Supererogatory Giving:
Can Derrida’s Circle be Broken?

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I. The Paradox of Giving, Forgiving, and Toleration

Not too long ago Israeli weddings were celebrated in fairly modest parties, usually confined to the family circle and close friends. People used to bring presents, usually of their own choice and taste. Nowadays, most weddings take place in a much more commercialized style: in specially designed locations, with hundreds of guests, served by professional caterers, and entertained by musicians and video clips. Most important for the subject of this article, very few presents in the shape of objects are given to the couple. A large mailbox, or rather a safe, is placed at the entrance, and guests – even before congratulating the happy couple – slip a cheque into it. For the convenience of those who fail to prepare their cheques in advance, envelopes are supplied by the hosts and in some places even credit cards can be used as a means of “buying” the guest’s right to join the party. Many families keep a record of the exact amount of money presented by each giver so as to be able to reciprocate in the right proportion in the future. The monetary value of the present often stands in proportion to the costs of the wedding itself or the value of the evening’s entertainment for the guests.

This might look like a cynical parody of the culture of gifts. Surely, people usually feel happy to write a cheque for a close relative or friend on the happy occasion of a wedding. Yet, as we all know since the publication of Marcel Mauss’ classical study of gift practices in various societies, giving is always part of a deal, that beyond the apparently unconditional willingness to give without an expectation of return, there is always a tacit understanding that the very act of giving will be recognized as such by the beneficiary and rewarded in some way later on.¹ Mauss’ anthropological studies have taught us that gifts are just another form of exchange, and that although unlike market relations they are personal in nature, they still maintain the fundamental reciprocity of other forms of human interaction. In contradistinction to commercial exchange, giving involves honour, a tacit competition to achieve status, to

outdo the other, usually by giving more in return for the original gift, or in more extreme cases by the willingness to actually destroy one’s own good as an expression of wealth. The ultimate form of giving is thus associated with sacrifice, as is the case in the famous practice of potlatch in Northern American Indian tribes.

In the 1990’s Jacques Derrida has developed an elaborate account of the gift relationship. Unlike Mauss, Derrida is not interested in a comparative study of giving in different societies, but in the conceptual paradox of the very idea of giving. Derrida’s fundamental critique of Mauss is that gifts cannot be a form of exchange: if a gift is genuine, it must be totally gratuitous, and any expectation of a reward would undermine its point. Mauss is aware of the difference between free giving and economic exchange, yet he insists on the rationality of giving and counter-giving as a mode of non-economic exchange, a symbolic expression of altruistic intention and personal honour. Derrida believes that subjecting gifts to any principle of mutuality defeats one of the main purposes of the gift, but admits that there is no escape from some sort of tacit expectation of a reward. Hence, the statement that gifts are “impossible”. One of Derrida’s elegant formulations of the paradox of giving is that, on the one hand, for an act of true giving to succeed it must be recognized as a gift by the donee, that is to say, be accepted as a token of altruistic intention in the donor; yet on the other hand, once the gift is seen as a gift, it imposes a duty on the recipient to reciprocate, that is to say, it is no longer a pure gift.

On the basis of etymological manoeuvring, Derrida is thus happy to associate gifts and poison. Following Nietzsche, he emphasizes the aggressive, even invasive, aspect of giving: giving, which by definition is uncalled for, is an imposition on the recipient. The giver always incurs a debt that must be recognized with gratitude and returned. Furthermore, unlike economic exchange, which maintains the proportion of the material goods, gifts call for larger counter-gifts, since – as Mauss pointed out – the recipient’s honour is at stake (having lost in the competition of who gives first). The gift relationship has an inflationary dimension, the inevitability of irrational growth in the size of the gift in each move and counter move. Derrida refers to this as “the madness of the gift”. In Mauss’ anthropological reports, the

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extreme form of this desperate attempt to make a proper return for a gift is the practice of potlatch, namely the intentional destruction of the given goods as the ultimate proof of one’s generosity and hence honour. By destroying what I get, I avoid the acceptance of the gift and with it the duty to be grateful and reciprocate.

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The fundamental metaphor behind Derrida’s insightful analysis of giving is the circle. The circle is not only the perfect geometric form; it always leads us back to the starting point; it maintains harmony and balance. Economic exchange is therefore the circulation of goods. But this applies also to the moral sphere. For example, I can think of Psalm 23 (“God is my shepherd”), where the verse “he leads me in the paths of righteousness” is a translation of the Hebrew “circles of justice” (ma’agalei tzedeq). Social relations, if they are rational and bound by laws or rules, must be based on equality, reciprocity, and universalisability, particularly as regards morality. Now, it might be the case that in societies where economic exchange is not as highly developed as it is in our society, the borderline between commerce and gift relation is blurred. This could be the reason for the conceptual fallacy ascribed to Mauss by Derrida. However, in a modern society, based so deeply on economic exchange, gifts are surely, as Derrida argues, an attempt to break the circle in a way which transcends economic relations. But Demda insists that this attempt is bound to fail, since the expectation of a reward accompanies any kind of genuine giving, though the recompense can take many forms. The donor often hopes for a return of a gift, but in any case, expects at least an expression of gratitude. The donor draws from the act of giving either a sense of honour, or some other kind of gratification, narcissistic satisfaction or moral self-indulgence. These expectations and satisfactions must be denied by the donor if she wishes to succeed in making a real gift. But since such complete denial is impossible, there is always a measure of hypocrisy inherent in giving. Derrida highlights this counterfeit pretension in his very subtle reading of Baudelaire’s short story “La fausse monnaie”, which I have unfortunately no room to discuss here.4

