



## **Hume on the "Duty" of Benevolence**

Rudolph V. Vanterpool

*Hume Studies* Volume XIV, Number 1 (April, 1988) 93-110.

Your use of the HUME STUDIES archive indicates your acceptance of HUME STUDIES' Terms and Conditions of Use, available at

<http://www.humesociety.org/hs/about/terms.html>.

HUME STUDIES' Terms and Conditions of Use provides, in part, that unless you have obtained prior permission, you may not download an entire issue of a journal or multiple copies of articles, and you may use content in the HUME STUDIES archive only for your personal, non-commercial use.

Each copy of any part of a HUME STUDIES transmission must contain the same copyright notice that appears on the screen or printed page of such transmission.

For more information on HUME STUDIES contact [humestudies-info@humesociety.org](mailto:humestudies-info@humesociety.org)

<http://www.humesociety.org/hs/>

## HUME ON THE "DUTY" OF BENEVOLENCE

How extensive is the scope of the disposition for benevolent acts? This is a question of obvious ethical significance. David Hume advocates a theory of benevolence which, admittedly resting on empiricist presuppositions, places a certain limitation on the extent to which it would be proper to speak of a 'duty' of beneficence. Hume's doctrine allows that one may not in fact have a prima facie moral obligation to aid just anyone in need. Benevolence for Hume, broadly speaking, consists of affirmative undertakings in response to human needs of well-being. In what follows, I shall examine Hume's empiricist justification of a limited duty of benevolence and show in what respect such a debatable position need not reduce to callous indifferentism.

I begin by showing Hume's way of arriving at the view that ordinarily benefactors tend to practice generosity on a limited rather than on an extensive scale. To establish this claim, Hume points to an affinity between feelings of sympathy and acts of benevolence. Next, I explore the sense in which Hume believes it is fitting to base certain generally recognized limited duties upon special relationship only. This proviso allows us to deem some acts as merely supererogatory in nature -- that is, acts beyond the call of duty. Supererogatory acts are characteristically optional. On the optionality principle, one who even knowingly fails to advance the good of a fellow-human being in need, at least potentially leaves the option open for someone else to be a benefactor.

My final task will be to show how Hume may avoid possible negative implications linked with the notion of supererogatory acts. By appealing to what

I will call the mutuality of interest principle, Hume suggests a way of promoting acts of altruism in civilized society, so that it becomes collectively profitable to render mutual aid. While it still remains true that a duty for limited benevolence is the general rule, whereas capacity for extensive benevolence is the exception to the rule, Hume's broader views on social justice permit room for significant advancement of reciprocal acts of altruism. It is evident that any conclusions arrived at, especially respecting promotion of social justice, will have direct implications for programs of welfare and theories of economic redistribution.

## I

In this section of the paper I map out the conceptual boundaries between sympathy and benevolence so as to uncover what Hume seems to think is a fundamental affinity between these concepts. To use a Wittgensteinian metaphor, sympathy and benevolence share certain family resemblances. The feeling which lies at the root of moral approbation Hume calls sympathy. Sympathy is a fellow-feeling with the happiness as well as with the misery of others; it "is a very powerful principle in human nature" producing our sentiment of morals.<sup>1</sup> This feeling is so much a part of our nature that it furnishes a satisfactory explanation for the approval we commonly give to meritorious personal qualities. However, even though sympathy is an original natural propensity it is also true that it is easier to show limited sympathy -- e.g., sympathy towards close relatives and friends -- than it is to show extensive sympathy (e.g., fellow-feeling for complete strangers) (T 580-81). Hume's main point, of course,

is that sympathy, however vivid, faint, or indifferent its manifestation, is a precondition of morality. Such sympathy, far from being merely reducible to infectious emotional communication (or passive transference of feelings) is, instead, a form of active imaginative projection of oneself into the other person's situation.<sup>2</sup>

To be sympathetically inclined, then, for Hume, does not mean to be simply taken over by an unconscious emotional contagion in some magical sense, as it were. Genuine caring sympathetic concern involves an element of reflective fellow-feeling -- expressed as thoughtful intersubjective identification -- with the needs or special circumstances of others.

