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WHO NEEDS IMPERFECT DUTIES?

Daniel Statman

Since Kant's account of imperfect duties, the distinction between perfect and imperfect duties has been accepted almost everywhere.¹ According to common understanding, perfect duties, such as the duty to keep promises and the duty not to murder, are strict injunctions turning every particular act that falls under these duties into a binding duty. By contrast, imperfect duties, such as the duty of charity, bind us in a much looser way, leaving ample room for personal discretion. It has been recently suggested that the idea of imperfect duties can help us in two issues. First, the issue of supererogation. It has been argued both by Marcia Baron (1987) and Susan Hale (1991) that our ethical theory can and should do without the concept of supererogatory acts, and that most of the work that this concept was supposed to accomplish can be done—and done better—using the concept of imperfect duties. Second, it has been suggested by George Rainbolt (1990) that the notion of imperfect duties can help resolve one of the most puzzling paradoxes of moral reasoning, the paradox of mercy. Once we understand that the duty to behave mercifully is an imperfect one, in Rainbolt's view, the paradox dissolves.

I am doubtful, however, whether the concept of imperfect duties can live up to the claims made for it. The main reason for this doubt is that no satisfactory definition of imperfect duties has been put forward. The first part of my paper will elaborate on this point. I shall examine three of the main definitions and try to show that these definitions are in tension with the features of moral conflicts that involve imperfect du-

ties. I shall then proceed to present a different account of the moral status of those acts that are usually regarded as instances of imperfect duties. I shall end by speculating on a possible moral advantage that might grow out of abandoning the imperfect duties terminology, at least a common interpretation of it.

I. IMPERFECT DUTIES AS PREDICATES OF ACTIONS

As indicated above, in most characterizations of imperfect duties it is suggested that while perfect duties leave the agent no latitude to fulfill his or her duty, imperfect ones allow such a latitude. In imperfect obligations, "though the act is obligatory, the particular occasions of performing it are left to our choice, as in the case of charity or beneficence, which we are indeed bound to practice, but not toward any definite person, nor at any prescribed time."² This approach leads to the following definition of imperfect duties, suggested by David Heyd (1982, p. 121):

(D1a) There exists an imperfect duty to perform an act-type *A* iff there is a duty to do either (act-token) *A*₁ or *A*₂ . . . , or *A*_n.

This definition expresses clearly the latitude condition; we fulfill our duty of charity by giving either to Jack or to Jill, and giving to only one of them would (presumably) be enough. By contrast, in perfect duties no such latitude exists, and therefore a perfect duty, to fulfill my promises, for example, implies a perfect duty to fulfill each and every of my promises.

Before continuing, I would like to dismiss a certain objection to (*D1a*), thereby making clearer the difference between imperfect and perfect duties. The objection is that (*D1a*) applies to perfect duties too, and therefore cannot serve to distinguish between these two kinds of duties. After all, it is surely false to assume that I have a duty to perform all of the act-tokens that fall under the description “returning my \$5 loan to David”; namely, to return to him a \$5 bill, and 5 bills of 1, and 20 quarters, and a \$5 check, etc. My obligation, rather, is to choose one of these acts, which means that in perfect duties too I have a wide latitude as to which act to perform, and hence that here, too, we are speaking of a disjunctive duty. There is, however, an important difference between perfect and imperfect duties in the above respects. In perfect duties, such as the fulfillment of promises, we need an intermediate third level to present the relation between the level of the general moral duty and the act-tokens level. The endless number of act-tokens which fall under the description of “fulfilling a promise” are neatly and most naturally grouped under another division, namely, “fulfilling promise₁”, “fulfilling promise₁”, “. . . fulfilling promise_n.” This division is justified on the basis of the particular promise-making events which make possible the individuation of promises. Thus, with respect to perfect duties, a duty to fulfill my promises indeed entails an obligation to fulfill each and all of the particular promises I make, which means fulfilling one (and only one)³ act-token of each promise. By contrast, in imperfect duties, no natural division of acts of charity (for instance) exists, and they all fall “directly” under the general duty of charity.⁴ So while in promises the latitude is marginal, involving only selecting the act-token by which to fulfill some obligatory specific promise, in charity, the latitude — according to (*D1a*) — is almost unlimited.⁵

D1a conveys a widespread understanding of the concept under discussion, yet it seems to lead to absurd results. According to it, I could fulfill my imperfect duty to do

(an act-type) *A* (for example, charity) by doing one of its act-tokens (giving charity to John on December 1st, 1993, at 17.00 hrs.), thereby releasing myself forever from this duty. Since an imperfect duty is equivalent to a perfect disjunctive one, and since a disjunctive duty can be fulfilled by carrying out either of its disjuncts, carrying out one instance should be sufficient. Thus, on *D1a*, we could all finish with our imperfect duties on one bright afternoon by doing one merciful act, one beneficent act, one act of charity, and so forth. In fact, it seems plausible to assume that most, if not all, human beings do carry out at least one of these actions before they are twenty years old, which means that they are under no duty to do any more of these acts thereafter.

