive modality which describes the oscillation, or

undecidable decision, between the ethical and the political, the other and the third, the Saying and the Said.

4. Levinasian normativity is supererogatory

My conceptual mapping of supererogation in chapters one and two identified three central concerns – proximity, asymmetry and autonomy. These, to recall, were explicated as follows: firstly, proximity concerns the physical, psychological and psycho-social distance between moral agents and the subjects of their assistance which affects the supererogatory status of those agent's actions; secondly, asymmetry concerns the asymmetry of blame and responsibility between the moral agent and the spectator for determining whether or not an assignation of supererogatory applies to the action in question; and thirdly, autonomy is understood as a moral agent's choice whether or not to perform a supererogatory action. These concerns were also tied to an understanding of supererogation as something beyond duty. Because duty is problematic in Levinasian ethics, the above three concerns were given a Levinasian reinscription in chapter three – ontological proximity was reinscribed as a metaphysical proximity which describes the primordial ethical relation between the other and me; asymmetry now concerns itself with the asymmetry of representation and responsibility between the other and me; and autonomy is no longer tied to the independent choices of a moral agent, but to the undecidable decisions such an agent needs to make when in the presence of the third.

I also argued in chapter two that supererogation is better conceptualised not only as a supererogatory action but as a supererogatory *attitude*; in particular, an attitude toward a soul manifesting as a primitive moral response. However, I argued that

such a supererogatory attitude is problematic insofar as such a primitive moral response is based on the recognition of another's suffering *as like my own* (chapter two, § 4.2). I used Taylor's concession that, in answer to an incident of a bag-lady throwing back an offering of bread, understanding humiliation as a form of suffering depends on reflection. Such a position undermines a primitive response as an unthinking response that cannot be broken down into further analysis.

With the reinscription of proximity, asymmetry and autonomy in Levinasian terms completed, I can now more clearly explicate why Taylor's account of sympathy as a paradigmatic primitive moral response falls short, as well as offer a remedial reconceptualisation which retains the moral significance of supererogation as a supererogatory *attitude*. I will argue that such an attitude consists in embracing our ethical responsibility to the other as infinite, even as we cannot assume such an infinite responsibility. Furthermore, while sacrifice (cost), based on autonomy was dismissed as unnecessary for supererogation, I will argue that it is the *possibility* of sacrifice that is constitutive of supererogation.

4.1. A Levinasian reinscription of a Taylorian primitive response

I will use Taylor's example of his friend's response to a bag-lady to demonstrate how his (Taylor's) notion of a primitive response can sometimes fall short. I will offer a Levinasian reinscription of such a primitive moral response to remedy this, while still maintaining its modality as an attitude. My Levinasian reinscription will focus on two aspects of Taylor's primitive response: firstly, his claim that a primitive moral response is triggered by a recognition of the other's suffering *as like my own*; secondly, and this flows from the first, that such recognition often *misrecognises* the other's suffering such that moral *deliberation and reflection* become necessary at

some point to counter such misrecognition. It is at this point that such a moral response is no longer a *primitive* moral response in the sense that it is *immediate and unthinking*. I will argue that Levinasian normativity, as a recursive modality, ensures that Taylorian primitive responses remain primitive, that is, unthinking and immediate.

Another way of explaining this point is to say that, while both Taylorian and Levinasian primitive responses are unthinking and immediate and so arrest the agency of the moral agent, Taylorian primitive responses face the danger of sliding back into moral judgement. This is because Taylor's primitive response is shaped by recognising the other's suffering as like my own – it is a response that exposes the other to the danger of a totalisation of his/her suffering into a system of the same. The recognition of the other's suffering that flows from a Levinasian primitive response, on the other hand, is grounded in otherness, not sameness, and so avoids this threat. In order to give effect to this recognition (of otherness), Levinasian normativity requires that this recognition be constantly revised – the provisional imperative – and in this way interrupts my recognition's totalising of the other's suffering. Yet another way to formulate the distinction between a Taylorian and Levinasian primitive response would be to characterise both as a Saying, but to argue that a Taylorian response eventually slides back into a Said, while a Levinasian response continues to resist this through means of recursivity.

Taylor's friend sees a bag-lady and offers her a loaf of bread. He does this because he recognises her suffering as hunger. However, this is not a suffering like his own because, surely, he is not suffering hunger himself (at least not debilitating hunger), but he would supposedly suffer it if he were reduced to her circumstances. It is a primitive moral response, but it is the wrong response insofar as the bag-lady rejects

the offer and throws it back at him. Taylor's friend's response expresses an attitude toward a soul in that it is an acknowledgement that the bag-lady is a human with thoughts and feelings who is suffering. However, it turns out that his attitude is misplaced, insofar as he misinterprets that suffering. Taylor's friend needs to *revise* his understanding of the bag-lady's suffering. Taylor's friend should heed the provisional imperative, that is, be cognisant that his representation of the bag-lady's suffering is provisional.

Taylor suggests that the suffering of the bag-lady might be understood not as a physical hunger, but as a psychological humiliation, *and* that this conclusion might be arrived at by way of 'a good deal of reflection'. Supposedly, then, my sympathising with her suffering *as humiliation* would be because I recognise such humiliation *as like my own*. But the bag-lady's alterity as singularity thwarts my attempt to recognise her suffering, whether it be as hunger or humiliation, as like my own. My reflection in the case amounts to a reduction of the other to the same; in attempting to represent the ethical demand of the bag-lady, I am totalising her into a system of representation (of suffering). My response to her is unethical in that it destroys her alterity, in that it is not a *facing* orientated toward her alterity. My ability to adequately respond to the bag-lady, my response-ability, has been limited by the limitations of my representation of her suffering. As such, I cannot exercise responsibility to her.

Taylor might argue that recognising the bag-lady's suffering as humiliation is an appropriate revision and thus heeds the provisional imperative. However, because such revision is driven by reflection, such a revision will always run up against the limits of representation. It will not be able to represent the other – in this instance, the bag-lady – in an infinite number of ways, because each revised response will be limited by a deliberation which is trying to recognise the revised representation as

like my own. Take the notion of humiliation and consider what it might consist in: One might suppose humiliation is connected to pride – considering yourself sufficiently independent to be able to pay rent and buy groceries. Thus, the bag-lady's suffering as humiliation might consist in not being able to afford to buy a loaf of bread and being too proud to ask for money to do so. Once again, I can recognise such a wounded pride as like my own and can respond in an appropriate way to meet such a representation of suffering.

However, such a representation is provisional still. If the bag-lady was born into a poor home and forced onto the streets at a very early age, then her notion of pride and self-sufficiency will be markedly different from a lady from a privileged background who had 'fallen from grace' and lost her home and job due to, say, a drug addiction. In the former case, pride may consist in not backing down from some fisticuffs with another bag-lady, whereas the latter may consist in not wanting to ask for money. Each revision of our representation of the bag-lady and her suffering is likely to introduce more complexity, such that further deliberation will be less and less likely to produce a response from us that recognises such suffering as like our own. Deliberation will eventually run up against the limits of representation and, at some point, we will not be able to recognise the suffering of the other as suffering at all.

To recall, Woermann and Cilliers argue that the provisional imperative arises because our representations (models) of the other are radically contingent in time and space. Thus, our representations of the bag-lady's suffering as humiliation is contingent on several factors, for example: although she has no fixed home, she has access to homeless shelters; although she is homeless, she is not without possessions (indeed she, as a bag-lady, possesses bags in which to keep the odds

and ends she collects on the streets); and although she is hungry or undernourished, she has some access to food from soup kitchens or from rummaging in dust-bins.

Within such a context, it is not too egregious to represent her suffering not as hunger, but as humiliation. However, consider encountering an emaciated mother of five having been stranded in an overcrowded refugee camp for several years. Our representations of her suffering will be contingent on almost opposite conditions: she cannot choose what her meal will be, whether it be bread or soup – if she does not eat, she will die; and although she may be able to move within the camp, she cannot walk away precisely because she needs to consider her children's survival. In this case, we are unlikely to recognise the mother's rejection of bread (or any food) as representing suffering as humiliation, but rather as representing suffering as despair.

Whether I can recognise such suffering as like my own is questionable, especially since I have had three meals a day every day of my life. I certainly will not be able to reach an answer by reflecting on the matter. I can only *imagine* such suffering, but because such imagination precludes me from recognising such suffering *as like my own*, such an imagining will operate as a recursive modality. Such imagination will consist in a continuous revision of the infinite representations of the other (and the other's suffering) presented to me, which will in turn guide my responses to him/her.

At this juncture, it is necessary to return to the importance of undecidability and how it impacts upon my response to the other's suffering, whether that response is a consequence of moral deliberation or moral imagination. I cannot avoid undecidability whether I deliberate and reflect on the other's suffering *or* whether I try to imagine the other's suffering. It is not the case that acquiring more and more information about the bag-lady will reduce the undecidability she presents to me. I will never know, and can never know, how to respond to the bag-lady in the way that

exactly corresponds to her suffering, because her suffering can never be faithfully or fully represented. However, Levinasian normativity demands that I do respond to her, even if that response is bound to be incorrect.

