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Hare on Moral Weakness and the Definition of Morality

William Frankena

If there is any recent moral philosopher who has wrestled with the problems of defining morality and of moral weakness in working out a system of moral theory, it is R. M. Hare. Now, in his latest book and some preceding articles, he has added to his well-known views about the meaning and logic of moral terms or concepts, and the entailed canons of moral reasoning, a doctrine of the "distinction" or "separation" of levels of moral thinking, and he is claiming that it finally puts him in a position to deal satisfactorily with those problems. In this paper, I propose to review his use of this doctrine, which I shall call the "levels thesis," in dealing with them, and, except for a few references, I shall limit myself to what he says in *Moral Thinking*.¹ His discussion falls mainly in chapter 3, especially pages 56–62; in it the two topics are interwoven in the way indicated below in Section IV, but I shall separate them as much as I can, which will involve some repetition. I shall assume that the reader is familiar with Hare's views in general and with the book referred to in particular.

What the levels thesis involves may be indicated as follows.² Hare in effect distinguishes three kinds of substantive moral judgments: (a) "critical moral principles" of "unlimited specificity," each "tailored to a particular detailed situation" and telling one what to do in that situation; (b) "intuitive" or "prima facie" principles of "limited specificity" of the sort usually found in moral codes; and (c) intuitive moral judgments based on principles of kind *b* about what is right or wrong in particular cases.³ So-called principles like those of universalizability or utility are for him canons of moral thinking, not substantive moral judgments; and substantive judgments and principles of the three sorts are all prescriptive and universalizable, and must be covered by his definition of moral judgments and principles. He does also twice speak of moral judgments that are not evaluative or prescriptive, namely, "inverted comma" judg-

1. R. M. Hare, *Moral Thinking: Its Levels, Method, and Point* (Oxford: Clarendon, 1981).

2. See also my "Hare on the Levels of Moral Thinking," to appear in *Hare and Critics*, a volume on his moral philosophy, ed. N. Fotion and D. Seanor (London: Oxford University Press, 1988).

3. Hare, pp. 40–41, 60, 200.

ments in which one merely applies accepted moral standards without oneself endorsing them.⁴ I doubt myself that these should be called moral judgments at all, and in fact they are not moral judgments by the definition Hare gives us, but, in any case, I shall leave them to one side, as he does.

Hare also distinguishes two kinds or levels of moral thinking: (1) critical moral thinking, which *uses* the canons of moral reasoning and *issues in* moral principles of kinds *a* and *b*, and (2) intuitive moral thinking, which *uses* principles of kind *b* and *issues in* judgments of kind *c*. The former is the kind of moral thinking an archangel employing the universal prescriptivist method (or that of act utilitarianism which Hare now regards as its offspring) would do; the latter is the kind of moral thinking we do—and should do—most of the time. Hare also insists that critical moral thinking is epistemologically prior to intuitive moral thinking, not in the sense that intuitive moral thinking does always rest on critical moral thinking, but in the sense that the *prima facie* principles it uses should be selected or at least tested by critical moral thinking, which itself cannot and should not depend in any way on the principles and judgments of intuitive moral thinking.⁵ That is, critical moral thinking is or may in principle be complete in itself, even though intuitive moral thinking is also necessary for human beings, while intuitive moral thinking is not and cannot be, even if some of us do it and it alone. Hare's levels thesis, then, is the doctrine that there are and should be these two kinds of thinking in morality and that they are or should be layered in the way indicated.

I

The problem of defining morality is not that of distinguishing the moral from the *immoral* but that of distinguishing the moral from the *nonmoral*, and for our purposes here we may take it as that of distinguishing moral judgments and principles from nonmoral ones. Unlike some of us, Hare has always sought to make this distinction in purely formal terms, and he still seeks to do so even though he has become a utilitarian. Before 1981 his standing view was this: (a) moral and other evaluative judgments, general or particular, are like descriptive or factual ones in being *universalizable*, (b) they are distinguished from descriptive or factual judgments by being *prescriptive*, and (c) moral judgments are distinguished from nonmoral evaluative ones, for example, from judgments of aesthetics and etiquette by being *overriding* or, rather, by being taken or treated as overriding. But then, as his critics pointed out and as he now recognizes, he had trouble explaining what seem to be facts of the moral life, namely, (1) that one moral principle can be overridden or allowed to be overridden by another moral principle and (2) that a moral principle or judgment can be overridden or allowed to be overridden by a nonmoral one or

4. *Ibid.*, pp. 22, 58.

