From Calhoun(ed), Setting the Moral Compass (Oxford, 2004)

7

Common Decency

Cheshire Calhoun

Charles Dickens's Ebenezer Scrooge is a portrait of a man without common decency. Scrooge's central failing is not his miserliness or callousness toward suffering. His sometimes spectacularly contemptible failings—as when he suggests that the poor should simply get on with dying and reduce the surplus population—are connected to a less spectacular but more pervasive failing: Scrooge has removed himself from the daily commerce of favors, mercies, small kindnesses, forgivings, expressions of gratitude, and social pleasantries that are the stuff of common decency. He gruffly rebuffs his nephew's invitation to Christmas dinner. He grumbles at being expected to let his employees off on Christmas day. He threatens to take a ruler to a Christmas caroler. And he refuses even the smallest compliance with the convention of charitable giving during the Christmas season. Though we see Scrooge's faults at the Christmas season, his failing is not seasonal. Scrooge routinely fails to behave like a decent human being, and for that reason no one ever stops "him in the street to say, with gladsome looks, 'My dear Scrooge, how are you? When will you come to see me?' No beggars implored him to bestow a trifle, no children asked him what it was o'clock, no man or woman ever once in all his life inquired the way to such and such a place, of Scrooge."[1]

That Scrooge has no truck with simple favors, such as telling others the time or giving them directions, signals his lack of common decency. Paying Bob Cratchit barely a living wage, relentlessly collecting debts from the already impoverished, and displaying an indecently callous attitude toward the destitute are simply more egregious examples of Scrooge's general inability to live up to our moral expectations about how minimally well-formed agents will behave.

In disappointing expectations about how a minimally well-formed agent will behave, Scrooge does not invite others' resentment or moral indignation. Nor is guilt what he comes to feel about his past bad behavior. In *A Christmas Carol*, Scrooge's lack of common decency is most often met with surprise, pity, contempt, mockery, and cooled affections. What Scrooge himself comes to feel about

his lack of common decency is not guilt but a mixture of shame and loss of human connection.

But for all that Scrooge is "an odious, stingy, hard, unfeeling man,"[2] there is no one whom he clearly *wrongs*. It may be indecent to insist that his employees work on Christmas day, but he correctly observes that since they also expect to be paid, he does not owe them this day off. Nor does he owe his nephew pleasantries, Christmas carolers something for their cheer, Bob Cratchit higher wages than agreed upon, his debtors a grace period in meeting their debts, or any particular charitable organization a donation. These are all gifts that he is within his rights to refuse to bestow. As for what Scrooge owes others, Dickens gives us no reason to think that Scrooge fails to render what is due. On the contrary, Scrooge is obsessed with debts. He wants nothing more from others than exactly what they owe him. In return, he will give others exactly what he owes and not a bit more. His business and moral ledgers carefully track debts payable to and by him, making no allowance for giving or receiving that exceeds the obligatory. And this is the source of his failure of common decency. For Scrooge, others are morally entitled to expect only what is rightfully theirs. He is unable to see the moral legitimacy of their expectation that he will give them the grace periods, sympathetic ear, relief from work duties, livable wages, the time of day, and sociability that are just matters of common decency. Scrooge sees nothing morally objectionable about removing himself from commerce with others' needs. "It's not my business," he says. "It's enough for a man to understand his own business, and not to interfere with other people's."[3]

The common decencies and failures of common decency at the center of Dickens's *A Christmas Carol* are familiar ones. Yet, from a philosophical point of view, common decency is puzzling. Acts of common decency seem to occupy a shadowy territory between the obligatory and the supererogatory. On the one hand, Scrooge seems within his rights to withhold the kindnesses and mercies that are emblematic of common decency. He in fact doesn't owe his debtors grace periods or his nephew pleasantries upon their meeting. Yet those around him also seem justified in responding with moral contempt and a severing of social bonds. They rightfully find moral fault with his behavior. *But how can one be faulted for failing to give what was never owed?* What sense can be made of our treating acts of common decency as though they were not obligatory but not purely elective either?

In what follows, I suggest that the normative expectations connected with common decency do not derive from a conception of what we owe each other. Instead, they derive from a constructed conception of what can be expected of a minimally well-formed moral agent.

Two Species of Common Decency

Since the term "decency" has many uses, let me say a bit about what I have in mind by "common decency." Then we can turn to the puzzling normative status of common decencies.