The difference between moral deliberation and moral imagination is that the deliberating moral agent is always trying to overcome undecidability which he/she believes can be achieved by seeking more information. Moral imagination, however, embraces undecidability by subjecting each response of the moral agent to revision. Moral imagination, as that which drives the recursivity and provisionality of Levinasian normativity, is not meant as an evasion of undecidability, but acts precisely as a means to ensure that moral decisions *remain* undecidable. This is because moral imagination is not trying to find reasons (to support one decision or the other) and is, by definition, not guided by a desire to find some *a priori* moral truth which would categorically support one particular course of action over another. Undecidability is the unbridgeable gulf between ethics and politics – moral deliberation believes it can traverse this gulf, whereas moral imagination seeks only to narrow this gulf as far as possible, accepting that it can never be completely eliminated.

I have now arrived at the point where I can offer the following correction of Taylor's primitive moral response, understood as an attitude towards a soul that recognises the suffering of the other, and which serves to ground supererogation: *A Levinasian moral response (to the other and the other's suffering) grounds supererogation and consists in the provisional imperative operating as a recursive modality.* Such a Levinasian moral response should also be understood as an *attitude*, consisting in embracing our infinite response-ability as an infinite responsibility to the other, even though we cannot *assume* such an infinite responsibility.

This point recalls how the autonomy of the moral agent is arrested by the alterity of the other in the face-to-face encounter. Responsibility is thrust upon me; I am hostage to the demands of the other. However, the introduction of the third restores my agency as the choice between ethics and politics, a choice characterised as an undecidable decision. Such an undecidable decision cannot be evaded, it must be taken; but then, following the provisional imperative, it must also (possibly) be revised. I can thus claim that facing the undecidable decision consists in an attitude – acknowledging that I cannot avoid undecidability and embracing the knowledge that another undecidable decision has already lined up after I have taken a decision. The autonomy restored by the third is the autonomy of undecidability *and* an attitude which embraces this undecidability.

A Levinasian moral response replaces a Taylorian primitive response in grounding supererogation; that is to say, Levinasian normativity is supererogatory. What follows from this is, however, much more radical – if Levinasian normativity is the operationalisation of Levinasian ethics, then Levinasian ethics is supererogatory. To put the point more forcefully: for Levinas, all ethical acts are supererogatory. As such, there is no need to assimilate supererogation into a Levinasian normativity in order to make sense of it, as Kantians and utilitarians try to do (see chapter one, §2.2). Levinas (1998; 117) argues that “it is through the condition of being a hostage that there can be pity, compassion, pardon and proximity in the world – even the little there is, even the simple ‘after you sir’”. Perpich (2008; 135) clarifies Levinas’ argument: “[t]he events we recognize as ethical, from the polite gestures of social commerce to the selfless lives of saints, and everything in between, are predicated upon or find their condition in the unconditionality of being hostage”.

In other words, because common and everyday moral actions and the actions of saints belong to the same ethical spectrum, the distinction between them disappears. Levinas (1998; 117) also claims that “the passage of the identical to the other [...] makes possible sacrifice”. Bernasconi (2002; 245) argues that what Levinas is searching for is “what underlies that behaviour that is sometimes called the supererogatory, gratuitous or, as he prefers to say, ethical [...] He is not saying one *should* sacrifice oneself. He merely wants to account for its possibility.” What follows from this is that it is *the possibility* of sacrifice which establishes the condition for ethics and thus *a fortiori*, supererogation, and not the actual sacrifice. That is, *if every moral act, no matter how trivial and banal, contains within it the possibility of sacrifice, then every moral act is also a supererogatory act*. In order to interrogate this position more thoroughly, I intend to approach the possibility of sacrifice from the saintly end of the ethical spectrum identified above.

4.2. *The possibility of sacrifice*⁴⁴

Levinas (1988; 172) says that “we cannot not admire saintliness. Not the sacred, but saintliness: that is, the person who in his being is more attached to the being of the other than to his own. I believe that it is in saintliness that the human begins; not in the accomplishment of saintliness, but in the value. It is the first value, an undeniable value”. I cite Levinas’ invocation of the term ‘saintliness’ to mark a revisiting of both Urmson’s ‘Saints and Heroes’, and Wolf’s ‘Moral Saints’ (discussed in chapter one, § 2 and § 4.1, respectively). Beginning with these conceptions, I will explore the claim

⁴⁴ The term ‘possibility’ here is not to be meant to indicate choice or autonomy, such that the moral agent is able to choose to sacrifice or not. Possibility as choice slides into ontology such that responsibility can be assumed; the unconditionality of being a hostage to the other means that I can never assume, never choose, responsibility. Levinas thus rejects ‘possibility’ as an ontological category. ‘Possibility’ here then, should be understood as the autonomy that comes with undecidability. One can also think about the ‘possibility of sacrifice’ as it is meant here as the “space or risk of absolute sacrifice” (Derrida 1995; 68).

that it is the *possibility* of sacrifice which makes each moral action also a supererogatory action.

To recall, Urmson's 1958 essay re-awakened philosophical interest in supererogation, although he never uses that term in his essay. Instead, his discussion of the *sacrifice* made by saints and heroes is meant to demonstrate that their actions are praiseworthy *because* such sacrifice is not obligatory. Urmson later recanted that position, arguing that common everyday acts such as kindness are also voluntary and praiseworthy – thus ostensibly supererogatory acts – and yet do not involve sacrifice at all. I also noted in that discussion that Heyd (2015) rejects Urmson's recantation, arguing that despite Urmson's objection to sacrifice, he (Urmson) nonetheless recognises supererogatory acts by their "optionality, agent discretion and non-universalizable nature" (*ibid.*; 45).

A Levinasian ethics has demonstrated that moral autonomy does not derive from either optionality or agent discretion, and thus autonomy, traditionally understood, is unnecessary for supererogation. Furthermore, Levinasian normativity is non-universalisable because it is both contingent and provisional; so, non-universalisability as a distinguishing feature of supererogation becomes redundant. Heyd's rejection of Urmson's recantation can thus itself be rejected. It is now possible to demonstrate the flaw in Urmson's initial positing of saints and heroes as indicative of supererogatory actors. Saints and heroes are praiseworthy – that is to say, are supererogatory actors – not because they as moral agents *do* make (voluntary) sacrifices, but because any act they perform bears the *possibility* of sacrifice.

The possibility of sacrifice which establishes the condition for supererogation can therefore also be described as the *possibility* of the moral agent's saintliness. It is the possibility of saintliness that establishes the ethical subject as necessarily a supererogator. However, there are important differences between the saint and the hero, which resonate with the differences between duties of justice and duties of rescue described in chapter one (§ 3.1.2 b). With this in mind, I consider the situation the hero confronts, before turning to that confronting the saint.

Provisional heroes

Consider Urmson's hero who jumps on an activated grenade and is killed but, in so doing, saves the lives of his comrades. While such an act is typically characterised as 'unthinking and immediate', it is clear that there is space for calculation on the part of the grenade-jumper – recall from chapter two (§ 3) Cowley's (2015; 5) argument that the grenade-jumper may believe he will be killed by the explosion anyway and so calculates he has nothing to lose and so may as well try to spare his comrades the worst of the blast. Continuing from this point, I imagine another scenario –just before this leap, the grenade-jumper is reminded of a childhood friend and so revises the representation of the demand of his comrades (a very literal instantiation of the demand by the other to not kill him/her), such that their being saved is not a by-product of his action but its very aim. Thereafter the grenade goes off and the grenade-jumper can no longer revise his response.

The contingency of the situation whose salience, *inter alia*, lies in its very limited duration, arrests how the demand of the other can be represented in yet another way and also consequently the grenade-jumper's revised response to that demand. In the present case, the possibility of sacrifice is actualised. However, it is also possible

that the grenade-jumper may not need to make a sacrifice at all – the grenade may fail to detonate. Nonetheless, his act still stands as supererogatory. This is so because his action embraces the possibility of sacrifice, and hence the possibility of revising his response to the provisional representation of the other's alterity. The act is supererogatory because it expresses the grenade-jumper's attitude of openness to the possibility of sacrifice. *Apropos* this, Wood (1999; 117) remarks that "[o]penness does not require that one leaves the door open, but that one is willing to open the door. Responsibility is the experience of that openness". The purported hero does not go in search of situations in which to demonstrate his/her heroism but is always ready to act in a provisionally heroic fashion; that is, in a supererogatory fashion, if the situation calls for it. Or, the (provisional) hero is not the one who always sacrifices, but is the one who acts and accepts that such an act may result in a sacrifice, should the contingencies of the situation require it.

Provisional saints

The contingencies wherein the actions of the saint come to the fore, as against those wherein the hero is placed, will differ primarily in their frequency and duration. The latter are likely to be once-off emergency affairs, while the former are likely to be recurring and persistent problems. In the case of a recurring situation, the saint will likely have to revise his/her responses more often because the contingency of the situation gives the other more opportunity to revise the representations of his/her demands. Furthermore, because there is more time to revise and represent the demand of the other, the possibility of sacrifice being actualised will also need to be revised. In order to understand how this might be problematic for the saint, I return to Wolf's moral saint examined in the last section of chapter one.