Benevolence, for Hume, is to be construed as compassion for others in need, often marked by disinterested caring acts of generosity or kindness (T 602-606). Benevolence is parasitic on sympathy in the sense that a motive for rendering assistance to others in distress requires a certain amount of sympathy (T 579). So, to say that benevolence is a natural virtue, in effect, means that such an act is "immediately agreeable" on account of its natural "tendency to the good of mankind" (T 604). In the same way that sympathy may be displayed either narrowly or extensively, so a benevolent act may have a tendency towards achieving a private (limited) or public (extensive) good (T 482). The concern for contributing to the welfare of immediate relatives and acquaintances (the class of persons within our private circle) is more readily fostered than general unspecified public benevolence (extensive regard for the needs of mankind generally). The suggestion, nevertheless, on Hume's part, is that acts of benevolence spring from agreeable benign feelings

towards our fellow-men. But Hume nowhere maintains that we are by nature inclined to love mankind, merely as such, independently of special relations (T 481). The propensity to act benevolently is quite closely linked to human altruistic concerns -- even if it is the case that we are not universal altruists, generally speaking. Benevolence, we may say, is a virtue to the extent that it is a response to some identifiable need upon noticing the adverse circumstance of a fellow-member of the human race with whom we sense a common belongingness.

Hume further sees a system of general impartial rules of fair play -- that is, a system of artificial justice -- as advantageous to society (T 476-84).<sup>3</sup> As one commentator so aptly remarks while in the process of assessing Hume's perspective:

Justice is thus based on human conventions designed to remedy the selfishness of human nature with its great generosity to members of one's own immediate family, and its limited generosity to strangers on the one hand, and the scarcity of goods with which to satisfy the individual's wants and needs on the other.

Sympathy with the "public interest," Hume theorizes, calls into operation a system of social justice aimed at placing some reasonable checks and balances (i.e., justifiable limits) on our individual acquisitive impulse coupled with our limited sense of generosity. In the meantime, suffice it to say that creation of a system of justice is, in some respect, society's way of translating human "needs" into "shared interests," broadly. Hence, justice, as conceived of by Hume, is an artificial social contrivance which makes possible the recognition of enacted statutory "rights" (derivative of basic human needs) as distinct political values shared collectively by members of

the society. Later in the paper I return to comment upon the prudential aspect of this idea of social justice.

## II

Hume is of course committed to the view that individuals, on the average, have a capacity for only limited benevolence. Accordingly, at one place he observes:

[W]e perceive, that the generosity of men is very limited, and that it seldom extends beyond their friends and family, or, at most, beyond their native country. Being thus acquainted with the nature of man, we expect not any impossibilities from him; but confine our view to that narrow circle, in which any person moves, in order to form a judgment of his moral character (T 602).

And elsewhere he claims,

A man naturally loves his children better than his nephews, his nephews better than his cousins, his cousins better than strangers, where every thing else is equal. Hence arise our common measures of duty, in preferring the one to the other. Our sense of duty always follows the common and natural course of our passions (T 483-84).

It is plain from what Hume is saying that, normally, the capacity for benevolence is to be assessed in "realistic" terms, focusing on what average prudent persons can possibly be expected to do. From such realistic evaluation, he believes, it is possible to derive common or standard measures (that is, criteria) of duty. Now, how then is capacity for limited generosity to be reconciled, if at all, with kindly sympathetic inclinations towards others, generally?

An initial attempt at settling on some possible reconciliation may be detected in the natural tendency we have to show preference to those we are closely identified with, without in the least showing disdain or hatred for the rest of mankind. In fact, the distinction between limited and extensive generosity, as made by Hume, is not at all incompatible with the average prudent person's notions of duties owed to others. There is a felt need to set reasonable boundaries to our caring motives, an interest buttressed by practical considerations under the totality of circumstances. At law, for example, there has long been the recognition that no duty is owed to relieve a person in distress unless there is some special relationship between the parties creating an affirmative duty to act under the circumstances. On this view, parents owe an affirmative duty to see the well-being of their children, and marital partners owe reciprocal duties of care (support) to each other.

It is easy to detect a remarkable likeness between acts of generosity on behalf of relatives and friends and the aforementioned affirmative duty of care founded on special relationship. However, once this narrow circle of family and intimate acquaintances is broadened to encompass strangers, the force of a "morality of duty" fades more nearly into what might be termed a "morality of supererogation." A narrow, yet not completely implausible, interpretation of Hume's doctrine of limited generosity, would be to regard all duties based upon special relationship as morally required, whereas the more exceptional acts of extended generosity would, more properly speaking, be termed supra-obligatory.

