

Utilitarianism and Moral Education

Comment on Sanford Levy's Paper

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[THIS paper was first delivered as a comment on Levy (1990) at a meeting of the Association for Philosophy of Education. I had intended to submit my comment for publication in the same number; but through a failure in communication, for which I was no doubt to blame, this did not happen. I am grateful to the editor for accepting it at this late stage.]

The implications of rival moral theories for moral education are a crucial topic, both for moral philosophy and for society; but they have been too much neglected, and I do not know of any recent papers which do as much to clarify them as Levy's. This is limited in scope, though none the worse for that. He does not consider all possible theories of moral reasoning that might be applied to this problem, but only utilitarian ones; and he limits himself to discussing two rival ways in which these might seek to counter well-known objections. In spite of its limited scope, I think that his paper is of fundamental importance.

We may divide theories about moral reasoning into two broad classes. The first of these comprises what are theories of moral reasoning only in a somewhat negative sense, because they amount to saying that, at least on some crucial questions, there cannot be moral reasoning. I am thinking of intuitionist and crypto-intuitionist theories which tell us *not* to reason when we are confronted with a moral problem, but to consult our moral convictions. Few would nowadays express this in so downright a way as Prichard:

... if we do doubt whether there is really an obligation to originate *A* in a situation *B*, the remedy lies not in any process of general thinking, but in getting face to face with a particular instance of the situation *B*, and then directly appreciating the obligation to originate *A* in that situation (1912: end).

But nearly all recent writers on ethics have shown themselves to be crypto-intuitionists by treating their own or their readers' unsupported moral convictions as a court of appeal.

I shall shortly be giving John Rawls as an example of a thinker who cannot help us because he thinks in this way; he got his most important ideas about moral philosophical method from Ross, Prichard's disciple. But first I will tell you why this whole class of theories cannot help us. The reason is that the moral convictions to which such thinkers want us to appeal are themselves the product mainly of moral education. It is, indeed, when we ask ourselves (as so few moral philosophers do), how we would rationally decide on what lines to attempt the moral education of our own children, that the nakedness of intuitionism is most starkly revealed. For it is obviously circular to appeal to our antecedent moral

convictions when the question we are asking is what convictions, those or some others, we ought to be trying to implant in our children. Imagine two parents talking to a child of theirs about any of the questions that exacerbate the generation gap: about sex, or about war, or even about whether it is all right to grow a beard. What good is it going to do if the parents say that they *know* that it is wrong not to be ready to fight for one's country, and wrong to have sex outside marriage? What the children need to have learnt is how to think about such problems and decide rationally which view is the right one. And this task is just evaded by the intuitionists.

I promised to say a word about Rawls. I found his book (1971) a great disappointment; and I think that others beside myself will have noticed how, in his later work (e.g. 1985: 225), he has abandoned the claim that he once seemed to be making, that he was giving us an objective way of determining the truth on moral questions. In 1971: 516 he says

We do not look at the social order from our situation but take up a point of view that everyone can adopt on an equal footing. In this sense we look at our society and our place in it objectively. We share a common standpoint along with others and do not make our judgements from a personal slant.

This I think was a good move, and it was certainly exciting, and justified the attention that has been paid to Rawls' work. But now he seems to have had to abandon this claim to objectivity. In his recent work he appeals only to consensus; he has given up the claim to tell us something about justice to which we must all agree; instead, he is now claiming only to tell us something that we must agree to if we share the moral background from which Rawls himself springs. It may be that everyone in that circle will find his (or her) considered judgements in reflective equilibrium agreeing with those of Rawls; but try telling that to the Chinese or Japanese! Rawls' Achilles' heel is that of all intuitionists: following Ross and Prichard, he thinks he can solve moral problems in a determinate way by reflecting on his own convictions; but this will seem cogent only to those who already shared the convictions. In my review of Rawls (H 1973a) I quoted Plato's highly apposite remark:

If someone starts from something he knows not, and the end and the middle of his argument are woven together out of what he knows not, how can such a mere consensus ever turn into knowledge? (*Rep.* 533c).

Plato's predominant concern was moral education, and he above all knew that in that area it is no use appealing to consensus. He saw, if I understand him rightly, that we have to start from the *logic* of moral reasoning, based on the *meanings* of the moral words; this is, as Rawls puts it, a "common standpoint", but one about which he says very little, and which he explicitly leaves aside (1971: 579). It is this common standpoint of moral language to which, above all, we have to bring our children in order that they may be able to think rationally about moral problems (H 1973b).

The other main class of theories about moral reasoning which might compete with utilitarianism comprises those of writers like Alan Gewirth, who rightly try

to extract from the logic of moral language rules of reasoning which will bring all rational thinkers to the same conclusions. I belong to this class of writers myself, and so cannot object to the procedure in general. I can only object (as I have for example in my piece about Gewirth, H 1984) to particular gaps in particular arguments which follow this in general correct method.

