



ORIGINAL ARTICLE

# A defence of merit transfer: Aquinas's interpretation and desert theory

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(Received 7 September 2023; revised 2 February 2024; accepted 3 February 2024)

## Abstract

According to Joel Feinberg and most modern scholars of desert, the basis of desert must be a fact about the deserving person, and not about someone else. This widely accepted notion seems self-evident. However according to some religious traditions, such as Buddhism and Roman Catholicism, merit can be transferred from one person to another. That is, someone can deserve something based on some fact about someone else, such as the fact that someone else has carried out an action. This article examines the Catholic concept of merit transfer, first distinguishing it from other contemporary qualifications to the claim that a desert basis must be something about the deserving person. Then the article draws on Thomas Aquinas's explanation of the central role of relationship and love in merit and how it justifies merit transfer to address several objections made by modern scholars to such transfers. After addressing these objections, the article argues that literal understandings of merit transfer are preferable to metaphorical ones, and lastly some implications of merit transfer for Christian theology and the theory of desert more broadly are briefly discussed.

**Keywords:** desert; love; transfer of merit; Thomas Aquinas

## Introduction

Most desert theorists follow Joel Feinberg's assertion that one deserves to obtain a desert because of a basis of desert, which must be a fact about oneself, not about another (Kleinig 1971, 87; Sher 1987, 7; Lehtonen 1999, 68–69; Olsaretti 2003, 4; Smith 2021, 192–194). This is widely accepted as an almost self-evident proposition, needing little defence. In Feinberg's example, no-one would agree that a student deserves a good grade because not getting one would cause the student's mother distress (Feinberg 1963, 72). This seems commonsensical to many; however, billions of people worldwide belong to faith traditions that reject this proposition, most prominently certain denominations of Buddhism and Christianity (Malalasekera 1967, 85–90; Lehtonen 1999, 71–98; Smith 2021, 192–194). The idea of transferring merit was a major part of the religious, social, and political systems of medieval Southeast Asia and Catholic Europe, and the ideas and practices related to this concept persist today. In Catholicism, the idea of Christ meriting salvation and transferring the merit to humanity, Christ's and the saints' merits being transferred to believers through indulgences, and the ability of ordinary believers to do suffrages (good deeds that help the souls of others) for those in purgatory are still

upheld as doctrine just as they were in Thomas Aquinas's time. While most modern scholars of desert have dismissed such ideas as nonsensical or tried to come up with metaphorical explanations for them, in this article, building on Aquinas's reasoning, I will defend the proposition that one can, under certain conditions, merit reward based on something that is not strictly a fact about oneself alone. First, this article will define merit transfer in contrast to other similar ideas. Then it will summarize Aquinas's reasoning, discuss and respond to objections by contemporary philosophers, and finally explore some wider implications.

### Transfer of merit: what it is and is not

First, we must distinguish the religious concept of merit transfer from other ideas that nuance Feinberg's principle. Responding to Galen Strawson and others who claim that determinism eliminates moral responsibility and desert altogether, at least with respect to reward and punishment (Strawson 1994, 120), David Miller proposed that people can be seen as deserving based on facts about themselves for which they are not wholly responsible, such as actions they do not completely freely choose to carry out or properties belonging to them which they had no part in acquiring. He gives examples of people who are deserving because of inherited qualities such as beauty and someone who is deserving of reward after being coerced into catching a criminal (Miller 1976, 136). Fred Feldman supports the idea that desert is not necessarily tied to responsibility for the desert basis on the part of the deserving person. His examples largely involve victims who deserve compensation. For example, diners sickened by food poisoning deserve compensation from the restaurant; a victim of an attack deserves an apology; and a person who suffers from an illness deserves sympathy. In all cases the person deserving is not responsible for the desert basis (being poisoned, attacked, and ill respectively), and in the last case it seems no-one is responsible (Feldman 1995, 143–144). In addition, Miller and Thomas Hurka have noted ways in which comparisons with other people, rather than simple facts about the deserving person in isolation, can be useful in determining what is deserved. Here is where the concepts of comparative and holistic desert come in. Miller's example is of the hardest worker on a team deserving the last cold beer, or the wages someone deserves being determined only in the holistic context of everyone's wages in the entire economy (Hurka 2003, 50; Miller 2003, 28).