5. *Ibid.*, p. 46.

even by a "plain desire" (which for Hare is also a kind of prescription, though not an evaluative judgment).⁶ He seemed to have to deny that these are really facts of the moral life, as opponents insisted they were. Now, however, he fully agrees that they are facts and that they cannot be reduced to cases in which one is making a "moral judgment" of the inverted comma kind,⁷ and he uses the levels thesis to explain how he can account for them, while still differentiating moral from nonmoral prescriptions in terms of overridingness. Obviously this means revising his previous definition of "moral," in particular, clause *c*, by changing the way in which the concept of being (or of being treated as) overriding enters into the definition.

Since the concept of overridingness seems in this way to be crucial to Hare's program of defining "moral" and dealing with moral weakness, we must look at it more closely. He is rightly careful to explain that the concept he is using is not that of *being* overriding, but only that of being *taken* or *treated as* overriding. He is not defining moral judgments or principles as those evaluative ones that *are* overriding, whatever this might mean. In fact, he is no longer defining them as those evaluative or prescriptive ones that are taken as overriding, since he now holds that moral judgments are not always so taken. His present problem is to differentiate moral judgments from other prescriptive ones in terms of being taken or treated as overriding, while allowing that we do not always take them as overriding and that they remain *moral* judgments nevertheless.

Here we must notice a certain relativity in Hare's conception of the problem. The problem is not to distinguish moral and nonmoral evaluations or prescriptions without reference to the individual or group making or subscribing to them; it is, rather, to distinguish X's moral ones from X's nonmoral ones, where X is always some individual or group, for example, to distinguish *my* (or *our*) moral ones from *my* (or *our*) nonmoral ones; and to do so, not in terms of what X actually takes to be overriding, but still by using the concept of what X takes to be overriding.

One could no doubt raise questions about making the distinction between the moral and the nonmoral relative in this way, but let us pass on to ask what it is for X to take or treat a prescription as overriding. *Prima facie*, it may mean either (*a*) that X believes it *should* take priority over other prescriptions and desires or (*b*) that X *in fact* acts on it rather than on other prescriptions and desires. This is Butler's distinction between "authority" and "power," but Hare seems to think—and this appears to be characteristic of his prescriptivism—that authority and power are the same thing or at least go together. For he says, "that I would allow the moral principle [of not hurting my wife's feelings] to override the aesthetic one [of not juxtaposing scarlet with magenta]" means "at least that, although

6. *Ibid.*, pp. 56, 59–60.

7. *Ibid.*, p. 58.

both are prescriptive, I would think that I ought to act, and accordingly would act, on the moral one and thus not on the aesthetic one," adding that to treat a principle as overriding is to "let" it always override other principles and prescriptions, including plain desires. He also adds, of course, that "if I were to treat the principle forbidding colour-clashes as overriding . . . I should be . . . elevating it into a moral principle."⁸ In any case, *b* is predominant in Hare's conception of letting or not letting a prescription be overridden by another one or by a desire. Being overridden is, in effect, being overpowered or at least being allowed to lose.

