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FROM UNIVERSAL PRESCRIPTIVISM TO UTILITARIANISM

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A leading moral philosopher, in a review of Hare's *Moral Thinking*,¹ has described the book as "perhaps the most substantial formulation of utilitarianism since Henry Sidgwick".² Another reviewer wrote: "Utilitarianism, which was silent in *The Language of Morals (LM)* and muted in *Freedom and Reason (FR)*, comes out loud and clear in *Moral Thinking*."³ Hare himself remarks in *MT* that "In *FR* I had been flirting with a theory of a broadly utilitarian sort" (170). How has the change come about from universal prescriptivism (as

¹ R. M. Hare, *Moral Thinking* (Oxford, 1981) (abbreviated as '*MT*').

² R. B. Brandt, review of *MT* in *Times Literary Supplement*, 2nd July, 1982, p. 713.

³ Bernard Mayo, review of *MT* in *Philosophical Books* 23 (1982), pp. 173-5.

Hare's basic position has come conveniently to be called) to a thoroughgoing utilitarianism in *MT*? In *FR* Hare wrote: "the logical character of moral language, as I have claimed it to be" (universalizability and prescriptivity) "is the formal foundation of any such [utilitarian] theory" (123).⁴ In *MT* the same point is made. Of the argument in *MT* from universal prescriptivism to utilitarianism Hare says: "the steps in that argument . . . were all based on the logic of the concepts involved" (176). The relevant difference between the two works is that in *MT* Hare no longer regards the existence of idealists and fanatics as a reason for taking utilitarianism to cover only a part of morality (cp. *FR*, 119). Apart from important and interesting differences of presentation, the essential arguments for the link between universal prescriptivism (UP) and utilitarianism, so strongly emphasized in *MT*, were already present when the link was more tentatively proposed in *FR*.

I wish here to consider whether Hare's arguments for deriving utilitarianism from UP are successful. If they are, it is a striking achievement, since the grounds for accepting the utilitarian principle (as opposed to the ingenious variations on its working out) have often seemed one of the weakest parts of the system. After sketching the basic patterns of UP reasoning I shall point out two major differences between such reasoning on the one hand and utilitarianism on the other. I shall then consider whether Hare succeeds in bridging the gap between the two positions.

I

The basic pattern of UP reasoning is illustrated by Hare in *FR* by the examples (which he says are simplified) of the creditors (*FR*, 90/1, 93/4). I set out the reasoning below. I represent doing something that affects another person as 'affecting *Y*': for example, 'having *Y* put in prison for debt', 'leaving *Y* less protected against criminals than he would otherwise be' (cp. *FR*, 117) or something very general like 'acting in disregard of *Y*'s likes and dislikes' (cp. *FR*, 112-115).

X is considering whether to affect *Y*, by looking at what the judgement that he ought to do this would commit him to, and seeing whether he can accept these consequences. *X* makes the supposition that he ought to affect *Y*, and reasons thus:

1. I ought to affect *Y*.
- So
2. Anyone in the same relation to another person as I stand in to *Y* ought to affect that other person.
- So
3. If someone *Z* stood to me in the relation I stand in to *Y*, *Z* ought to affect me.

⁴ R. M. Hare, *Freedom and Reason* (Oxford, 1963), p. 123.

So 4. I prescribe that in such a situation Z a me.

But 5. I do not want to be a -ed by Z in such a situation.

So 6. (i) I cannot prescribe as in (4); and (ii) I cannot therefore accept (3) or (2) or (1).

X must therefore withdraw the proposal of (1) that he ought to a Y .

The step from (1) to (2) applies the doctrine that a particular 'ought'-judgement is universalizable. (3) is an instantiation of (2). Step (3) to (4) applies the doctrine that an 'ought'-judgement is prescriptive. (6)(i) relies on the doctrine that if one wants not to a , one cannot consistently prescribe that one a (in the, somewhat unusual, passive case).

A comment is necessary on the idea of X standing in the relation to someone Z that Y stands in to X . In the earlier applications of this, Hare treats it as involving only such things as, for example, X being in the situation of Y , that is, a debtor. Later he argues that X should put himself in the position of Y more fully, with Y 's character and motivation. The (1)-(6) formulation allows for each of these interpretations.