To recall, Wolf's (1982; 419) moral saint is a person "whose every action is as morally good as possible, a person, that is, who is as morally worthy as can be". But how can we *know* which actions are as morally good as possible? Such deliberation flies in the face of the provisional imperative which requires a recursive imagining of what constitutes the good as represented by the other within a particular representation of his/her demand.

Wolf (*ibid.*) equates moral sainthood with moral perfection, which implies that the good should not be revised (because it is perfect). Levinas (in Bauman 1993; 76) is adamant that "there is no moral life without utopianism – utopianism in this exact sense that saintliness is goodness". However, I argue that such utopianism is not perfectionism precisely because utopianism allows, indeed requires, that the constituents of the good are subject to the provisional imperative. The equation of saintliness with perfection also serves to discourage us from attempting to grasp it – MacFarquhar (2015; 133) recounts the life of 'Baba' who founds a leper colony in India and his rejoinders when people start to call him a saint: "he knew that the idea of saintliness was an alibi: to call him a saint was to suggest that he was a different order of creature, so ordinary people need not try to emulate his work." Very few will admit to perfection; thus, if saintliness is perfection, then very few will embrace it.

Wolf (1982; 420) argues that a necessary condition of moral sainthood is a life "dominated by a commitment to improving the welfare of others or of society as a whole" such that pursuits such as fashion and literature will have to be sacrificed. In keeping with Wood's metaphor, I would characterise such a position as not just holding the door open but standing at the threshold, directing others through one's open front door. Someone who actively seeks out situations in which to pursue saintliness forgets that it is the possibility of sacrifice that constitutes saintliness, not

actual sacrifice. In seeking saintliness, I mistake the *embracing* of infinite responsibility for the *assumption* of infinite responsibility.

Wolf's rejection of the moral saint is based on the conclusion that such dominating commitment to morality robs us of our autonomy to pursue other life-projects. Wolf (424) goes as far as equating such loss of autonomy with the loss of self: "[t]he way in which morality, unlike other possible goals, is apt to dominate is particularly disturbing, for it seems to require either the lack or the denial of the existence of an identifiable self." If this is correct, then it is no wonder Wolf's moral saint is such an unattractive figure. For Levinas, however, a commitment to morality, however dominating, would not eviscerate our identity because personal identity consists in being for the other. Infinite responsibility does not nullify our identity, it is the very condition of our identity.

As I have argued, autonomy does not consist in choosing between moral (and Wolf uses the term in an impartialist sense here) and non-moral pursuits, but in the undecidability of such choices. Levinas (in his conceptualisation of ethics) does not distinguish between moral and non-moral pursuits; Levinasian normativity distinguishes between pursuits that demonstrate our infinite responsibility to the other and those that do not. Pursuing the arts and fashion (as expressions of our singularity) can therefore be a demonstration of our infinite responsibility to the other, albeit an infinite responsibility that has been prescribed by politics.

The arts and fashion can here be thought of as political actions, insofar as such pursuits necessarily require us to choose between serving two or more others (the other and the third, which may, in the instance, be myself). Thus, I may need to choose between doing charity work on the weekend versus teaching my child to play

the guitar. However, the provisional imperative requires that I might need to revise any such decision to act in the name of music or fashion (manifestations of the political) and so, in the process, sacrifice music and fashion. Describing the two poles of this decision – the political actions of music and fashion, for example, and the ethics which seeks to revise these political decisions, necessarily requires that one description follows another, but it must be remembered that these two possibilities exist simultaneously, that the other and the third are coterminous, ethics and politics are coterminous⁴⁵. Both are equally possible and thus the decision is undecidable. I adapt Singer's counter to Wolf (chapter one, § 4.1) in order to illustrate this point.

Singer's counter-example concerns a doctor encountering a hundred injured victims of a train crash and only treating fifty because he is on the way to the opera. Singer claims that a commitment to the pleasures of opera should not override treating those other fifty injured passengers. Singer is undoubtedly correct in this. My issue is with how that position is arrived at. I would argue that, although my pursuit of the pleasures of opera are the result of a political choice in which I myself am a third to an other, I will need to revise that choice when I am presented with the demands of a hundred injured victims. My response-ability to the singular demands of all the victims leads to my responsibility for them all, such that I sacrifice the pleasure of going to the opera in order to try to meet their demands. There is also the chance that the injuries are minor, and the emergency services arrive quickly at the scene,

⁴⁵ Morgan (2007: 293) also counters the claim that Levinasian ethics *seems* to "leave no room for life spent on other things: art, music, sports, hobbies, and so forth [...] which take time, effort and resources away from [...] aid to the poor". Morgan reaffirms that for Levinas the "primacy of the ethical goes hand in hand with the unavoidability of the political and the public" (294), and he argues very convincingly that "it is very one-sided to look at art, music, poetry, and such activities as exclusively self-satisfying and self-serving. They are, after all, in their very creation a gift to others, a communication and a sharing, an act of the self for others" (295).

so that I am able to leave soon afterwards, perhaps soon enough to catch the last movement of the opera. Every decision to enjoy a non-moral pursuit carries the possibility that I might need to revise that decision and possibly sacrifice its enjoyment.

Formulated in this way, the position advocated sounds like a utilitarianism. However, we mostly regard stopping to help victims of a train crash or any other emergency situation, not as saintly, but as heroic. Indeed, my rejoinder to Singer's rebuttal of Wolf was that, in stopping at a train crash, I am responding to a duty to rescue, not a duty of justice. To recall, I identified part of the failing of Singer's LSA as his conflation of duties of rescue with duties of justice (chapter one, § 3.1.2 b). The distinction supposedly rests on differing situations which then give rise to the two duties, the former associated with once-off emergency events, the latter with recurring and chronic problems. As such, the distinction fits broadly with the contingencies faced in heroic and saintly situations respectively. I can now refine the charge against Singer: it is not that Singer *conflates* duties of rescue with duties of justice (and as a reminder, Singer does not state the difference in these terms), but rather that the division between the two duties is a false dichotomy. If honouring a duty of rescue is broadly heroic, while honouring a duty of justice is broadly saintly, then the dichotomy is only meaningful insofar as the saint and the hero embody two distinct values, namely justice and courage respectively.

However, the saint and the hero both embody the value of saintliness, which can be stated as one's openness to the possibility of sacrifice. There is therefore no duty of rescue to contrast with a duty of justice; there is just duty. Of course, the term 'duty' isn't found in a Levinasian ethics, and so the reinscription of the above claim that there is just duty would thus read: there is just infinite responsibility. There is no

responsibility only to the other to contrast with responsibility only to the third; rather, responsibility for the other *just is* responsibility for the third.

I argued that the purported hero does not go in search of situations in which to demonstrate his/her heroism but accepts that heroism may be called for at some point. Similarly, doctors do not leave their houses in search of situations in which to demonstrate their saintliness but accept that saintliness may be called for. The doctor acts saintly insofar as he/she is open to the possibility that he/she might have to yet again drop everything and assist if he/she yet again encounters a crash site. The doctor does not categorically assert upfront that he/she will not stop at a crash site, no matter how horrific, specifically because he/she has done so previously. Being open to the possibility of sacrifice means being open to undecidability. The doctor cannot calculate his/her actions *a priori* when leaving the house, and he/she will always need to make a decision when the contingencies of the world inevitably throw his/her plans off-course.

Moral aggregation and iteration revisited

The condition of the possibility of sacrifice which reveals a false dichotomy between duties of rescue and duties of justice can also be extended to show a similar false dichotomy between iterative and aggregative approaches to the associated problem of moral demandingness. To recall, within the context of the LSA, the iterative approach (chapter one, § 3.1.2 a) does not view the moral force to save *another* drowning child as diminished by the fact that one has already saved a drowning child. The moral demand is 'iterable' and each iteration retains its moral force. This is unproblematic and is easily transcribed into Levinasian terms – our responsibility to

the drowning other and other drowning others is not diminished by responding to the demand to rescue by one drowning other.

The problem with the iterative approach becomes apparent when it is extended to the second analogy in the LSA – helping starving children by donating to charities and aid agencies. The analogy claims that, just as the moral force to save drowning children is iterable and not diminished by saving one drowning child, so too the moral force to help starving children by donating to charities is iterable and not diminished by donating to one charity. The problem is that, while the aggregative approach (which is offered as an alternative to the iterative approach) is morally rational in the case of donating to charities, in the case of saving drowning children, it is monstrously absurd.

To recall, an aggregative approach considers the aggregate of an agent's moral actions and their concomitant cost to that agent over the course of his/her life. If the demand to donate to charities is iterated enough times then, as Hooker (1999; 180) says, "each sacrifice, though each is modest on their own, can add up to a huge aggregate sacrifice." Thus, continues Hooker, the aggregative approach would not require you to do anything beyond your cumulative sacrifice "even when you could save some additional lives" (*ibid.*).