In what follows I would like to suggest a double expansion of the analysis of giving – first to forgiving and then to toleration. The first analogy is suggested by many languages, but also

by Derrida and many others. The second is more controversial and less natural. The philosophical point of this double analogy is an attempt to investigate the structure of the paradox which underlies the three concepts: Is a totally gratuitous gift possible? Is real forgiveness compatible with justified (even obligatory) resentment? Can the intolerable be tolerated? One way to highlight the paradoxical nature of the three concepts is through the condition of desert. Surely, desert detracts, if not completely undermines, the possibility of a pure gift, since the whole point of giving lies in the fact that the recipient has no claim over the gift, it is by no way due or owed. Similarly, an act of forgiveness is most typically manifest in the overcoming of justified resentment by the injured party; in other words, even if the wrongdoer has shown repentance and asked for forgiveness, the insulted person is under no duty to forgive; forgiveness is never automatic. And as for toleration, strictly speaking, it is constituted by restraint from acting against beliefs and practices to which we have good reasons to object, that is to say, good reasons not to tolerate! There is a sense, therefore, in which toleration is never deserved, since what is to be tolerated is morally wrong or repugnant. Gifts should be clearly distinguished from economic exchange; forgiveness should be kept apart from condonation or forgetfulness; and toleration should be differentiated from compromise or indifference.

Another way to approach the paradoxical nature of giving, forgiving and toleration is through the idea of the subject’s awareness. Derrida correctly remarks that if the donor keeps reflecting on her act of giving, then the gift is counterfeit or hypocritical. A true gift (unlike donations to university buildings!) implies immediate forgetfulness. I suggest that similarly, forgiveness involves at least the beginning of a process in which the subject becomes less preoccupied with his sense of being wronged by the other party. And finally toleration is also associated with a psychological process of putting aside one’s objections to the beliefs and practices of the tolerated person, diverting one’s focus from these beliefs and practices without renouncing the negative judgments concerning their validity or value. So it seems that a common feature of the three attitudes we are discussing is the combination of an original intentional aspect together with a requirement of its disappearance from the subject’s awareness. This raises the sense of the impossibility of all three attitudes, at least in their

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unadulterated form. Giving is incompatible with a persisting sense of one’s generosity or expectation of a return; forgiveness is in compatible with the continuation of resentment, that is of the sense that one was wronged; and the virtue of toleration cannot develop in a person who cannot turn his eye away from the behaviour which he opposes.

The lesson from Derrida’s analysis is that the attempt to break the circle is self-defeating, or at least highly problematic. Reciprocity turns out to be an inescapable moral principle, even a principle of rationality. Gifts always create a valid expectation of reward and in any case a duty of gratitude; forgiveness, even if originally a matter of the discretion of the wronged party, lays a duty on the forgiven person to show similar magnanimity in the future, when asked for forgiveness; toleration is also often seen as requiring reciprocity. The circle expresses the fundamental mutuality of human interaction which underlies distributive and retributive justice alike. Rights are correlated with duties, gifts with rewards, wrongs with penalties, insults with resentment. The ultimate moral harmony is maintained by a restoration of previous states, the balancing of benevolence by grateful return, of crime by punishment, of personal respect by reciprocal recognition.

How can this circle be broken? How can giving, forgiving and tolerating be made possible and morally justified? What are their limits, i.e. when does a gift become sheer waste, when is an act of forgiveness an expression of lack of self-respect, and when does tolerant restraint amount to the unacceptable overlooking of an intolerable wrong? I am going to suggest two alternative models which may be treated as attempts to break Derrida’s circle, to account for the possibility of giving, forgiving and toleration.

II. Works of Supererogation: Thomas Aquinas

There is a long tradition in Roman Catholic theology that surprisingly does not enter into Derrida’s discussion of gifts. Since the Latin translation of the story of the Good Samaritan in the New Testament, the term supererogation has been used to denote the idea of acting beyond the call of duty, doing more than is strictly required. In the biblical story, an innkeeper is offered payment by the good Samaritan for whatever he will “spend over and above” in the care of the wounded man saved by that Samaritan. The concept of opera

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6 I have studied the history and theory of supererogation at length in my Supererogation: Its Status in Ethical Theory (Cambridge: Cambridge University Press, 1982). For the religious history of the subject, see Chap. 1.
supererogationis was developed gradually during the Middle Ages, primarily in the context of the important distinction between praecpta and consilia. Salvation is guaranteed to anyone who fulfills the commandments, but one can go beyond the call of duty by living up to higher standards. Based on the interpretation of various passages in the New Testament, the three classical “evangelical counsels” have been identified as poverty, virginity and obedience. Monastic life encapsulates these standards of perfection that can only be offered as counsels but not as duties.