To overcome this difficulty, one might suggest that, contrary to the disjuncts of perfect duties, not all disjuncts of imperfect duties are of equal value and, therefore, even on (*D1a*) it is not the case that I am allowed to choose any act of charity (for instance) on one sunny Sunday to dispose of my duty of charity. But this response undermines the very idea of a disjunctive duty implied by (*D1a*), and fails to establish a distinction between perfect and imperfect duties. Suppose I have an opportunity to carry out a specific act of charity on this sunny Sunday, one of endless acts of charity I'll be able to carry out through my lifetime. I do not know whether this act is the least important of these endless (potential) acts of charity, the most important, or somewhere in between. So either I ought to carry it out — and also carry out all other acts of charity — just in case it is the most important, in which case the distinction between perfect and imperfect duties is totally blurred; or I don't have to carry it out, because a more important opportunity for charity may present itself in the future, in which case I will never be under a duty to give charity, since I shall always be waiting for better opportunities.

The reader might feel I am just ridiculing a perfectly sensible view. Surely nobody intends to claim that one act of charity will

release us from our (imperfect) duty of charity. We must do more than that. The following modification, therefore, suggests itself:

- (*D1b*) There exists an imperfect duty to perform an act-type *A* iff there is a perfect duty to do a considerable amount of its act-tokens A_1, A_2, \dots or A_n .

Something like this definition seems to be in the minds of philosophers such as Trianosky (1986, p. 28), who indicate that with respect to imperfect duties one can do what is necessary, that is, a certain minimum (which is surely more than one action), or one can do more than necessary. Heyd, who at times endorses (*D1a*), also says explicitly that an imperfect duty “requires of someone to do a certain number of actions of certain class, but does not specify which” (1982, p. 151).

Though this revised definition is an improvement over (*D1a*), it seems to face similar difficulties. To be sure, on (*D1b*) we could not get our imperfect duties out of the way in one afternoon’s work. Yet there is no reason to believe we couldn’t do so in a few months of hard work. Suppose that “a considerable amount” of charity acts is 100 acts. Most people finish this quota in 50 years, but I am an industrious young fellow who is willing to work hard in order to finish with all my obligations (to school, to my parents, to humanity), in order to become a truly free and autonomous person. So I work day and night in charity projects and the like, and finish my quota within one year. According to *D1b*, I would thereby be freed from my imperfect duties for the rest of my life. Yet this conclusion seems quite unreasonable (though not as unreasonable as the previous one). We feel that charity is the sort of duty we are never really freed from, the sort of duty we never really ever complete.

Also, it is unclear what one means by a “considerable amount” of imperfect duties. Does it mean a certain number of actions, or an amount of charity (or mercy, etc.)? Does our duty require us to give 1000 dollars to charity throughout our life time

(while it is for us to decide when to give and to whom), or rather to give every day (week/month) to at least one person, with no significance to the accumulated sum? Does a very gracious act of beneficence release us from this particular duty (of beneficence) for several weeks? Would consistent and generous help to only one person (the poor but very beautiful blonde living across the street) release me from my duty of charity, or must I help more than one person? (It would be irrelevant that my intentions in the case of the blonde might be “impure”, whatever that is supposed to mean. We should distinguish between the obligatoriness of a certain act and the evaluation of one’s motives or intentions when carrying it out.) Maybe I would fulfill my duty only if I helped people who are strangers to me (or, so to say, who are considerably strange to me)? Or maybe the “considerable” condition refers to the objects of my actions, that is, my duty is to help people who are in considerable need?

Apparently, Susan Hale would object to both *D1a* and *D1b*. She argues against Heyd:

We may say that just as the concept of perfect duty applies to both act-types and act-tokens, the concept of imperfect duty applies to both; e.g., just as a perfect duty to refrain from murder implies a perfect duty to refrain from a particular murder, so an imperfect duty of beneficence implies that a multitude of act-tokens are imperfect duties. Thus, I would say that, e.g., the act-token of contributing to a charity that effectively relieves the burden of homeless persons, is an imperfect duty (1991, p. 279).

Thus, presumably, one might have an imperfect duty to help a particular person, in particular circumstances, by a particular act. Yet I am at a loss to see what, in Hale’s view, could make this duty an imperfect one, that is, what would be the difference between this duty and perfect duties (e.g. returning a specific loan to a particular creditor). If I don’t really have to carry it out, why call the act-token a duty? If I do, what makes it imperfect?

In addition to the difficulties I pointed out with regard to each of *D1a* and *D1b*, there are a number of problems that apply to both of them (*D1*). First, it is rather odd to say that the deontic status of an act as obligatory or nonobligatory depends on whether or not the agent has finished his or her “quota” of the act-type duty under discussion, namely, that it depends on the agent’s future acts. Thus whether or not an act A_1 would be obligatory depends on whether or not the agent will have other opportunities to carry out acts under *D1a* (or considerable acts, under (*D1b*)). Consequently, the deontic status of many of our acts could be determined only in retrospect.