Now this may be plausible if your donations over a period of time amount to a considerable sum. This plausibility derives in part from the difficulty (if not impossibility) of tying any one donation to a particular life saved. However, if someone was to say 'Well, I have saved several children from drowning over the years which, taken together, has exacted quite a toll on me, and so I will not even try to save this drowning child now, even though I could, and considered by itself it will

not exert me much' then we would rightly call such a person a moral monster. The analogy between saving drowning children and donating to help starving children falls apart because the dichotomy between an aggregative and iterative approach is false. This is because each moral demand, whether iterative or aggregative, contains the possibility of sacrifice. It is not the magnitude or the frequency of the sacrifice that is important, but rather that sacrifice is a possibility in either approach.

Calculating whether a sacrifice (whether iterated or not) or an aggregated sacrifice is more morally demanding is misguided, because such a calculation tries to limit infinite responsibility to the other. Any subtraction from infinity still returns an infinity; while an iterated demand may turn out to be greater than an aggregated demand, both will always still be less than the infinite demand of the other.

An aggregate moral approach relies on the moral agent's previous responses to representations of the other's demand. It says, 'I have responded in particular ways to particular representations of the other in the past and so I can calculate how I should respond now' (which, as indicated above, is usually to decide against assisting/donating in the present situation). The aggregate moral approach fails because it fails to revise previous decisions in light of a new demand – aggregation fails to acknowledge that the demand of the other cannot be represented by aggregating all previous representations of the other's demand. The iterative approach fails on the same account – it violates the provisional imperative and attempts to evade undecidability. In order to demonstrate this, I will return to Singer's (1972; 232) claim that "if we accept any principle of impartiality, universalisability, equality, or whatever, we cannot discriminate against someone merely because he is far away from us" (chapter one, § 3.1).

My question in response to Singer's claim was 'if we do not accept any principles of impartiality or universalisability, can we discriminate against someone merely because he is far away from us?' The short answer is no – we do not need impartiality or universalisability in order to treat those close by and those far away with equal consideration. The long answer comes back to how iterability and proximity tie up in Levinas' (1998; 159) claim that "[j]ustice only remains justice in a society where there is no distinction between those close and far off, but in which there also remains the impossibility of passing by the closest" (chapter three, § 3).

An iterative approach with respect to saving drowning children who are close by, I argued, allows me to discharge my responsibility to other drowning children: I save one drowning child close by, continue on my way and come across another child drowning in another pond close by. While in the second, third, and fourth iteration of the scenario I cannot pass by the drowning child without being duty-bound to rescue him/her, after enough iterations I will be 'let off the moral hook' to save another drowning child. I will be allowed to 'pass by the closest' because marginal utility will eventually kick in wherein the moral calculus will favour such an omission (because, for example, after saving the fourth drowning child I might be so physically exhausted that going in after the fifth drowning child sees the possibility that I might drown myself and so, by extension, fail to prevent that child from drowning).

So, while both aggregative and iterative approaches allow the agent to be 'let off the moral hook', aggregation allows this from the start (of being confronted with a series of drowning children, assuming of course that the agent has saved many other drowning children in the past). An iterative approach will also let the agent 'off the moral hook', but not before marginal utility kicks in. A Levinasian approach never

allows the agent 'off the moral hook' because the agent remains infinitely responsible to the series of drowning children, even when marginal utility is reached.

Impartialism and universalisability allow the possibility of passing by the closest, and *a fortiori*, the furthest, because Singer's sacrifice principle as both an impartial and universalisable principle is not a provisional principle. I made the case for understanding Singer's sacrifice principle as necessarily a utilitarian principle (chapter one, § 3.2). Singer, therefore, restricts the sacrifice required by the sacrifice principle up to the level of marginal utility – the level at which further sacrifice causes as much suffering to myself (or my dependants) as it relieves in the other (Singer 1972; 241).

The problem with this has already been established – it relies on the mistaken notion that I can know the suffering of the other *as like my own*, and as such can determine at which point marginal utility kicks in. In other words, Singer's sacrifice principle attempts to fix the representation of the other's demand such that the moral agent is able to fix his/her response to the other in order that he/she can calculate his/her responsibility and so discharge it. By restricting the sacrifice required of the moral agent, Singer makes actual sacrifice impossible because the moral agent, in deciding the limit of his/her responsibility, demonstrates that this is in fact not a sacrifice precisely because he/she accepts the cost to him/her. The possibility of sacrifice only arises if the sacrifice required cannot be restricted; restricting it is akin to the claim that I can assume moral responsibility.

The condition of the possibility of sacrifice rests on the provisionality of Levinasian normativity. If that possibility is restricted, then *ipso facto*, the provisionality of any norm one may invoke in response to a drowning child becomes restricted.

Restricting the possibility of sacrifice is also an attempt to mitigate the undecidability of the agent's response. The iterative approach to such scenarios as the LSA thus fails because, in attempting to calculate one's response to a drowning child, or a series of drowning children, one is attempting to both restrict the provisionality and undecidability of one's response. As argued above, this restriction of provisionality and undecidability is also a feature of an aggregative approach. The dichotomy between iterative and aggregative approaches to the associated problem of moral demandingness is thus false insofar as both are means to evade provisionality and undecidability. This evasion attempts to calculate and fix the possibility of sacrifice and, as such, mirrors the false dichotomy between duties of justice and duties of rescue examined above.

Gustafson (2010; 150) succinctly formulates the distinction between Levinasian normativity, which is provisional, and impartialism, which is categorical: "Obligation [or duty] is not posed in a rule but a question – how does my place in the sun put the other out in the cold?" In other words, responsibility (and my reading here is that Gustafson means obligation as responsibility) cannot be measured by a rule which bounds my sacrifice, but rather by the question, how much more could I have sacrificed? Instead of claiming that I discharged my responsibility by complying with a rule (of marginal utility, for example), or that I followed an aggregative approach and am thus allowed to offset my cumulative sacrifice, I should ask: how else could I have discharged my responsibility? A rule fixes duty, while a question goes beyond duty; iterative and aggregative approaches restrict provisionality, while a Levinasian approach embraces provisionality; impartialism assimilates the supererogatory, while Levinasian normativity is supererogatory.

If this is the case, how does one deal with the charge that Levinasian normativity is too onerous to enact (the charge, to recall, that is also levelled against utilitarianism)? On the other hand, if there is no distinction between the actions of the saint and everyday moral actions, does not the concept of supererogation become vacuous? Before attempting to address these two objections in the final section of this chapter, I recapitulate the argument of this section:

Taylor's primitive moral response is problematic insofar as reflection drives the revision of what the other's suffering consists in. Such *deliberative* revision runs up against the limits of representation. As a remedy to this, I posited a recursive imagination which precludes me from recognising the other's suffering as like my own (thereby totalising the other) and which consists in a continuous revision of the infinite representations of the other. In turn, these representations guide my revised responses to other. In place of a Taylorian primitive moral response, I offered a Levinasian moral response, which as a response-ability, grounds supererogation and consists in the provisional imperative operating as a recursive modality. Furthermore, such a response-ability should also be understood as an attitude, which consists in an *embracing* of our infinite response-ability as an infinite responsibility to the other even as we cannot *assume* such an infinite responsibility.

A Levinasian grounding of supererogation (as a supererogatory attitude) rests on *the possibility* of sacrifice contained in every moral act, however small, because every such act is a moral response to the alterity of the other. Otherwise said, although sacrifice is not necessary for supererogation, it is *the possibility* of sacrifice that establishes the condition for supererogation and makes every ethical act a supererogatory act. I expounded on this by exploring the position of the hero and the saint who share this openness to the possibility of sacrifice. I returned to the

distinction between duties of rescue and duties of justice as purportedly representative of the positions of the hero and saint respectively. I argued that Singer's conflation of the two duties arises from a false dichotomy because it fails to acknowledge this shared value. I extended this analysis to show that the dichotomy between aggregative and iterative approaches to moral demands is similarly false.

5. Two objections to a Levinasian normativity

5.1. Levinasian normativity as supererogatory is banal

I now consider the criticism that if every moral act is supererogatory, or saintly, then the term 'supererogatory' becomes vacuous. In a similar vein, one might still wish to distinguish 'true' saintly actions from everyday moral actions. This criticism understands Levinasian ethics backwards. For Levinas, ethics does not necessarily start with the 'true saint', though it can, and often does, lead there. Consider the actions of the so-called 'righteous gentiles' during World War II who risked their lives to protect and save persecuted Jews, and who have thereafter come to be called 'saints' (see chapter two, § 3). While such actions do demonstrate a responsibility to the other and are indeed praiseworthy, Levinas' point is that what would have prevented the unspeakable tragedy of the Holocaust was not more 'true' saints saving Jewish lives by risking their own. Instead, what would have stopped the killing of Jews in Nazi Germany was if more Germans, 'ordinary' Germans, had treated Jews with simple common courtesy and consideration. If more Germans had said, when encountering a Jew, 'After you sir', fewer Jews would have died. This is because killing a person after you have recognised their humanity does not make much sense. Why be courteous to someone you are about to kill, or let die? Why let someone 'go before you' if you intend to kill them? In such a case, the courtesy is

irrational and superfluous. In Nazi Germany, hiding Jews was saintly because there was the possibility of sacrificing one's life. However, in such a milieu, being 'nice' to Jews encountered in public (not all Jews in Nazi-occupied Europe were separated into ghettos) was also saintly, insofar as such actions could also have led to sacrifice, if not of one's life, then at the very least of one's reputation or property.