Works of supererogation, most typically actions that were performed by the saints, were believed to be the source of special religious merit. During the late Middle Ages, church doctrines were developed to the effect that the Pope could use this superabundant merit, stored in the so-called Spiritual Treasury of the Church, to help sinners achieve salvation. The transformation of the ideal of supererogation and perfection into a commercialized system of religious exchange reached a peak in the system of indulgences, an object of virulent attacks by Lutherans, Calvinists and Anglicans during the Reformation. Although the church has never formally given up the doctrine of supererogation, the doctrine lost its central role in modern times and is hardly appealed to nowadays. This might be the reason for its absence from the writings of Derrida, who is more attracted to the idea of giving and sacrifice in Protestant thinkers like Kierkegaard than to the outdated Catholic teaching of supererogation.

In his detailed research into the origins of the modern distinction between law and ethics, Joachim Hruschka carefully traces the way in which the Catholic distinction between obligatory “precepts” and supererogatory “counsels” has been almost surreptitiously transformed into the Kantian distinction between perfect and imperfect duties. Hruschka’s original thesis is that this transformation (mediated primarily by the works of Grotius and Pufendorf) was the manner in which the traditional distinction could be somehow saved from the fierce attacks of the Reformation on the very possibility of actions that are completely beyond the call of duty. But Hruschka is very well aware that the Kantian conception does not really leave room for supererogation in the original sense:

An act can be supererogatory only when measured against juridical laws. When measured against ethical laws it is according to duty and thus cannot be supererogatory.8

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7 For a highly scholarly study of the distinction between precepts and counsels from Ambrose to the early modern period, see Joachim Hruschka, “Supererogation and Meritorious Duties”; Jahrbuch für Recht und Ethik 6 (1998): 93-108.
8 Hruschka, op. cit., p. 107.
Hruschka ends his article with the modern attempt to return to the more radical distinction of the Catholic school. As he mentions, since the 1950’s (with J. O. Urmson’s pioneering work) there has been a revival of philosophical interest in supererogation in non-religious ethical theory. Besides the so-called saintly and heroic acts, beneficence or free giving has been a primary example of a morally good behaviour that cannot be imposed as a duty. In my own work on supererogation I added a category of supererogatory forbearances, namely the non-commission of various forms of acts that in themselves appear morally justified. My prime illustrations for this kind of supererogatory restraint were forgiveness, pardon and mercy, that is, the avoidance of resentment or due punishment. Now, I suggest adding toleration to this category: a non-obligatory, yet praiseworthy restraint in the face of other people’s repugnant or wrong beliefs and conduct. But, as I will suggest below, these supererogatory attitudes do not consist merely of restraint and self-control in responding to certain negative features in other people’s behaviour, but also of a positive change of attitude. This change of disposition will be offered as the basis for the account of the moral value of giving, forgiving and toleration.

The concept of supererogation is an embarrassment to modern ethical theories, both utilitarian and deontological. According to these theories, what is morally good ought to be done. Neither Kantian nor Benthamite theory allows for non-obligatory yet morally worthy actions. Consequently, the strategy of many accounts of supererogatory behaviour is based on the notion of excuse: the supererogatory is the realm of what ideally should have been obligatory but cannot be expected of finite human beings. Moral’ requirements that cannot be universally imposed due to the frailty of human nature are treated as lying beyond the call of duty, and those few who succeed in fulfilling them are particularly praiseworthy. They do what others are exempted from doing. I call this analysis the qualified version of supererogation. It consists of the reduction of the supererogatory to the obligatory. Supererogation is characterized as a kind of duty, a duty from which we are exempted in various ways. Adherents to this qualified version of supererogation often (falsely) assimilate the distinction between duty and supererogation to that between perfect and imperfect duty. Like imperfect duty, a supererogatory requirement cannot be universally exacted. It applies only to those who have a particular moral capacity and under particular circumstances.

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9 Again, the lesson from Hruschka’s article, as I understand it, is that one should not derive normative conclusions from the vicissitudes of the history of the distinction between precepts and counsels and not fall into the trap of collapsing it with the distinction between perfect and imperfect duties, a distinction that unlike its predecessor lies within the realm of moral duty and obligation.
According to this qualified version of supererogation, generous giving is ideally a moral requirement, not a moral option. However, due to human weakness and natural egoism, sharing one’s material goods with others who have less can be expected to no more than a limited degree. Hence, only minimal standards of care for others can be enforced and whoever transcends them is acting supererogatorily. Analogously, 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. But under ideal conditions, the ability to forgo the otherwise negative response of vindictiveness becomes the moral standard and those who can live up to it are praiseworthy. Thus, we appreciate forgiveness but are willing to accept the fact that the widespread emotional response of resentment is only human and overcoming it cannot be universally demanded. Finally, toleration is ultimately a moral requirement, since it represents respect for human differences and the autonomy of others. Since, however, we are committed to our values and beliefs, we cannot be actually required to show tolerance towards that which is objectively judged to be bad. Generosity, forgiveness and tolerance are, accordingly, a kind of super-duty, ideal standards of behaviour from which we are excused only on the basis of our moral infirmity.\(^{10}\)