The term "decent," like the terms "good" and "mediocre," is a grading term. Anything that can be graded could receive the grade of "decent." We speak, for example, of a decent cup of coffee, a decent selection of items, a decent society, a decent system of law, and decent housing. The core meaning of "decent" in all of these cases is *adequate* or *minimally acceptable as good*. What is decent just satisfies the standard for items of a particular kind. A decent cup of coffee is a good cup, but only just. "It's decent" offers only faint praise and draws attention to what is only a cut above the shamefully inadequate.

Sometimes what is minimally acceptable and only a step from shamefulness is the agents' *moral performance*. The notion of minimally acceptable moral performance —and thus of common decency—can be understood in two different but related ways. First, we sometimes equate common decency with fulfilling one's *minimal moral duties*. Philosophers in particular tend to construe common decency in this way, although they disagree on whether all duties or just some duties are "minimal."[4]

Doing what morality minimally requires is, I think, an important form of common decency.[5] But it is not the philosophically most interesting form of common decency. Think back to Ebenezer Scrooge. Scrooge lacks common decency not because he shirks his minimal moral obligations but because he fails to live up to others' very strong expectations about the moral gifts—pleasantries, mercies, kindnesses, and favors—they can count on receiving from any agent who is at least minimally well-formed. This second form of common decency is, as John Kekes puts it, especially connected with "moral attitudes that call upon one to go beyond the rules."[6] It "involves good will toward fellow members of the society, a reluctance to injure others in pursuit of our own ends, *even if we have the right* to pursue our ends. It is the attitude opposite to extracting our pound of flesh."[7] Thus although it is true that we sometimes say of a person, "At least she had the common decency to do what she agreed to do," common decency is not simply a matter of living up to minimal moral obligations. "Common decency" also names the basic sorts of things that we expect any minimally well-formed agent will *elect* to do for others *absent any requirement* to do so.[8]

These two forms of common decency—fulfilling minimal moral duties and giving those "moral gifts" that are only to be expected—have a common core: common decency has to do with what can be expected from any *minimally* well-formed moral agent. To have common decency is to be a good or acceptable moral agent, but just barely.

I now set aside the common decency of fulfilling minimal moral obligations and turn exclusively to the common decency of giving those moral gifts of kindness, mercy, pleasantness, and so on that are only to be expected of a minimally well-formed agent.

Common Decency, Supererogation, and Obligation

Common decencies appear to occupy a shadowy territory between the supererogatory and the obligatory. Consider first their relation to supererogation. Common

decencies differ from typical supererogatory acts because they are *expected* of agents and are *shameful* to omit. But common decencies share with supererogatory acts the feature of being *nonobligatory*.[9] As Scrooge understood so well, common decencies are elective—gifts one is morally free to give (or not). Because of this, the kindnesses, mercies, favors, and the like that constitute common decency seem to fit quite naturally within the basic categories of supererogatory acts:[10] (1) favors; (2) acts of beneficence; (3) volunteering; (4) mercy and forgiveness; (5) praisings, congratulating, and honorings; (6) gratitude; (7) gift givings; and (8) saintliness and heroism.[11]

Saintly and heroic acts are obviously not matters of *common* decency. But each of the remaining seven categories contains some mixture of common decencies that are expected of all minimally well-formed agents and especially virtuous acts that could only be expected from unusually well-formed agents and thus are left fully to the agent's discretionary judgment. How do we determine *which* acts are common decencies? Let me propose for the moment that, as a general rule, any act falling into categories (1) through (7) that has been socially conventionalized—so that it is just "what is done"—will be a matter of common decency. Giving one's child a birthday present is, for example, socially conventionalized. So, too, in many organizations is volunteering to take one's turn at some undesirable task (e.g., serving as department chair). Holding a stranger's place in line, giving directions or the time to those who ask, opening the door for those whose hands are full, and giving up one's bus seat to the elderly are familiar conventionalized favors. Such conventionalized giftings, volunteerings, and favors are matters of common decency.

Although common decencies resemble supererogatory acts in being morally good but nonobligatory, they also differ in one important respect: they are not fully morally elective. An act is fully morally elective when

1. Omitting the act is not morally criticizable.
2. No "ought" stronger than an "ought" of moral advice giving is appropriately used to recommend it.
3. Choosing the act is meritorious—something we commend or admire the agent for doing rather than take as owed or simply to be expected.
4. Gratitude untempered by any thought that one has some moral title to the gift bestowed is the proper response to the act.