The crudest examples of this method are so-called naturalistic theories, which try to force us to substantial moral conclusions by *defining* moral words in terms of descriptive expressions. As writers like MacIntyre have shown us by their example, such a procedure leads direct to a kind of relativism that will appeal to nobody who is after a way of deciding rationally and uniquely what moral principles we ought to teach our children (H 1986). For if the moral words and concepts incorporate substantial moral convictions (as Rawls, again, admits that his do 1971: 579), we should have to decide whether to teach our children these or some other concepts; and how could we without circularity decide that by appeal to the concepts themselves?

The danger for all theories which try to found moral logic on moral language is that of writing substantial conclusions into the meanings of the words, as Rawls admits he has done (ib.) The way to avoid this danger is to be very careful to make one's account of the moral concepts itself morally neutral, as Rawls has by his own admission not done (ib.). I have myself been accused of failing to do this – have I not attempted to extract a utilitarian theory from the logic of the moral concepts? I have rebutted this imputation elsewhere (1981: 218 ff.). Briefly, the answer is that utilitarianism is, in its formal aspect, itself morally neutral. It does not tell us what in particular we ought to do. That is decided by applying the logic, as it is imposed on us by the moral concepts, to the autonomous preferences (or as Kant put it *wills*) of people, including our own. All of us have to do the willing, but the logic compels us to will in concert, once we realize that we have to will universally for all similar situations whoever occupies whatever role in them. This is the formal aspect of utilitarianism, which is perfectly consistent with a possible interpretation of Kant. He said that autonomy is “the property the will has of being a law to itself, independently of every property belonging to the object of volition” (1785: BA87 = 440). Similarly the utilitarian recognizes this sole constraint, that he has to prefer or will what he wills in conformity to a law, autonomously chosen, which, along with all other legislating members of this kingdom of ends, he can will to be universal. This, again, is the formal aspect of utilitarianism, which gives weight equally to the preferences or wills of all the members, and does not tie any of them to any *content* for morality. The content they themselves put in. Utilitarianism, so interpreted, is in the required sense neutral.

I must now turn back to Dr. Levy's paper, having explained why I think that he was right to confine his attention to utilitarian theories. His problem is this, if I may put it in my own words. If we accept a utilitarian theory of moral reasoning, what account can we give of the best method of moral education – an account which does justice, both to the teaching of the method of reasoning itself, and to the commonly accepted moral principles that we all think we have

to teach our children if their moral education is to be a success? As he sees, what looks like the simplest utilitarian account of moral education will not do. It would consist in teaching children just the so-called "Principle of Utility" (however formulated) and leaving them to apply it. This will not do, because in the world as it is, with people as they are, *acts* of teaching them just this and nothing else would be condemned by utilitarianism itself, of whatever variety, rule- or act-utilitarianism. For their consequences would not maximize utility. In order to do that, people, whether growing children or adults, have to have firm sound general principles of a more substantial sort to guide them. The question is, what is to be the status of these principles in the theory of moral reasoning, and therefore in the method of moral education. The reason why to teach just the Principle of Utility will not maximize utility is that in conditions of human ignorance, muddleheadedness, self-seeking and self-deception, people who try to apply the Principle directly to all cases will usually get the answers wrong and do things which do not maximize utility. Some writers have used this as an argument against utilitarianism itself; but it works only against crude forms of it which no serious thinker now holds, but which anti-utilitarians continue to attack (H 1981: 130 ff.).

I must explain in passing that, though I call myself a utilitarian, my own theory has no place for a Principle of Utility as such, but only for a utilitarian method of reasoning, which does not invoke any such principle. I am grateful to Dr. Levy for duly mentioning this (his note 4), although in his text he does speak (p. 166) as if "the Harian intuition view" involved such a principle. The principles I mainly need in my theory are substantial ones, and these include the "prima facie principles" that Dr. Levy spends most of his time discussing. Those, no doubt, have to include principles imposing duties of beneficence and non-maleficence, to use well-worn Rossian names for them; but these are not to be confused with any "Principle of Utility". They are prima facie only, and can be overridden by other principles like that requiring truth-telling.

However, the presence of these principles among the prima facie principles that we ought to teach our children does have important consequences. It means that whenever there *would* have been a conflict between one of the other prima facie principles and a Principle of Utility (if there had been one), there will be (even if there is no Principle of Utility) a conflict with the prima facie principles of beneficence and non-maleficence. This is important, because conflicts are what make us ask questions about the application of our prima facie principles, and thus set in train the more fundamental level of thinking which I have called "critical thinking", and which, I have claimed, is utilitarian in method. It is most commonly, though not always, a conflict with the principles of beneficence and non-maleficence that triggers the ascent to the higher level of thinking; and the importance of this for moral education can hardly be over-stressed.