This last point brings to mind some of the ideas developed by Williams and Nagel with regard to moral luck (see the relevant chapters in Statman 1993). According to these philosophers, an agent’s justification for doing a certain act is often determined only retrospectively after the results of the act are known. For instance, in Williams’s celebrated example, Gauguin’s justification for deserting his family depended on his artistic success in Tahiti. Yet while in these troubling cases the moral status of our acts depends on the results of these acts, in the case of imperfect duties (according to *D1a*) it depends on future facts about the agent. Even complete information about a certain act and its long range results will not suffice to determine its moral status. Nor would we gain by knowledge about the agent’s personality or motives (for those who believe that such knowledge is essential for determining the value of acts). The moral status of acts is always relative to particular agents at particular times, and is contingent on their status with regard to the “quota” of moral acts they fulfil.

The second difficulty in (*D1*) refers to a group of phenomena including regret, excuses and apologies. We often regret and feel we should apologize for not carrying out acts that are usually considered instances of imperfect duties, e.g., for not helping somebody. Such feelings would be necessarily irrational, since, *ex definitio*, no

duty has been violated. It is hardly ever the case that a particular act can be said to be our actual obligation falling under some imperfect duty. This implication is troubling because many of us believe that these feelings are not only perfectly reasonable, but that at times it would be inappropriate not to feel them.

II. IMPERFECT DUTIES AND CONFLICT

The third difficulty with (*D1*) is connected to moral conflicts. Moral conflicts are situations in which agents have (or at least seem to have) a duty to carry out two different actions, while in the circumstances they can carry out only one. They are under pressure, so to say, from two masters, each demanding obedience. On (*D1*), such a situation can never involve imperfect duties, for the simple reason that there is no specific act that can be said to be obligatory under the description of an imperfect duty. More particularly, there can be no conflict between a perfect duty and an imperfect one. A duty to keep promises implies a duty to keep all promises, with no discretion given to the agent of which to keep and which to neglect, whereas a duty to help other human beings in trouble does not have a similar implication and, according to (*D1*), can be fulfilled in many ways. Hence, in any conflict between promise-keeping and beneficence, the former necessarily overrides the latter. To borrow a term from Ronald Dworkin, perfect duties should “trump” imperfect ones.

Maybe the language of overridingness and “trump” still does not capture the exact point. My point is not that perfect duties are stronger, more important, or more urgent (and hence override imperfect ones), but that, logically speaking, perfect duties and imperfect ones can simply never come into conflict. To return to the image used before, in such situations the agent is not torn between the demands of two masters, because while one master requires unequivocally “Do A_1 !”, the other demands “Do either A_1 , or A_2 , or A_3 . . . , or A_n !” Thus, the agent can quite easily obey both masters and no dilemma arises.

If I am right in these reflections about imperfect duties and conflict, we should reject Rainbolt's solution to the paradox of mercy (1990). The paradox derives from the fact that while mercy is considered a virtue, it typically calls for treating people not as they deserve; or, to put it in another way, it leads to behavior that is the antithesis of justice. But injustice is surely a vice, not a virtue. Rainbolt suggests the following solution: Mercy is a virtue, albeit an imperfect one, meaning a virtue "which generates imperfect duties" (171). Since mercy is an imperfect duty, it is not violated if at times it is not acted upon, for instance, on the basis of justice. At other times it will be acted upon, when mercy is preferred to justice. In any case, there is no necessary conflict between mercy and justice, a conflict that should make us doubt whether mercy is a virtue at all: "That two virtues conflict does not imply that either is any less a virtue" (Rainbolt, 172).

Yet since justice is no doubt a perfect duty (judges have no latitude in deciding to whom they should give a just penalty and to whom an unjust one), mercy, as an imperfect one, should always give way. Rainbolt explicitly says that "one is not blamed for failing to act mercifully in any particular act" (171), but if this is so, how could there be any question as to "whether mercy or justice has priority when they conflict" (172)? Surely justice should prevail, or, more accurately, mercy is simply not on the same level as justice and thus constitutes no threat.

Back to our main argument. While (D1) does not allow for conflicts between perfect and imperfect duties, most of us do seem to acknowledge this possibility. For most of us it is not at all obvious that keeping promises necessarily overrides all instances of the (imperfect) duty of mercy or generosity and so forth. In fact, we approach such conflicts in exactly the same way as we approach "regular" conflicts, namely, by trying to compare the relative weights of the duties under discussion. If the beneficent act (for instance) seems more valuable than keep-

ing the promise, it will override the latter, and if keeping the promise is more important, beneficence will give way. Thus, first, we regard such situations as genuine dilemmas⁶ (at least no less genuine than any other dilemma),⁷ and second, we resolve them on the basis of considerations referring to the content of the conflicting duties, while, according to (D1), they should have been resolved merely on the basis of the different logical structure of perfect and imperfect duties.

This difficulty in (D1) regarding imperfect duties and conflict is closely related to another difficulty, which is really just an aspect of it. (D1) encourages the view that reasons for action generated by perfect duties are necessarily stronger than those generated by imperfect duties. But this is not true; one could easily think of instances of beneficence which are (morally) more important than many instances of promise-keeping. (D1) thus entails morally undesirable conclusions.