Common decencies are not fully morally elective in any of these senses. First, people who don't manage to do what is just a matter of common decency are criticizable. They are not criticizable for *wronging* others, but their failure to give expected moral gifts does open them to the charge of being petty, mean-spirited, contemptible, disappointing, irritating, and a poor excuse for a moral agent.[12] Such criticism underlines the sub par nature of the moral performance. Contempt, pity, cooled affections, resentment, and (the agent's) shame are all appropriate reactive attitudes to failures of common decency. By contrast, supererogatory acts are ones whose omission does not warrant moral criticism or negative reactive attitudes.

Failures of common decency thus have an odd status. On the one hand, they are not wrongs. On the other hand, they are not morally acceptable omissions. Scrooge's mercilessness toward his debtors, for example, was clearly taken by others to be an offense, yet one that he was not morally obligated to avoid. Failures of common decency thus seem to have the interesting status of being morally disvaluable acts that are nevertheless permitted rather than forbidden. Chisholm has called acts having these features "permissive ill-doings" (or "offenses"),[13] and Julia Driver has described them as "suberogatory."[14]

Second, common decencies are not fully morally elective because even if the "ought" of obligation does not apply to common decencies, an "ought" that is considerably stronger than mere advice giving does apply. Joel Feinberg is perhaps best known for making this observation.[15] Feinberg uses the example of one kind of common decency—simple favors—to argue that "there are some actions which it would be desirable for a person to do and which, indeed, he *ought* to do, even though they are actions he is under no *obligation* and has no *duty* to do." He invites us to imagine being approached by a stranger who politely asks for a light. "Ought I to give him one?" he asks, and replies, "I think most people would agree that I should, and that any reasonable man of good will would offer the stranger a match."[16] The sense of "ought" here falls somewhere between a command to do one's duty and the observation that this is one among many morally good acts that one might elect.

Third, common decencies are not fully morally elective, because they establish our minimal acceptability as a moral agent; they do not signal our achievement of a virtuously high standard of moral agency. This is why omitting common decencies is criticizable. It is also why choosing to behave with common decency is not meritorious—something that we commend or admire the agent for doing rather than take to be owed or simply to be expected. In the United States, for example, tipping waitpersons 15% to 20% is a common decency, only to be expected of any minimally well-formed agent who is familiar with tipping conventions. It is not an indication of commendable virtue.[17] By contrast, supererogation is the domain of commendable and admirable virtue.

Fourth, the proper response to a fully elective moral gift is gratitude. The proper response to being shown common decency is at most perfunctory gratitude. Because we are normatively entitled to expect common decency from others, gratitude in excess of simple thanks for commonly decent treatment would be misplaced. Given this difference between common decencies and supererogatory moral gifts, a good way to discern which favors, mercies, volunteerings, and so on are just matters of common decency is to ask oneself, "What favors (mercies, volunteerings, etc.) could I ask of others without putting myself in the position of incurring a debt of gratitude for a meritorious display of goodwill?" Some ways of filling in requests such as "Would you do me the favor of . . . ?" "Could you spare . . . ?" "Would you mind letting me . . . ?" and "Could you tell me . . . ?" clearly impose on others' goodwill and would, if granted, incur a debt of gratitude. In other cases, we simply assume that others should be willing to grant our request because we aren't asking for a meritorious display of goodwill—just common decency.

Utilitarian and Kantian Obligation to Show Common Decency

In sum, common decencies appear to occupy a hybrid category, sharing some features of obligation and some of supererogation. One might, however, balk at this idea. In particular, one might object that if common decencies are what we *ought* to do, then common decencies are obligatory.[18] Both utilitarians and Kantians would probably insist that the injunction "You ought to do that; it's just common decency" points to an obligation. A utilitarian might take common decencies to be strictly obligatory, as a rule, because they benefit others but cost the agent little. And utilitarians think that we are always obligated to do whatever will maximize welfare.

Kantians would probably categorize common decencies among imperfect duties. If common decencies are imperfect duties, this would explain why the "ought" recommending common decency seems weaker than the "ought" of obligation. No act fulfilling an imperfect obligation is strictly required. Imperfect obligations simply require that one perform *some* acts of a particular kind—for example, some possible favors. The "ought" recommending, for example, doing someone the favor of holding her place in line is thus not the strong "ought" of perfect obligation that commands what we must do now. It is the weaker "ought," requiring that we do some favors but not necessarily this one now.