Obviously these substantial general prima facie principles have to come in somewhere. Dr. Levy rightly, as I think, gives very short shrift to the view that they can be treated as mere rules of thumb, with the consequence that people will override them without compunction on occasions when they think that to

observe them would lessen utility even by a halfpennyworth. It is my impression that this phrase “rules of thumb” has its main function as a stick used to beat utilitarians with; if utilitarians use the phrase (and how many of them do?) it is a tactical blunder. For obviously the *prima facie* principles have a more important place in our moral life and moral education than that of rules of thumb. And it is not difficult for utilitarians to say what this place is. Dr Levy is therefore right not to spend too much time on this suggestion, and I shall not spend any more.

The more interesting part of Dr. Levy’s paper (to me) is that in which he discusses my own suggestion on this problem, and refutes (successfully I think) Bernard Williams’ objection to it. I must say to start with (and I am sorry if this seems arrogant) that how much one understands about the problems of moral thinking and moral education is bound to depend on how much experience one has oneself of first-order moral thinking, and how deep it has been; and it really amazes me that Williams should not know more than he apparently does about what goes on in the minds of people (good ordinary people) who address their own and their children’s moral problems with any depth of insight. I think that if he had had more experience of this kind of thinking he would have noticed the obvious objections to his argument which Dr. Levy mentions, and others which I shall add. But that is only rhetoric; I come now to the arguments.

Briefly, my suggestion is this. We have to recognize that moral thinking takes place at at least two levels. At what I call the intuitive level we do our thinking very much as typical intuitionists say we do and should. We have deeply ingrained moral principles which we can only transgress with the greatest compunction; it is easy for us to say, as the intuitionists do, that we “know” that it is “true” that such and such acts are wrong, and we feel bad if we or others do or even contemplate doing them. To have such principles, including the disposition to cleave to them, is to have what Aristotle called virtues of character (*êthikai aretai*, 1103a 5 ff.). People who do not understand Aristotle think that there is an opposition between an Aristotelian ethic of virtues and a Kantian ethic of principles; they do not notice that everything that can be said in terms of virtues can equally well be said in terms of principles firmly accepted and built into our characters. Aristotle too had an ethic of principles, as I could show from the text if there were room.

This intuitive kind of thinking can quite easily be accommodated within a two-level utilitarian theory; and that enables the utilitarian to answer all the vulgar objections of intuitionists. He escapes these objections simply by writing the *whole* of intuitionism into his own system at the intuitive level. Since all the facts of moral experience to which the intuitionists appeal already have their appropriate place in such a utilitarian system, they cannot be used as weapons against it.

To an account of these facts (essentially the same account as that given by intuitionists) a two-level utilitarian will *add* an answer to some questions to which intuitionists have no adequate answer. The first is “What should we do when these intuitions conflict, as they often will?”. The second is “How do we tell which intuitions are the best ones to have and to teach our children, given

that there is a wide variety of possible intuitive principles on sale by different cultures, sub-cultures and counter-cultures?”.

It is the failure of intuitionists to answer these two questions that makes their doctrine, in spite of its objectivist pretensions, collapse inevitably into some kind of relativism. Williams (1974) and MacIntyre (1984; see H 1986) have each his own variety of this. It is only by giving some account of a higher level of thinking, capable of sorting out conflicts between intuitions, that we can avoid this relativism. Moral intuitions, as such, are inherently relative to thinkers; they are, in fact, the same thing under another name as the strong moral *feelings* and *attitudes* that emotivists talk about. We need a way of selecting the best ones for the moral education of our children, and for that matter of ourselves.

A two-level utilitarian will say that the critical thinking needed for this purpose is utilitarian in method. He will judge acts done in the course of education (let us call them “educative acts”), just as he will judge acts in general, by their consequences. This means, by what we would be doing if we did them. That acts have to be judged by this standard is, I think, too obvious for me to have to take up any space refuting the common attacks on what is called “consequentialism”; these are made by people who use the word “consequences” in a different and usually unclear sense (see H 1989: 181). And the utilitarian will judge these consequences according to how much they do to satisfy the prudent preferences of all the affected parties considered impartially.

It is possible also to put this in a Kantian way, and for “prudent preferences” substitute “rational wills”. One can then say that I have to do what I can will to be a universal law applicable to all situations, including all those in which I am in the situations of the affected parties, willing as they would rationally will. This is to treat human nature in oneself and others always as an end; for to treat someone as an end is to will his ends as if they were our own (see Kant, 1785: BA69 = 430). And I do not think that Kant would have dissented from the Aristotelian definition of “end” as “good to be achieved by action”; so, in short, to follow the Categorical Imperative is to seek the good of all impartially, counting everybody for one, as Bentham said (cited in Mill 1861: ch. 5). This is what the legislating members of Kant’s kingdom of ends would all agree to if rational and fully informed (1785: BA74 = 433).

