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## HARE'S VIEW OF MORALITY

D. P. GAUTHIER argues ('Hare's Debtors', *MIND* (July 1968), pp. 400-405) that R. M. Hare's theory of moral reasoning (in *Freedom and Reason*, Oxford, 1963—henceforth FR) is defective. His main charge is that Hare should have framed the debtor's reasoning in terms of what is morally *permissible* (not in terms of what is morally *required*), and that this undermines the theory. For, while statements of what is morally required may entail prescriptions, statements of what is morally permissible do not. *Per contra*, Hare maintains:

'prescriptive' is to be understood here in a wide sense to include permissions. . . . Thus the statement that an act is morally permissible is in this sense prescriptive. (FR, p. 22, n. 1)

For Hare, the statement that an act is morally permissible implies a withholding of assent from the prescription 'Do not do that act'. Using 'Fiat' as our imperative operator (rather than Hare's original, somewhat quaint 'please'), we can add to Gauthier's four entailments (p. 402) the following:

(E) 'P may do X' entails 'Not (Fiat that P does not do X)'.

Given this entailment, the case of the debtors is no longer problematic. B's desire not to be put in prison by C commits him to rejecting the moral judgement that C may put him in prison: the former is expressible as 'Fiat that C does not put me in prison', and the latter entails 'Not (Fiat that C does not put me in prison)'; and these are contradictories.

It seems to me that Hare must conduct all his moral reasonings in terms of what is morally permitted. This is revealed by an examination of the structure of his reasonings, and comes about principally because 'ought' and 'ought not' are contraries, not contradictories. As Hare sets it out, the conclusion of the debtor's reasoning is that B 'cannot accept the original judgement that he (B) ought to put A into prison for debt' (FR, p. 91); which means only that it is not the case that B ought to put A into prison. This is quite compatible with its being permissible (though not with its being required) for B to put A into prison; and Hare surely wants to exclude this possibility. But if the 'original judgement' is that B *may* put A into prison, then the rejection of this judgement will yield the desired conclusion that B *ought not* to (or: it is not the case that B may) put A into prison. Hence the argument has to be operated in terms of moral permission, if it is to be effective. (To find out what one is required to do, one must, presumably, find out what one is not permitted not to do.)

Proposition (E) is thus seen to be vital; and the second part of Gauthier's article is directed against it. The crux of his argument is that the term 'permit' refers (i) to what is permissible, and (ii)

to what one acquiesces in, allows to happen. 'Competitive situations' show that a person can without contradiction say both 'P may do X' (meaning that it is permitted (i)) and 'Fiat that P does not do X' (meaning that he will not permit (ii) it); so the former cannot entail the contradictory of the latter. Competitors will freely concede that the other side *may* score against them, although they do not want them to and will do everything to stop them.

To this argument Hare can surely reply that the game situation is not truly analogous to the moral situation. The moral principles one adopts are not 'rules of the game', but precepts according to which each individual's wants are respected as far as is consistent with like treatment for all. What is permissible in games depends on the 'constitutive rules' (to use Searle's phrase) which make that game the game it is. But what is morally permissible depends, not on such rules (for there is no analogue to them in moral situations), but ultimately on what treatment individuals will permit (*i.e.* acquiesce in). In Hare's view, there is no question of things being, to echo Hobbes, 'simply and absolutely' permissible. For Hobbes, what is good dissolves into what individuals *call* good, *i.e.* pursue in their own interest. For Hare, in much the same way, what is permissible dissolves into what individuals permit themselves to do, as being what they permit done to them.

In terms of Hare's own theory, these considerations would justify him in stipulating the truth of proposition (E) where 'P may do X' is a moral judgement (*cf.* *The Language of Morals*, Oxford, 1952, pp. 168-169). Such a stipulation reveals, however, that prescriptivism is not, after all, a quite 'neutral' theory (*cf.* FR, 6.2). I have defended the stipulation of (E) on the ground that it coheres with Hare's view of morality. Consequently, prescriptivism now seems to rest on an ethical assumption; it appears to presuppose an individualistic ethic, which repudiates the notion that morality is a function of community needs or divine dictates or of anything other than individual wants. Unless we assume some such ethic, we shall not be able to claim (as Hare has to claim against Gauthier) that what is morally permissible (or required) is a function solely of what individuals acquiesce in (or demand). Hare's method of moral reasoning aims at finding out what moral judgements an individual *can agree to*, conformably with his actual and hypothetical inclinations. But moral right and wrong reduce to what one can agree to be right and wrong, only if we assume an individualistic ethic.

Morality, in Hare's hands, is explicitly a matter of following one's self-interest and universalizing one's maxims: the moral limits of one's self-interest being established by reference to what one would permit to be done to oneself. Thus the question 'Ought I to do this?' leads not to the question 'Will it benefit people?', but to the question 'Would I like that done to me?', which seems to narrow the horizons of morality. Hare calls for imagination in thinking oneself into the situation of those affected by one's actions; and indeed on his view

one cannot find out that something is wrong unless one puts oneself into another's situation and finds that one does not wish to be treated in that way. As critics have noted there are difficulties with this view; the most prominent, it seems to me, lies in arbitrating between (a) what I sincerely think of myself as wanting in a given situation, and (b) what an affected person actually does want in that situation. The egocentricity of Hare's theory impels him to the first alternative backed up with the pious hope that imagination will make (a) and (b) coincide. But when he talks of multilateral moral situations, he seems to be thinking in terms of (b); if he is, then his brand of Utilitarianism reduces to consensus ethics. Hare's way of dealing with multilateral situations is to appeal to people's *interests*; thus, in the case of the criminal on trial, the judge is represented as saying "I wouldn't like to be sentenced to prison myself; but on the other hand I have to consider the interests of every person who is affected" (*cf.* FR, p. 117). How is the term 'interests' to be construed? If, in the spirit of (b), we make a practical identification of people's interests with their wants, then morality depends in a vicious manner on the wants of the majority. If, following (a), we say that what I want when I imagine myself in a certain situation is what is in people's interests in that situation, than I may fairly be accused of waywardness, paternalism or authoritarianism—charges I shall only be able to shake off by reverting to the first suggestion, *i.e.* by emphasizing that my views coincide with those of the majority. If, finally people's interests are the same as what is *good* for them, then Hare's method of moral reasoning is evidently inadequate; for we shall require a prior sort of moral reasoning to tell us what is good for people, since this will be presupposed and not proved in Hare's system. In the end, it seems, unless he supplements the core of Utilitarianism which he retains with the Millian humanistic aspect of it which he discards, Hare will have to fall back on construing interests as wants. This might dispose of the claim of the Spanish Inquisition to be punishing individuals in their own interest; but does not seem effective in the case of the drug-addict, where Hare's justification for compulsory treatment is that it is in the *interests* of the addict (FR, p. 174). This Millian opinion suggests that Hare is prepared to some extent at least, to concede that an estimation of interests may properly be influenced by one's ideals. It is only a short step from this to the view that some ideals may be justified on stronger grounds than merely that they do not harm others' interests. But to espouse this view is to go beyond the confines of Hare's theory.

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