However, these four qualifications of the statement that one's desert base must be a fact about oneself are not equivalent to transferable merit, which claims that person A deserves D on the basis of a fact about person B. This is the type of claim made in Catholic soteriology, indulgences, and suffrages, both in the medieval past and today, but with a slightly different formulation: A deserves D on the basis of a fact about B, provided that a relationship of love exists between A and B. The desert base is a fact concerning B (usually an act done by B), not necessarily the relationship of love, since without B's action, D would not be deserved by anyone. For example, a dead Christian deserves a quicker release from purgatory based on the alms given by his relatives for him, provided they are linked by bonds of love. Here the fact primarily corresponding to the deserved reward is a fact about someone other than the deserving person. The relationship between A and B, a condition of the desert statement, is also not merely a fact about A or B, but something beyond this, tying both together. Note that this is a different logic from that of pure intercession, where B prays for A. Here, God rewards A without A deserving it, while B deserves that his wish for A be granted. This is a case of transfer of reward, but not merit (Lehtonen 1999, 69). In Catholicism, intercession, of course, is possible, but that is not contradictory to the possibility of transfer of merit.

Merit transfer is not simply claiming person A deserves D on the basis of a fact about A that is out of A's control, or because B has done something to A, or because A suffers a misfortune no-one is responsible for. Neither does it mean that D which A deserves is determined by A's action in comparison with B's action or everyone else's actions. In these cases, the desert basis is still a fact about A alone. Merit transfer, in contrast, is not easily reconciled with Feinberg's fundamental claim that the desert basis must be a fact about the deserving subject. While one can reword the fact about B as a passive fact about A, this is a semantic rather than a real resolution. If we say a student deserves a good grade on the basis of being worried about by his mother, having been worried about by his mother can be called a fact about the student, but the statement's meaning does not change, neither does Feinberg's objection to it. In the Catholic tradition, similar statements can be valid due to the value attached to relationships as opposed to simple facts in merit determinations. In order to understand the framework in which merit transfer is justified, we must first look at how Thomas Aquinas discusses desert, noting his focus on relationality, and then address objections to merit transfer using Aquinas's principles.

### Relational desert and Aquinas's discussion

Feinberg's three-part definition of desert is widely accepted among theorists. Its elements are the deserving person, the thing deserved (desert), and the reason why the person deserves it (desert basis) (Feinberg 1963, 70–72; Kleinig 1971, 84; Sher 1987, 7; Wolff 2003, 220). What is missing, however, is the relationship between the entity from whom the person deserves something and the person him or herself, and even more so the relationship between the deserving person and other people in general. In other words, common definitions of desert ignore its relational quality.

Scholars note that in some desert claims, deserved rewards are given by someone or something, according to rules or norms. This is called 'institutional desert'. John Kleinig separates 'raw desert claims', in which 'X deserves A in virtue of B', from 'institutionalized desert claims', in which the deserved treatment 'presupposes a context of legal or quasi-legal rules' (Kleinig 1971, 84–85). Some, like Feinberg, reject institutional desert and claim that desert is 'prior to and independent of public institutions and their rules' (Feinberg 1963, 83), while others prefer to only see desert in the context of institutional norms, values, rules, and goals (Scheffler 1992, 199), and still others such as Owen McLeod find a middle ground by defining entitlement (institutional desert) as one possible desert basis among others (McLeod 1999b, 192–193). But such discussions revolve largely around questions such as whether a spoiled son deserves to inherit his father's estate, to which he is legally entitled. What is not discussed is the relationship between the deserving individual and the person giving the deserved thing or making the rules that determine entitlement. Even some who describe the institution as a 'desert-sponsoring agent' or a community do not focus on the relational aspect, only on what the agent or community's values and goals are and how its means of achieving those goals relate to desert (Smith 2021, 194).

However, Aquinas emphasizes this relational aspect, since the desert-sponsoring agent is God. In fact, for Aquinas, the fundamental precondition for all merit is love between the desert-sponsoring agent (or the giver of the deserved thing) and the deserving recipient. And this relational understanding of desert also allows merit to be transferred from one person to another, so long as they love each other.