It is interesting to note that though Susan Hale acknowledges this last point with respect to conflicts between two imperfect duties, she fails to apply it to conflicts between imperfect and perfect duties. Hale argues that

in some cases it is clear that the claims of one imperfect duty are trivial compared to those of another; e.g., developing a talent insignificant both in that the agent has meager talent and also in that the talent is not terribly significant societally, such as a little bit of talent for inventing Dungeons and Dragons worlds, developed in the wake of a fire destroying 500 homes (1991, p. 276).

Yet exactly the same reasoning would apply to a conflict between

a perfect duty and an imperfect one, e.g., keeping a trivial promise to my son in the wake of such a fire, or refraining from using a water-pipe to put out the fire only because its owner is not around to give permission. Nevertheless, with respect to perfect duties, Hale argues categorically that "an agent ought to perform the perfect duty rather than the imperfect one" (*ibid*).

The following objection to my argument suggests itself: In cases where a perfect duty seems to be defeated by an imperfect one, the alleged imperfect duty is really a perfect one. Thus, for example, taking the required steps to put out a fire which threatens to destroy 500 homes is a perfect duty (contra Hale), regarding which we have no discretion. Hence, such a case constitutes no counter-example to the contention that perfect duties necessarily take precedence over imperfect ones.

The view presupposed by this objection is that the depiction of an act as (an instance of) an imperfect duty depends on its inferiority, so to say, in comparison to perfect duties conflicting with it. This, however, entails the following problem. Suppose I find myself in (what seems to be) a conflict between two courses of action, *a* and *b*, assuming that *a* is a clear instance of a perfect duty. To decide whether or not *a* prevails, we would have to know whether *b* is an imperfect duty, in which case *a* trivially wins, or a perfect one, in which case *b* might win. But, on the view under discussion, we can decide that *b* is a perfect duty only if we already know that it can compete on an equal level with *a*. In other words, the characterization of a certain duty as (an instance of) a perfect or an imperfect duty is done ad hoc, on the basis of the weight of the conflicting duty, instead of on the basis of independent considerations concerning the nature of the duties at stake.

To conclude. According to both (*D1a*) and (*D1b*), there can literally be no conflicts between (instances of) perfect duties and (instances of) imperfect ones, while such conflicts do seem to occur and often require much thought and deliberation to solve. This difficulty, in addition to those presented in Section I, justifies the rejection of (*D1*) and a search in different directions.⁸

III. IMPERFECT DUTIES AND ENDS

(*D1*) interpreted imperfect duties as a special case of perfect ones, that is, as disjunctive perfect duties. A different and rather common way of characterizing im-

perfect duties is by using the notion of an end, namely: while perfect duties command (or prohibit) particular actions, imperfect ones command the adoption of certain ends. This, according to Mary Gregor, was what Kant had in mind when introducing this distinction, i.e. the distinction between "a law commanding (or prohibiting) an action and a law prescribing the pursuit of an end" (Gregor 1963, p. 98). This brings us to the following definition:

(*D2*) An imperfect duty is a duty to adopt a certain end.

This definition expresses very well the element of latitude that is assumed to be essential to imperfect duties. Since our duty is defined as the advancement of a certain end and not as the carrying out of any specific acts, it is up to us to decide how to promote the end, i.e. what acts to carry out in order to realize it. (*D2*) also seems to escape the "quota" difficulty we leveled against (*D1*); since (*D2*) is not a disjunctive duty, it is not the case that by doing one act, or a considerable number of acts, we can liberate ourselves once and forever from the duty.

On reflection, however, (*D2*) is not really such an improvement over (*D1*). The adoption of an end, as emphasized by Gregor, "is not merely an idle wish. It must manifest itself in action" (ibid, p. 103). Thus, if I ought to adopt the end of promoting the happiness of others, I ought to carry out actions that contribute to this end, namely, acts of charity, and so forth. What, then, is the relation between these acts and the desired end? The language of ends fosters the thought that acts of mercy are means to the above end. But this is surely misleading. Acts of charity are not a means to achieving the separate and independent goal of the happiness of others; they *are* helping others. To use Aristotelian terms, the end we are talking about lies within the activity itself, and not outside it. The moral activity (charity, etc.) is an end in itself, and the individual moral acts are best described as constitutive parts of it, rather than as means.

If these reflections are sound, the conclusion that follows is that saying that one ought to adopt the end of promoting the happiness of others boils down to saying that one ought to do acts of charity, beneficence, etc. But if this is how we should understand (D2), the natural question is: Which acts of beneficence ought we to carry out? All (possible) acts?

Surely not. Only some? Most probably. Thus interpreted, however, (D2) is no different from (D1b) and is equally vulnerable to the difficulties it was supposed to overcome.

It might be answered that the end is not defined as “the promotion of others’ happiness”, but as “a happier world”, and thus understood, my particular acts of charity can rightly be conceived as means to this end, not as constitutive parts of it. But, again, we must ask ourselves what conditions must be fulfilled for it to be said that I have done my duty. How large a contribution, so to say, ought I to make to this end? Should my contribution include all possible acts of charity, etc.? Only some of them? In either case, we seem to be driven back to something like (D1a) or (D1b).