Both utilitarian and Kantian approaches solve the puzzle over the normative status of common decencies by denying there ever was a puzzle: the "ought" recommending common decency just is the "ought" of obligation. Neither approach, however, enables us to retain much of the ordinary conception of common decency. Consider, first, the utilitarian view. A utilitarian would have to insist that common decencies are obligatory in just the way that keeping promises and telling the truth are obligatory. Thus the utilitarian would have to insist that Scrooge wasn't just criticizable for not giving his debtors a grace period, but he actually *wronged* them. A utilitarian would also have to drop the idea that common decencies are more strongly required than are saintly mercies and kindnesses but are less strongly required than minimal promise keeping, truth telling, and so on. All acts that maximize utility—whether acts of promise keeping or of common decency or of saintly beneficence—are equally obligatory. Of course, a utilitarian could try to argue that our commonsense distinctions between the strictly obligatory, the commonly decent, and the saintly are useful fictions to preserve.[19] Perhaps we gain something when people are left free to elect to be decent, and freer yet to be saintly, rather than feeling obliged. But this still amounts to jettisoning, at the metalevel, our everyday distinctions between different degrees of "oughtness."

The Kantian, too, must reject the idea that there are different degrees of "oughtness." First, both common decencies and unusually virtuous moral gift givings are simply different ways that agents might elect to discharge their imperfect obligations. The same "ought" of imperfect obligation applies to both types of act. There is thus no obvious way of capturing the idea that common decencies are normatively expected in a way that other moral gifts are not. Second, the Kantian cannot capture the idea that *particular, individual* acts of common decency are

what we ought to perform. One might ordinarily think that absent a special excuse, you really ought to give the match to the person who asks you for one, and you are criticizable if you refuse. From a Kantian point of view, however, what is criticizable is adopting a *policy* of refusing to render assistance. Omitting a *particular* act that would discharge an imperfect obligation cannot be criticized. Within a Kantian framework, the only way to capture the individually criticizable nature of failures of common decency would be to treat common decencies as matters of perfect obligation. That move, too, has a serious drawback. One of the distinguishing features of common decencies is that they involve not standing on one's rights when one is entitled to. This is most obvious for the common decency of not insisting on taking one's fair share; it is also obvious for the common decency of being merciful or forgiving.

In sum, if common decencies are governed by the "ought" of obligation—either strict or imperfect—then much ordinary talk about common decency must be set aside as confused. The alternative is to see if we can make sense of there being an "ought" that is weaker than the "ought" of obligation and stronger than the "ought" of moral advice. Is there some way of making sense of the idea that there are *elective* acts that we would be *criticizable* for not performing?

Constructing the Category of the Decent

What I want to propose is that the category of the decent—with its peculiarly hybrid properties—is constructed out of an antecedently determined domain of supererogatory acts. What I have in mind is this: we begin from some moral theory that enables us to determine what acts are obligatory and what acts are supererogatory. The determination of the domain of the obligatory sets boundaries to what could possibly be a matter of common decency. Something that is itself obligatory cannot be a matter of common decency, a moral gift that we are within our moral rights not to give. Nor can violations of obligation be common decencies since they are morally prohibited.[20] Only supererogatory (elective and morally valuable) acts are *candidates* for common decencies. The actual list of commonly decent acts is constructed from those candidates. By "constructed" I mean that unlike the obligatory and the supererogatory, norms of common decency emerge only from within a social practice of morality. Those norms articulate what moral gift-giving participants in a particular social practice of morality are expected to elect.[21] The expectation here is normative. It is not just that we happen in point of fact to expect other people to be willing to do us simple favors, forgive us for small failings, or volunteer to take a turn. We also take ourselves to be justified in having these expectations and to have a legitimate basis for criticizing those, like Scrooge, who disappoint us.

This takes us to the central question. From what source does this subset of nonobligatory, morally good acts that we call common decency get its heightened normativity?

Conventions

One account (which I will ultimately reject) of the heightened normativity attached to common decencies draws on the value of having and sustaining social conventions of moral gift giving. The argument goes like this:

It is often remarked within moral philosophy that securing the reliable performance of some acts has a special urgency. Our ability to carry out any life plan at all would be seriously undermined if we could not rely on others not to injure or kill us, to keep their agreements, to respect our privacy and property, and to communicate with us truthfully. This form of reliability—reliable forbearance from undermining others' security or agency—is, indeed, of great moral importance, and the concept of moral obligation works to secure that reliability. However, our need to rely on others extends well beyond matters of basic security and nonmanipulated agency. Like Blanche Dubois, we find that we unavoidably depend on the kindness of strangers. We need help in carrying out our plans, emotional support, occasional release from promises, forgiveness and mercy for errors, a grace period for repaying debts, and so on. That is, we depend on people electing to give us moral gifts. Personal planning and social coordination are enhanced, however, if some of what others might elect to do for us is routinized so that we can have advance knowledge of the contexts in which we can or cannot depend on others to help out. For example, when giving directions, telling the time, and lending a match are converted from fully elective, supererogatory gifts into socially institutionalized, expected gift givings, we can venture out in the world unburdened with maps, watches, and lighters. Or, for example, when forgiving those who are five or ten minutes tardy for appointments is conventionalized, we are spared from always having to allow extra time to arrive. In short, optimal social functioning depends not only on individuals fulfilling their moral duties toward others but also on the reliable exchange of moral gifts. Converting fully elective supererogatory acts into normatively expected ones by institutionalizing them in the shared, everyday moral practice of a group of people produces that reliability. When socially institutionalized, formerly fully elective acts such as picking up items dropped by another, giving up one's seat on a bus to the elderly, and letting those with only a few items go ahead of oneself in line become things that a decent person *ought* to do, even if others cannot demand them as a right.