Some distinguish merit from desert basis (Sher 1987, 109–110; McLeod 1999a, 67; Smith 2021, 196), but there is no agreement on the difference between the two, with some saying that deserving is a type of meriting (where desert specifically requires responsibility) and

others saying meriting is a type of deserving (where meriting specifically refers to abilities and future performance, or societal valuation of actions). I take merit to mean a type of desert basis involving action, rather than a simple quality or fact about a person, since Aquinas uses the term merit in that sense, defining merit as ‘the operation of him to whom justice is done, according to which it makes his the thing that ought to be given to him’ (Aquinas 1858, book 3, distinction 18, question 1, article 4, response to quaestiuncula 1), or alternatively, ‘the action by which it is brought about that to him who does it something should justly be given’. In other words, merit is what, when one has it, makes one owed something, which is fairly close to the contemporary idea of desert basis, except that merit refers to having done an action, not simply any fact. But Aquinas immediately clarifies that this is only one of two types of merit, namely condign merit, by which the person who does the action makes another justly in debt to him. There is also congruous merit, by which a property of the giver himself makes it fitting and just to give something to another (Aquinas 1858, book 4, distinction 15, question 1, article 3, response to quaestiuncula 4). Justice is conceived of here as a certain equivalence, whereby the debt owed to the person and the thing given are in some ways fitting and equal, or whereby the thing given and the disposition of the giver are in some ways equivalent. The importance of the relationship between the giver and the recipient becomes clear when Aquinas notes that with respect to God and man, it seems impossible for mankind ever to have condign merit. That is, it is difficult to see everything we receive from God as given because we have done anything for God that would make him indebted to us or cause him to be unjust by not giving to us. Instead, everything God gives seems to be from his own generosity. This makes condign merit, or what Aquinas commonly just refers to as merit, impossible. Humans seemingly cannot merit anything.

Aquinas gives two reasons for this: (1) God has already given us infinitely more than we could ever repay, namely our very existence. Therefore, an infinite debt of gratitude makes merit impossible. (2) Due to our sin, we owe God an infinite debt or penalty that can never be repaid. These facts make it implausible that we could ever do anything that could put God justly in debt to us (Aquinas 1858, book 4, distinction 15, question 1, article 2).

However, Aquinas adamantly believes that we do merit (condignly) in the eyes of God, meriting even salvation itself. Logically, God could without injustice simply save us and forgive all our debts out of his own generosity and without any participation on our own part (by congruous merit), but he wills to save us and forgive debts in a way that allows us to merit it condignly (Aquinas 1888, part 3, question 46, article, 3; question 48, article 1).

To explain how this meriting is possible, he claims: (1) Those in a relationship of love do not demand payment of any debts larger than the debtor has the ability to pay (Aquinas 1858, book 4, distinction 15, question 1, article 2). (2) To those in a relationship of love, all things belonging to the lover are made by love to be held in common with the beloved (Aquinas 1858, book 4, distinction 15, question 1, article 3, response to quaestiuncula 4). (3) Those united by love in ‘one body’ are also ‘one’ when it comes to merit, since merit belonging to a body also belongs to any of its members (Aquinas 1858, book 4, distinction 45, question 2, article 1). On the basis of these three assertions, Aquinas claims that Christ, as sinless and full of grace, owes God no debts, does the ultimate meritorious deed by dying on the cross, and that therefore anyone joined to the ‘Body of Christ’ in love has Christ’s merits transferred to them, making them merit salvation (Aquinas 1888, part 3, question 48, article 1). Any additional debts owed by sinners to God are not beyond their ability to pay but instead significantly reduced. And all members of Christ’s body, joined in love, can pay these debts for each other, that is, they can do good works to merit reward or lessening of penalty for each other. Aquinas’s explanation of this is simple:

in a body, all members 'are one' (Aquinas 1888, part 3, question 48, article 2). A deed done by my arm can be said to be a deed done by me, without any contradiction. Therefore, merit can be transferred from one member to another.

The transfer is conditional, however, on the doing of the meritorious deed and the intention of the doer to transfer the deed's merits and rewards to someone else, since love is an act of voluntary willing. Therefore, the merit of the recipient of the transfer is called conditional merit (Aquinas 1858, book 4, distinction 45, question 2, article 4, response to quaestiuncula 1). Aquinas uses this framework to explain atonement, the Catholic practice of granting indulgences, and doing suffrages for the dead to free them from purgatory (Aquinas 1858, book 4, distinction 45, question 2, article 1, and article 3). Bound by love, the many merits of the saints or the merits of the living can be transferred to living and dead Christians so that they can pay their debts of sin and quickly pass through purgatory. This only, of course, applies to Christians, since any unbeliever is neither in a relationship of love with God nor united to Christ and the Church in one body, and therefore they cannot benefit from a transfer of merit, since they cannot merit anything at all in the eyes of God.