If we look at the UP Pattern (as I shall call the above form of reasoning beginning with the consideration of (1) and ending with its rejection), we see that the UP reasoning there used differs from utilitarian thinking in two fundamental respects.

- (I) Any inclination that X may have to a does not enter into the UP reasoning; while for a utilitarian X 's inclination will be relevant.
- (II) No comparison of the strengths of the inclinations of different parties enters into the UP reasoning; but such comparison is made by the utilitarian.

One may suspect that these differences are due to the fact that the UP reasoning is so far illustrated only with some simple cases. We have to see whether any of the complications that Hare introduces (more than two parties, different inclinations, etc.) show that UP reasoning can become like utilitarian reasoning in these respects.

Before going on to argue that (I) and (II) are true of *all* cases of UP reasoning, I shall quote a passage from *MT* to illustrate that the account of UP reasoning involving two parties given there, although presented somewhat differently, still conforms to what I have called the UP Pattern.

- (A) It follows from universalizability that if I now say that I ought to do a certain thing to a certain person, I am committed to the view that the very same thing ought to be done to me, were I in exactly his situation, including having the same personal characteristics and in particular the same motivational states.

But the motivational states he actually has now may run quite counter to my own present ones. For example, he may very much want not to have done to him what I am saying I ought to do to him (which involves prescribing that I do it). But we have seen that if I fully represent to myself his situation, including his motivations, I shall myself acquire a corresponding motivation, which would be expressed in the prescription that the same thing *not be* done to me, were I forthwith in just that situation. But this prescription is inconsistent with my original 'ought'-statement, if that was, as we have been assuming, prescriptive. For, as we have just seen, the statement that I ought to do it to him commits me to the view that it ought to be done to me, were I in his situation. And this, since 'ought' is prescriptive, entails that the same *be* done to me in that situation. So, if I have full knowledge of his situation, I am left with two inconsistent prescriptions. I can avoid this 'contradiction in the will' (cf. Kant [*Grundlegung*]) only by abandoning my original 'ought'-statement, given my present knowledge of my proposed victim's situation. (*MT*, 108/9).

It will be seen that the reasoning of this passage conforms to the UP Pattern. The main difference in presentation is the emphasis on a way of using the imagination to produce in the prospective agent actual preferences or inclinations corresponding to those of the person affected by the action. I shall discuss this at the end of the paper. Another difference from the reasoning of the creditor examples, as I represented it in the UP Pattern, is the mention of the agent's present motivational states (in the second sentence). Hare suggests that I want to perform the action in question. Does this desire feature in the reasoning of the passage? The answer is not immediately obvious. However, two paragraphs later, he treats the agent's inclination to perform the action as just as relevant as the inclinations of the other party affected. It must also be admitted that some of what he says in elaboration of his initial creditor examples appears to go against (I). So I need to defend more fully my claim (I) about the difference between UP and utilitarian procedures.

We may notice, first, that support for (I) is to be found in Hare's summary of the "ingredients" of the UP reasoning in the first, and simplest, creditor example. These are: the facts of the case, the logical framework provided by the meaning of 'ought', and the inclination or disinclination of the agent to be treated in the way he contemplates treating the other party when he formulates his 'ought'-judgement (*FR*, 92/3). Thus the inclination of the agent to perform the action, if he has such an inclination, is *not* mentioned as

one of the ingredients in this simplest case; and there is no reason to think that it could come to be an ingredient in other more complex cases, since they differ in such ways as there being more than one party affected, in the need for the agent to engage in hypothesizing, in different people affected having different preferences about being treated in a certain way, etc. – but not in any way that would suggest that in some cases the agent's inclination to perform the action should count and in others it should not.

However, against this evidence in favour of (I) must be set other remarks that suggest that Hare assumes that the agent will be inclined to perform the action envisaged and that this inclination has a role in the reasoning. Thus in the passage (A) quoted above Hare contrasts the agent's motivational states with those of the person who would be affected by the action and who does not want to be so treated, and it is natural to include the agent's desire among his motivational states. It is possible, however, that this contrast is mentioned not because the agent's inclination to perform the action is to feature in the reasoning, but because it poses a question: how am I to take account of what I should want if I had the motivation of another person, if my own *actual* state is so different? What Hare goes on to say about the use of the imagination to put oneself in another's place provides an answer to this question. Certainly, in the line of reasoning that leads to the "contradiction in the will" the agent's present desire to perform the action does not appear to play a part.