Drawing on this idea that acts of common decency are part of an institutionalized practice of moral gift giving, we can explain the heightened normativity of common decencies in one of two ways. First, it is *advantageous* for there to be moral gift-giving conventions rather than leaving it entirely up to individual discretion which, if any, favors, mercies, forgivings, volunteerings, and the like they will do for others. Supporting those conventions thus has moral value because those conventions are useful ones.

Alternatively, one might observe that the fact that common decencies are *institutionalized* practices of moral gift giving from which everyone benefits means that those who insist on their right to refuse to be decent are a kind of free rider.

Whether they wish to or not, they in fact benefit in myriad ways from others' participation in the practice of bestowing those moral gifts that constitute common decency. Indecent people, like Scrooge, reap the benefits of moral gift-giving conventions without doing their part in this system of reciprocal favors, mercies, volunteerings, and forgivings. And that is unfair.

Now, here is what I think is the problem with this way of explaining why we ought to treat others with common decency and are criticizable if we don't. An appeal to the social utility of moral gift-giving conventions and the unfairness of free riding on those conventions justifies too much. Common decencies turn out to be not just obligation-*like*. They are *obligatory*. Many have argued, for example, that the usefulness of a conventionalized practice of promising and the unfairness of free riding on that practice ground an obligation to keep promises. So, if we are going to make sense of the electiveness of common decencies, we need an account of their normativity that does not draw on the moral value of sustaining useful conventions or of avoiding free riding on them.

Minimal Agency

A second account—which I think is the better one—shifts our attention from the status of norms that recommend decent *conduct* to the status of the *identity* that behaving decently sustains. Scrooge doesn't just behave badly. He disappoints our expectations for how any minimally well-formed agent will behave. The moral importance of the identity "minimally well-formed agent" generates the normativity of common decency. That identity is morally important because any functioning practice of morality must presume that its practitioners are capable of meeting a minimal standard of moral performance. I now turn to a more detailed explication of the central ideas in this second account of the normativity of the "ought" that recommends common decency.

The thought that we can expect any minimally well-formed agent to do *x*, *y*, and *z* arises both for obligations and for elective moral gifts. That is why there are, as I observed earlier, two related forms of common decency—one pertaining to minimal moral obligations and one pertaining to minimal moral gift giving. Consider, first, our expectations about obligatory moral performance. Although everyone stands under the obligation to do one's duty and moral failures meet with criticism, we nevertheless tolerate a good deal of moral backsliding. We tolerate it in the sense that much wrongdoing seems unsurprising and a normal hazard of everyday moral practice. We expect to meet with and accommodate a good deal of moral misbehavior that results from a variety of character shortcomings. We know that variations in natural and acquired dispositions, moral education, and strength of will result in variation both in individuals' moral performances and in their overall "success" as moral agents. There is, however, a baseline that we expect agents, no matter their individual character and temptations, to be able to manage to achieve. Even if it would be unreasonable to expect that fellow moral agents will always do what they ought, there are at least some things it is reasonable to expect.[22] Those who disappoint these expectations compound the wrongfulness of

what they do with the senselessness of subjecting others to what even the most minimally well-formed agent should have been able to manage to avoid.

In general, acts that are reasonably expected of even *minimally* well-formed agents are, first, acts that are not motivationally taxing. They cost the agent very little. Doing them is, as it were, no skin off one's nose. Nor do they presuppose any appreciable degree of virtue. As a result, excuses appealing to temptation or understandable failures of virtue are unavailable. Second, they are acts whose moral value in the situation at hand is obvious and unambiguous. So such excuses as "I didn't realize I should . . ." or "I wasn't sure I ought . . ." are not plausible. Third, in virtue of their being motivationally nontaxing, obvious, and unambiguous, they are the sorts of acts whose omission is not open to standard excuses, and this is why we so strongly expect people *not* to omit them.