Aquinas's theory emerges from the early Church tradition of doing good deeds (suffrages) for the dead, early medieval practices of vicarious satisfaction of penances, and in response to the twelfth-century theologian Prepositinus, who claimed that suffrages benefitted all the dead, not those for whom they are actually done (Prepositinus 1964, 118; McLaughlin 1994, 221; Fort 2018, 18–19). Aquinas's explanation of merit transfer as analogous to debt repayment explains why suffrages benefit specific people for whom they are done. Although the details of Aquinas's reasoning are rarely invoked today, the catechism echoes Aquinas: 'A perennial link of charity exists between the faithful . . . between them there is, too, an abundant exchange of all good things. In this wonderful exchange, the holiness of one profits others' (Catechism of the Catholic Church 1993, 1475). This system is not merely one of intercession, but of actual exchange of spiritual goods, merit. Although in modern Christianity, numerous atonement theories compete, Aquinas's model, that Christ merited justification through his death and transfers the merit to us, and the possibility of exchanging spiritual goods underlying that model, are still important in Catholicism.

Aquinas's explanation includes specifically Christian doctrines (the existence of a loving creator God, salvation through Christ's atonement, the communion of the saints) which I will not attempt to prove or justify. It is enough here to point out that the key determiner of not only whether someone can be meritorious but also of whether merit can be transferred is a relational factor, love. The focus of this article will be the second aspect, but love as a precondition for merit should also be briefly addressed.

### Love as a prerequisite for merit

Proponents of institutional desert see the existence of an institution or desert-sponsoring agent with norms, rules, and goals as an essential condition for the validity of desert claims (McLeod 1999b, 189–191). Is Aquinas's claim that one must be in a relationship of love with the person giving the reward, or the agent sponsoring the system of merit, in order to merit anything valid in our common experience?

It seems not, based on the following examples: students do not need to love or be loved by their teacher to deserve the grade that corresponds to their performance; love between a worker and boss is not needed for the worker to receive wages for labour; love between a runner and judges in a race is not needed for the runner to be given first place, if he or she ran the fastest. The relationship between the rewarder and the meriting person seems irrelevant. However, if we conceive of the giver of the desert not as the teacher, the boss,

and the judge but as a system or set of values held by an institution, Aquinas's conception seems more justified. A student who has no commitment to the system of education and its values, randomly chooses answers on a multiple-choice exam, and happens to pass cannot really be said to merit the grade, while a student who is dedicated to learning and takes the test seriously does merit the grade, despite the two having the same score on the test. In such a case, 'love' for the education system in some way is necessary to deserve a grade in that system.

In some contexts, Aquinas's claim seems even more valid. For example, do children deserve an allowance from their parents for doing chores? Children can be said to have an infinite, or at least unpayable, debt towards their parents. Without their parents giving them life, children would have nothing, nor the ability to acquire anything. How then can a child be thought of as meriting anything from a parent, when the parent has already given what is beyond the child's ability to repay? Here, Aquinas's explanation makes sense. Because the parents and children are in a relationship of mutual love, whereby the good of the other is pursued, no repayment of infinite debt is demanded and all things are freely shared in common in willed acts of love. If a child does chores, he or she can indeed 'merit' the allowance, due to his or her involvement in that relationship of love. The same can be said of a citizen deserving something from a country. The security and prosperity a well-run nation establishes, including all its infrastructure, laws, and institutions, provide innumerable benefits to citizens and the preconditions for their survival and flourishing. This is also a kind of huge debt that a single citizen can never repay, no matter how much tax is given. And yet, if a citizen does a great deed for the country, he merits a reward from it, because the good of the country is willed by the citizen, and the good of the citizen willed by the country. Someone who is not in a relationship of love with the nation, for example someone who wills the injury of the nation, cannot merit reward even if he performs a deed that benefits the nation. For example, a foreign assassin killing a country's president to induce chaos, thereby unintentionally saving the country from a war that president was planning to wage, would not be deserving of gratitude from that nation. Therefore, the claim that love is a precondition for merit can be valid in certain cases.

The justifiability of this claim, however, is largely independent of Aquinas's second conclusion, that love allows merit transfer. Is this idea a valid explanation according to the daily experience of people living in the secular world? Although for Aquinas, the conditions of merit transfer are uniquely met in the Church, because of the necessity of love between man and God to merit in the first place, if we set aside this precondition, the rational explanation for merit transfer based on the unity of love between humans may still be applicable outside the Christian context. After all, the principles on which the argument are based, such as that in love all things can be made in common, do not necessarily need to be solely Catholic principles. Therefore, we can explore whether in contexts outside the Christian framework, love also makes merit transfer possible.