In an important passage a little later Hare takes the fact that someone thinks he *ought* to do something as giving him a preference that conflicts with the preference of another person who does not want to be treated in the way the action would involve; and this preference features in the reasoning (*MT*, 109/110, passages C and D below). We shall have occasion to discuss this case later. Here I will say only that while he treats the making of an 'ought'-judgement as corresponding to a preference, he does not give any argument for so regarding it. He has argued that an 'ought'-judgement commits one to a prescription, and that an inclination or preference may be expressed in a prescription; but not that any prescription is the expression of a preference.

So far, then, it appears that Hare has strongly suggested that the prospective agent who makes an 'ought'-judgement will have a corresponding inclination, but has not shown that this inclination will feature in the UP reasoning. So far, then, (I) has not been undermined. The UP position will in any case be more plausible if it does *not* assume that the prospective agent has an inclination to perform the action he contemplates. A spectator should be able to consider whether *X* ought to *a*, using the same UP form of reasoning, and one would not expect that, in order to do this, the spectator would need to know whether the agent has an inclination to perform the action.

We may turn to the claim (II) that comparison of strength of inclinations does not enter into UP reasoning. Although the UP Pattern exhibited in (1)–(6) supports this claim, as does the fact that the passage (A) from *MT* also fits the UP Pattern, Hare nevertheless explicitly asserts that UP requires consideration of the relative strengths of inclinations. Commenting on the creditor examples, at the start of the chapter following the one in which they occur, he says (*FR*, 112):

I deliberately took a case where [X] and [Y] had the *same* inclination – viz. not to be put in prison; and of course, though I did not say so, the inclination had to be the same not only in object but also in intensity.

We may notice in passing that this seems to support my claim (I), since Hare's grounds for saying that the creditor cases are ones where the parties have the same inclination are in fact that they have the same inclination vis-à-vis being treated in a certain way. The agent's further inclination to imprison the other is not mentioned. The question I wish to raise about the last quoted statement is whether Hare is correct in claiming that the reasoning about the creditors and debtors, represented in (1)–(6), requires the following condition to be satisfied: that the intensity of *X*'s disinclination to be *a*-ed is the same as the intensity of *Y*'s disinclination to be *a*-ed.

The conflict central to the UP Pattern there comes out in the incompatibility between the prescription in (4), to which *X* is committed by the 'ought'-judgement (1), and the prescription to which he is committed by (5). (This is brought out more explicitly in the formulation given in the *MT* passage (A).) Crudely, it is a conflict between what *X*'s 'ought' commits *X* to and what one of his inclinations commits him to. If different intensities could be assigned to *these* commitments, then a place would have been found for comparison of intensities. But Hare does not suggest that this comparison is to be made, either in the initial exposition of the creditor examples or in the sentence just quoted. In the quoted sentence he is suggesting that a comparison of the intensities of the inclinations *not* to be *a*-ed of *X* and *Y* is relevant: but there is no way in which these can feature in the (1)–(6) reasoning. This is so, whether it is the creditor *X*'s actual desire not to be imprisoned as a debtor (which he has in the first and simplest example) or his desire not to be imprisoned *were* he a debtor (as in the second example), which is to be compared with *Y*'s disinclination to be imprisoned.

We may notice further, with a view to later developments in Hare's position, that there is also no room for a comparison of the intensity of the creditor's inclination to imprison the debtor (if he has such an inclination) with the strength of the debtor's disinclination to be imprisoned.

II

We may go on to consider the argument by which Hare comes to include explicit consideration of the relative strength of inclinations, in order to see whether he shows that this is a development of the UP approach. His procedure is, first, to consider a case where two parties are involved, with different motivations in a relevant respect; and then to extend the result of this discussion to cases involving more than two people. As this will require quite lengthy discussion, it will be convenient to interpose at this point a statement of an alternative suggestion of how the UP reasoning will apply to cases where there is more than one person affected by the agent's prospective action.

The most straightforward way of extending the UP Pattern to such cases is to apply, for each of those who would be affected by the action, the same test as is applied in (1)–(6) in the case of *Y*, where *X* asks whether he, *X*, can prescribe that he be so treated were he in the situation of *Y*. If in one or more cases *X* cannot prescribe that he be so treated, then he has to give up the proposal that he ought to perform the action in question. If this is correct, then the UP approach makes it impossible to claim that a person ought to do something whenever this will affect someone else in a way that they dislike.⁵ We may expect, therefore, that where large numbers are affected by an action, it will often turn out that any proposed 'ought'-judgement must be rejected.