IV. IMPERFECT DUTIES AND MORAL DISPOSITIONS

Maybe, however, we misunderstood the intention of (D2). Maybe the end referred to is not some desirable outcome of our actions, but a certain state of character. Imperfect duties thus do not refer to carrying out certain acts, but to the development of moral dispositions. The following definition emerges:

- (D3) Imperfect duties are duties to develop moral dispositions.

The duty of beneficence, for example, is now to be understood as a duty to develop a benevolent character, and not as a (disjunctive) duty to do beneficent acts. To be sure, a benevolent person will necessarily, or at least typically, react beneficently to situations that invite such a reaction. This, however, according to (D3), would not be

part of the definition of imperfect duties, but rather a by-product of their realization.

To clarify the difference between (D1) and (D3), we should think of an imaginary case, where I have continually neglected helping others in the past, and I now have my last chance of doing so. What would be the deontic status of this particular act of beneficence? According to both (D1a) and (D1b), it would become a perfect duty, and, according to (D1a), if I realize it, I would thereby fulfill my duty of beneficence.⁹ By contrast, according to (D3), as a disregard for others’ needs (presumably) expresses a morally corrupt character, it would be unlikely that this character could be elevated in any significant manner by a single act of beneficence. In Marcia Baron’s terms (1987, p. 243, note 16):

If I have never helped anyone before, it is hard to claim that I have adopted a maxim of beneficence. (It is not as if one could easily just fail to come across, or hear of, someone in need. One would have to go to considerable trouble to avoid occasions for acting beneficently.) I would have to have undergone a moral rebirth for my act of helping others, in the example, to fulfill an imperfect duty.

Thus, according to Baron, a particular act might fulfill an imperfect duty only if it stems from a firm disposition to carry out such acts, and only qua a manifestation of this disposition. Understood in this manner, however, it would seem that imperfect duties say nothing about the deontic status of the acts that “fall under” them. The (imperfect) duty of beneficence is now understood as a duty to develop a beneficent disposition, and not as a duty to carry out any particular act(s) of beneficence. What, then, would be the status of these acts? Well, since the disposition that leads to them is encouraged, such acts are probably of positive value. But this still leaves us with a range of possibilities: Are they obligatory? disjunctly obligatory? supererogatory? (D3) seems to be compatible with each of these possibilities. In particular, note that (D3) is compatible with the possibility that

the beneficent acts one might be motivated to do by one's benevolent character might be defined as perfect duties.

I am making here an assumption that seems to be accepted by everybody, except for proponents of "pure" virtue ethics,¹⁰ namely, that the evaluation of acts is independent of the evaluation of character traits and of motives. To figure out whether a certain act is right or wrong, we need information about the act, its results and so forth, and not (at least not only) about the agent's moral character. At times, noble people do wrong and damaging acts, and bad people behave in ways that are morally obligatory. Hence, the fact that a certain act flows from a desirable character is not sufficient to determine that it is morally desirable, and definitely not enough to determine its exact deontic status. If, then, the focus of (D3) is on character traits, it is of a very limited help with regard to the evaluation of acts.

Why should all this count as criticism against (D3)? Because imperfect duties are regarded as creating reasons for action, the sort of reasons that are relevant in answering the question, "What ought I to do?", while, according to (D3), they create no such reasons. Once again, this has implications for the possibility of conflicts involving imperfect duties. Conflicts between perfect duties and imperfect ones are inconceivable, because they apply to different levels; perfect duties create reasons for action, while imperfect duties create reasons for the development of character traits. It can, therefore, never be the case that I have conflicting reasons for action if one of the reasons expresses an imperfect duty. As argued in section III, this result is quite counter-intuitive. What about conflicts between imperfect duties? On (D3) this would probably mean conflicts between virtues, namely, a case where the holding of one virtue excludes the holding, or the developing, of another. This is an interesting and a rather neglected topic, but discussing it here would be a digression. I hope to deal with it in some other place.¹¹

If the notion of imperfect duties provides no reasons for action, but rather refers to the development of moral dispositions, it is both redundant and misleading. It is redundant because the notion of moral dispositions can do the work well enough. And it is misleading because we are really left with only one sort of duties, perfect ones, which apply, in a similar way, to acts and to character traits; we have a perfect duty to carry out certain acts and we have (presumably) a perfect duty to develop certain moral dispositions.

V. A DIFFERENT APPROACH

In light of the various difficulties mentioned in the previous sections, one naturally asks what, in the first place, would be the motivation for adopting the imperfect duties terminology. Why not assume that all beneficent acts are obligatory in the same way that acts of promise keeping are? The standard answer to this question is that if this were the case, morality would be "unrealistically demanding," and even if we worked day and night we would not be able to fulfil our duties to humankind. Hence, continues this answer, it is false (for instance) that we ought to help all people in need; it is rather up to us to decide whom we should help, when, and how.