### Objections to the transfer of merit and responses

Focusing on merit's relational aspect, let us consider major objections to the idea of merit transfer. The first objection is that, as Feinberg notes, when someone deserves something, 'the basis of a subject's desert must be facts about that subject'. Desert bases not fitting this rule are 'logically inappropriate', 'misuse the word "deserve"', and 'lack the right kind of reason and are as offensive to sense as to morals' (Feinberg 1963, 72). Smith similarly notes that, to many, transferring merit 'twists the concept of merit so violently that it breaks' and turns merit from something earned to something freely bestowed as grace (Smith 2021, 194).

From the reasoning of Aquinas, however, this objection does not stand. While Aquinas agrees that someone must merit reward on the basis of something, specified as an 'action' rather than a simple quality, that action can be performed by a person other than the one who merits the reward. In other words, merit is not the same as a free bestowal of a reward since it is earned, just not necessarily by the subject. This is because the meriting subject is not an atomized individual operating alone within the merit system, or in relation to the desert-sponsoring agent. The subject is bound to others in a group, not simply accidentally, as a collection of random individuals, nor simply as a member of an organization, but bound by love.

Understanding the idea of love and the analogy of the body is key. For Aquinas, love involves the willing of the good of the other for its own sake and union with the other. If two people are mutually bound in such a way, there is a real sense in which all good things are owed by one to the other and vice versa. If Peter loves his wife Mary, and Mary loves Peter, in that they both freely commit to will each other's good for its own sake, then any good thing Peter has that might benefit Mary, Mary indeed is 'owed'. It would be unjust, that is not fitting the love between them, if either were to withhold such goods from the other. This is why Aquinas says that in love, all things are in common. Thus, if Peter works hard, thereby getting a bonus, and the couple go on a vacation, one can say that Mary deserves that vacation, despite Mary not getting the bonus to pay for it, because they two are in some sense 'one'. Similarly, if a pauper girl and prince fall in love and marry, the girl deserves to be princess of the kingdom, despite not doing anything to deserve the kingdom, simply by virtue of the love between her and the prince, who deserves the kingdom by virtue of his royal blood. The prince in some sense transfers his deserving to the girl. The same would apply to merit, in which action rather than a passive quality is the desert basis.

For example, due to the bond of love between parent and child, the child merits the money that the parent earns. The child has not done any action to gain food, clothing, or any other necessity, yet the parent providing these from his or her earnings is not a gracious bestowal, while withholding these would be an injustice. The child merits those goods. And this does not seem merely to be a matter of entitlement. It is not simply that by the rules of the society, which may be just or unjust, parents have to spend money raising their children. It is also not simply that a general moral law stipulates that all children ought to be raised, although this may be the case. There is a specific sense in which, because of the bond between them, that specific child merits the money obtained by the action of that parent. The action is necessary, since if the parent had not done work and therefore earned no money, we would not say the child deserves the money the parents did not earn, although the child may for other reasons deserve to be raised. In this case, one does an action to merit a reward, and another bound in love to the first also merits, that is deserves based on that action done by another. Here we can see that merit transfer does not twist beyond recognition the concept of desert.

Love makes the transfer of goods and meeting of needs possible, just as within a natural body. This does not violate common sense. If my foot is injured, I need nutrients to heal my foot, and I pick and eat fruit, my foot 'deserves' to receive those nutrients. My hand picks the fruit and my teeth chew it; yet if my foot is injured and needs the nutrients to heal, and they are withheld because it did no part in picking or digesting, there is something unjust about that. It makes more moral and logical sense to say my foot merits those nutrients because I picked the fruit and I merit to have my foot healed by its nutrients, or my foot merits healing through the hand's action because they are one body. This kind of blurriness between subjects within a body makes merit transfer possible in any group bound by mutual love.

The difference is that, unlike body parts, people have a will; and it is freely willing that defines love. Therefore, such transfers of merit are not automatic, as in the body, and must involve the doer of the action intentionally willing that action's merit and reward to be transferred to another. This explanation, I believe, does not seem very offensive to morals or logic, nor does it seem to violate the common notion of desert.

The second objection is that merit, especially moral merit, is personal, that is tied to the intention and moral agency of the deserving person (Lehtonen 1999, 69). If someone does a good deed for someone else, so that the other person may merit some reward for it, that recipient does not seem to be the moral agent with any intention relating to the good deed. The merit does not seem proper to his own person, but to the person doing the deed for him. This makes it impossible that the recipient can be thought of as meriting rather than simply receiving a reward from someone else who merited it.