This will mean not merely that we will have to be content not to make any 'ought'-judgement about the alternative courses of action in a particular situation; worse, we may find ourselves committed to conflicting 'ought'-judgements. This may be seen when we consider the implications of the fact that the reasoning that leads the agent to give up the judgement that he ought to *a* will also lead him to give up the corresponding 'may'-judgement, that he *may a*. (Compare Hare's discussion of permission in *FR*, *ch.* 10. *sec.* 5.) An example will make this clear. Suppose that (in a world with rather rough and ready justice) I consider whether I ought to deliver a debtor, *Y*, to his creditor, *Z*. The UP Pattern of reasoning leads me to conclude that it is not the case that I ought to do this to *Y*, as I do not want to be so treated were I in *Y*'s position. The same line of reasoning, with 'may' replacing 'ought' in the UP Pattern, will lead me to conclude that I cannot accept the judgement that I *may* do this to *Y*, i.e. I ought *not* to deliver *Y* to *Z*. However, considering this last judgement, to which I appear to be committed, reasoning of the UP Pattern will show me that I do not want to be treated as this requires me to treat *Z*, were I in *Z*'s position: I cannot accept the judgement that I ought *not*

⁵ Don Locke makes this point, discussing Hare's use of 'Golden Rule' arguments, in 'The Principle of Equal Interests', *Philosophical Review* 90 (1981), p. 536.

to deliver *Y* to *Z*. Using the UP Pattern leads to a pair of incompatible 'ought'-judgements.

This interpretation of UP reasoning may be called the "non-self-prescriber's-veto" account. Although, as we shall see, Hare's development of the UP approach takes a different form, in one place in *FR* he appears to apply this "veto" test. This is in his treatment of the standard "death-bed promise" example (*FR*, 132/4), where his solution fits the UP Pattern on the non-self-prescriber's-veto interpretation. It takes account of the disinclination of the agent, the promisor, to be treated as he contemplates treating the promisee, but does *not* take into account the inclination of the promisor to act in this way, nor the attitudes of others mentioned in the example whose satisfactions would be greater if he so acted. However, this is not typical of the way in which Hare deals with cases where more than one person (apart from the agent) is affected by an action and where the inclinations of those affected conflict.

If the non-self-prescriber's-veto account of the UP approach is correct, it shows that the UP approach can have only limited application: it cannot form the basis of a morality. Someone who initially favours the UP approach thus has an incentive to find another interpretation. Hare's development of the UP approach into a utilitarian position would be one such interpretation.

In *FR* the development is in two stages: first, to allow for people having different relevant inclinations; and then to cover the case where more than one person is affected by a proposed action. It is in discussing how the UP approach may accommodate more than one relevant inclination that Hare brings in consideration of the agent's inclination to perform the action – which I have argued does not feature in the initial UP Pattern. Hare's argument uses the example of the jazz trumpeter who is neighbour to a lover of recorded chamber music.

The trumpeter is considering whether he ought to practise the trumpet.

It is obviously of no use for [the trumpeter] to ask himself whether he is prepared to prescribe universally that people should play trumpets when they live next door to other people who are listening to classical records. For if [the trumpeter] were himself listening to classical records, . . . , he would be only too pleased if somebody next door started up on the trumpet. (*FR*, 112/113)

Hare suggests that universalizing requires that the prospective agent put himself in the position of the other, with the other's tastes, etc., and preferences.

The natural way for the argument then to run is for [the trumpeter] to admit that he is not prepared to prescribe universally that people's likes and dislikes should be disregarded by other people,

because this would entail prescribing that other people should disregard his own likes and dislikes. (*FR*, 113)

It is easy to see that this fits the pattern (1)–(6), where ‘*a*’ is an action with the very general description “acting in disregard of others’ likes and dislikes and inclinations”, and where the relation the agent stands in to the other, mentioned in (2) and (3), is that of “being in a position to affect the other in a way the other may dislike”. (As Hare points out (10.5), the argument may be put in terms of permitting rather than prescribing.)

