



DISCUSSION NOTE

FORCING COHEN TO ABANDON FORCED SUPEREROGATION

BY ALFRED ARCHER

JOURNAL OF ETHICS & SOCIAL PHILOSOPHY

DISCUSSION NOTE | MARCH 2014

URL: WWW.JESP.ORG

COPYRIGHT © ALFRED ARCHER 2014

Forcing Cohen to Abandon Forced Supererogation

Alfred Archer

THE POSSIBILITY OF ACTS OF SUPEREROGATION, those that are beyond the call of duty, creates problems for those committed to a tripartite division of the deontic landscape into the obligatory, the forbidden and the neutral. For some, Gregory Mellema for example, expanding our deontic system to include the supererogatory does not go far enough and we must also make room for acts of “quasi-supererogation.”¹ Shlomo Cohen has argued that even this is not enough, as we must also make room for acts of “Forced Supererogation.” In this reply, I will show that Cohen’s defense of this thesis is unsuccessful.

1. Cohen’s Taxonomy

Following Mellema, Cohen accepts that the positive half (everything above moral neutrality) of the deontic field can be divided as follows:

Supererogation: Performance is praiseworthy and nonperformance is neither blameworthy nor wrong.

Quasi-Supererogation: Performance is praiseworthy and nonperformance is blameworthy but not wrong.

Obligation: Performance is not especially praiseworthy and nonperformance is both blameworthy and wrong.²

However, Cohen argues that these three categories do not exhaust the range of deontic options. We must also make room for the following additional category, the set of parameters for which is distinct from those that characterize supererogation or obligation:

Forced Supererogation: Performance is especially praiseworthy and nonperformance is wrong but not blameworthy.³

As Cohen accepts, to justify allowing this new concept into our explanatory scheme we must show that there are good reasons to do so that outweigh the costs to parsimony brought about by creating a new deontic category.⁴ Cohen provides two arguments designed to show that there are good reasons to do so.

¹ Mellema (1991).

² Cohen (forthcoming: 2-3).

³ Ibid., 4.

⁴ Ibid., 15.

2. The Argument from Moral Experience

Cohen argues that without Forced Supererogation we cannot do justice to our moral experience. Cohen gives three examples to support this claim. For the sake of brevity I will look only at the first:

Case 1: Your brother is suffering from a rapidly progressive lung disease, which is fatal without treatment. The only treatment is lung transplantation, which has a significant negative impact on one's prospective quality of life. You are the sole matching donor.⁵

To show that we need to make room for Forced Supererogation, Cohen needs to persuade us that the act of donating a lung in this case cannot be accommodated by any of the existing deontic concepts and that it meets the three conditions listed in the definition.

I am willing to accept Cohen's assessment that performing this act is especially praiseworthy and that nonperformance of this act would not be blameworthy. What causes problems is the task of showing that the act is wrong to omit.

Cohen defends this claim in the following:

Although one is not wrong not to donate one's own lung, even if there are no other matching donors, things are different when it is for one's own brother. ... This personal factor creates particular obligations, which are notoriously difficult to account for in classical deontic classifications.⁶

Cohen is arguing that the personal request creates a special obligation, which in turn makes the nonperformance of the act morally wrong. Importantly for Cohen, these special obligations often demand more from us than ordinary obligations.

The problem with this argument is in the final step. We are told to accept that these acts are wrong because there is a special obligation to perform them. However, this argument only works if these special obligations generate moral obligations, which would make their nonperformance morally wrong. However, if this is the case then we can no longer say that these acts go beyond duty. If, on the other hand, they do not generate moral requirements then Cohen's argument in support of the claim that the nonperformance of these acts is morally wrong is unsound.

Cohen makes two responses to the worry that these acts should be viewed as obligatory. First, he argues that classing these acts as obligatory ignores the special praise an agent deserves for performing such an act. The cases he mentions are all praiseworthy in a way that moral obligations normally are not. This, Cohen claims, gives us reason to reject the claim that these acts are obligatory.⁷

However, if Cohen is right to say that these special obligations do not generate moral obligations then we have no reason to think that non-

⁵ Ibid., 1-2.

⁶ Ibid., 6.

⁷ Ibid., 7.

performance is morally wrong. Nonperformance will of course violate a special obligation, but if we accept Cohen's claim then there will be no violation of a moral obligation. The claim that these acts are worthy of special praise does nothing to help Cohen avoid this dilemma. We must either accept that the performance of some moral obligations is worthy of special praise or reject the claim that the nonperformance of such acts is morally wrong.

Cohen does not acknowledge this dilemma, but there is good reason to think that he would choose the first option. This certainly seems to be the natural way to interpret the following: "acts of FSE (Forced Supererogation) are especially praiseworthy in a way that Obligations normally are not."⁸ This is also the most charitable interpretation. Consider a firefighter who, in the course of her job, runs into a burning building to save someone's life. This act is praiseworthy but, given her job, it is also obligatory. If Cohen is conceding that sometimes performing an obligatory act is especially praiseworthy then he is committed, at pains of inconsistency, to accepting the following revised definition of obligation:

Obligation 2: Performance is not *normally* especially praiseworthy and nonperformance is both blameworthy and wrong.