But for Aquinas, there is to some extent indirect intention (Aquinas 1858, book 4, distinction 45, question 2, article 1, response to quaestiuncula 2). For example, if a dying man fails to go on pilgrimage but instructs his son to go on his behalf, he shares to some degree in the intent of the action he does not carry out. In other words, someone ordering or requesting something to be done by someone else indirectly causes that deed, becoming its moral agent. Likewise, if the intention of the doer of the action is to benefit another person, this intention seems to give the other person agency as well. In this sense, the person, even if he did not directly ask for the deed to be done, still indirectly causes it and is its moral agent, since the deed is being done for that person. This indirect agency and intention circumvent the way merit is normally deemed to be personal without any major contradictions.

We see examples of this kind of meriting in everyday life. When John is arrested (his guilt or personal character not considered) and cannot pay bail, he may ask a family member to pay for him; and if the family member pays, it is not illogical or morally offensive *per se* to claim that John 'merits' to get out on bail. He did not pay the bail, someone else did it for him. And yet because his intention was behind the payment, his need and/or request caused the payment, and the person making the payment's intention was to benefit John, there is a certain way in which John, who did not do the deed, is still somehow its meriting moral agent. The payment of debts for someone else is similar. If Peter and Mary pay their son John's student debts, which John himself requested because he was unable to pay, it is not very problematic to claim that John merits no longer being in debt to the bank. It is not enough to say that this is 'entitlement' based on the rules of the banking system but not true 'desert'. This is because if the bank refused to acknowledge John's debt as paid, the common reaction would not simply be that some financial rules have been broken but indeed that the bank is doing something unjust and immoral towards John. It is not simply that the parents merit the bank to recognize the payment of the debt. In some ways, John does as well; the merit is personal to him. And this is not just general desert based on a quality of John, being Peter and Mary's son, but merit, since without the action of repaying the debt, no reward is due. Yet the action is not done by John, and the reward is not simply given to but also due to John. This is transfer of merit.

The third objection is that, according to Westermarck (Westermarck 1939, 117–118), merit or desert is related to moral emotions, such as disapproval, approval, resentment, and gratitude. No-one approves or is grateful towards someone for something that person did not do. Miller (Miller 1976, 95) similarly notes that need is not a proper basis of desert, because appraising attitudes such as gratitude or resentment are not felt towards things like need.

In Catholic merit, approval or disapproval is God's. Can God approve of someone or be more favourably disposed towards someone because of actions of another? For Aquinas,



the favour directed towards Christ for his own meritorious actions is also directed at all Christians, because they are united to Christ. Within the Christian framework, this poses no problem. Most Christians agree that salvation is not simply intercessory (God approving of us out of love for Christ who pleads for us), but that somehow it depends on the merit of the work Christ did on the cross and somehow results in this approval being just, despite our not having done that work. Aquinas's model of loving union is one explanation for how such approval can be directed at one who did not do the deed.

Even in the secular world, it is not opposed to morals or common sense to be resentful or grateful to someone for something someone else did. A nation often expresses immense gratitude towards the family of a fallen hero. Likewise, the family of a serial killer or children who inherit an exploitative billionaire's fortune may be the subject of resentment. The very nature of feuds, which were once common and deemed natural in many societies, also is based on this. One can make arguments against such gratitude and resentment, yet it cannot exactly be said to be non-existent or obviously contrary to moral common sense.

With respect to the question of needs, the arrested person bailed out by his relatives or students whose debts are paid by parents are not seen as meriting because they are in need of bail money or student debt relief. The system, and perhaps the casual observer, sees them as meriting of benefit from actions done by others because of the relationship between them and their benefactor and the intention behind the benefactor's deed.

But does love need to be mutual for merit transfer to occur? One may say not necessarily so for the examples above. Loving parents' payment of a child's bail or debts should be valid even if the child is a spoiled brat who hates his or her parents. And yet, it would seem against moral intuition to say that child 'deserves' to have his or her debts paid, other than in the sense of institutional desert or entitlement. It seems that this action would be more like an act of grace or mercy solely on the parents' part, rather than involving any merit being conferred on the child. That is, the child may merit it congruously, but not condignly, and therefore no merit is transferred. For Aquinas, likewise, any grace given by God to those outside love is solely God's free gift based on his character, but to those within the bonds of love some things can be merited.

Similarly, one may object that, in the examples above, love is not necessary. A debt is considered paid and a debtor debt-free even if the payer acts with the ulterior motive of receiving a favour in return, rather than out of love for the debtor. But the idea that the debtor merits this freedom from debt is not as easily applicable in such a case. Rather, it seems that the debtor is entitled, by institutional rules, to freedom from the debt, but he does not merit it until he gives the payer what he really wants.