Qualified accounts of supererogation fit Derrida’s view that we can never extract ourselves from the circle of justice, of universalisable principles, from an ultimate moral give-and-take. A true giving is, in Derrida’s terms, “a duty beyond duty”.\(^{11}\) The circle of justice cannot be escaped and acts of supererogation are either themselves a kind of duty or at least impose duties on others, those of gratitude and return. One typical example of the circle of forgiveness is the New Testament parable of the unforgiving servant, who is punished by his master for not reciprocating an act of forgiveness shown to him by his master. The lesson taught by this parable is that forgiveness is a duty the violation of which will be punished by God who will withhold his forgiveness from unforgiving humans.\(^{12}\)

However, there is another version of supererogation which I refer to as unqualified, that is to say, a notion of genuinely free giving which is not in any way a moral duty. According to

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\(^{11}\) Derrida, Given Time, p. 156.

this version, the whole point and value of supererogatory acts lies in their being completely gratuitous, a matter of pure discretion, unbound by rules. Failing to act supererogatorily does not call for any justification in terms of excuse or mitigating circumstances. Can this kind of supererogatory giving break Derrida’s circle?

Thomas Aquinas provides an elaborate account of supererogation through his detailed analysis of the distinction between precepts and counsels. In many interesting ways he anticipates some of Derrida’s insights. At some points in the Summa Theologica he refers to the difference between precepts and counsels as that between two ways to achieve salvation, the one “necessary”, the other “more assured and expeditious”. This is the more instrumental account, which fits what I called the qualified concept of supererogation. However, in the Summa Contra Gentiles, Thomas seems to adopt the unqualified concept. Supererogation is no longer associated with the more efficient way of achieving a given end (salvation), but with the adoption of a better end (perfection). Supererogatory acts are opera meliora, those which can be only counseled but not commanded, acts which are based on a deeper kind of individual freedom (licentia) and are by their very nature “open ended” in their scope (such as the amount of giving, the circumstances in which a gift is made, the identity of the recipient of the gift, etc.).

When speaking of giving, Thomas distinguishes between the commandment of alms giving, which is an obligatory minimum for anyone who has some money, and the counsel of supererogatory giving in which one gives more than is required (e.g. his only coat). But even in supererogatory giving the circle of justice seems to be difficult to escape. Thomas recognizes the double duty of gratitude and return. First, gratitude is the immediate response of the recipient to the donor’s good (supererogatory) intention, that is the gracious acceptance of the gift; secondly, the good itself must be returned, though only in the future. Exactly as in Derrida, time is a necessary factor in the gift relationship: the recipient’s insistence on immediate return means the unwillingness to accept the gift, i.e. the attempt to avoid a debt. Thomas would have agreed with Derrida’s idea of “given time” (the title of Derrida’s book), i.e. that the gift relationship is a form of delayed exchange, a circle of economic give-and-take that is camouflaged or suppressed by the passage of time. Furthermore, like Marcel Mauss,
Thomas argues that the only way to acknowledge the supererogatory nature of the gift is by giving more in return, a process which tends to constantly inflate the value of gifts and counter-gifts.

Yet, if we view Thomas’ analysis of supererogation in terms of perfection, we transcend the sphere of inter-personal relations. Supererogatory giving, or giving-up, may then be interpreted as the exercise of genuine freedom, liberation from the necessity of law and the universal moral rules, with the aim of achieving a higher moral end. Unlike standard giving, it does not involve any expectation of human return, not even a delayed one. It is not even rewarded by gratitude. This seems to be a form of a breach of the circle of justice or moral reciprocity. However, it is true that on the basis of Thomas’ theology, we may still treat the supererogatory as a kind of giving for which divine return is legitimately expected, that is to say, his account of supererogation can be described as an expansion of the circle of justice to the metaphysical realm. The saint, or the agent of supererogatory actions, according to the Catholic tradition, collects special merit, a moral credit, that is transferred to others, that is given as an indirect gift through the good auspices of the Church. And the donor is accredited with special religious status, in extreme cases that of a saint.

For Derrida, who does not share the Thomist metaphysical assumptions, death is the ultimate gift, since by definition there can be no reward for it, it ends all exchange, it is “priceless”. The sacrifice of Isaac is thus Derrida’s model of religious giving. Unlike the Catholic model, which can be said to be “calculative” in nature (and to its critics, “commercialized”), the Kierkegaardian conception highlighted by Derrida is beyond economy: the gift is immeasurable, or in his own words, “it is an economy that integrates the renunciation of a calculable remuneration”. The sacrifice is without measure, since its value lies in the very intention of giving without return, and the reward is without measure, since it is a divine mystery. While death breaks the circle of exchange in Derrida, in Thomas it opens