Recourse to the example of the Holocaust recalls another description of its incomprehensibility: Hannah Arendt (1963) in *Eichmann in Jerusalem* describes the tragedy and horror of the Holocaust as demonstrative of the 'banality of evil'.

Eichmann, a high-ranking Nazi who was responsible for the operations and logistics of the death-camp machinery that sent millions of Jews to their death, "personified neither hatred nor madness nor an insatiable thirst for blood" (Elon 2006; xiii).

Eichmann's defence was that he was simply following orders from his superiors and that, within the framework of the Nazi legal system, he was acting in accordance with the law. Besides a diligence in advancing his career, Arendt (1963; 287) ascribes to Eichmann "no motives at all" and that "*he merely [...] never realized what he was doing*". It was Eichmann's thoughtlessness and lack of imagination, exemplified in his efficiency and rule-following, the consequence of which was the murder of millions of Jews, that prompted Arendt to characterise the evil of the Nazis as 'banal'. I would like to invert and adapt Arendt's description to try and capture the essence of Levinas' understanding of saintliness, but without the negative connotations associated with 'banality'. In claiming that the ethical is supererogatory, or that the everyday is saintly, Levinasian normativity proclaims the ordinariness, or simplicity, of the good.

The Levinasian position that saintly and everyday acts are indistinguishable recalls the asymmetry of blame discussed in relation to 'true' saintly and heroic acts in

chapter two, § 3. I noted the very commonplace claim by these individuals that what they had done was ‘nothing special’ and that they had done what anybody else in their position would have done. One argument had it that such saintly and heroic acts – supererogatory acts – are “those in which the subject who acts can hold himself responsible, *when no one else could*” (Levy 2015; 230) [emphasis added].

The Levinasian reinscription of asymmetry in chapter three, § 4 arises from epiphanic representation wherein only the other can represent his/her demand, while the moral agent cannot and is hostage to this demand. As such, contrary to the claim above, saintly and heroic acts are those in which the subject does hold him/herself responsible when such holding responsible by the moral agent coincides with the other’s also holding that moral agent responsible. The responses of ‘it was nothing special’ by ‘true’ heroes and saints are thus neither misdescriptions nor modesty, nor a (per Williamson) ‘moral incapacity’. Rather, such testimony as to the everydayness of their (saintly) actions reveals the true moral capacity Levinasian normativity circumscribes. It also reaffirms the Levinasian dissolution between the saintly and the everyday – both spring from the same source, which is the unconditionality of being hostage to the other, and both result in the same infinite responsibility to the other.

Another formulation of the objection raised in this subsection, that the claim ‘all ethical acts are supererogatory’ empties the concept of supererogation, can be understood in terms of the Kantian and utilitarian assimilation strategy delineated in chapter one (§. 2.2). While the Kantian and utilitarian assimilation strategy would reduce supererogation to obligation, Levinasian normativity would seem to operate in an inverse manner to assimilate obligation into supererogation. If both the saintly and the everyday spring from the same source such that the ethical and the

supererogatory come to occupy the same conceptual space, then it appears that the concept of supererogation can be foregone altogether and so we no longer need to account for supererogation⁴⁶.

However, it is incorrect to say that the ethical and supererogatory occupy the same conceptual space. To say that the ethical is supererogatory means that the ethical is manifested through the supererogatory; supererogation (as provisional saintliness and heroism) operates as the condition for the ethical. To say that supererogation is the possibility of sacrifice is to say that supererogation manifests as the (im)possibility of ethics (to use a Derridean formulation).

5.2. *The (un)demandingness of Levinasian normativity*

The flipside to the criticism that Levinasian normativity as supererogatory is banal is that it is too demanding. The argument is that if we are always morally required to act in a supererogatory way, then such a requirement is too onerous. Otherwise put, how can I be expected to act as a saint, or hero, in every moral situation? The rebuttal to this criticism goes as follows: I have established that common courtesy, politeness and considerateness, *inter alia*, are saintly/supererogatory acts because they all rest on the unconditionality of being hostage, and as such contain the possibility of sacrifice. However, these everyday moral acts are not onerous in themselves, whether aggregated or iterated. Therefore, supererogatory acts are not onerous.

⁴⁶ Morgan (2007; 298 Fn.254) very quickly raises, and then dismisses, this very objection – that an acceptable moral theory must allow for supererogation as distinct from obligation – in a footnote, by arguing that that this is a problem about moral *theories*, and as such it “is a problem at the level of ‘ontology’ for Levinas [...] and not a problem about the face-to-face as a ‘social fact’ about human existence”.

To expand on the above rebuttal, consider Bernasconi's (2002; 239) remark that "either one is infinitely responsible, or one has refused responsibility" in the context of the Holocaust and Nazi Germany discussed above. The German soldier who shoots and kills a Jew in the street has refused responsibility toward that Jew, but so also has the German citizen who refuses to extend the common courtesy of 'After you sir'. However, embracing that smallest and least onerous of responsibilities means that you should also be willing to embrace the largest and most demanding responsibilities that might follow from that.

To make sense of this, I return to Levinas' argument and Perpich's explanation thereof cited in § 3 above: "infinity of responsibility denotes not its actual immensity, but a responsibility increasing in the measure that it is assumed" (Levinas 1969; 244). Perpich (2008; 89) takes this to mean that "the better I accomplish my obligations, the more demands I find addressed to me. It is not a matter of the actual number of demands increasing, but a matter of my sensitivity increasing so that the demands and injustices of which I was formerly unaware now come to press and weigh on my conscience."

I would like to shift the context for exploring the real-world implications of this claim from Nazi Germany to apartheid South Africa. Once I, as a privileged white person, have uttered to a black person, 'After you sir', I come to realise that it is unjust (as well as absurd) that such a black person cannot also enter any building from the same entrance that I do⁴⁷. So, I sneak him in through the 'white entrance', which is more convenient than the 'black entrance' around the block. This small gesture

⁴⁷ So-called 'petty apartheid', which sought to prevent any social interaction between different race groups, was enforced through such legislation as the 1953 Separate Amenities Act which required, *inter alia*, separate park benches and designated beach areas for black and white citizens, as well as separate entrances to bars and shops.

contains the possibility of sacrifice – a zealous receptionist might not only call a security guard to throw out the black person, but also have me questioned for facilitating such a legal infraction. Driving home later that evening, I see a black person walking in my white suburb and, after the previous incident earlier in the day, it occurs to me that it is unfair that he/she has to make his/her way back to the black townships at risk of arrest⁴⁸. So, I stop and offer him/her a lift. Once again, there is the possibility of sacrifice. Being stopped by the police would risk not only my black passenger's arrest but also mine for abetting such a legal infraction.

While this is an obvious simplification, what I am trying to capture is the increasing sensitivity to injustice that Perpich alludes to. The black individual under apartheid did not incrementally increase their demands in the expectation that the apartheid government would meet those demands incrementally. That is to say, the black individual did not demand that he/she first be allowed to share an entrance with a white person, to be followed (once that demand had been met) by a demand to be allowed to move freely and so forth, until he/she can finally arrive at the demand for equality instantiated in a claim for 'one person, one vote'. The black individual's demand under apartheid was always for equality and respect; each time a white person defied the pettiest of apartheid laws, the more sensitive he/she became to that demand and how he/she might be responsible to meet that demand. Naturally, he/she might have refused such responsibility – and most white people under apartheid did – once he/she met the least onerous demand of the black individual, he/she could no longer deny that such a responsibility existed.

⁴⁸ Some of the more egregious injustices of apartheid were enacted under the so-called 'pass laws', which restricted the movements of black people, especially in white designated areas, and required them to carry 'pass books' indicating permission to do so.

While the examples of Nazi Germany and apartheid South Africa are not everyday examples, Levinas' argument is that the ethical dynamics are the same in all, less obviously repressive, societies. By examining how normativity operates in such 'extraordinary' societies, where the possibility of sacrifice is more likely to be realised, we come to understand how it operates in 'ordinary' societies where actual sacrifice is less likely – just as the extraordinary acts of saints and heroes become ordinary and thereby less demanding.

I believe I have answered the two most important objections raised against what follows from understanding Levinasian normativity as supererogatory. However, there is another objection that goes further than both of these. It concerns the moral sceptic and/or the radical egoist who would ask "and what if I don't concede to the absolute moral minimum contained in the gesture 'After you sir'?" like many whites in apartheid South Africa and many Germans in Nazi Germany. While Levinasian *ethics* would simply answer that I have no choice but to concede to even that minimum (because I am hostage to the demands of the other), Levinasian *normativity* requires a more thorough answer. I attempt such an answer in the concluding chapter.