On this interpretation, acts of extensive benevolence, would not be unlike what H.L.A. Hart includes under acts in "pursuit of moral ideals,"<sup>5</sup> or what Lon L. Fuller would place under the "morality of aspiration."<sup>6</sup> As Fuller remarks,

In a morality of aspiration there may be overtones of a notion approaching that of duty. But these overtones are usually muted ... instead of ideas of right and wrong, of moral claim and moral duty, we have rather the conception of proper and fitting conduct, conduct such as besseems a human being functioning at his best.

Similarly, Hart is of the view that right alongside explicit moral obligations, shared collectively by members in a society, there exist certain moral ideals. The realization of ideals is pursued, not in the sense of performing duties, but as part of our human interest in engaging in acts which tend to promote human happiness and which bring out the best of moral character as well. Such a doctrine of supererogation puts special emphasis on praiseworthiness. Where the principle applies, no moral duty is breached for failure to act in pertinent circumstances since the rationale is that no one has a "moral obligation to do everything that one's social conscience may tell one to do."<sup>8</sup> Any such act is of a type "which only an exceptionally sensitive regard for others would prescribe."<sup>9</sup>

Something close to, if not identical with, a paradigm of supererogation, has had its avid supporters in the context of discussions of welfare rights. First, there are those who find the results unsatisfactory where acts of extensive benevolence are believed to rest upon a human right to be helped. Professor Daniel Lyons, an advocate of human right to welfare payments, at one place states:

One issue today is the question of whether welfare payments to the poor are their right or instead are to count as charity from the rich. I want to claim that the poor have a human right to be helped by being shared-with (under the modest assumption that a redistributed dollar will help the poor more than its loss will cost the rich man). And my suggestion would be that for this sharing the poor owe the rich only perfunctory thanks, if any.<sup>10</sup>

The alleged human right to beneficence spoken of by Lyons does not necessarily arise from contract, kinship, or other special relationship.<sup>11</sup> It would indeed be absurd to dispute the propriety of the claim that in general fellow-citizens expect each other's help or that fellow-humans desire to be shared-with from each other's abundance. However, this interest in sharing-with or in redistributing wealth from the more affluent to the less fortunate is perhaps better addressed through the mechanism of a language of "needs" rather than "human rights." In this latter respect, to act benevolently towards strangers is to be disposed to contribute to the welfare of others just because one is able to identify with their misery and at once capable of feeling motivated to act in terms of a modest sense of decency. Some such alternative supererogatory view is advocated by Professor Rudolph, after having proposed, in a related context, a legal rule imposing a duty to rescue others in distress:

The proposed rule does not require a rich man to give money simply because a poor man is without funds. Nor does it apply to the classic hypothetical of the starving beggar who asks the millionaire for money in order to avoid starvation. If the rich man had food with him, he might be required to share it, for the presence of food would be purely

fortuitous... But he is not required to share his money, because a man's wealth is not a fortuity ... to impose a duty to act upon him would render him subject at all times to sharing his wealth with his less fortunate brethren.<sup>12</sup>

The point is, and this is certainly compatible with Hume's thesis, that people generally do have consideration for the welfare of others. It is fruitful to conceive of considerations of welfare as springing from perception of "needs," rather than from claims about moral "rights" or inalienable "entitlements." If such is a plausible picture of things, then there is no requirement to make existence of moral duty the rationale underlying all acts of generosity.

A second, and perhaps more promising, line of support for supererogatory ideals might be traceable to the now celebrated distinction drawn between "causing harm" and "preventing good." The gist of the distinction is that to fail to act to bring about a good may involve an omission to achieve a positive benefit on behalf of another. However, such inaction by itself does not necessarily close off all options for the realization of the good.<sup>13</sup> Even if one fails to act to advance the good of a fellow-human being, at least the option is left open for someone else to come along and benefit the person in need. By contrast, should a person act intentionally to cause harm to another -- say, by willful action causing death or serious bodily harm or action manifesting a reckless disregard for the quality of human life -- then such a person effectively closes off all options to the whole world to render a positive good to an individual's damaged welfare. Likewise, Hume's potential benefactor who fails to respond to the welfare needs of strangers at least does not close

off all possible options for the realization of those needs.