Yet it would seem to me that the "unrealistic" objection can be dealt with without assuming that the duties under discussion have a different structure from perfect ones. To see this point we should notice that the above objection could apply, in principle, to perfect duties too. Suppose I borrowed different sums of money from many friends, promising all of them that I would return the debts within two years. This promise was sincere and given *bona fide*, since I had all the reasons in the world to believe that I would be able to repay the debts as I promised. Suppose further that as a result of circumstances over which I had no control, I lost most of my assets and, consequently, can pay back only a small portion of my debts. Morality, it would seem to me, demands that I repay all my debts (this is

no doubt a case of a perfect duty). The expectation, however, that I do so, does seem “unrealistically demanding.” The common way to deal with such cases is by using some version of Ross’s distinction between *prima facie* and actual obligations. Thus, with respect to the above example, my conflicting obligations are merely *prima facie*, and only some of them become my actual obligation. Morality is thus realistic because it does not require me to do more than I can.

The same line of thought should guide us in understanding our duty to help other human beings. Since I obviously cannot help all people in need, and since I certainly cannot be involved in such activity all the time, it is not the case that I ought to do so. In both cases, the principle ‘ought implies can’ plays a crucial role; morality demands only what is possible, whether in the domain of helping others, or in the domain of repaying debts. “Ought implies can” refers to physical ability (“You must come. You promised.” “How can I? All the streets are flooded!”), as well as to moral ability (“You must bring the new book with you. You promised.” “How can I? I haven’t got it. Do you want me to steal?!”) and this helps us to see the two ways in which we can be excused from fulfilling a duty. One is when there is a more important duty that overrides another, the other is when carrying out the duty would be “unrealistically demanding” upon us.¹²

A brief clarification regarding the second condition, the “unrealistically demanding” excuse, might be helpful. One way of justifying this condition is to do so in terms of moral obligations. If we devote all our time, money, and energy to helping other human beings in need, we will have no money to repay our debts and no strength to carry out many other obligatory acts. We shall just wear ourselves out. On this understanding, the second condition boils down to the first and expresses another case of moral conflict; a conflict between (for instance) a particular beneficent act, and other obligations that will necessarily be neglected if I realize it. A different justification can be offered in

terms of our right to have reasonable lives of our own, of our not sacrificing our lives in the service of humanity. This sort of justification (which is not uncontroversial) is usually connected to ideas of personal autonomy and of integrity. It allows us to dismiss certain moral requirements even if no gain in terms of other moral requirements is achieved.¹³

Let us return our focus to beneficent acts. On the account I am suggesting here, we are morally required to do each of such (possible) acts, and we might be excused from this requirement only when we have a good excuse. One such excuse would be pointing to an overall loss in moral terms if the required act is carried out, namely, the (present or future) failure to fulfill other (and more demanding) duties which are incumbent on us. Another would be the agent’s physical inability to perform the required act(s). Yet another acceptable excuse (by some philosophers) would be to show that complying with the requirement would be destructive of one’s autonomy and personal identity. At any rate, the important point in this account is that one cannot refrain from helping others just because one does not feel like doing so, or because one had already done something nice the day before.

This account of the status of acts that were traditionally perceived as instances of imperfect duties is close to the account given by Kant to imperfect duties in *The Metaphysics of Morals*. Kant says:

But a wide duty is not to be taken as a permission to make exceptions to the maxims of actions, but only as a permission to limit one maxim of duty by another (e.g. love of one’s neighbor in general by love of one’s parents), a permission that actually widens the field for the practice of virtue (1964, p. 49).

This paragraph represents the “rigoristic” understanding of imperfect duties in Kant, according to which the demands of the duty of beneficence are very high and are potentially as extreme as those of consequentialism.¹⁴ Admittedly, Kant uses other expressions too, and I have no intention of taking sides here on questions of exegesis concerning Kant’s view.¹⁵

While (D1) expresses a minimalist approach to imperfect duties, the rigoristic approach proposed here expresses a maximalist one. Such a maximalist understanding is assumed by Joel Feinberg (1984), who argues that with regard to helping others, I ought to help “as many of them as I can” (p. 61) (and not just one of them, as implied by (D1)). More accurately, I ought to select the actions that will be, in the circumstances, most helpful and most charitable. Hence, the case of a Good Samaritan who rescues a drowning child is not an example of an imperfect duty:

There is no reason to think of the rescuer’s duty as merely to select from among the equally needy those he can afford to help, for there is no other need so near and pressing as that which commands his attention and demands his help right now (*ibid*).

A convenient way of illustrating the view I am endorsing here is in terms of reasons for action. Moral obligations create reasons for action that are typically stronger than usual self-centered reasons. Saying that a certain action is a moral obligation implies, *a priori*, that a large group of reasons for action that oppose this action, those expressing self-concern (“I don’t feel like.” “I prefer to spend the money I owe you on buying a new car,” etc.), have little weight. You cannot believe sincerely that *a* is your moral obligation, and nevertheless believe that since the fulfillment of *a* would prevent you from watching your favorite television program, you are justified in not carrying it out. It is my contention that this holds true for perfect as well as for (what are usually referred to as) imperfect duties. A situation in which I come across a person in need is one that constitutes a reason for action, in the same way that promises and loans create such reasons. In both cases the reasons referred to are relatively strong ones, and in both cases they might be overridden by other (moral) reasons. Note again that reasons based on promises might be quite weak (when the promise is trivial or stupid) and thus easily overridden, while reasons

based on charity, for example, might be relatively strong, when you can help another person very significantly with hardly any effort on your part. Viewing perfect and imperfect duties as expressing similar types of reasons for action helps us to see that there is no clear-cut demarcation between them, but that instead we are faced with a continuum of moral reasons of varying weights.