6. Conclusion

This chapter sought to operationalise Levinasian ethics in service of a reconceptualisation of supererogation. To this end, I constructed a Levinasian normativity whose driving force is provisionality. Provisionality requires that each representation of the alterity of the other, and each response of the moral agent to that representation, be open to revision. This provisionality, reinscribed in a Levinasian fashion, is a recursive modality which describes the oscillation, or

undecidable decision, between the ethical and the political, the other and the third, the Saying and the Said. Ultimately, provisionality is why responsibility is infinite – if each moral response to the other needs to be continuously revised, then I can never fully discharge my responsibility to the other.

Levinasian normativity, I argued, consists in an attitude which embraces our ethical responsibility to the other as infinite, even as we cannot assume such an infinite responsibility. This restores the moral autonomy, taken away by the unconditionality of being hostage, to the agent, but it is an autonomy that is borne of undecidability. Facing the undecidable decision between the other and the third is thus also an attitude – acknowledging that I cannot avoid such a decision and embracing the knowledge that another undecidable decision has already lined up after the first.

Finally, because Levinasian normativity is based on the possibility of sacrifice, every moral act is supererogatory or saintly. I rejected the criticism that if every moral act is supererogatory, or saintly, then the term ‘supererogatory’ becomes vacuous, because such a criticism ignores that both saintly and everyday acts find their moral justification in the unconditionality of being hostage to the other. Furthermore, while such Levinasian normativity is supererogatory, such a normativity is not too demanding because, once I have embraced the least demanding responsibility to the other, infinite responsibility follows as a matter of course.

Conclusion

My conceptual mapping of supererogation in Part I of this study demonstrated how impartial ethical theories, such as utilitarianism and Kantianism, fail to adequately address the challenges such a project raises. Attempting to overcome impartialism's unsatisfactory treatment of supererogation by enlisting the idea of Taylor's primitive moral responses managed to push the conceptualisation of supererogation forward but fell short in the final analysis. My strategy in confronting this impasse was to reinscribe what I took to be the three essential components of supererogation – proximity, asymmetry, and autonomy – into different ethical terms. This in turn allowed for a reconceptualisation of supererogation which, *inter alia.*, retains supererogation's ethical significance. This reinscription was facilitated by a switch in the ethical terminology and register from that commonly used in the so-called analytic philosophical tradition, to that used in the so-called continental tradition.

I demonstrated that each purported ethical isomorphism between the two traditions reveals the shortcomings of the analytic tradition with respect to supererogation, in such pairings as ontological proximity/metaphysical proximity, asymmetry of blame/asymmetry of representation, and duty to the other/responsibility for the other. However, some might claim that such purported ethical isomorphism ignores an ethical remainder; that my reinscription flattens the distinctions between the two traditions rather than allowing them to speak on an equal footing. One response is to say that every translation from one language to another, from one tradition to another, is a necessary betrayal.

My reconceptualisation of supererogation in Part II was tacitly 'for' Levinas, insofar as it demonstrated how the shortcomings of impartialism and Taylor's primitive moral

response can be overcome through constructing a Levinasian normativity. In this last chapter, which also serves as the study's conclusion, I hope to present a more explicit case 'for' Levinas and answer the second research question posed in the introduction – Can a Levinasian ethics offer a viable framework within which to conceptualise supererogation? – in the affirmative. Paradoxically, this will once again involve exploring and comparing how impartialist positions and Levinas deal with a particularly vexatious ethical conundrum – moral scepticism. I argue that Levinas is better positioned to meet the challenge of the moral sceptic and this gives us a reason for choosing Levinas over impartialist positions, at least insofar as a Levinasian conceptualisation of supererogation is concerned. Thereafter, I return to the problem of moralism, first discussed in chapter two, § 5.1, in order to show how Levinas is not only better positioned than impartialists to conceptualise supererogation, but that his project could find a welcome reception in the analytic philosophical tradition as I present it⁴⁹. The two sections following thus serve to frame the study's key findings and contributions in another light. I will, however, explicitly state these findings as answers to the research questions posed in the introduction. I will also outline the limitations of the present study and offer some suggestions as to potential future research that might build on its findings.

⁴⁹ Morgan (2007; xiii), in *Discovering Levinas*, also aims to put Levinas "on the map of twentieth-century Anglo-American moral theory". Although he does not "engage in critical analysis of the analytic philosophers" that he introduces, such as, inter alia, Stanley Cavell, Onora O'Neill and Christine Korsgaard, he does seek to provide interpretations of Levinas "in terms that [...] the Anglo-American reader can grasp" (xiii-xv). My study can be seen as a focusing of such a project insofar as it directs its attention to the conceptualisation of supererogation within moral philosophy – a theme that Morgan gives scant attention to. Indeed, in almost 500 pages, the term 'supererogation' is not mentioned, although Morgan does tackle the common objection of the 'demandingness' of Levinasian ethics (see also chapter 4, § 5.2. in this study) over ten pages in a chapter subsection, which he subtitled 'Levinas's single-mindedness' (289-299). Furthermore, Singer's LSA (and its 'entire literature') is mentioned only in a footnote (83, Fn.74), and then only to note its development with respect to the concept of beneficence as attempted by Cullity (2004) (see also chapter 1, § 3.2.1 above in this study).

1. Moral scepticism

In the final chapter of *Practical Ethics*, Singer (2011), poses the question ‘Why act morally?’ He notes that this question is of a different type to such questions as ‘Why should I donate to aid agencies who help the poor?’ The former question is “not a question within ethics, but a question about ethics” (277).

Singer considers those who argue that the question ‘Why act morally?’ should be dismissed in the same manner as the question ‘Why should I be rational?’, insofar as both questions ask something that is normally presupposed (278). However, as Singer correctly observes, in answering the question ‘Why should I be rational?’, I am already giving reasons and so I must necessarily presuppose rationality (*ibid.*). The question ‘Why should I act morally?’ however, does not presuppose morality. Singer thus believes that the moral question ‘Why should I act morally?’ cannot be reduced in the same manner as can the rational question ‘Why should I be rational?’, and must therefore be addressed in moral terms. He continues by claiming that if the ‘should’ is understood as a moral ‘should’, “then the question would ask for moral reasons for being moral”. Singer regards the question so formulated as absurd. He argues that ‘should’ need not mean ‘should, morally’ and “could simply be a way of asking for reasons for action, without any specification about the kind of reasons wanted” (*ibid.*).

In addition to considering moral reasons for action, Singer puts forward self-interest and aesthetics as examples of other possible reasons for action, that is, a self-interested ‘should’ and an aesthetic ‘should’. (He also considers etiquette as a possible reason for action. However, he doesn’t further explore etiquette or aesthetics, as a type of ‘should’, focusing only on self-interested reasons as a

contrast to moral reasons). In deciding which reason (or 'should') to adopt, Singer says "we must ask it from a position of neutrality between all these points of view, not of commitment to any one of them" (*ibid.*). However, such neutrality would mean that our practical choices are 'beyond reason' and arbitrary.

To avoid this undesirable conclusion, whilst keeping a commitment to any particular point of view open, Singer believes that the question can be made less confusing by understanding it about "the ethical point of view, asked from a position outside it" (279). The 'ethical point of view' means understanding that "ethical judgements are universalisable [which ...] requires us to go beyond our own personal point of view to a standpoint like that of the impartial spectator" (279). Precisely because it is *possible* to act only in one's self-interest, Singer concludes that the question 'why act morally?' can only be properly asked by one who subscribes to the view that moral reasons for action must be universally acceptable (279). In other words, only universalisability, or impartialism, can defeat the problem of ethical egoism, and *a fortiori*, answer the moral sceptic's question 'why act morally?'

My analysis in chapter one and two demonstrated that the problems raised by universalisability and impartialism are intractable. Reinscribed in Levinasian terms, impartialism effaces the alterity of the other and restricts the autonomy of the moral agent. However, the ethical egoist and the moral sceptic can be defeated without recourse to universalisability and impartialism. Chapter four showed that ethical egoism can be defeated by the possibility of sacrifice: the empirical fact of people *actually* sacrificing themselves (to save drowning children, for example) demonstrates that moral reasons, other than egotistical reasons, exist.

The *possibility* of sacrifice means that every egotistical reason fails insofar as the possibility of sacrifice means that every egotistical reason must also be, simultaneously, a moral reason, that is, a reason for the other. This is because egotistical reasons can only emanate from an ego that believes its subjectivity is separate, and independent, from the other. To ask, ‘why act morally?’, or in Levinas’s turn of phrase ‘why does the other concern me?’, only makes sense if the ego is constituted before the face-to-face encounter with the other. To recall Levinas’ (1989; 107) claim cited in chapter three, § 4.4.1, “these questions have meaning only if one has already supposed that the ego is concerned with itself, is only a concern for itself. In this hypothesis it indeed remains incomprehensible that the absolute outside-of-me, the other would concern me.” Every action, no matter how selfishly conceived, and every justification for that action, can only arise *after* I have conceded that my self is hostage to the other, which means that my justification can never exclude a consideration of the other – I can never close myself off to the other. If so, then there is always the possibility, however infinitesimal or seemingly inconsequential, that I will need to sacrifice something in order to make my reasons comprehensible. The simultaneous and contemporaneous existence of egotistical reasons and moral reasons (reasons for the other) mirrors the simultaneous and contemporaneous existence of the other and the third, the ethical and the political. The autonomy of the egoist to posit egotistical reasons is thus also the autonomy of undecidability which, as argued before, gives rise to, and arises from, the possibility of sacrifice.