The use of this general description of the action is appropriate for the UP. It is one relevant description of what is being done, about which the question may be raised whether one ought to or may do it. The result would appear to be that the trumpeter ought not to play his trumpet – applying what has so far seemed the UP procedure. We shall see that this is not the conclusion that Hare draws.

We may notice also that if the trumpeter dislikes hearing classical records (as Hare suggests he does), then the classical listener ought to refrain from playing his records. It is, I suspect, this consideration that leads Hare to make the moves that he now goes on to make in discussing this case in the passage next quoted below. We can imagine the two of them, once they know their respective tastes, discovering a policy for cooperation, which allows each to inflict on the other some discomfort and each to get some enjoyment of his unneighbourly tastes. This compromise arrangement might arise in the special case where two agents each initially propose an action that will be unwelcome to the other and then engage in bargaining. In the case of the trumpeter, however, where no negotiations are entered into, the result I mentioned earlier still stands: he will not prescribe that were he in a position to have his likes and dislikes disregarded by another, this should be done. So he must refrain from acting in disregard of the other’s inclinations, and must refrain from playing his jazz trumpet.

Hare’s conclusion, from considering this example, is different. After the passage last quoted he continues (113):

It does not follow from this that he will conclude that he ought never to play the trumpet when [the other] is at home, but only that he ought not to have no regard at all for [the other’s] interests. Once he is prepared to give weight to [the other’s] interests as if they were his own, there will arise (supposing that [the other] is equally neighbourly) a complicated problem of deciding what apportionment of time between trumpeting and silence would be just to the two parties respectively.

The importance of the qualification “Supposing the other is equally neighbourly” must be noticed. As I have mentioned, a negotiated com-

promise might be reached, if both are equally neighbourly. (It is not clear that it would be just, since not all such bargaining leads to a just solution.) But the general issue being discussed is what an agent ought to do. The question of what he ought to do when he has been bargaining is a more specific one, not discussed as such by Hare. It appears that Hare's proposal about the outcome of the UP procedure in a case where two parties are involved and have different tastes is incorrect, and that in fact a prospective agent will have to conclude that he cannot treat the other in a way that he does not wish to be treated, that is, have his tastes and inclinations disregarded.

The importance of the trumpeter example for Hare's main line of argument is that he uses it as an example of a case where the UP leads us to take into account, and to attempt to weigh, the differing interests or inclinations of those affected by an action. The problem that remains then, he says, is to determine how far the inclinations of each should be satisfied. Further, from this point onward, he assumes that not only the inclinations *to be treated* in a certain way in imagined circumstances where the agent has put himself in the place of the other, but the inclination of the agent *to perform the action*, are to enter into the weighing process. While this would no doubt be relevant if the parties had entered into bargaining, it is not relevant if they are merely applying the UP procedure to a non-bargaining situation.

It is in order to solve the problem of how the weighing should be done that Hare gives the argument that leads to a utilitarian position in *FR*, summed up in the following passage (*FR*, 123).

- (B) It is in the endeavour to find lines of conduct which we can prescribe universally in a given situation that we find ourselves bound to give equal weight to the desires of all parties (the foundation of distributive justice); and this, in turn, leads to such views as that we should seek to maximize satisfactions. For if my action is going to affect the interests of a number of people, and I ask myself what course of action I can prescribe universally for people in just this situation, then what I shall have to do, in order to answer this question, is to put myself imaginatively in the place of the other parties . . . and ask the same sort of questions as we made the creditor ask when he had imagined himself in the situation of his debtor. And the considerations that weigh with me in this inquiry can only be, How much (as I imagine myself in the place of each man in turn) do I want to have this, or to avoid that? But when I have been the round of all the affected parties, and come back, in my own person, to make an impartial moral judgement, giving

equal weight to the interests of all parties, what can I possibly do except advocate that course, which will, taken all in all, least frustrate the desires which I have imagined myself having? But this (it is plausible to go on) is to maximize satisfactions.

(The conclusion should be understood in the light of the caution that follows it: "We have, it is true, still to grapple with the 'maximization v. equalization' problem . . .".)