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16 This brings in Thomas’s distinction between the Old Law and the New Law, which is also hinted at by Derrida when he speaks of those “who have been able to raise themselves above the earthly or literal justice of the Scribes and Pharisees”. Derrida, Given Time, pp. 99-100.
17 In Hebrew, giving for giving’s sake is called “giving for heaven’s sake”. The Jewish principle seems to hint at a conflation of the renunciation of a reward in this world and the expectation of a reward in the world to come.
19 Ibid., p. 107.
the way for a new, a more sophisticated but ultimately more lasting kind of deserved reward.20

Derrida quotes Matthew, chapter 6, where Jesus urges his disciples not to do the righteous deed with the intention of being seen to do it. In doing good, one’s left hand should not know what the right hand is doing. The genuinely good act is that which is performed in secret, and God, who can see also the privately hidden motive, will reward the righteous. I would like to argue that this kind of attempt to break the circle is still unsuccessful: although secret giving cannot win worldly reward, it is rewarded and to a higher degree in the world to come. In the Jewish tradition we find a similar counsel of perfection: in Maimonides’ “scale of charity”, the highest category of giving is the one which is completely anonymous: the identities of donor and recipient are unknown to one another and to any third party. Nevertheless, God of course knows who is making such a charitable gift and the donor knows that God recognizes this particular ability to trust divine compensation and renounce the worldly satisfaction of gratitude and social recognition. “Charity saves from death” is a fundamental moral principle in Judaism.

In his classical comparative study of various systems of blood collection and allocation, the British sociologist Richard Titmuss analyses the practical as well as moral advantages of the British system which is completely anonymous and voluntary. Blood donation is perhaps the purest form of giving: the donor and the recipient do not know each other. The donor does not get any reward, usually not even public recognition. She only knows that her gift is very valuable, a gift of life. In a secular social setting, blood donors do not expect to be rewarded in any delayed heavenly way. Hence, blood donation is a pure form of supererogatory giving and a good example for a successful breach of the circle, though Derrida does not discuss it. Unlike potlatch, there is very little competition between donors and their personal honour is hardly involved. Indeed, there is some measure of self-gratification and satisfaction in the act of donation, yet, in Derrida’s terms, it is an act which is easy to forget very shortly after the deed. The recipient remains anonymous, which precludes any kind of feeling of personal debt or gratitude. According to Titmuss, blood donation is an excellent outlet for the real need

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20 For a highly interesting discussion of the “sacramental” value of gifts in Jewish thought, see Hanina Ben-Menahem, “On the Talmudic Prohibition Against Giving Gifts to Gentiles”; Israel Law Review 29(1995): 95-104. Fully gratuitous gifts cannot be considered “duties” towards their recipients, but they can nevertheless be thought of as duties to God, similar to sacrifices.
people have to express their altruism in modern capitalist societies which are based on economic exchange and schemes of justice. It escapes Derrida’s insistence on the inevitability of reciprocity by maintaining a purely impersonal form. Even though a small number of people report that their motivation for giving blood is gratitude (for their own good health or for being the beneficiary of past donations of others), the fundamental point of free blood donation is the unrewarded good involved in the act itself.

Although forgiveness is not one of the Evangelical Counsels according to Thomas Aquinas, he treats it as supererogatory. Again he anticipates Derrida’s phrase “pardonner, c’est donner”. Mercy is “something more than justice”, but does not undermine it. The case of “one who pardons an offence committed against him” is similar to the case of “a man who pays another two hundred pieces of money, though owing him only one hundred”. In both, the agent goes beyond the requirements of duty. Now, forgiveness or mercy seem to be purer examples of supererogatory giving than offering gifts, since they do not involve material goods which can be returned. Even the expectation that the forgiven party act in a forgiving manner when she stands in the position of the offended party is only hypothetical, since such an offence may never take place and the forgiven party never get an opportunity to reciprocate. In gifts, there is often an opportunity to make a return. Furthermore, forgiveness does not call for gratitude and hence is not an imposition on the recipient as the gift is. Forgiveness, unlike gifts, is always welcomed by the receiver. Although both giving and forgiving involve an altruistic or beneficent intention, forgiveness lends itself better to an analysis in terms of personal attitude. While the gift is constituted by the material good transferred to another person (although, admittedly, from an altruistic motive and in a freeway), forgiveness is constituted by “a change of heart”, an expression of a new attitude, the willingness to restore personal relations of friendship by overcoming (justified) resentment and hostility. I accordingly suggest that forgiveness is a clearer form of supererogatory giving than gifts, and that it can more easily break Derrida’s circle of reciprocal action and counter-action. I should add that it escapes the inflationary danger of gifts (the endless rise in the value of what is given with the waste involved in it) because it

22 Summa Theologica, I, Q. 21, Art. 3.
23 Cf. Avishai Margalit, The Ethics of Memory (Cambridge: Harvard University Press, 2002), particularly the chapter “Forgiving and Forgetting”. Beyond many points of agreement with Margalit’s insightful analysis of forgiveness (its supererogatory nature, the personal dimension, the relationship to forgetting), my analysis of the concept differs fundamentally from his in taking it primarily as a perceptual capacity rather than as a behavioural attitude. Margalit understands forgiveness as a policy decision to disregard reasons for unforgiving action, based on Razian “exclusionary reasons”.

does not create a new situation (that of the distribution of goods) but only restores the original situation of mutual friendship and trust, a balance which there is no reason for the forgiven party to overturn.