Perpich (2008; 134) expounds on the above claims: “In effect, to ask for reasons, to ask why I should concern myself with the other, is itself already indicative of such a concern.” To ask, ‘why act morally?’ is, therefore, already to acknowledge the

existence of moral reasons that supersede self-interested reasons. The moral sceptic asks for a reason to act morally and so

implicates herself in the very practices of reflection that indicate just the sort of relation she would like to deny. That is, the sceptic uses a faculty or practice granted to her by the social or ethical relationship in order to question whether such a relation could really be attributed to her. Her question thus involves her in a performative contradiction and is in this sense self-defeating or self-refuting (*ibid.*).

To return to the start of this section, Singer claims that the question ‘why should I be rational?’ must presuppose rationality, whereas presupposing morality with respect to the question ‘why should I act morally?’ leads to absurd questions which ask for moral reasons for being moral. Singer claims this absurdity arises *only if* we regard the ‘should’ as a moral should and sets a self-interested ‘should’ against this moral should. On the analysis above, a self-interested ‘should’ is self-defeating, and so the ‘should’ in ‘why should I act morally?’ can *only* operate as a moral should. In order to show that this is not absurd, I take up another of Singer’s (2011; 278) formulations of the question ‘why act morally?’ – “a request for an ethical justification of ethics.”

Formulated in this way, it recalls Derrida’s characterisation of Levinas’ project as an ‘ethics of ethics’. In chapter three, § 2.1, I submitted that Derrida’s formulation may be taken to mean ‘evaluating whether a particular way of discovering the good is itself a good, that is, ethical, way to proceed in the matter’. In other words, there are many ways to proceed in discovering the good, and some are more ethical than others – for example, one can proceed to examine the good in a way that is categorical as is Kant’s way. However, it is also possible to examine the good as

something provisional. This is Levinas's way; or, rather, this is the way of Levinasian normativity as I have outlined it. The question of asking for an ethical justification of ethics is thus not redundant, or absurd. Singer's own view of morality as essentiality universalisable is better expressed in the formulation 'universalisable reasons for morality'. This formulation shows the sleight of hand involved in saying that 'moral reasons for morality' is absurd because morality must be universalisable and only universalisable reasons can constitute morality.

Another interpretation of an 'ethics of ethics' is offered by Bergo (2011; 1), who takes it to mean "the exploration of the conditions of possibility of any interest in good actions or lives." Chapter three and four delineated these conditions as the unconditionality of being hostage to the other. This means that only as a being for the other can the question of ethics arise in the first place. Moral scepticism is thus the very enactment of the ethical. Levinas (1998; 168) says that scepticism is the moment of ethical Saying within morality: "it is as though scepticism were sensitive to the difference between my exposure without reserve to the other, which is saying, and the exposition or statement of the said in its equilibrium and justice."

I will elaborate on Levinas' point by returning to Levinasian normativity as a recursive modality; that is, as the undecidable decision or oscillation between the Saying and the Said, the ethical and the political. Each Said is a norm which offers itself as a moral reason to act. Each and every norm can be contested by the moral sceptic; that is to say, every Said is open to interruption by the Saying because the Saying is sceptical of all norms as instantiations of the Said. However, the sceptic cannot be sceptical with respect to normativity itself. Perpich (2008; 147) argues:

whatever my position with respect to a given norm what cannot be claimed without contradiction from the Levinasian perspective, is that there is no normativity or that I am not bound to see these demands as moral demands which demand my response. In effect, I cannot claim to be deaf to the fact that a demand has been registered. I can try to dismiss it as wrong-headed or pernicious, but I cannot claim that such demands are literally meaningless nonsense or none of my affair.

Levinasian normativity thus not only answers the moral sceptic better than Singer does (and, by extension, better than impartialist ethical theories such as utilitarianism and Kantianism), Levinas incorporates moral scepticism at the very centre of its operation as a recursive modality. Singer's egoist can evade morality by denying universalisability, whereas the Levinasian sceptic cannot, lest he/she deny his/her own ethical subjectivity.

2. Levinasian rationality: revisiting moralism

In this section of the concluding chapter, I return to the so-called analytic/continental division within philosophy noted toward the end of chapter two. I hope to show the strong resonances between Taylor and Crary, whose work can be broadly characterised as analytic, and Levinas, whose work falls within the continental tradition, insofar as they touch upon the problem of moralism (see chapter two § 5.1). In the process, I believe I will be strengthening Richard Rorty's hope that the divisions between the analytic and continental traditions can be overcome through better communication between them. Better communication requires, *inter alia*, a terminology that can be shared. At the least, I hope to demonstrate the possibility of

a shared vocabulary with respect to supererogation, whose examination is almost absent in the continental tradition.

I followed Taylor's and Crary's criticism of impartialism and obligation as a problem of moralism which was characterised as a distortion of moral thought insofar as moral thought restricts itself to moral judgement. Taylor argues that moral thought should also be concerned with knowing *how* to respond to a particular situation, as opposed to just knowing *that* something is the case. This ties to Taylor's positing of primitive moral responses, so that *knowing that* someone is suffering is second to *knowing how* to respond to such suffering as humiliation, or despair, for example. I argued that this distinction unravels because knowing how ultimately devolves into moral deliberation (because it runs up against the limits of re-presentation).

However, deliberation is still necessary, *but* such deliberation must be aware of its own provisionality. The only possible decision is the undecidable decision.

Crary expands on Taylor's critique of what is problematic about moral judgement. Crary argues that a narrow focus on moral judgement tends to preserve certain biases or moral ignorance, and so veers towards a moral presumptuousness and risks a stunting of moral development. This is because such a narrowly-focused moral agent is unable to tap into "kinds of refinements of sensibility that explorations of different modes of responses to the world promise to foster" (2007; 196). In other words, such a moral agent takes his/her responses to any re-presentations of a demand by the other as set, or at least falling within certain predetermined limits.

The agent is presumptuous insofar as he/she presumes that any possible re-presentation of the other's demand, and his/her concomitant response, is unlikely to depart too far from previous re-presentations and responses; and, thus, all that is

required of him/her is a judgement of how close the present re-presentation and response tracks those previous re-presentations and responses. Returning to the discussion of the bag-lady in chapter four §4.1, the agent declines to explore her responses to a bag-lady's suffering (because she declines to revise her re-presentation of the bag-lady's suffering), and thus is unable to refine her response-ability to suffering as such to include suffering as humiliation and suffering as despair, for example. The moral agent's development is stunted because focusing on judgement precludes her from expanding her understanding of the infinite forms human suffering can take. Another way of describing the actions of such a moral agent would be to say that such an agent stalls on a Said and, in refusing to Unsay such a Said, prevents the Saying from refreshing that Said.

Crary's (2007; 204) solution is to argue against a moral rationality, or moral deliberation, understood as "an abstraction from everything affective [as] necessary to attaining it." By 'everything affective' Crary means to include moods, feelings, and attitudes, which are not always amenable to deliberation and articulation. Otherwise said, moral thought must go beyond moral judgement to include moral sensibility, if we hope to *know how* to respond to the demands of the other, or rather if we hope to know how to revise our response to the demands of the other. Crary's moral rationality, an affective and not just deliberative rationality, is thus congruent with Levinas' insofar as such an affective rationality operates in service of a response-ability to the other instead of a judgement, which is a knowing of the other. Clegg *et al.* (2007:402) distil the Levinasian position expounded in chapter three and tie it to affectivity: "ethics starts with a responsibility to the other person as a person rather than being based on knowing the other in terms of one's own categories and

systems of thought. It is an ethics that is a matter of affect and sensibility rather than one of knowledge”

However, such a sensibility should not be mistaken for some kind of ‘ethical non-cognitivism’ as this risks “that one abandons rational justification in favour of divine authority, the mechanisms of nature, intuition, or a moral sense” (Perpich 2008; 53). To recall from chapter three (§ 3.2), the ability to sense (or perceive) the face of the other, my sense-ability, rests on how the other represents him/herself (as unrepresentable), in what I termed epiphanic re-presentation. In turn, I operationalised epiphanic representation as provisional representation and thus sense-ability is just response-ability; that is, each sensing of the face of the other is a responsibility for the other. Levinasian sensibility (and affectation) produces a (provisional) moral response (to the other) and thus results in moral action.