Some obligatory acts are like this. Some supererogatory acts are like this, too. The domain of the supererogatory covers acts that vary widely in the degree to which they tax agents' motivational resources. Some supererogatory acts, particularly the saintly and the heroic, entail significant losses for the agent. Because of that, their performance requires exceptional motivational resources. So we understand why people do not usually elect these forms of supererogation. The domain of the supererogatory, however, also includes many unspectacular acts that are motivationally nontaxing. Although everything in the domain of the supererogatory is elective, the further one moves away from the saintly and heroic, the more reasonable it becomes to wonder why one would *not* elect to do this or that morally valuable act. As we imagine motivationally less and less taxing supererogatory acts—such as doing favors or engaging in idle pleasantries—we find it increasingly difficult to make sense of a person's refusing or neglecting to elect them. This is, in part, because the level of goodwill, concern for others' welfare, and commitment to the value of rational agency that moves a person to satisfy her minimum obligations should also move her to elect some morally good but nonrequired acts. Someone who *only* did what duty required and elected no supererogatory acts would, thus, not be a plausible candidate for a minimally acceptable agent.[23] On the contrary, when someone like Scrooge doesn't elect even the least motivationally taxing supererogatory acts, we have to suppose that something has gone wrong with his moral psychology. He suffers, perhaps, from excessive self-absorption or deficient sympathies. In this way, reflection on what can be expected of a minimally well-formed moral agent leads us to construct a conception of commonly decent moral gift givings from the larger domain of the supererogatory.[24] Those gift givings retain their elective character, but their incorporation into our conception of what any minimally well-formed moral agent would elect heightens their normativity.

Clearly, however, not every supererogatory act that is motivationally nontaxing is a matter of common decency. There are endless favors, mercies, kindnesses, forgivings, volunteerings, praisings, and present givings that we could do for others that are relatively cost-free. Most are not expected of all minimally well-formed agents. Stooping down to tie a stranger's shoelace when his hands are full of packages, for example, is no more motivationally taxing than stepping forward to

open the door for him. Yet shoe tying is not a matter of common decency, whereas door opening is. So why are some motivationally nontaxing moral gifts matters of common decency but others are not? The obvious difference between shoe tying and door opening is that opening doors for others is a socially conventionalized moral gift giving. Tying strangers' shoelaces is not. Such conventions convert supererogatory acts into common decencies.

Social conventions can convert supererogatory acts into common decencies in part because they make it obvious and unambiguous what it would be good to elect. When there are no conventions, giving people moral gifts can be problematic in all the ways that giving people ordinary material gifts sometimes is. We may give the appearance of bribing, currying favor, being paternalistic, taking liberties, showing favoritism, or seducing. This was the problem with tying the stranger's shoe. What was intended as a kindness may come across as an invasion of privacy, presumptuousness, paternalism, or a bit of seduction. So although tying the stranger's shoe may be motivationally nontaxing, its uncertain reception makes it neither obviously nor unambiguously a good thing to do. Conventions disambiguate. They render obvious and unambiguous the desirability of, say, opening doors for strangers with their hands full.

Conventions also affect what agents do and do not take to be motivationally taxing. When there are moral gift-giving conventions in place, agents expect the costs associated with them. When you board a bus, you expect to give up your seat to elderly passengers. When you go to a dinner party, you expect to bring a token gift. When you teach a course, you expect to give some grace periods. Such expected costs are not burdensome because our plans and expectations for ourselves already include their possibility. We don't feel particularly burdened by giving up our seat because doing so is not an additional cost of riding the bus. It comes with the territory of riding the bus. So, too, bringing a token gift comes with the territory of dinner parties, and showing occasional mercy to students comes with the territory of teaching.

In short, gift-giving conventions determine which elective acts will be motivationally nontaxing and obviously and unambiguously desirable. But this means that there is no one standard for being a minimally well-formed moral agent. The moral gift-giving conventions of actual moral practices supply the standard. Common decency is thus always a local construction.

Decent people are, then, like decent cups of coffee or decent housing. Their decency is relative to local standards. A decent cup of coffee in Nebraska is not a decent cup of coffee in Italy. Decent housing in rural South Carolina is not decent housing in San Francisco. This is not to say that there are no objective *limits* to what could count as decent housing or coffee. Any decent housing must provide some protection from the elements. Any decent coffee must use noncontaminated water. But these are very general guidelines. Local conventions supply the substantive content, and they may set the bar for decent coffee or decent housing higher or lower.