III. Impersonal Standards vs. Personal Attitudes

The tradition of the Evangelical Counsels, from the New Testament to Thomas Aquinas, was formative in the development of the concept of supererogation as a form of “over-subscription”. According to this view, there are moral standards which are obligatory, or necessary for salvation; these apply universally and take human moral capacities and weaknesses into account. “Paying out more than is due” (supererogare) is an option of going beyond duty, by doing more of the same kind of good as the obligatory act. In my early work on supererogation, I called this condition continuity. Alms giving is obligatory, but giving more than a certain proportion of one’s own wealth is supererogatory; monogamous sex with the purpose of procreation is allowed, but more sexual restraint, viz, chastity, is superior; fulfilling God’s commandments is a religious duty, but total monastic obedience is higher on the scale of religious faith. Many theoreticians of supererogation in modern ethical theory have taken benevolent givings, like heroic acts, as standard examples of actions beyond the call of duty. And indeed they seem to be typical manifestations of giving more than is required. However they equally create the inescapable circle of the reciprocal return, calculative reward, a tit-for-tat logic.

Now, there is a possible different line of analysis of the idea of supererogation through which the paradoxical circle may be broken. I take my lead from the double analogy to giving, namely forgiveness and toleration. Unlike the gift relationship which is fundamentally constituted by the description of the good transferred and its gratuity in terms of some impersonal standard of how much is owed, forgiveness and toleration deliver nothing in kind, no good which can be measured and compared on any quantifiable scale. They naturally focus on the attitude involved rather than on any description of the content of an action. In this respect, they do not lend themselves to the condition of continuity just mentioned. Forgiveness and toleration are not actions at all; they are forbearances that reflect a change in
the agent’s perception of the other. They involve restraint: the overcoming of resentment and hostility for having suffered personal injury, on the one hand, and the renunciation of active intervention in other people's opinions and behaviour, on the other.

An adequate analysis of the attitude of forgiveness and toleration must do justice to this personal, or personalistic dimension which is absent in the relations of justice. While justice and exchange (whether economic or moral) are based on impersonal principles and their whole point lies in their impartial application, personal attitudes are not blind to the identity of the person as an individual subject or agent. Going beyond duty is often either motivated by personal affinity to another person or creates such a personal relation. This seems to be the chief source of value of supererogatory action. Thus, we either make gifts to people we particularly like, or alternatively, the gift creates a personal liking. Blood donation, according to Titmuss, both testifies to and strengthens social bonds, interpersonal trust and mutual care, even in large, anonymous societies. (We must admit, though, that the bonds of social solidarity, appealed to by Titmuss in the 1960’s, have since been greatly reduced with the withering away of the welfare state, and his ideal of a purely voluntary system of blood donation has almost disappeared from most contemporary societies). Forgiveness is an even more explicit example of this personal dimension: to begin with, it is a response to personal injury (rather than simply a harm); and its whole point is the attempt to restore personal relations by overcoming the justified resentment felt towards the wrongdoer.

The close examination of the attitude of tolerance may teach us a further lesson. In tolerating other people’s practices or beliefs to which we have good reasons to object, we undergo a process of separation of the impersonal dimension of the validity of practices and beliefs from the personal dimension of the recognition of the autonomy and dignity of the agent or subject of these practices and beliefs. This is a feat of moral imagination as well as of cool judgment. In forgiveness, this separation is often even more painful and psychologically costly, since it requires an inner struggle against personal resentment. In toleration we are “merely” called upon to overcome our moral indignation or impersonal objection to wrong views and offensive life styles.

What is the relationship between the personal and impersonal dimensions in moral judgment? How does the switch from the one to the other occur? Elsewhere, I have referred to

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24 Supererogation, chap. 8.
this as a Gestalt switch, that is a perceptual change, an adoption of a new perspective, similar to the famous rabbit-duck experiment.\textsuperscript{25} One can look at a given situation at a given time only under one perspective, in our case either the impersonal judgement of the action, or the personal wish to understand and respect the agent. We cannot combine the two in a morally integrative way, nor do we have an ultimate, third perspective from which we can judge which perspective is more correct or obligatory. But like perceptual cases of Gestalt switches from the beautiful to the ugly lady, we can in the act of forgiveness or that of toleration control the switch to some degree, make an effort to see the situation otherwise, go back and forth from one perspective to the other, be aware that although we see it in a certain light it is equally proper to see it differently. Thus, it is my view that when we forgive a person we substitute an attitude which focuses on the other person’s subjectivity and past friendly relations for the attitude which focuses on the particular deed which offended us.\textsuperscript{26} We by no means give up the validity of the former judgmental view and the belief that the action was wrong and even inexcusable; we do not forget this perspective; we do not condone the action; we simply adopt another, “incommensurate” attitude. We absolve the agent, not the deed. Analogously, toleration means viewing the tolerated party as an autonomous individual, who has a human standing, independent of her particular beliefs and practices that are objectionable. Again, it does not mean any weakening in the negative judgment of these practices; it does not involve compromise or indifference. At any moment we can revert to the impersonal point of view and demonstrate the wrongness of these practices.