How then can such a two-level utilitarian system, with its demand for ingrained virtues of character certified as virtues and not vices by higher critical thinking, address the problem of inculcating the virtues? A two-level utilitarian can readily grant that we have to inculcate into our children the virtues of character, which means giving them a firm grasp of sound general principles of conduct, together with the disposition to act in accordance with them. And he can also grant that such an education in principles would be incomplete and ineffective without inculcating also the disposition to have the right *feelings* (though Aristotle rightly says with a great deal of emphasis that virtue does not consist just in having feelings; it is a firm disposition to have the right feelings and do the right actions *because of* the disposition – 1104b 3 ff.). This is what I

am summing up when I speak of *having* principles.

Williams appears to think that if we have successfully done this to our children (though goodness knows that is difficult enough) we ought to stop there. For if we once let our children get it into their heads that they are allowed to *question* the validity of the principles, or their application to a particular case, their hold on the principles will “erode”. For a principle that can be questioned in this way is beginning to lose its grip on us. For example, suppose that we have been brought up, as the best of us have, to give enough importance to trustworthiness and the disposition to keep our word. Occasions will arise in which through no fault of our own we have made two promises and cannot, owing to unforeseen contingent causes beyond our control, perform both of them. Williams has discussed such moral conflicts in the past and drawn conclusions (I think mistaken ones) about them for the logic of “ought” (Williams 1965; see H 1981: 26 ff.).

Maybe he is one of those who wants to say it is just too bad, too tragic that there is no way out of the conflict. But do we want our children to have to say this? I fancy that what ordinary good people teach their children, when they are of an age to receive it, is that there is a way out. It consists in looking at the situation and the principles one is trying to apply to it, and thinking whether there is any qualification of the principles that can be accepted which will resolve the conflict. They might, for example, in the case I have described, bring in the principles of beneficence and non-maleficence, and conclude that they ought to perform that promise, the failure to perform which would do the most harm to the promisee. Obviously there would be refinements on this reasoning in particular cases, and other principles might come in.

Such a way of dealing with moral conflicts is the beginning of what I call “critical moral thinking”. Obviously it cannot stop there. As our children mature, they will, in the light of many such conflicts, come to refine the principles themselves. They will, if they mature enough, come to see that they have to do this in the light of the purpose of having the principles, which is to enable us to live together in a way that makes life as tolerable we can make it; and this is achieved if the rational preferences or wills of all are satisfied to the greatest extent that they impartially can be. They will thus have become Kantian utilitarians of a two-level sort.

I should perhaps interpose a word about Lawrence Kohlberg (e.g. 1984). His empirical work was of great interest and importance, and moral philosophers can learn a lot from it. It is a pity, though, that he was not enough of a philosopher to give a clearer account of his highest stages of development. If he had, I think he would have seen that the highest stage is that of someone who has the moral virtues *and* can give the reasons why they are virtues, and understands that the reasons relate to the *point* of bringing people up to have them. So his highest stage ought to have been that of a two-level Aristotelian-Kantian-utilitarian: the *phronimos* who has to the full the virtues both of character and of intellect. Because such people are so rare, they will hardly register in the statistics, and that is perhaps why Kohlberg, the empirical researcher, did not notice them.

But to return to Williams: does he really think that this process of development is one of "erosion"? Are we really losing our grip on our pristine virtue of trustworthiness when we begin to see that it cannot consist simply in doing what we have promised regardless of the consequences? I feel inclined to say that if that is what he thinks, he himself cannot have progressed far enough up the Kohlbergian ladder. Of course, as Dr. Levy sees, thought is sometimes dangerous. A two-level utilitarian can admit this, as I have often done (e.g. H 1963: 45). If we possibly can, we had better avoid it when under stress and temptation. One of the best ways of avoiding it in such situations is, with the help of the wise, to have thought enough before we get into them to have got for ourselves firm principles that are capable of dealing with them.

But this is not always possible; we cannot anticipate all our moral conflicts. Sometimes we have to think on our feet; and this is indeed perilous. If, in the middle of battles, people started asking themselves whether it was all right to run away, they would all run away, battles being like they are. They would quickly convince themselves that that was what would maximally satisfy the prudent preferences of everybody treated impartially. If anybody dislikes this military example, I ask her to reflect that exactly the same is true if the enemy is not the human invaders of our fatherland, but the Devil. But though it is often dangerous to think, sometimes we have to think as best we can; and many people fail because they have not equipped themselves to think as those do who are best at it: clearly, sensitively, rationally and, if need be, quickly. But I ask again, is learning to do this a process of "erosion"? I would call it part of growing up; and it is the most important thing that we have to help our children to do.

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