I am not happy with this line of thought. It seems to me that *a* and *b* are very different ways in which X may treat a principle or judgment as overriding, and that *a* may be true for a given prescription and *b* false, so that what counts as one of X's moral principles or judgments may be different, depending on whether *a* is used as the criterion or *b*. In any case, however, Hare is no longer defining one's moral principles and judgments as those evaluative ones that one does or will not allow to be overpowered by any others or by one's desires, since he now admits that I may sincerely hold to some principle or judgment that I do sometimes let be overpowered by another or by a desire—and that it may nevertheless be one of my *moral* principles or judgments. But before looking at his present definition, we must notice another point. Hare proceeds as if overridingness were a third concept that is needed for distinguishing the moral from the nonmoral, in addition to those of universalizability and prescriptivity, but not for constructing an account of moral reasoning.⁹ This is not clear to me. I need not say anything here about universalizability, but we must examine the relations between prescriptivity and overridingness. It seems clear that the latter presupposes the former, that is, that my taking something to be overriding entails my assenting to it as a prescription. However, Hare talks as if the former does not include or presuppose the latter, as if my assenting to something as prescriptive does not involve my taking it as overriding. Indeed, he must hold this if he really is to build his argument about the method of moral thinking on the properties of universalizability and prescriptivity, without using that of overridingness, as he means to do, and also if he is to allow that aesthetic judgments are prescriptive but overridable by moral ones or that some moral ones are prescriptive even though they may be overridden by others or by nonmoral ones or even by desires, as he now does. It looks, therefore, as if he is thinking that being overriding or taken as overriding entails being prescriptive in a special way in which not all prescriptions, not even all moral ones, are prescriptive, or in other words, as if he is operating with two kinds of prescriptivity. At any rate, we need from Hare an account of what it is to be or be taken as prescriptive without being overriding or treated as overriding.

8. *Ibid.*, pp. 55–56.

9. *Ibid.*, pp. 53–54.

He does not explicitly give us such an account in *Moral Thinking*. His main statement about prescriptivity here runs as follows: "We say something prescriptive if and only if, for some act A, some situation S and some person P, if P were to assent (orally) to what we say, and not, in S, do A, he logically must be assenting insincerely."¹⁰ In other words, I sincerely accept a prescription if and only if I act on it when it applies or when I see it as applying. This statement does fit in with Hare's previous characterizations of prescriptivity, but it seems to me to be incompatible with saying that one can sincerely assent to a prescription, aesthetic or moral, and yet not act on it in a situation to which it is seen to be relevant, as Hare does in the later discussion we are reviewing. Indeed, it seems to me that, in the passage quoted, essentially repeated on page 189, Hare is in effect building overridingness into prescriptivity, inconsistently with what he means to go on to do. For that he needs a weaker sense of prescriptivity, and, indeed, during his later discussion, he in effect recognizes one, though without saying so. He writes, "Prima facie principles have to be overridable . . . that is to say, it is possible to go on holding them [that is, sincerely assenting to them] even when one does not obey them in a particular case," and then adds, "This overridability does not mean they are not prescriptive; if applied, they would require a certain action, but we just do not apply them in a certain case."¹¹ I suppose he would say the same thing about principles of aesthetics and etiquette, but then these principles and prima facie moral ones cannot be prescriptive in the strong sense of page 21; they are prescriptive only in the sense that if we apply them we will act accordingly.¹² But we can just not apply them even though we sincerely assent to them and see them to be relevant to the case in hand, as I do if I "take a moral holiday," that is, let a moral principle be overridden by a nonmoral one or by a plain desire. "Some cases of weakness of will are examples of this; and so also are such cases as that described by Austin . . . where I deliberately, and not through weakness, when dining at High Table, help myself to two portions though there are only enough for one apiece."¹³ It is not clear what Hare can mean here by the locutions "if applied, they would require a certain action" or "we just do not apply them," but he is at least indicating a sense in which something may be prescriptive even while it is being allowed to be overridden, namely, being prescriptive if applied.

Here I should mention that on pages 23–24 Hare says that the deontic "ought," as we humans use it, is not "fully prescriptive" in the way in which the deontic "must" is and adds that he will nevertheless use the word "ought" in his account of critical moral thinking "as if its

10. *Ibid.*, p. 21.

11. *Ibid.*, p. 59.

12. Or in some other weak sense he does not mention.

13. Hare, p. 57.

prescriptions were not to be overridden." This seems to imply that for him (1) "being fully prescriptive" entails "not allowed to be overridden," as I have suggested, (2) critical moral principles are fully prescriptive in this sense, and (3) prima facie principles are not, but they are prescriptive in some weaker sense. It also implies, I think, that the prescriptivity on which, along with universalizability, he builds his account of critical moral thinking in chapters 5 and 6 is one that entails overridingness. That is the real reason why he can claim he does not need overridingness to construct his account of critical moral thinking¹⁴—he already has this property included in that of (full) prescriptivity. Prescriptivity in the weaker sense would not do that job. But it follows that the canons of critical moral thinking are *not* "based on the other two properties of 'ought' and 'must', which they share with all evaluative words," as Hare claims they are;¹⁵ "ought" and "must" share with *all* evaluative words only the properties of being universalizable and of being prescriptive in at least the *weak* sense. Of this more later. First, we must look at Hare's new way of distinguishing moral judgments and principles from other evaluative or normative ones.