Third, it has been variously argued in recent times that a failure to be benevolent is a causal factor in any harm accruing to a person in obvious need.<sup>14</sup> This is felt to be particularly true where someone's continued welfare depends on a potential benefactor, but the final result of the failure to be benevolent leads to an impairment of the victim's welfare interests.<sup>15</sup> Such an inference, weighed over against the promotion of ideals prototype, appears unnecessarily definitive. Clearly, it is one thing to point to an omission to help; it is still another thing to allege that the omission has produced the harm. To warrant asserting strict causal claims of the foregoing kind, it must be kept in mind that actual causation (equivalent here to being in a position to help and not helping the stranger) and proximate causation (equivalent here to having a recognized, expected duty to intervene yet not intervening) are not one and the same. Technically at least, assuming considerations of pursuit of ideals, the obligation to help is morally mandated whenever some relationship between the parties binds them in less than casual ways; to fail to promote well-being in such instances would come closer to a correct allegation that the failure as such caused the ultimate harm. That is, the latter omission is more properly construed as proximately causing the harm, in a way that it could not make sense to say that just any failure to help is blamably harm-producing.

## III

Although there may be something to the suggestion that acts of extensive benevolence give rise merely to promotion of ideals, the doctrine of supererogation is understandably too weak to enlist unqualified acceptance. In fact, given the picture painted, is there any way for Hume to effectively avoid the challenge that his limited duty doctrine would sanction callous disregard for needy persons? I argue in this final section of the paper that it is not necessary to reach this sort of negative conclusion about Hume's characterization of benevolence, despite the hypothesis of supererogation.

References abound in Hume's writings which allude to a view not unlike the classic Good Samaritanism ideal, transcending narrow self-interest. To note:

A rich man lies under a moral obligation to communicate to those in necessity a share of his superfluities. Were private benevolence the original motive to justice, a man wou'd not be oblig'd to leave others in the possession of more than he is oblig'd to give them. At least the difference wou'd be very inconsiderable ... it wou'd be greater cruelty to dispossess a man of any thing, than not to give it him (T 482).

Further:

Here is a man, that does many benevolent actions; relieves the distress'd, comforts the afflicted, and extends his bounty even to the greatest strangers. No character can be more amiable and virtuous. We regard these actions as proofs of the greatest humanity. This humanity bestows a merit on the actions. A regard to this merit is, therefore, a secondary consideration, and deriv'd from the antecedent principle of

humanity, which is meritorious and laudable (T 478).

In both of the above passages it is clear that Hume favors a policy of relieving persons in distress, where the real motive is to be sought in the equity and merit of the observance itself. Hume seems to attribute such a motive for public benevolence to a developed "sense of justice," not derived from nature as such, but which arises artificially, though necessarily from education and human conventions (T 483).

What I see emerging here is a contention on the part of Hume that it is in our collective societal interest to devise systems of justice which would ensure some semblance of Good Samaritanism. To this end, he proposes, "'tis only from the selfishness and confin'd generosity of men, along with the scanty provision nature has made for his wants, that justice derives its origin.... 'Twas therefore a concern for our own, and the publick interest, which made us establish the laws of justice" (T 495-96). Such an overall plan or social scheme is felt to be highly conducive, indeed absolutely requisite, both to the support of society and the well-being of every individual. Let us refer to the motivation behind this felt-sense of social justice as the 'mutuality of interest' principle.

In effect, Hume is arguing that certain impressions (i.e., lively sensations of felt-human needs) give rise to a sense of justice. Of course, the Humean sense of justice is not in itself natural to the human mind. It is a cultivated sense of justice in civilized society, arising from artifice and human convention. On this analysis, rational self-interested persons soon discover that a mechanism to rationally safeguard and promote

commonly felt interests is mutually profitable. Prudential considerations teach us that it is infinitely advantageous to the whole society to induce conduct that will more equitably distribute benefits and burdens across the social spectrum. Every member of society would be sensible to this interest, and everyone would express it to his fellows (T 498). Social justice, as such, establishes itself by a sense of interest, supposed to be commonly shared, where every single act respecting distributions of benefits and burdens is performed in expectation that others are to perform likewise (T 498).