Why does Hare reach this conclusion, rather than the view that the non-self-prescriber's veto will decide the issue? In the passage itself there is no explicit argument, only the rhetorical question of the penultimate sentence. About this it need only be said that, whatever the merits of such a solution, the question remains of whether or not the UP is committed to it. Earlier in the discussion leading up to this passage, Hare has proposed that the problem of how to decide what to do when there are conflicting relevant inclinations or interests can be solved by a further application of the universalizability requirement, in particular the corollary that "if it is said that two people ought to be treated differently, some difference must be cited as the ground for these different moral judgements" (118). In particular, only such a difference can justify giving greater weight to one person's interests than to another person's. However, there is still a large gap between this principle and the view that where there are conflicting desires, one should do "whatever will least frustrate the desires of all those involved", where this indeterminate prescription is to be understood in a way that is broadly utilitarian. Some utilitarian interpretations of this will involve the satisfaction of some people's desires along with the non-satisfaction of others', and this appears to be excluded by this corollary of the universalizability requirement.

I will summarize my comments on Hare's arguments in *FR* for the connexion between UP and utilitarianism. The defence of the position starts with the trumpeter example, which he takes to show (wrongly, I have argued) that the UP approach will proceed by weighing the competing inclinations of those involved, including the agent's inclination to perform the projected action. Thus the agent's inclination so to act, the subject of my claim (I), and the comparison of the relative strengths of the inclinations, the subject of (II), have both been brought in at this stage. The contribution of the passage (B) just discussed is to propose that the form taken by the deliberation should be a weighing up of these competing inclinations in a utilitarian way.

III

I turn now to the argument given in *MT* in favour of a utilitarian development of the UP position. Immediately after the passage (A) quoted

earlier, which ends by saying that the agent can only avoid the "contradiction in the will" by giving up his original 'ought'-judgement, Hare formulates some questions that, it seems to him, remain to be dealt with. After asking these questions, he proposes a utilitarian development of the UP approach, which he suggests answers these questions.

I shall quote the relevant part of the paragraph containing these questions or problems, and the solution proposed.

- (C) . . . the problem remains of why my preferences, even if they are less intense, should be subordinated to his. And if they are more intense than his, ought they to be subordinated at all? Suppose, for example, that all I think I ought to do to him is move his bicycle so that I can park my car, and he has a mild aversion to my doing this (not because he dislikes someone else interfering with his property, but simply because he wants it to stay where it is). This problem seems even more pressing in multilateral cases in which the preferences of many people are affected; but it will do no harm to deal with it in this simple bilateral case first. (*MT*, 109).

These questions are ones, to which, it seems to me, he has given the UP answer in the paragraph (A) (quoted earlier) that immediately precedes them. If I contemplate an action and ask whether I ought to or may do it, then if a person who would be affected by it is not prepared to prescribe that he be treated in the way that the action would involve, I cannot maintain the judgement that I ought to or may do it. If I do have an inclination to do it, it is thus subordinated to the other person's disinclination to be so treated.

Hare however proposes a different answer to these "problems" for the UP approach.

- (D) I can see no reason for not adopting the same solution here as we do in cases where our own preferences conflict with one another. For example, let us change the case and suppose that it is my own bicycle, and that it is moderately inconvenient to move it, but highly inconvenient not to be able to park my car; I shall then naturally move the bicycle, thinking that this is what, prudentially speaking, I ought to do, or what I most want, all in all, to do. Reverting now to the bilateral case: we have established that, if I have full knowledge of the other's preferences, I shall myself have acquired preferences equal to his regarding what should be done to me were I in his situation; and these are the preferences which are now conflicting with my original prescription. So we have in effect not an interpersonal conflict of preferences or prescriptions, but an intrapersonal one; both

the conflicting preferences are mine. I shall therefore deal with the conflict in exactly the same way as with that between two original preferences of my own. (*MT*, 109/110)

What grounds has Hare given for thus taking account of the agent's inclination to perform the action (which did not feature in the account of the UP procedure given earlier in (A)), and for using a procedure for comparing and weighing against each other the different parties' inclinations – thus moving away from the features, apparently distinctive of UP, mentioned in (I) and (II)?

The crucial step is clearly the claim that not only can I come to acquire the preferences of other parties through the use of my imagination, but that once I have done this I should resolve the conflict between the preferences of the different parties by treating these preferences just as if they were conflicting preferences of my own.