II

As we saw, Hare now rejects his earlier way of making this distinction but makes it appear that he still thinks he can make it by using the concept of being taken as overriding, using it, however, in a new way. I say "makes it appear that" because, as we shall see, things get somewhat more complicated. Of course, if I am right in what I said a moment ago, he does not need a separate concept of overridingness, as he seems to think; he needs only the equivalent concept of being prescriptive in the strong sense, in addition to those of being prescriptive in the weak sense and of being universalizable. The difficulty with his earlier definition of "moral," it will be recalled, is that one can allow some of one's moral judgments and principles to be overridden, either by other moral ones, by nonmoral ones, or by plain desires, without their ceasing to be one's *moral* judgments or principles, sincerely assented to. Only some of the cases in which one does this are cases of weakness of will, of course; those in which one allows a moral prescription to be overridden by another or by a nonmoral one are not, and, at least according to Hare, neither is Austin's High Table example.

At this point Hare writes, "But the separation of levels, which is the cause of this difficulty, also provides its solution."¹⁶ How is it the *cause* of the difficulty? Because, as Hare sees things, one cannot allow a sincerely accepted moral prescription to be overridden (that is, not acted on) in a case in which one sees it to be applicable, whether out of weakness of

14. *Ibid.*, p. 54.

15. *Ibid.*

16. *Ibid.*, p. 60.

will or not, unless there is, besides the critical level of moral thinking, also another level of intuitive moral thinking, with its *prima facie* principles and the particular judgments based on them. This assumes, as Hare's whole discussion does, that one cannot or does not ever allow a critical moral judgment or principle to be overridden, a point to which I shall return. How, then, is such a separation of levels the *solution* of the above difficulty for the definition of "moral"? Hare's reply is contained in the following passages:¹⁷

(a) If we think of the whole structure of moral thinking with its two levels, 'moral' can be defined, in the sense in which we are using it (as I said, not the only sense), as follows. The class of a man's moral principles consists of two sub-classes: (1) those universal prescriptive principles which he does not allow to be overridden . . . ; (2) those *prima facie* principles which, although they can be overridden, are selected . . . by critical thinking, in the course of which use is made of moral principles of the first sub-class. So, if we want to know whether someone is treating a principle as a moral principle, we have first to ask whether he would ever . . . let it be overridden. If he says that he would not, then he is treating it as a moral principle. But even if he says that there are some circumstances in which he would let it be overridden, it might be a moral principle of the second sub-class. We have to ask him, therefore, in that case, how he would justify his selection of this as one of his principles; and if he says that it would be on the basis of critical thinking . . . then this principle too will count as a moral principle, but of the second sub-class.

(b) We can [say] that a principle is for [X] a moral principle if, either (1) it is treated by [X] as overriding . . . ; or (2) if [X] were constrained . . . to do some critical thinking, however primitive, [X] would justify the principle by appeal to some higher principle treated as overriding.

(c) . . . a principle is being treated as moral (of the second class) if the justification for it, in the mind of the person who holds it, is of a certain sort.

There are questions one can raise about Hare's wordings here, but it is clear that he holds, first, that a judgment or a principle is a moral one for X if X does not ever allow it to be overridden, and, second, that it can be a moral one for X even if X does sometimes allow it to be overridden, provided that X does or would justify it in a certain way. Not being allowed to be overridden is still for Hare a sufficient condition for being a moral principle, but it is no longer a necessary condition. It is also a sufficient condition of something's being a moral principle for X that X does or would give a certain justification of it. What is not clear is just what Hare thinks this justification must be. Considering unquoted passages on pages 60–62, as well as those quoted, there seem to be the following