Formulating this in analytic terminology, one could say that Levinasian sensibility acts as a reason for action; that is, the alterity of the other, which is (un)representable in the face of the other, serves as the reason to provisionally act for, or respond to, the other. While I previously substituted the phrase ‘reasons for action’ with ‘grounds for action’ (chapter two, § 4.1) – because reasons imply a deliberating moral agent – the analysis of moral rationality in this sub-section suggests another way to understand reasons, or grounds for action, as captured in the following extract by Perpich (2008; 90):

Formerly my reasons played a role in determining whether or not I was responsible, where that meant justifiably open to censure or reward. The reasons I give for my actions, on the standard [analytic] account, serve not only as an explanation of my actions, but as an exoneration or condemnation

[...] If I am already responsible, by contrast, exoneration or condemnation is no longer quite the issue. On Levinas's view, my reasons still serve as an explanation, but it is my prior [that is, infinite] responsibility which makes an explanation necessary. Reasons then serve as an apology. They are an admission and acknowledgement of my connection to others, and of an orientation that does not permit me to disregard the other as if he were no more or no different than a stone [...] It is to be orientated toward others in a way that leaves one unable to turn one's back.

My admission and acknowledgement that I cannot turn my back on the other is the admission that I am infinitely responsible to, and for, the other. Reasons, as apology, thus describe an attitude, which I have characterised above as one of *embracing* our infinite responsibility to the other. Elsewhere, Perpich (*ibid.*; 6) elaborates on what an apology for infinite responsibility entails: "it means giving a defense of oneself, justifying oneself before the other [...] to justify one's life and one's construal of the world before another."

I have argued that Levinasian normativity grounds supererogation, as a supererogatory attitude which embraces infinite responsibility, in *the possibility* of sacrifice contained in every moral act as a response to the alterity of the other. This means that every response of mine to the representation of the other's demand must be justified to the other and, if it cannot be, then it must be revised. Every moral act needs to be justified as a possible sacrifice, and if it cannot be, then it must be revised. I also argued that provisionality drives Levinasian normativity, which results from the undecidability of the ethico-political decision.

The Levinasian reinscription of supererogation completed in Part II under a paradigm of undecidability followed the (analytic) conceptual mapping of supererogation in Part I under a paradigm of uncertainty (see chapter two, § 6). Perpich's (2008; 81) remark that "[e]thics is lived not in the mode of either certainty or uncertainty, but as the always vulnerable desire and demand for ethical justification" captures the contrast in these attitudes. It is the Levinasian supererogatory attitude as developed in the second part of this study which best expresses this desire and demand for ethical justification. Levinasian normativity is better able to conceptualise supererogation, as both the quotidian and the saintly, than are impartial ethical theories, such as utilitarianism and Kantianism, because it embraces scepticism and undecidability rather than trying to evade them.

3. Key insights, contributions, and limitations of the study; themes for future research

This study proposed to address the research questions 'Can supererogation be conceptualised without the concepts of obligation or duty?', and, if so, 'Can a Levinasian ethics offer a viable framework within which to conceptualise supererogation?' Both questions were answered in the affirmative; the former correlated to the insight that autonomy is neither sufficient nor necessary for supererogation, and the latter correlated to an operationalisation of Levinasian ethics, described as a Levinasian normativity. My contribution to the supererogation literature is a reconceptualisation of supererogation, *sans* obligation or duty, as the possibility of sacrifice which operates as a recursive and provisional modality. Such reconceptualisation sees a supererogatory act as being always accompanied by an attitude that embraces undecidability, and is in turn manifested in the possibility of sacrifice that such undecidability produces.

Although this study has sought to demonstrate the productive insights that conceptualising supererogation within a Levinasian framework holds, I recognise that the works of other continental thinkers may hold additional insights for this topic and may reveal further links to the analytic treatment of supererogation. Perhaps other continental philosophers are more suited to bridging the continental/analytic divide than is Levinas. In other words, although I take Levinas as one exemplar of the continental philosophical tradition, he might not be the most characteristic of such tradition (if this can indeed be identified). This presents an opportunity for future research to identify other (perhaps better) candidates for the task of reconceptualising supererogation from within the continental tradition. One such candidate is the German phenomenologist Bernard Waldenfels and his 'responsive phenomenology of the alien' (see footnote 43 and Waldenfels 2011). The affinity between Waldenfels work on responsivity (*Antwortlichkeit*) and the provisionality of a Levinasian normativity is easily gleaned by Menga's (2011; 15) comment on Waldenfels' articulation of response and the implications thereof: "No response to the other, because it is "structurally contingent [...] can ever pretend to be the final or the best answer, but at most, a possibly renewable response, a response that can be changed and transformed according to the occasional and historical events of request".

In the study's introduction, I noted that supererogation was almost absent as a topic in the continental philosophical tradition (see footnote 5). My study has demonstrated that supererogation can be compellingly theorised using the resources and terminology present within continental ethics, and thus offers a viable starting point to remedy this neglect. The study's findings also show that the shift to responsibility within continental philosophy, away from duty and obligation as anchoring ethical

concerns, is less of an impediment to conceptualising supererogation than previously supposed. I believe that other novel and radical conceptualisations of supererogation can be proposed and developed within the more narrowly construed schools of thought and disciplines of continental philosophy, such as post- structuralism⁵⁰.

I noted in the introduction how the ‘application’ of Levinasian ethics to environmental ethics, as one example, is a fraught enterprise. Extrapolating from the present study, and in combination with the later work of Derrida⁵¹ (2008a, b, c and with Nancy 1991) which interrogates the boundary between animal and human subjectivity, future research might shed light on how supererogation, as an infinite responsibility, may be brought to bear on animal and/or environmental ethics. This is just one possible avenue to explore. A Levinasian reconceptualised supererogation might also offer answers to Martin Parker’s (2003; 198) question in ‘Ethics, Politics and Organizing’ of why business ethicists do not call their discipline ‘business politics’ instead of ‘business ethics’. If ethics necessarily passes into politics (Wolff 2011; 21 – see chapter three, § 5.2), then business ethics necessarily passes into business politics. The general point is that supererogation-reconceptualised-as-a-Levinasian-normativity offers itself as a means to address the proliferation and fragmentation of applied ethics problems which the information age brings in its unfurling, and which will inevitably include a consideration of supererogation in its theorising.

4. For Levinas, a reconceptualised supererogation

⁵⁰ Woermann (2016; 3) remarks that “post-structuralism is a response to the structuralist attempt to develop systemic knowledge of language”. While post-structuralism is subtly different from postmodernism – “a response to the ideals of modernism, in which universal abstract principles were sought and contingency avoided” – they share an overarching aim to “debunk as myth the idea of final structure (or a meta-discourse to explain all language forms)” (*ibid.*).

⁵¹ Derrida is commonly described as a post-structuralist, and more particularly, after the work he is best known for, a deconstructionist. He has however, as is to be expected, disavowed these labels, and all other labels that purport to categorically define his work.

In this concluding chapter, I have outlined an explicit defence for why a Levinasian normativity is better placed to conceptualise supererogation. Levinas understands moral scepticism as central to the interruptive oscillation between the Said and the Saying. The egoist challenge contained in the question ‘why act morally?’ or ‘why does the other concern me?’ is a performative contradiction in that the very posing of such questions must presuppose an ethical subjectivity based on the unconditionality of being hostage to the other. Levinasian normativity as provisional means that the moral agent can contest any particular norm, but not the demand for normativity itself.

At the end of the first chapter I cited, with approval, Wolf’s (1982; 438) remark that “any plausible moral theory must make use of some conception of supererogation”. I have shown repeatedly that impartialist ethical theories such as utilitarianism and Kantianism fail on this account – they cannot offer a coherent conception of supererogation and attempt to assimilate it without a moral remainder. If this is the case, then it is logical, following Wolf, to assert that these theories cannot offer a plausible account of morality. Their implausibility stems from their impartialist doctrines which require that all moral responses be universalisable and absolute. Their implausibility goes further – their understanding of morality as issuing in a series of judgements makes them vulnerable to both the egoist and the moral sceptic.

While Levinas does not offer us a moral theory, Levinasian normativity not only restores to supererogation a rightful ethical significance, it makes supererogation the very centre of a plausible account of moral responsibility. The provisional imperative at the heart of Levinasian normativity is not just capable of addressing the undecidable decisions necessitated by the interplay between ethics and politics, the

other and the third, but also allows for a radicalisation of moral demandingness in the form of an infinite responsibility to, and for, the other. Coupled with an attitude of openness to this infinite responsibility, every moral act becomes a supererogatory act, and every moral actor becomes a saint, albeit a provisional saint. This conclusion retains the significance of supererogation while also drawing it closer to our moral paradigms. While such a conclusion is no doubt radical, it also strikes me as paradoxically intuitive, because such radicality is premised on the *possibility* of sacrifice. The smallest act of kindness towards the other may demand the greatest sacrifice from me, but I can never know this; that is, I can never calculate this. Actual sacrifice only makes this implicit state of being in the world with others explicit. Supererogation is the saintly potentiality at the core of every moral act. Levinasian normativity makes this finding at once extraordinary and also inevitable.

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