So, too, local moral gift-giving conventions supply the substantive content for the concept of common decency. Here also there will be objective limits to what

could count as common decency. Common decencies cannot strain human nature with their motivational demands. But just as the standard for a decent cup of coffee may vary with locale, so may the standard for common decency.

Conceptions of common decency can vary *horizontally*. Among the vast array of motivationally nontaxing supererogatory acts, different moral practices might conventionalize different sets. So, for instance, California Bay Area residents conventionally gift each other with enormous forbearance in wearing perfumed products, but they have no conventions for doing drivers who wish to change lanes the favor of permitting them to do so. Elsewhere, one finds conventions of doing fellow drivers favors but none of forbearing to wear perfume.

Conceptions of common decency might also vary *vertically*. Some locales may have lower standards all around for commonly decent behavior. The villagers in Le Chambon during World War II constructed what seems to us an extraordinarily high standard of decency. They clandestinely assisted approximately 3,000, largely Jewish refugees, when doing so was potentially severely punishable. What to us seems like grave risk taking to protect Jewish strangers from Nazi capture came to be simply what was to be expected. As Lawrence Blum observes, knowing that many others were involved in aiding the refugees had a double effect: it made the worthwhileness of taking the risk to help more obvious and unambiguous *and* it reshaped the villagers' sense of undue burden, making it motivationally easier to choose to take those risks.[25]

Conclusion

This, now, is what we might say to Scrooge: you take yourself to be a minimally well-formed moral agent. Indeed, you pride yourself on paying your debts and exacting the debts from others that they owe you. But you have misconceived what it means to be a minimally well-formed moral agent. If you really had the basic competence to practice morality with others, including caring about others' well-being and agency, you would at least elect those supererogatory acts that are motivationally nontaxing and obviously and unambiguously desirable. Being pleasant to your nephew, giving your employees Christmas off, and showing some mercy to your most destitute debtors should have been obvious, unambiguous, and easy moral gifts for you to give because they are conventional practices in your social world. In refusing to give those gifts, you show yourself to be a shamefully inadequate moral agent—a being without common decency.

Notes

Special thanks to Michael Smith and Julia Driver for conversations about this essay, as well as to the faculty and graduate students at Macquarie University, the Australian National University's Research School for Social Science, Indiana University, and Colby College. Work on this essay was in part made possible by a grant from the National Endowment for the Humanities.

1. Charles Dickens, *A Christmas Carol and Other Haunting Tales* (New York: Doubleday, 1998), 260–261.

2. Ibid., 316.

3. Ibid., 268.

4. Susan Wolf observes that "the goal of a theory of duty is to set minimal standards of moral decency." Those standards "tell people who wish to be decent that they must *at least* do this much": "Above and Below the Line of Duty," *Philosophical Topics* 14 (1986): 131–248, 139–140, 145. Even some utilitarians try to specify the minimal moral obligations that are matters of common decency; see, for example, J. O. Urmson, "Saints and Heroes," in *Moral Concepts*, ed. Joel Feinberg (London: Oxford University Press, 1969). This conception of decency also appears to be at the heart of Avishai Margalit's *The Decent Society* (Cambridge, Mass.: Harvard University Press, 1996). A decent society, in his view, is one in which people are treated in nonhumiliating ways in the basic institutions of society.

5. Susan Wolf, "Above and Below the Line of Duty," points out that moral philosophers who formulate theories of duty typically see themselves as setting up "a standard that will tell people who wish to be decent that they must *at least* do this much." Two basic positions on how many of our moral duties are minimal ones are these: (1) one might think that all moral duties are minimal because morality is not very demanding and does not require much of us by comparison to the full range of morally good things that we might do for others. If morality is not demanding, then one can expect any minimally well-formed agent to be able to do her duty. This will be just common decency. (2) Alternatively, one might think that some moral duties are quite demanding, and that our minimal duties are those that do not tax the motivational capacities of a minimally well-formed moral agent.

6. John Kekes, "The Great Guide of Human Life," *Philosophy & Literature* 8 (1984): 236–249, 243.

7. Ibid., 248; my emphasis.

8. The *O.E.D.* for example defines a decent person as someone who is "kind, accommodating, pleasant"—not as someone who does her minimal duties (*O.E.D Online*, definition 5b). Acts of common decency in this sense belong on the same scale with George Bailey's uncommonly decent acts in the movie *It's a Wonderful Life* (1947). Both common and uncommon decency involve "interfering" for the better in others' lives through moral gifts of kindness, compassion, generosity, charity, mercy, forgiveness, patience, pleasantness, thoughtfulness, and the like.