17. *Ibid.*, pp. 60–62.

possibilities: (1) that X does or would justify the principle in question by appeal to some higher principle X treats as overriding, (2) that X does or would justify it by critical thinking of some sort, however primitive, (3) that X does or would justify it on the ground of its being "a principle whose general acceptance would lead to people's action and dispositions approximating to the greatest extent to the deliverances of a perfectly conducted critical thinking,"¹⁸ and (4) that X does or would justify its selection "on the ground that the general acceptance of [it] would lead to actions which do as much good, and as little harm, as possible."¹⁹ Several observations may be made. (a) These four possibilities are *prima facie* different. (b) Hare would almost certainly not be satisfied with the second. (c) He would regard the third and fourth as coming to the same thing, since he regards his universal prescriptivist method as equivalent to a kind of utilitarianism and tries to show this later in his book. I cannot discuss his argument here. (d) The first and second would make Hare's definition neutral, but the third and fourth would not, since they would build Hare's particular view about critical moral thinking into the meaning of "moral." (e) The first is the line one would have expected Hare to adopt. Then moral principles would be distinguished from nonmoral ones entirely in terms of the concept of overridingness, although not in the same way as in his earlier definition. A moral principle or judgment would be either one that is treated as overriding or one that is justified by reference to one that is so treated. In lines 3 and 4, on the contrary, it would be either one that is treated as overriding or one that is justified in the manner indicated (without any reference to anything overriding). I should add that later, on page 65, Hare writes that "moral judgments are universal or universalizable prescriptions which are either overriding or related to overriding principles in the way suggested in 3.8," thus seeming to make line 1 his official view even though 3.8 is ambiguous in the way indicated above. (f) Hare would, no doubt, regard a definition using line 1 and a definition using either 3 or 4 as equivalent, and perhaps they are, given the rest of what he believes, though this would have to be shown, but, still, the logic of the definitions would be different, since each would close and leave open different questions. All would, however, close the question whether principles of the first subclass are subject to being overridden, to moral weakness, or to the taking of moral holidays, and leave open the same question about those of the second subclass, a point to which I shall return. (g) It seems to be Hare's intention to make having a morality entail taking something as overriding (as prescriptive in the strong sense), not subject to weakness, backsliding, and so forth. Line 1 would do this. But, on the other lines, something is made a sufficient condition of being moral that involves no explicit reference to taking anything as overriding. On them, one could have a morality even

18. *Ibid.*, p. 61.

19. *Ibid.*, p. 62.

if one takes nothing as overriding, provided only that one justifies one's principles and judgments in a certain way, for example, in the universal prescriptivist/act utilitarian way.

III

Next, we must look at some of the things Hare says or does in connection with his definition of "moral" as applied to judgments and principles. Hare first discusses an objection—that on his definition, proles and intuitionist philosophers, "who know of only the intuitive level of moral thinking," cannot have any moral principles, "for they cannot justify their 'moral principles' by appeal to critical thinking." In reply he says (*a*) that it "would be more correct to say that such people have no way of distinguishing their moral from their other principles," (*b*) that *we* have a way of doing so, namely, by using our definition, and (*c*) that "there is a difficulty, in the case of such people, in distinguishing their moral principles in the sense we are after; this is a sign of a gap in their thinking rather than ours."²⁰ Statement *b* is, of course, correct, though it is interesting to notice that in making it out Hare uses his definition in the form given in the second of the three passages quoted earlier, that is, he here follows what I called line 1, not any of the lines that presuppose his own conception of critical moral thinking, as his opening statement of the objection does. But by taking that line "such people" can make the distinction for themselves, for they may well have one or more principles they take as overriding and use them in justifying those they do not. They can also make it by taking line 2. Of course, they cannot do it by reference to critical moral thinking as Hare thinks it should go, but they may have their own conception of critical thinking and use it, and it need not be "primitive"—witness Sidgwick and Moore, or even Ross. So much for *a*. As for *c*, there is something question begging about it; whether or not the intuitionists can be said, by themselves or by others, to have moral principles in Hare's sense, they may perfectly well have moral principles in some nonformalist, "material," or "content" sense. For Hare allows that his is "not the only sense" and that "moral" is an ambiguous term which also has such a nonformalist sense, insisting only that it has his formalist sense too. But in *c* he is neglecting the other sense; this is a sign of a gap in his thinking rather than theirs.