Furthermore, like text-book examples in the psychology of perception, we may say that the Gestalt switch in forgiveness and toleration is partly a matter of a natural process, partly a matter of choice and conscious control (though one demanding effort!). Individuals may have a tendency to see the world in either the personal or the impersonal light, namely, being forgiving or tolerant in character or less so, but they can nevertheless make a free decision not to act on their natural inclination.\textsuperscript{27} The act of forgiveness is often described as a “change of heart”, which in a way fits the idea of a Gestalt switch. But the perceptual model I am suggesting here is of a cognitive rather than an emotional nature. It is a decision to judge the situation in a certain way rather than a mere psychological process. It is “a change of mind”.

\textsuperscript{26} Cf. Joram Graf Haber Forgiveness (Savage, Maryland: Rowman & Littlefield, 1991), pp. 12–13, 104. Unlike Haber, I do not think that forgiveness is conditioned by the wrong doer’s repentance.
\textsuperscript{27} A most poignant example is Alyosha in Dostoyevsky’s Brothers Karamazov. Alyosha is naturally blind to the evil deeds of people around him and accordingly always tends to adopt a positive or forgiving attitude to evildoers. However, when forced by his brother, Ivan, to relate to the wrongness of cruel deeds, Alyosha is able, though reluctantly, to switch to the objective impersonal moral judgment.
This does not mean that the Gestalt switch is rule-governed. Although it is backed by reason, it is not necessary, or in Derrida’s terms in the context of gifts, it contains an element of chance (coup de don), at least from the recipient’s point of view. However, unlike the rabbit-duck case, the switch in moral attitude is not symmetrical. That is to say, although there is always the capacity to switch back to the original impersonal unforgiving or intolerant attitude, there are normative reasons not to do so. Although the negative response to the injury or bad behaviour is morally justified in the light of impersonal standards of justice, overcoming it is morally superior, that is to say, supererogatory.

The deep reason for this asymmetry lies in the priority of the agent over the act, the reasoning subject over her beliefs. Actions and beliefs are right or wrong, true or false, but their value is ultimately located in the people, i.e. their agents or subjects. We do and should relate to beliefs and actions independently of the individuals who are their authors, for instance in science and in theories of justice, but actions and beliefs do not float in an impersonal space: they are always part of the biography of a human subject, they have a personal origin, a way in which they were formed and adopted, a context in which they are interconnected to other beliefs and actions. Actions and beliefs can be abstracted from individuals, but they are by definition “closed”, unchangeable. However, human beings are “open” entities, self-transforming, capable of becoming other than what they are. And this is exactly what makes them the object of respect and dignity. So although in the context of education, we may, for example, switch back and forth from the personal (ad hominem) perspective to the impersonal (“objective”) per spective, as we do in the rabbit-duck case, once we choose to forgive a friend or tolerate an opponent, we cannot simply revert to the former position of hostility or antagonism.

The switch to a personal perspective is, in my opinion, a way to break Derrida’s circle. By separating the individual person from her particular deeds, one over comes the calculative mode, since this applies only to the particular record of the individual rather than to her personality. Such a separation means “giving credit” to the other, not in the economic sense of incurring a debt but in the sense that the person is not reducible to her beliefs and actions. I give to you generously because I like you regardless of your merits or desert; I forgive you

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28 Both Aristotle and Kant view the human individual as the ultimate source of moral value. According to the former, just actions are those performed by the just person; according to the latter, good and bad actions are the product of a good or bad maxim, that is a meta-rule of action adopted by the agent.
because you are more than just the agent of an insolent behaviour; I tolerate you because I can see through your wrong practices and understand how they express what you are and what you sincerely believe in. However, all these personal attitudes are supererogatory, since duty and justice determine the right amount of giving, the legitimate response to unjust actions, and the justified struggle against wrong practices. In such a “personalistic” account, supererogatory behaviour does not call for an explanation in terms of an expanded circle of divine justice and reward.

This separation of the individual from her actions and beliefs is not an easy enterprise, neither morally nor psychologically. Obviously, the most difficult case is one’s attitude to oneself. I tend to identify myself with my actions and beliefs and hence cannot abstract my personality from its cognitive and behavioural manifestations. This may explain why I cannot forgive myself or be said to tolerate my own beliefs and behaviour. Children also identify others with their actions and find it difficult to forgive and tolerate. Furthermore, there is a limit to what we may for give or justifiably tolerate, I mean cases in which the wrongs and offenses are so deeply rooted in the agent that the separation of action from subject becomes impossible. By doing extremely bad actions, a person might lose his dignity or that kind of “openness” which promises the possibility of reform. In such cases, no switch in perspectives would change the way he looks. Friendship can be irreversibly damaged by an act which reflects on the personality of the former friend in such a way that no motive remains for restoring the friendship. Of course there is no clear criterion of the limits of toleration and forgiveness, nor of generosity, since they are partly grounded in normative considerations. But forgiving the unforgivable and tolerating the intolerable are morally wrong, not supererogatory responses.