9. David Heyd's observation in *Supererogation: Its Status in Ethical Theory* (Cambridge: Cambridge University Press, 1982), 148, about one kind of common decency—favors—applies generally to acts of common decency: "They may be deserved or undeserved, done spontaneously or as a response to a request. Yet they are never deserved as a matter of right, and a refusal to do a favour cannot be criticized as morally wrong. We can ask for a favour, but never claim it."

10. These categories are derived, with some alteration, from Heyd's list, ibid.

11. Obviously, there is some overlap among these categories. Gift givings (particularly charitable gifts), favors, and volunteerings can be forms of beneficence.

12. Common decency thus does not fit Heyd's familiar description in *Supererogation*, 175, of the supererogatory: decisions that concern the truly supererogatory are "free not only from legal or physical compulsion, but also from informal pressure, the threat of moral sanctions, or inner feelings of guilt. It is purely optional."

13. Roderick M. Chisholm, "Supererogation and Offence: A Conceptual Scheme for Ethics," *Ratio* 5 (1963): 1–14.

14. Julia Driver, "The Suberogatory," *Australasian Journal of Philosophy* 70 (1992): 286–295. Driver's category of the suberogatory is possibly a bit broader than what I have in mind by the decent. For her, the suberogatory are bad acts that involve a failure to act on an ideal (e.g., the ideal of nonwastefulness). I want to stress that they are failures to live up to the standard of being a minimally acceptable moral agent. The differences here, however, are not large, and her article is full of important insights about the nature of these types of acts.

15. Joel Feinberg, "Supererogation and Rules," *Ethics* 71 (1961): 276–288.

16. Ibid., 276–277.

17. An agent could not *omit* common decencies and still claim to have a virtue like generosity. But to be generous is to be disposed to treat others also in some ways that exceed mere common decency. Purchasing the prize goose for Bob Crachit's family exceeds common decency, and it provides some evidence of Scrooge's commitment to becoming a better, more generous person.

18. Heyd, *Supererogation*, 150, raises this worry in connection with Feinberg's description of favors, but the point applies equally to all common decencies. Heyd points out that, "if the 'ought' means just 'the best thing to do'—an advice—then favours *are* supererogatory; and if 'ought' means a kind of requirement, how can Feinberg say that favours are never obligatory?"

19. Urmson, "Saints and Heroes," for example, tries to give a utilitarian justification for preserving a distinction between the obligatory and the "higher flights" of morality that constitute the supererogatory. I thank Michael Smith for reminding me that these are still fictional distinctions.

20. I thank Julia Driver for the latter point.

21. It is conceivable that a social practice of morality might operate without a conception of common decency. In that case, it would not treat any supererogatory acts as ones that agents are *expected* to elect; and it would not supply any basis for criticizing agents who stand on their rights and refuse to show mercy, volunteer, forgive, do favors, and help out when doing so is not obligatory.

22. Failures to meet that baseline typically meet with a different response than do other sorts of moral failures. Our reactive attitudes of resentment, indignation, and contempt are typically calibrated to the expectation that the moral agents with whom we share a daily practice of morality will behave as minimally adequate moral agents. Failures of common decency and failures to fulfill minimal moral obligations generally meet with heightened indignation, resentment, and sometimes contempt.

23. An analogy may help press this point. It would be odd to equate a minimally adequate professor with one who only does what duty requires. Suppose duty requires that a faculty member have *some* office hours, give *some* written evaluation of student papers, and do *some* committee service but leaves as a matter of election how much. Those who meet with students as little as possible, who return papers with hardly a word of comment, and who decline to serve on all but the least demanding committees shirk no professional obligations. However, they also do not live up to the expectations for minimally adequate professorial performance. More is expected of them precisely because the same commitment to academic ideals that provides a reason to fulfill their professorial obligations also provides a reason for discretionary elections that advance those ideals. In short, a minimally well-formed professor would choose more

than what her obligations require. Similarly, a minimally well-formed moral agent would choose more than what her obligations require. A commitment to the values that provide a reason to fulfill her moral obligations should also provide a reason for discretionary elections that advance those values.

24. Lawrence Blum, "Community & Virtue," in *How Should One Live: Essays on the Virtues*, ed. Roger Crisp (Oxford: Clarendon Press, 1996), 235, also draws a somewhat similar distinction between levels of virtue—noteworthy virtue and ordinary virtue. He describes ordinary virtue in a way that captures what I have in mind by common decency. Acts of ordinary virtue "are simply what are to be expected of a normal moral agent"; they are "not regarded as meriting distinct praise or esteem."

25. Ibid.