However, revising the definition of obligation in this way means that the praiseworthiness of the act in Case 1 no longer gives us any reason to create a new deontic category. Instead, we can accept that this is one of the unusual cases in which fulfilling an obligation is especially praiseworthy.

Cohen's next response is to claim that we would not regard the nonperformance of the act in Case 1 to be blameworthy.⁹ Cohen gives two reasons to accept this. First, a failure to perform the act would not be violating anyone's rights and so no one could legitimately blame the agent for a failure to perform the act. Second, the obligations generated by friendship are a special case, as a failure to act in line with such obligations can change the nature of the relationship in such a way that there are no longer any grounds for blame.

However, in order for these acts to count as wrong to omit, Cohen is going to have to accept another revision to the definition of obligation:

Obligation 3: Performance is not *normally* especially praiseworthy and nonperformance is wrong and is *normally* blameworthy.

If this is our definition of Obligation then the fact that it would not be blameworthy to fail to perform the act in Case 1 gives us no reason to think that it is not obligatory.

In summary, Cohen's argument faces a dilemma. To defend the claim that the nonperformance of these acts is morally wrong, he needs to show that the agent has a moral obligation to perform the act. Howev-

⁸ Ibid., 7.

⁹ Ibid., 8.

er, in defending this claim, Cohen commits himself to revising his definition of moral obligation. This revised definition removes the need for a new deontic category to accommodate acts that meet the criteria given by Forced Supererogation. As a result, Cohen must either accept that such acts are not conceptually possible or accept that there is no need to make room for a new deontic category to accommodate them.

3. The Missing Combination Argument

Cohen also argues that we need this new category in order to capture the full range of deontic possibilities. Cohen lays out the positive half of the deontic field in the following way:¹⁰

	Is failure to act blameworthy?	
	Yes	No
Is failure to act wrong?		
Yes	Obligation	Forced Supererogation
No	Quasi-Supererogation	Supererogation

Cohen claims that, unless we accept the existence of Forced Supererogation, we will be left with a missing box in this diagram, meaning that we have failed to capture all of the possible combinations.

However, this table does not look at whether these acts are praiseworthy to perform. As such, it is a misleading representation of the factors that Cohen takes to determine an act's deontic status. Given Cohen's taxonomy, the following is a more accurate representation of the possibilities:

	Is performance praiseworthy?	
	Yes	No
Failure to perform blameworthy and wrong		Obligation
Failure to perform wrong but not blameworthy	Forced Supererogation	
Failure to perform neither wrong nor blameworthy	Supererogation	
Failure to perform blameworthy but not wrong	Quasi-Supererogation	

As the empty spaces in this grid demonstrate, accepting the new deontic category of Forced Supererogation does not capture the full range of combinations of the components Cohen takes to determine an act's deontic status. Clearly, then, allowing Forced Supererogation into our con-

¹⁰ Ibid., 4.

ceptual scheme will not provide a full answer to the question of how to represent the range of options. The problem for this argument is that Obligation is going to have to take up more than one space on this matrix. As we have already seen with the firefighter example, it is possible to be worthy of praise for performing an act that is morally required. This means that Obligation will also have to fill the gap on the top left of this matrix. Once we have accepted that Obligation occupies more than one space in the diagram, Cohen's argument loses its force. The need to account for acts that are praiseworthy to perform and wrong but not blameworthy to omit no longer appears to require a new deontic category. We could instead say that Obligation fills this box as well. Moreover, as we have seen, Cohen's defense of the claim that there are acts of this sort relies on the definition given by Obligation 3. However, Obligation 3 can fill all of the boxes in the first two rows of the diagram, including that occupied by Forced Supererogation. We should not, then, accept the need to allow Forced Supererogation into our conceptual scheme on the basis of Cohen's claim that we must do so to capture the full range of deontic possibilities.¹¹

Conclusion

I have shown that Cohen's arguments in defense of the claim that we need to expand our view of the deontic landscape to make space for Forced Supererogation are unsuccessful. This, though, does not show that there is not an important lesson to be drawn from his paper. Everything I have said here is compatible with accepting that the cases Cohen gives are ones for which performance is worthy of special praise and nonperformance is wrong but not blameworthy. Indeed, this seems to me to be the right way to think about these cases. Those who accept this description of Case 1 should accept Cohen's claim that the initial division of the deontic field is flawed. However, instead of taking Cohen's examples to show the need for a new deontic category, we might take them to give us reason to reject an overly strong characterization of the relationship between deontic concepts and praiseworthiness and blameworthiness.^{12,13}

Alfred Archer
The University of Edinburgh
School of Philosophy, Psychology and Language Sciences
s1054677@sms.ed.ac.uk

¹¹ Thanks to Mike Ridge and an anonymous referee for helpful comments here.

¹² I discuss some problems with including praiseworthiness in the definition of supererogation in Archer (2013: 452).

¹³ Thanks to Shlomo Cohen, Elinor Mason, Mike Ridge and an anonymous referee for helpful comments on an early draft of this paper.

References

- Archer, A. (2013) "Supererogation and Intentions of the Agent," *Philosophia* 41(2): 447-62.
- Cohen, S. (forthcoming) "Forced Supererogation," *European Journal of Philosophy*, DOI: 10.1111/ejop.12023.
- Mellema, G. (1991) *Beyond the Call of Duty: Supererogation, Obligation and Offence*, New York: State University of New York Press.