My point here can be put as follows: there are three issues: (*m*) whether "such people" have moral principles in Hare's sense, (*n*) whether they have moral principles in some other legitimate sense, and (*o*) whether they have anything adequate in the way of critical moral thinking, and the answers to *m* and *n* may be yes, even if the answer to *o* is no.

Next, Hare claims that his more complex definition of "moral," though still formalist, brings him closer than his old one did to the point of view of those who insist on defining it in terms either of the content

20. *Ibid.*, p. 61.

of our judgments and principles or in terms of the reasons given for them (he names Warnock and might have mentioned Foot and me). But whether this is true or not depends. It is true if he follows line 4, and he does *here*, but it is not true on line 1, which he used in dealing with the objection just discussed. At least it can be true on line 1 only if it can be shown that justifying principles of the second subclass by reference to something taken as overriding necessarily involves using reasons of the sort his opponents have in mind, and I see no way of showing *this*. That is, I see no way of showing that justifying principles of the second subclass by reference to something *taken as overriding* necessarily involves using reasons of the sort Hare's opponents have in mind. "Taking something as overriding" is a concept that does nothing to indicate what kinds of reasons may be used; it does not as such require even that they include a consideration of the interests of others, as is shown by the fact that Hare believes there are moral judgments that involve no consideration of others.²¹ What Hare is thinking is (a) that principles arrived at by critical thinking of his universal prescriptivist kind are necessarily taken as overriding and (b) that such critical thinking necessarily brings in considerations of the sort his opponents are after, though only as applied to situations in which the interests of others are affected, since it then entails a kind of utilitarianism (as indicated in line 4). These two points Hare seeks to establish in later chapters, and I cannot consider his argument here, but, like many others, I have doubts about its success.²² I shall say something about *a* below. In any case, however, to establish *a* and *b* is not to establish that justifying judgments by reference to something taken as overriding entails considering the interests of others; whether it does so or not depends on what is taken as overriding.

Two or three earlier passages need comment in this connection.²³ In one Hare first explains why he does not use the property of overridingness in constructing his account of moral reasoning, but only those of prescriptivity and universalizability, a point I have already commented on. Then he explains why he does not accord the word "moral" any important part in his argument. The reason he gives for this is that "moral" is so ambiguous that nothing definite can be based on its meaning. But then he says that we do need a concept which will delimit those uses of "ought," "must," and so forth "with which we, as moral philosophers are concerned," and that "moral" in one of its senses is a word for that concept, observing that "the best policy will be to admit that the word is ambiguous and even vague, and to define a use of it which will mark out those uses of 'ought' and 'must' in which we are primarily interested." This is what his above definition is meant to do. But, as we saw, Hare

21. *Ibid.*, p. 54.

22. See, e.g., R. B. Brandt's essay "Act-Utilitarianism and Metaethics," in Fotion and Seanor, eds.

23. See Hare, pp. 54–56.

grants that "moral," besides having the sense he gives to it, has also the very different sense that the opponents mentioned earlier give to it. "This shows," he says, "that there are two senses of 'moral' involved, . . . it does not show that mine is not a possible or useful sense, provided that it is distinguished from others." This is true, but his opponents can say the same thing, and surely Hare must be holding that there are good reasons for preferring his sense to theirs, just as they must be holding the opposite. It will not do simply to imply, as he does, that his definition best picks out the uses of evaluative or normative terms that "we, as moral philosophers" are concerned with or primarily interested in. That is to beg the question against his opponents. Perhaps they must try to answer the question why we should be moral by showing that it is rational to take moral judgments and principles as overriding, but they need not think that such judgments and principles must be taken to be overriding if they are to be moral in the first place.