Even Hume recognizes that the mutuality of interest principle is no guarantee of perfect fairness. It can only ensure approximations of social equity. Take for example the person of merit, of a beneficent disposition, who restores a great fortune to a miser, a seditious bigot, or a spendthrift prodigal (T 497). Such a benefactor would have acted justly and laudably, yet the public is the real sufferer. Hume makes the humorous observation that it is conceivable for a benefactor under these circumstances to impoverish himself by a signal instance of integrity, but have reason to wish that with regard to that single act of giving the miser his due (or compensating the seditious bigot), the laws of justice were for a moment suspended in the universe (T 497).<sup>16</sup>

The practical upshot of the mutuality of interest principle is that, ultimately, it does not pay to be a "Bad Samaritan." Even the "Bad Samaritan" can imagine being in need someday, in which case he or she would want (and might even expect) anyone in the vicinity to act as a "Good Samaritan."<sup>17</sup> This potential role reversal rationale

effectively says to misers, bigots, prodigals, and indolents that in civilized society "bad faith" dealings such as cheating and freeloading don't pay off in the long run. The selection process operates against freeloaders and the like, by at some point causing them to be shunned as trading partners to be counted on. Failure to pursue goals of reciprocal altruism, in a prudential manner, might furthermore be deemed symbolic of a life which is an inward mockery of itself. Camus at one place paints the picture of a person who refuses to aid another in distress as tantamount to an outward expression of a covert betrayal of others, a response which in actuality is only an aspect of inner self-betrayal.<sup>18</sup>

Social justice, prudentially construed, therefore is an artificial mechanism, created in the mutual public interest. By this means it is possible for mutually self-interested persons to move beyond perception of felt-needs to creation of enforceable shared interests (e.g., institutions recognizing promise-keeping, acquisition of property rights, etc.). An immediate, practical advantage of Hume's theory of social justice is that through mutual consent it is possible to impose upon society, collectively, specific legislation having the purpose of remediating or at least relieving certain hardships among disadvantaged members of the citizenry. Programs of welfare, or social schemes of public wealth-redistribution are therefore fit candidates for worthwhile legislation.<sup>19</sup>

In sum, I have argued that there are important reasons for maintaining, as Hume did, that a duty of limited benevolence is the general rule, while acts of extensive benevolence are more illustrative of exceptions to the rule. From this vantage

point, extensive benevolence is hence not founded on special duty but is, instead, pursued as an ideal in the promotion of human well-being. The doctrine of supererogatory acts, associated with Hume's justification of acts of extensive benevolence, while admittedly subject to negative appraisal, need not commit Hume to a negative moral result. Granted mutuality of interest, it is still possible, in one respect, to enlist voluntary interpersonal charitable behavior. Alternatively, it would also be in order to roughly 'require' or make people, through government sponsored welfare legislation, 'duty-bound' to act as at least minimally decent, if not entirely good, Samaritans. This less harsh conclusion seems warranted, despite the admitted limitations of a thoroughgoing empiricist psychology as an explanatory paradigm.

Rudolph V. Vanterpool  
California State University,  
Dominguez Hills

1. David Hume, A Treatise of Human Nature, ed. L.A. Selby-Bigge (Oxford: The Clarendon Press, 1888; 1973 reprint), p. 577. Further references to the Treatise will be cited as 'T' followed by the relevant page number(s). See also Hume's Enquiries: Concerning the Human Understanding and Concerning the Principles of Morals, ed. by L.A. Selby-Bigge (2d. ed.; Oxford: The Clarendon Press, 1902; 1972 impress.), pp. 221-23. Further references to Enquiries will be cited as 'E' followed by the relevant page number(s).
2. See, for example, T.A. Roberts, The Concept of Benevolence: Aspects of Eighteenth-Century Moral Philosophy (London: The Macmillan Press, 1973). In particular, refer to Chapter 3, "Hume's Discussion of Benevolence in the Treatise," pp. 92-98. The position I argue for goes counter to

Professor Roberts' interpretation. Accordingly, Roberts comments:

...in relation to his general analysis of the passions or emotions, he [Hume] is seeking to account for the fact that one person can be affected by another's emotion, and sympathy is in the first instance, Hume's term for his account of the psychological process whereby one person's emotion is communicated to another, so that he also feels it. Sympathy involves the way in which my idea or conception (Hume's terminology) of another's emotion is transformed into my impression, that is, into a felt experience of the same emotion as the other is feeling, of which I have an idea.... From Hume's account it follows that for X to sympathise with Y it is necessary that X comes to feel the same emotion as Y, where Y feels his emotion temporally prior to X. Hume's reference to the sympathetic process being instantaneous seems to suggest he is thinking primarily of sympathy as a kind of immediate emotional reaction, as when we immediately begin to feel gay when we join what is already a gay party. It also allows for the case of someone coming to feel sorrow when he begins to realize another is sorrowful.