Having addressed objections to merit transfer using Aquinas's idea of unitive love, I will explain why this understanding of real merit transfer is preferable to metaphorical explanations of merit transfer.

### **Metaphorical understandings of merit transfer**

Lehtonen (Lehtonen 1999, 137–144) discusses a metaphorical theory in which merit transfer is simply a term describing what in reality is 'group merit'. When one does a good deed and another 'deserves' a reward based on it, no transfer of merit actually occurs. Instead, it is simply shared responsibility and merit within a group of which the doer and recipient are both a part. This group merit or responsibility is above and beyond the responsibility and merit that individuals in the group have for their own particular part in group actions. All of a group's members share responsibility and merit for actions of individuals in it, which can be collectively seen as actions of the group as a whole.

Lehtonen notes several objections to group merit and responsibility. (1) If the group is a disorganized random collection of individuals, like a crowd, there is no reason for all members or even any member to share responsibility or take credit for actions of others in the group, which combine in what only seem to be 'group actions'. There is no 'group action' whose merit can be shared, since no random aggregation has a unified intention (Reichenbach 1990, 143–145). (2) If the group is organized, with hierarchical leadership, members also cannot be held responsible or take credit for so-called group actions mainly carried out by some individuals in the group, because the leadership structure distributes responsibility according to who has the most power. Most ordinary members who have no say in decision-making should not bear the responsibility or take credit (Held 1970, 480). (3) But simply saying that membership within a group in and of itself is a sufficient criterion for sharing merit and responsibility assumes a causal relationship between doers of the deeds and other members of the group which is not always present (Lehtonen 1999, 143). Therefore, it is difficult to see how any metaphorical understanding of transfer of merit based on shared responsibility within groups can work.

However, Aquinas's merit transfer is literal and not equivalent to group responsibility. It therefore is immune from these critiques. First, in order for merit transfer based on love to occur, the giver and receiver are not randomly bound together as a collection of two people. Peter and Mary are not just two random people put together. They are linked by a conscious deep shared commitment to each other's good that influences their intentions and actions. Second, the giver and recipient of merit are also not merely part of an organized group or institution in which merit and responsibility are distributed hierarchically. A student does not deserve his debts to be paid on the basis of him being part of a family where the parents, as his superiors, bear responsibility for his actions. In fact, anyone who cares about the student's well-being enough to pay off his debt would cause him to merit to have his debts paid, including a friend who is not joined to the student as part of any organized group. Third, members of the Church, or any group tied together by love, who participate in merit transfer are in fact causally connected to each other; one does not have to assume with epistemological uncertainty that they are. For example, to say the parents of a great inventor merit praise assumes that by virtue of simply being fellow members of the family the parents somehow causally contributed to the inventor's success, for example by paying for his education or raising him well, when the contrary may in fact be the case. In merit transfer in the Body of Christ, no such uncertainty exists, since anyone who is a part of that kind of group by definition possesses love for other members. Good deeds are performed for the good of others in such a group; therefore, the recipient of another's merit is in a sense an indirect cause of the doer's deed. But unlike group responsibility, merit is only transferred when the doer intentionally does so.

Smith advocates for another metaphorical theory in which transfer of merit is really a community (or desert-sponsoring agent) dispensing rewards in order to promote the things it values. Thus, who exactly is doing the action and who actually receives the reward is not as important as the value of the action itself. Smith asserts that worth is often conferred on people without them actually doing anything. For example, a position is given to someone who is thought to have the potential to do well in it, even if the person has not actually performed yet. Likewise, this kind of conferral may be prompted by the meritorious deed someone else performs. This is possible if the good the merit sponsoring agent is pursuing is furthered by doing so. Smith uses a musical analogy, in which each note of a chord is different, but they influence each other and benefit from each other to create a harmonious whole. Another example Smith gives is of a student who did not learn the material but is helped by another student who actually did all the work to learn everything well and therefore passes a test (Smith 2021, 198–206).