Finally, Hare says "in passing" that, if "moral" (in one of its useful senses) can be successfully defined in terms of prescriptivity, universalizability, and overridingness, he would not mind *substituting* the expression "overriding-prescriptive-universalizable" for "moral," in this sense, if it were not so cumbersome, adding, "Then I could happily make a present of the word 'moral' to those who wish to use it in other of its meanings." But he does think that "moral" can be successfully defined, in the sense he has in mind, in those terms and yet goes on using it. Is this only because its substitute would be so cumbersome? Cumbrousness apart, would he really not mind calling his book "Overriding-Prescriptive-Universalizable Thinking: Its Levels, Method, and Point"? Would he not fear that others would then fail to identify it as being about any of the reasoning they had always thought of as moral and were interested in?

IV

As I said, Hare's discussion of moral weakness in *Moral Thinking* is interwoven with that of defining "moral." He takes up the latter topic on page 52 and says that he is going to use the concept of overridingness as differentiating moral from other evaluative judgments, and that explaining it will give him occasion to say something more about the problem of weakness of will. Next he reminds us that the levels thesis shows how moral conflicts are to be accounted for (he earlier introduced it via a discussion of moral conflict) and adds that "much the same treatment helps with some important kinds of weakness of will." Like the problem of moral conflict, that of weakness of will arises because the ordinary person has "intuitions, embodied in *prima facie* principles" and finds him- or herself violating them sometimes—doing what one in some sense knows one ought not to be doing. We must examine this matter, Hare then says, but first he returns to the question of defining "moral," saying that for this the concept of overridingness is needed, in addition to those of prescriptivity and universalizability, and then proceeding to explain

it along the lines indicated earlier. He then returns to the problem of weakness, proposing to use the concept of overridingness, insisting it "must not be confused with that of prescriptivity," a point I have commented on. Next he mentions two types of weakness from his list in *Freedom and Reason*: first, the case of one who cannot resist the temptation to do what he or she thinks one ought not to do, and second, that of one who departs from "the rigour of pure prescriptive universality" and says that he has nothing further to say about the former and that what he is saying in this chapter is an expansion of what he said about the latter.²⁴

I am not sure how to interpret these last statements. I think that in the first he is referring rather strictly to the case of one who literally *cannot* resist temptation, which he did deal with in *Freedom and Reason*, in which case we can still take his present discussion as covering the instance of one who *can* resist but does not, as I am in fact doing. As for the second statement—just how is Hare's present discussion an expansion of what he said about the second case in *Freedom and Reason*? Well, in *Freedom and Reason*, 5.5, he wrote that there is a strain between prescriptivity and universality in certain situations; this is what makes the moral life so hard sometimes—finding an action which one is prepared to commit oneself to *and* which one is prepared to accept as exemplifying a principle binding on everyone in like circumstances. "Something has to give; and this is the explanation of the phenomenon of moral weakness. Not only do *we* give, because we are morally weak; we have found for ourselves a language which shares our weakness, and gives just where we do." We are not angels, who could have a moral language of pure prescriptive universality, although we "aspire" to having one, and so we have devised "a more comfortable way of speaking." Our "human moral language has, built into its logic, all manner of ways of evading the rigour of prescriptive universality. These we shall have to chart in more detail."²⁵ I think that we may take the separation of levels and the device of intuitive moral thinking as additions to Hare's chart in *Freedom and Reason*, but we must notice that he now regards them, not just as ways in which our language gives where we do, but as devices that we need in order to keep as close to the angelic language as possible, given our human weaknesses. At any rate, in *Moral Thinking* Hare is supplementing his previous treatment of "backsliding" by bringing in the levels thesis; he is thinking (a) that there are cases of moral weakness and aberration not satisfactorily covered by *Freedom and Reason* or *The Language of Morals* and (b) that they can be treated by using the levels thesis.

To return, apparently to indicate how the levels thesis enables him to deal with "some" kinds of weakness, Hare says that, because we are human, we have—and need to have—an intuitive level of moral thinking, using *prima facie* principles of limited specificity accompanied by strong

24. *Ibid.*, pp. 58–59.

25. R. M. Hare, *Freedom and Reason* (Oxford: Clarendon, 1963), pp. 73–74.

moral feelings. These principles are general, rather simple, and unspecific, and "they admit of exceptions, in the sense that it is possible to go on holding them while allowing that in particular cases one may break them." This is the nature of the beast. "In other words, they are overridable."²⁶ Being what they are, and needing to be what they are to fulfill their practical functions, they "have to be overridable," and will be overridable, not only by other such moral principles, but by principles of aesthetics or etiquette or by plain desires, making moral weakness and other kinds of moral aberration possible.