3. Here Hume discusses the question whether justice is a natural or artificial virtue, concluding, of course, for the latter.
4. Roberts, p. 104.
5. H.L.A. Hart, The Concept of Law (Oxford: The Clarendon Press, 1961), pp. 177-78.
6. Lon L. Fuller, The Morality of Law (New Haven & London: Yale University Press, 1964), pp. 3-32.
7. Ibid., p. 5.
8. See W.D. Falk, "Morality, Self and Others," in Morality and the Language of Conduct, ed. by Hector-Neri Castañeda and George Nakhnikian (Detroit: Wayne State University Press, 1965), p. 56.

9. Ibid.
10. Daniel Lyons, "The Odd Debt of Gratitude," Analysis 29 (1969), p. 96. In this essay, Professor Lyons does an analysis of "gratitude." He has a two-fold argument: (1) the mere fact that perfunctory thanks are appropriate for a service does not prove that the service was not the beneficiary's right. (2) Real thanks are due to A for helping B insofar as this help is "really" praiseworthy, and insofar as blaming A would be inappropriate for failing to help B. Ibid., p. 92.
11. Ibid.
12. Wallace M. Rudolph, "The Duty to Act: A Proposed Rule," 44 Neb. L. Rev. 499, 509 (1965). Additionally, it might be helpful to consult H.J. McCloskey, "Human Needs, Rights and Political Values," American Philosophical Quarterly 13 (1976): 187, for a discussion of the language of needs in welfare matters.
13. See, in particular, Richard L. Trammell, "Saving Life and Taking Life," Journal of Philosophy 72 (1975), p. 135.
14. See, for example, John Harris, "The Marxist Conception of Violence," Philosophy and Public Affairs 3 (Winter, 1974), pp. 192-220. Harris, taking a Marxist approach, favors a hard causation analysis. Hence, he treats "failure to act" in typical rescue cases as an intrusion into the pattern of normal expectations. The failure itself is viewed as a negative act for which we are to be held morally accountable. On this strict causal theory, it is the doing of nothing that is to be construed as actually bringing about (that is, causing) harmful consequences, which is just as awful as causing harm directly by affirmative conduct.
15. Refer to John Kleinig, "Good Samaritanism," Philosophy & Public Affairs 5 (1976), p. 400. Unlike Harris (see footnote 14 above), Kleinig's causation doctrine, however, is much softer.
16. Likewise, in a related manner, Hume suggests that "Giving alms to common beggars is naturally praised; because it seems to carry relief to the distressed and indigent: but when we observe the encouragement thence arising to idleness and

debauchery, we regard that species of charity rather as a weakness than a virtue" (E 180).

17. See Anthony D'Amato, "The 'Bad Samaritan' Paradigm," 70 NW. U.L. Rev. 798, 806-07 (1975).
18. Albert Camus, The Fall, translated by Justin O'Brien, (New York: Vintage Books, 1956), p. 147. The narrator in this work of fiction is a respected Parisian lawyer who is forever haunted by an experience in his past when he passed up an opportunity for saving a drowning young woman one night on the quays of the Seine. By never risking his own life, he now pleads ambivalently, "'O young woman, throw yourself into the water again so that I may a second time have the chance of saving us both.'" Herbert Fingarette points to this idea of species self-deception as portrayed in The Fall in his essay, "Some Moral Aspects of Good Samaritanship." See The Good Samaritan and the Law, ed. by James M. Ratcliffe (New York: Anchor Books, 1966), p. 219.
19. I have elsewhere characterized the judicial construction of welfare interests as amounting to "statutory" entitlements (rather than inalienable rights). See my "Welfare Rights and Procedural Due Process," Logos: Philosophical Issues in Christian Perspective, Vol. 6, (1985), 79-89.