To close the circle (!), I have spoken about forgiveness and toleration as analogous to gifts, all three manifesting the properties of supererogation. I also believe that purer forms of giving, giving that hopes to break the circle in not expecting any reward, earthly or divine, should be analysed in terms of the Gestalt switch from the impersonal to the personal. This might be less clearly expressed in gifts than in supererogatory forbearances like forgiveness and toleration, but it nevertheless serves us, at least ideally, to delineate the possibility of free
giving. In that respect, I do not share Derrida’s view that “the gift must be irruptive, unmotivated, disinterested”. Sacrifice is such a form of giving in which there is no expectation of a reward, and, as Derrida points out, Abraham’s “gift” of his only son is the ultimate example. Only by not expecting a return does Abraham gain God’s reward. But in a world devoid of the divine circulation of gifts and counter-gifts, there is still a pure form of giving, a non-paradoxical and very widespread giving, that of parents to their children. This is a form of giving which is real in the sense that it is not simply a potlatch-like waste, that is to say, not a show of generosity in a competition for public honour. And it is based on exactly that separation of personality from any particular property (record, behaviour) of the child. In that sense, it is unconditional. We give to our children simply because they are our children, not because of any impersonal characteristic or desert.

I wish here to contest Derrida’s interpretation of the story of Abraham and suggest an alternative reading (which might sound subversive of the traditional understanding of the story). Derrida argues that we must reject the reading according to which “Abraham played his cards well” in what Caputo refers to as a poker game with God. I believe, however, that this is in a way what Abraham did, but not for any cynical (economic) reason of expectation of a reward or profit involved in poker games. Indeed, two of the occurrences of the phrase “Here I am” (me voici) in the story of the Sacrifice of Isaac relate to the submission of Abraham to God; but the third, which is all too often ignored, refers to Abraham’s fatherly and caring response to his anxious son, promising him hope and protection (Genesis 22:7). This “commitment” is no less absolute than that shown to God. On the contrary, one may read the alleged agreement of Abraham to proceed with the execution of the divine command to slaughter his son as Abraham’s defiant attempt to test God rather than beings tested by Him! It is a moment of brinkmanship, in which God relents at the last moment, living up to Abraham’s expectation that He be a moral God declining human sacrifices. (Recall that it is the same morally-committed Abraham who is willing to charge God directly and bluntly on his decision to destroy Sodom and Gomorrah). According to that reading of the story, the

I am obviously aware of the limits of the non-circular model even in cases of forgiveness and toleration. We often expect reciprocity in both. Although toleration would be typically shown by the powerful towards the weaker, there are many cases, like neighbours’ relations, in which toleration is based on an expectation of mutuality. And as we have shown above, the lesson of the New Testament was that being forgiven creates a reason to forgive others. Escaping Derrida’s circle is not easy, and often morally undesirable.

Given Time, p. 123.
bestowal of “numerous descendants” is not God’s reward for Abraham’s blind submission but for his absolute parental dedication to his son.

However, beyond parental duties, whatever they are, giving to children is supererogatory. The separation of the personal from the impersonal perspective comes naturally to us, since we are attached to our children even more than to our friends and are eager to benefit them irrespective of their merit. We are accordingly also inclined to forgive them and to tolerate their practices more easily. However, in the case of young children, at the stage in which we try to form their identity, we are naturally less tolerant of their beliefs and actions that we judge to be wrong. Although we give priority to the personal perspective, we do not yet ground our relationship to our young children on the basis of their autonomy. At that stage we are still trying to shape it rather than to respect it.

In the last analysis, it seems that what touches us in supererogatory giving, what moves us in noble acts of forgiveness, what makes toleration such a cherished attitude (beyond its social value) is the success in breaking Derrida’s circle. Supererogation has been associated since Tertullian, and then Thomas Aquinas, with liberty, licentia, the personal freedom of the individual to transcend the boundaries of the Law. Acting beyond the call of duty is not only good in doing good; it is not merely the expression of benevolent intention, the promotion of friendship and personal relationships; it is ultimately an escape from the “totalitarian” grip of the calculative frame of mind that affects, or rather infects, us in most of our motives and practical reasoning. Supererogatory behaviour is one of the most significant means of liberation, of extricating ourselves from the necessity of universal moral principles and laws. If we, human beings, have the capacity to break the circle of justice, commerce, exchange and proportionate response, as I think we do, then this in itself is a most splendid natural gift.

Zusammenfassung

Geben, vergeben und tolerieren sind drei Begriffe, die dasselbe inhärente Paradox aufweisen: ein wirkliches Geschenk ist unmöglich, da wir uns immer irgend eine Art von Vorteil davon versprechen; ein wahrer Akt von Vergeben bedeutet einen Einstellungswandel, den die Seite,

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31 Aristotle notes that children can never fully return what they were given by their parents, but they should at least try their best. Parents on their part can renounce the filial debt. But Aristotle is also sensitive to the issue of the limits of giving and counter-giving: parents should not give to their children if they are wicked. Nichomachean Ethics, Bk. VIII, chap. 14.

12 Jahrbuch für Recht und Ethik, Bd. 13 (2005)