At this point, Hare gives us the revised definition of "moral" reviewed earlier, with the levels thesis built in. Thus we have seen how he thinks the levels thesis enables him to give us more satisfactory accounts both of the meaning (or more accurately, one meaning) of "moral" and of moral weakness. In both cases the separation of levels is at once the cause of difficulty and the means to its solution. As for his account of moral weakness and other aberrations, I think that the levels thesis does enable Hare, consistently with his universal prescriptivism, to make it more adequate than his earlier ones. He is allowing that more kinds of moral aberration are possible (and actual) than he did before and has a way of dealing with them. But as far as I can see, Hare is assuming (*a*) that critical moral principles proper, sincerely assented to, are necessarily taken as overriding and so are not subject to weakness or other kinds of aberration and (*b*) that sincerely held principles of the second subclass can be and are allowed to be overridden and so are subject to such aberrations. Assumption *b* seems to me to be clearly true, as it always has to those who question Socrates' famous dictum. I wish to point out, however, that principles of the second subclass do not "have to be overridable." They do in Hare's own scheme of moral thinking. And, if they are defined as "prima facie" principles in Ross's sense, then they have to be overridable at least by some other moral principle, critical or intuitive. But, if they are defined simply as principles of limited specificity of the form "In a situation with features ABC, do an act with DEF," there is no reason why they have to be overridable. Some Quakers take a principle like "Do not kill" as not being overridable by any other moral or nonmoral principle, and presumably, they also never let it be overridden by desire. In schemes other than Hare's, in other words, such principles may belong to the first subclass as he defines it. Principles of that subclass need not all be "critical moral principles" of "unlimited specificity," as he assumes.²⁷ It may be that no moral system in which a principle of limited specificity is taken as overriding can be satisfactory, but that is another question.

Assumption *a* is more crucial and harder to deal with. Hare says in one place that critical moral principles are "capable of being made so

26. Hare, *Moral Thinking*, p. 59.

27. *Ibid.*, p. 60.

specific and so adapted to particular cases that they do not *need* to be overridden."²⁸ But this only means that they need not be overridden by any other moral principle, and Hare's view is stronger than this; it is that they *cannot* be overridden by any other moral principle. It is even stronger than *this*. Hare is not thinking only that if one lets a critical principle be overridden by anything else then it is simply not one of one's moral principles. As I read him, he is thinking that one who is not an amoralist and sincerely assents to a well-founded critical moral principle will not let it be overridden by anything else, not even by a plain desire, but will act on it in the situation for which he or she accepts it. That is, if one sincerely assents to a judgment about the situation one is in as a result of a sound piece of one's own universal prescriptivist/act utilitarian critical moral thinking, one will do what it prescribes. It is, therefore, still open to his critics, for whom Socrates' dictum is a paradox, to complain that, even given his levels thesis, Hare has not entirely solved his old problem of *akrasia*. Hare may reply that in his argument of part 2 he shows, among other things, that assumption *a*, as just restated, is true. I cannot discuss this claim now.²⁹ I shall only venture the counterclaim that he can show this, if at all, only because his argument *presupposes* that there is a moral use of "must" and "ought" that is prescriptive in the strong sense or, in another word, overriding. This I doubt. I think that Hare believes this because he takes the deontic "must" as meaning "must, all things considered," but I doubt that "I (morally) must" means "I must, all things considered."³⁰ Is being "fully prescriptive" part of "the logic of moral terms as we have them"—or should have them? *Has* Hare shown even that their logic is such that moral judgments must be "universal or universalizable prescriptions which are either overriding or related to overriding principles in the way suggested in 3.8"? To parody Emerson, perhaps "When Duty whispers low, 'Thou must,' even at the critical level, the youth may reply, "I can," but not "I will."

28. *Ibid.*; my italics.

29. Again, see Brandt's essay, referred to in n. 22 above.

30. *Ibid.*, pp. 22–23.