A big advantage of this approach is connected to the issue of moral conflicts. We saw earlier that the prevalent definitions of imperfect duties fail to yield a reasonable account of conflicts between perfect and imperfect duties. These definitions imply, first, that such conflicts are never genuine, and are thus mistaken on the phenomenological level. Second, these definitions incite the view that perfect duties are always more valuable than imperfect ones, and are thus mistaken on the normative level. Both these shortcomings are avoided in the position that I present. Since reasons based on beneficence have the same logical structure as those based on promise-keeping, both representing “perfect” duties, there is no reason why we should not regard conflicts between them as ordinary moral conflicts and as no less genuine. As indicated earlier, this accords well with the way we deal with such conflicts in actual life, i.e. by trying to compare the weights of the conflicting considerations, and not merely by noting their different logical structure. And, for the same reason, there is no basis for the assumption that perfect duties are necessarily more important. Sometimes they are, and at other times they are not.

What, on this account, would be the status of supererogatory acts? If all acts of helping people are obligatory, doesn’t this remove altogether the category of supererogation? Well, yes and no. Yes, if we conceive supererogation as primarily a feature of acts. No, if we conceive of it as primarily a feature of persons. Let me explain. When we hear the expression “supererogatory behavior” we almost automatically think of

heroic acts such as running into a burning house or jumping on a live hand-grenade to save one's friends. We thus tend to think of supererogation as referring to a distinct category of acts. Yet, as Marcia Baron nicely argues (1987, pp. 258 ff.), in most cases of supererogatory behavior the agent does not do anything that is very special or admirable by itself. What is impressive in her behavior is the seriousness with which she takes her duties, her devotion to humanity, and her willingness to keep marching on the moral track in circumstances where most of us would stop to take a break. One can thus be a moral hero or saint without even once risking one's life for the sake of morality, and without carrying out any act that is by itself different from the sorts of acts all of us do.

This observation leads to the conclusion that what is special about saints is something having to do with their character (Baron, 259); we admire them because of their outstanding devotion to morality, their love and care for humankind, their sensitivity to the pain of others, and the strength of their will. Though having such a character can lead one to heroic acts such as running into burning houses, this is not necessary (not many happen to find themselves in such circumstances), and it might express itself in much more mundane acts, such as helping the elderly in a poor neighborhood. Furthermore, a continuous and consistent active care for human beings throughout a life is often more indicative of the agents' moral character than an exceptional act of heroism.¹⁶ In any case, if supererogation is understood in terms of character, there is clearly nothing in my view to deny its possibility or importance.

VI. IMPERFECT DUTIES AND "YUPPIE ETHICS"

In a very challenging article, Catherine Wilson (1993) argued recently that a striking feature of contemporary moral philosophy is "its thoroughgoing rejection of the idea that philosophical enlightenment entails a detachment from worldly goods and

worldly pleasures" (p. 276). Instead, moral philosophers offer various justifications for the limitation of moral endeavor. These limitations result in an ethical approach best described as "yuppie ethics,"¹⁷ according to which most of morality is optional, in particular, those parts that are concerned with doing something for other human beings (which is typically at the expense of the agent). "Yuppies" don't see it as their duty to make any special effort to help the poor ("I pay taxes for the state to do this"), to send food to Africa ("I cannot worry about the whole world"), or to protest against injustice in other corners of the world ("Surely what's happening in Bosnia is terrible, but you don't expect me to go out and protest every time human rights are violated somewhere in the world"). By picturing morality as less and less demanding, yuppie ethics allows us to concentrate on what is really important, namely our careers and our worldly pleasures.¹⁸ To be sure, yuppie ethics acknowledges the existence of people who take morality more seriously and do more than is required. Being a moral saint is all right, if this is the life one chooses for oneself. It is not, however, much more than 'all right'; after Susan Wolf's celebrated article (1982), saints seem to have lost much of their admirable reputation.¹⁹

It is my contention that the notion of imperfect duties, especially on definitions (D1) and (D2), suits this outlook very well. It offers "yuppies" a permanent and (almost always) an effective excuse for not doing for others, an excuse that accords well with popular views about autonomy and self-realization: "I have no obligation to help this homeless person. Please leave it for me to decide whom I shall help and when." The wide latitude of imperfect duties might serve, as Bishop Butler feared, as a useful method for self-deception. In Mike Martin's paraphrase:

Self-deceivers take advantage of these areas of vagueness. They draw their own lines of demarcation according to what is convenient for them rather than on the basis of a genuine good will to be fair and loving.²⁰