What is the role of the imagination here? For Hare the imaginative procedure is, strictly, a means of arriving at the knowledge we need in order to decide what to do: knowledge of the motivation and preferences of the other parties. Once we have this knowledge of the others' preferences as well as our own, we can make our decision in the light of it. Because Hare believes that we should decide in accordance with the strongest preference, the use of the imagination just mentioned enables us to arrive at the correct answer to the question what we ought to do. The basic claim underlying the last quoted passage is that the action I ought to do is the one that most satisfies the different preferences involved when they are taken together: i.e. that we should treat the preferences of a number of people as if they were the preferences of a single person.

The question that arises at this point is, how does the UP approach lead to this utilitarian conclusion? Hare has to show, not that this solution is the correct one, but that it follows from the UP approach. Only thus can he sustain his claim to have shown "how the requirement to universalize our prescriptions leads to utilitarianism". (*MT*, 111)

Unfortunately, Hare does not make his answers to these questions explicit. He says he can see no reason for not adopting the recommended solution: but this hardly amounts to giving positive support for the proposal. Nothing in this quoted passage shows why one should not accept that the UP leads to the conclusion suggested in the earlier paragraph quoted (A), that the agent must withdraw an 'ought'-judgement in the face of the non-self-prescriber's veto.

I conclude that the apparent gap between UP and utilitarianism is indeed a gap that cannot be bridged: that the differences noted in (I) and (II) are real and not features merely of a special case.

IV

The argument just concluded may seem not only negative in character (as it must if it is to succeed) but also perhaps unyieldingly unsympathetic to Hare's line of thinking. It might be felt that the UP approach could accommodate in *some* way the kind of weighing of the different interests or inclinations involved that must be done if a utilitarian-type position is to emerge from it. The preceding argument has claimed to show that there is no room in UP reasoning for such weighing. Nevertheless, many students of the UP position will assume that there is such room. I shall mention two examples of this assumption in expositors of the UP approach who are not themselves adherents of UP.

J. L. Mackie, elaborating what he regards as the three stages of universalization, says that if we try to take "not just some account but equal account of all actual interests, we shall be adopting the equivalent of some kind of utilitarian view".⁶ He is saying here that, faced by incompatible relevant interests, the UP approach will lead to this utilitarian-type accommodation. The alternative he does not consider, and for which I have argued, is that universalizing will simply not tell us what to do in this situation.

The second example is in the review quoted at the beginning of this paper. Brandt writes:

Suppose I wonder if I ought to do something which will have an impact on *X*, *Y* and *Z*. In that case I can properly say that I ought to do this (as Hare construes 'ought') if and only if I not only want to do this myself, but also favour the same thing being done to me, in the same circumstances, were I in the situation of *X* (with *X*'s likes and dislikes), and also to me were I *Y*, and were I *Z*. I am claiming to favour *all* these things if I say "I ought to . . ." It follows that I ought to do the thing only if the *sum* of the preferences of myself, *X*, *Y* and *Z* with respect to that being done comes out positive. (The preferences are not just to be counted; they are also to be weighed for intensity.) The result is a kind of preference-act-utilitarianism; an act ought to be performed if and only if the sum of the preferences of the persons involved is favourable.⁷

Brandt is wrong about the conclusion that the agent should draw from the reasoning here. He says that I ought to do *a* if and only if a conjunction of propositions is true. It follows from this that if one of these propositions is false, then it is not the case that I ought to do *a*. This conclusion of the argument is indeed what I suggested as required by the non-self-pre-

⁶ J. L. Mackie, *Ethics* (Harmondsworth, 1977), p. 93.

⁷ Brandt, *loc. cit.*

scriber's veto. But the conclusion that Brandt draws, on behalf of the UP, is different: *a* ought to be performed if and only if the sum of the preferences of the persons involved is favourable to *a*. Since the logic of the argument shows quite clearly that this is wrong, the fact that it has seemed a natural interpretation suggests that many will interpret UP with a utilitarian approach at the back of their minds. What would be needed to justify the conclusion would be an argument that, since the course of action *a* does not satisfy the conditions set out in the conjunction, the action we ought to do (if there is one) must satisfy some other condition, reached after the unattainable requirements of UP have been replaced by others – others, perhaps, that are in some way in the spirit of UP. Hare however is concerned, not with views in the *spirit* of UP, but with what follows from “the logical character of moral language”,⁸ universalizability and prescriptiveness; and I have argued that from these features of moral judgements we cannot derive a form of utilitarianism.

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⁸ Hare, *FR*, p. 123.

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