The problem with this interpretation is that neither Aquinas's merit transfer nor the real-life examples discussed seem to be simply a kind of resonance or indirect beneficial influence of one person's actions on another. Neither do they seem to be examples of the desert-sponsoring agent simply ignoring who does a deed simply because it wants to promote the doing of good deeds. There seems instead to be a direct transfer, in which the giver loses the benefit of the deed he does and the recipient gains the benefit, both of the result of the deed and of the 'meriting' of that result. For Aquinas, justice demands that one payment can only satisfy one debt, not two. But, because of the loving act of transferring the merit (paying for another), God will grant the giver a reward greater than the payment of the debt (Aquinas 1858, book 4, distinction 45, question 2, article 1, response to quaestiuncula 4.). The benefactor does not end up worse off, yet a real transfer is made. Likewise, it is not simply that John's parents worked hard, showing John a fine example of how to earn and save money, allowing John to pay off the debts he otherwise would not be able to pay. Nor is it the bank, in its goal of promoting repayment of debts, forgiving John's debt by virtue of his parents' good credit scores, or simply ignoring who owes what and who pays what. His parents use their own funds to pay John's debts. The money is no longer theirs, and yet John merits having his debts considered paid, based on the action and intention of the parents to act for the good of their child, in other words based on love. Without this love, John has no merit. That is to say, if the bank employees suddenly found on the street the exact amount of money John owed, John would not be thought to merit having his debts paid, since the owner of the money's intention to use it for John's good is not apparent. Now, if the bank happens to give a huge sum of money as part of an 'exemplary parent award' to the parents after the deed is done, the parents indeed do not lose out in the end, but the repayment of the debt by one for another is real nonetheless. Likewise, if the parents happened to be very rich, or even infinitely so, and therefore lose nothing by this repayment, the repayment still exists nonetheless. In the case of indulgences, the superfluous merit of Christ and the saints is intentionally given to penitent sinners, and they lose nothing from this transfer, yet the transfer is made. They only lose nothing because they already have more than they need. The literal explanation seems more fitting with the circumstances of these cases than metaphorical interpretations.

Having discussed objections to and the metaphorical explanations for merit transfer, I will now discuss some implications of this idea within and outside the Christian framework. In what situations, even without the assumption that God or the Church exists, can merit transfer be valid? And how does it help address the major issues debated by desert theorists?

## Implications

For the Christian, merit transfer made possible by love between the giver and recipient of merit, and made actual by the giver doing the meritorious deed with the intention of transferring the merit to the recipient, goes a long way to nullify certain objections to some atonement theories. For example, Eleonore Stump in her recent work raises many objections to Anselmian atonement theories such as penal substitution, including the objection that it is unjust to punish the innocent and let the guilty go (Stump 2018, 132). However, Aquinas himself, whom Stump draws on extensively, accepts to a large degree the Anselmian model, noting that Christ makes satisfaction to God for the infinite penalty we owe because of our sins, thus paying our debts to God (Aquinas 1888, part 3, question 49, article 3). The reasons why Aquinas does not see injustice in this is because he believes merit and demerit, like a debt, can be transferred between those bound by love. Therefore, Christ as the head of one body pays the debt of

satisfaction for sins for the whole body, and any member bound in love to Christ therefore is justly deserving of salvation. No injustice is done, since all things, including merit, are in common in the body of Christ, and Christ's intention in dying on the cross was to give that merit to his members.

An implication of merit transfer for wider, non-Christian, discussions of desert can be found in desert's relationship to distributive justice, for example in the work of Shelly Kagan and Louis Pojman (Kagan 1999; Pojman 1999). Is it possible to give everyone what they deserve, which seems just, and not have as a result massive wealth inequalities and poverty, which seem unjust? Can the poor be said to deserve government relief or wealth redistribution without having done any of the particular actions the rich did to gain their wealth?

While Kagan and Pojman argue that desert and not equality have ultimate value, the idea of merit transfer bridges the gap between these two concepts and ameliorates the conflict. If merit transfer is possible, then a poor person could merit to receive the money that the rich worked for without any contradiction. People get what they deserve and equality is advanced. But in order for this to work, a relationship of love is necessary, not only between the rich and the poor, but in society as a whole. If the rich man wills the good of the poor man, he will consider his goods, which he worked hard for, to belong in a very real way to the poor man who needs it. He will also do work with the intention of transferring its merits and fruits to others. If society were bound by this kind of love into one body, it would also consider the good of individual members in need as equivalent to the good of the whole. The problem in our current society, then, is not that those in need are not meritorious (since need is not accepted by many as a desert basis), it is that the love that should bind society together into one body, the love that makes one's goods deservedly belong to another and causes the intentional transfer of merit and its rewards, does not yet exist. Since love, by definition, is a voluntary act of the will, it may be impossible to have actual merit transfer on a societal level, since one cannot by law force everyone to love each other. We can, however, from all the examples given above and without too much objection, say that in the secular world, love between individuals exists, and on the individual level, transfer of merit may be a valid and useful concept.

**Competing interests.** None.

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