I do not wish to argue that the idea of imperfect duties necessarily leads to the sort of yuppie ethics described here, but it does seem to lend support to it. If it does, and if the notion of imperfect duties somehow encourages a minimalist approach to

morality, I would count this as a further point against it.²¹ In addition to the conceptual difficulties we discussed at length in the previous sections, the notion of imperfect duties would then be a morally damaging one too.²²

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NOTES

1. Grotius was probably the first to make this distinction, in terms of rights. See Schneewind 1990, p. 49.
2. Mill 1957, p. 61. Cf. Rainbolt 1990, p. 171.
3. Let A_1 be "my giving David a \$5 bill"; A_2 "my giving David five \$1 bills," etc. Then my doing A_2 implies that there is no A_1 that fits the description "returning my \$5 loan to David." Or suppose I must return to Alicia her lost watch, A_1 being "returning the watch to Alicia at t_1 ," and A_2 being "returning the watch to Alicia at t_2 ." Again, my doing A_2 implies that there is no A_1 that fits the description "returning Alicia's lost watch to her." By contrast, the doing of an imperfect duty A_2 would not carry such an implication.
4. An anonymous referee for *APQ* pointed out that my claim appears less convincing with regard to other imperfect duties, such as gratitude, which do divide naturally into my duties to benefactor B_1 , B_2 , ..., B_n . There are two ways to respond to this objection: (a) by trying to show how my analysis applies to gratitude, too, (b) by denying that gratitude is a duty. The second move has been taken by several philosophers independently of the present discussion, and I believe they are right. See especially Weiss 1985. In the light of the controversy about the deontic nature of gratitude, it is not surprising to find this notion causing trouble in the present discussion too.
5. I owe much of this last paragraph to helpful discussions with Dalya Drai.
6. It is worth noting that most of the "standard" examples of moral dilemmas in the philosophical literature are cases involving imperfect duties. Think of the duty of Sartre's student to join the Free Forces, or of Ross's promiser's duty to help the injured person. On these cases, see Statman 1995, ch. 1.
7. Some philosophers believe that there are no genuine moral dilemmas. See, for instance, McConnell 1978.
8. The idea of a disjunctive obligation, which is presupposed by both *(D1a)* and *(D1b)*, is not without difficulties. For the problems of accounting for it within a utilitarian outlook, see McConnell 1981, pp. 254-55. For its apparent compatibility with the principle "ought implies can," see Jacquett 1991.
9. See Stocker 1968, p. 57, quoted by Heyd, p. 122, note 2.
10. See, for example, Alderman 1987.
11. On such conflicts, see Walker 1993.
12. For simplicity, I shall ignore the distinction between excuses and justifications.
13. I believe Williams 1973 is an example of this attitude.
14. See Murphy 1993, p. 272 and note 13.
15. See Gregor 1963, chapter 7; Hill 1971; Hochberg 1974; Heyd 1982, chapter 3; Baron 1987; Harris 1988.
16. It is quite a puzzling, though a true phenomenon of human nature, that people with quite "average" moral virtue manage at times to carry out heroic acts, especially in wartime. Contrary to what is commonly thought, such acts do not necessarily reflect an overall outstanding character. Those who carry out heroic acts are sometimes less committed to morality than those saints who undertake the day-to-day burdens of morality; feeding the hungry, helping the oppressed, and healing the sick.

17. I owe this term to Baron (1987, p. 249), who tries to trace its origin in a footnote (note 25, *ibid.*). For the important role of this term in American culture, from a sociological point of view, see Lyons 1989.

18. For the assumption that yuppies are egoistic, see Lyons 1989, p. 115: “a yuppie is presumed to be a highly selfish and therefore somewhat morally suspect person. . . . Yuppies seek self-fulfillment; they place self over others, especially family.” Lyons himself believes that this presumption has no basis.

19. Wilson refers to Wolf’s article as one clear endpoint of the scale between what she calls impartial justice ethics and the ethos of private pursuits, the other one being Peter Singer’s 1972 article on famine and morality. See Wilson, pp. 278-80.

20. Martin 1986, p. 33-34. See the references to Butler in Martin, p. 148, notes 5-6.

21. In this general approach I come close to Shelly Kagan (1984, 1989), who argues that the attempts to minimize morality, which are often accompanied by the claim that consequentialism demands too much, fail. For some serious difficulties in defending the limitation of morality, see also Murphy 1993, section II. In her review of Kagan 1989, Mary Mothersill recently agreed that resistance to consequentialism often looks self-serving. She adds: “It [consequentialism] is said, e.g., to be ‘unrealistically demanding’: exactly the phrase that would have come to my mind when my mother told me that I had to clean up my room every week” (1993, p. 544). My argument here, however, has no special commitment to a consequentialist view, and it is compatible with most ethical theories.

22. I wish to thank Charlotte Katzoff, Christine Swanton, Dalya Drai, Sam Fleischacker, Bob Gibbs, George Rainbolt, Saul Smilansky, Gopal Sreenivasan, Hillel Steiner, and Michael Walzer for very helpful comments on earlier versions. I am also indebted to an anonymous referee for *APQ* for some helpful suggestions.