

## WHAT MAKES RIGHT ACTS RIGHT?

by W.D. Ross, from *The Right and the Good* (1930)

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The point at issue is that to which we now pass, viz. whether there is any general character which makes right acts right, and if so, what it is. ...

The view that what produces the maximum pleasure is right has for its bases the views (1) that what produces the maximum good is right, and (2) that pleasure is the only thing good in itself. If they were not assuming that what produces the maximum *good* is right, the utilitarians' attempt to show that pleasure is the only thing good in itself, which is in fact the point they take most pains to establish, would have been quite irrelevant to their attempt to prove that only what produces the maximum *pleasure* is right. If, therefore, it can be shown that productivity of the maximum good is not what makes all right actions right, we shall *a fortiori* have refuted hedonistic utilitarianism.

When a plain man fulfils a promise because he thinks he ought to do so, it seems clear that he does so with no thought of its total consequences, still less with any opinion that these are likely to be the best possible. He thinks in fact much more of the past than of the future. What makes him think it right to act in a certain way is the fact that he has promised to do so -- that and, usually, nothing more. That his act will produce the best possible consequences is not his reason for calling it right. What lends colour to the theory we are examining, then, is not the actions (which form probably a great majority of our actions) in which some such reflection as 'I have promised' is the only reason we give ourselves for thinking a certain action right, but the exceptional cases in which the consequences of fulfilling a promise (for instance) would be so disastrous to others that we judge it right not to do so. It must of course be admitted that such cases exist. If I have promised to meet a friend at a particular time for some trivial purpose, I should certainly think myself justified in breaking my engagement if by doing so I could prevent a serious accident or bring relief to the victims of one. And the supporters of the view we are examining hold that my thinking so is due to my thinking that I shall bring more good into existence by the one action than by the other. A different account may, however, be given of the matter, an account which will, I believe, show itself to be the true one. It may be said that besides the duty of fulfilling promises I have and recognize a duty of relieving distress,<sup>1</sup> and that when I think it right to do the latter at the cost of not doing the former, it is not because I think I shall produce more good thereby but because I think it the duty which is in the circumstances more of a duty. This account surely corresponds much more closely with what we really think in such a situation. If, so far as I can see, I could bring equal amounts of good into being by fulfilling my promise and by helping some one to whom I had made no promise, I should not hesitate

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<sup>1</sup> These are not strictly speaking duties, but things that tend to be our duty, or *prima facie* duties.

to regard the former as my duty. Yet on the view that what is right is right because it is productive of the most good I should not so regard it.

There are two theories, each in its way simple, that offer a solution of such cases of conscience. One is the view of Kant, that there are certain duties of perfect obligation, such as those of fulfilling promises, of paying debts, of telling the truth, which admit of no exception whatever in favour of duties of imperfect obligation, such as that of relieving distress. The other is the view of, for instance, Professor Moore and Dr. Rashdall, that there is only the duty of producing good, and that all 'conflicts of duties' should be resolved by asking 'by which action will most good be produced?' But it is more important that our theory fit the facts than that it be simple, and the account we have given above corresponds (it seems to me) better than either of the simpler theories with what we really think, viz. that normally promise-keeping, for example, should come before benevolence, but that when and only when the good to be produced by the benevolent act is very great and the promise comparatively trivial, the act of benevolence becomes our duty.

In fact the theory of 'ideal utilitarianism', if I may for brevity refer so to the theory of Professor Moore, seems to simplify unduly our relations to our fellows. It says, in effect, that the only morally significant relation in which my neighbours stand to me is that of being possible beneficiaries by my action.<sup>2</sup> They do stand in this relation to me, and this relation is morally significant. But they may also stand to me in the relation of promisee to promiser, of creditor to debtor, of wife to husband, of child to parent, of friend to friend, of fellow countryman to fellow countryman, and the like; and each of these relations is the foundation of a *prima facie* duty, which is more or less incumbent on me according to the circumstances of the case. When I am in a situation, as perhaps I always am, in which more than one of these *prima facie* duties is incumbent on me, what I have to do is to study the situation as fully as I can until I form the considered opinion (it is never more) that in the circumstances one of them is more incumbent than any other; then I am bound to think that to do this *prima facie* duty is my duty *sans phrase* in the situation.

I suggest '*prima facie* duty' or 'conditional duty' as a brief way of referring to the characteristic (quite distinct from that of being a duty proper) which an act has, in virtue of being of a certain kind (e.g. the keeping of a promise), of being an act which would be a duty proper if it were not at the same time of another kind which is morally significant. Whether an act is a duty proper or actual duty depends on *all* the morally significant kinds it is an instance of. The phrase '*prima facie* duty' must be apologized for, since (1) it suggests that what we are speaking of is a certain kind of duty,

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<sup>2</sup> Some will think it, apart from other considerations, a sufficient refutation of this view to point out that I also stand in that relation to myself, so that for this view the distinction of oneself from others is morally insignificant.

whereas it is in fact not a duty, but something related in a special way to duty. Strictly speaking, we want not a phrase in which duty is qualified by an adjective, but a separate noun. (2) '*Prima*' *facie* suggests that one is speaking only of an appearance which a moral situation presents at first sight, and which may turn out to be illusory; whereas what I am speaking of is an objective fact involved in the nature of the situation, or more strictly in an element of its nature, though not, as duty proper does, arising from its whole nature.

I can, however, think of no term which fully meets the case. 'Claim' has been suggested by Professor Prichard. The word 'claim' has the advantage of being quite a familiar one in this connexion, and it seems to cover much of the ground. It would be quite natural to say, 'a person to whom I have made a promise has a claim on me', and also, 'a person whose distress I could relieve (at the cost of breaking the promise) has a claim on me'. But (1) while 'claim' is appropriate from their point of view, we want a word to express the corresponding fact from the agent's point of view --the fact of his being subject to claims that can be made against him; and ordinary language provides us with no such correlative to 'claim'. And (2) (what is more important) 'claim' seems inevitably to suggest two persons, one of whom might make a claim on the other; and while this covers the ground of social duty, it is inappropriate in the case of that important part of duty which is the duty of cultivating a certain kind of character in oneself. It would be artificial, I think, and at any rate metaphorical, to say that one's character has a claim on oneself.

There is nothing arbitrary about these *prima facie* duties. Each rests on a definite circumstance which cannot seriously be held to be without moral significance. Of *prima facie* duties I suggest, without claiming completeness or finality for it, the following division.<sup>3</sup>

- (1) Some duties rest on previous acts of my own. These duties seem to include two kinds, (a) those resting on a promise or what may fairly be called an implicit promise, such as the implicit undertaking not to tell lies which seems to be implied in the act of entering into conversation (at any rate by civilized men), or of writing books that purport to be history and not fiction. These may be called the duties

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<sup>3</sup> I should make it plain at this stage that I am *assuming* the correctness of some of our main convictions as to *prima facie* duties, or, more strictly, am claiming that we know them to be true. To me it seems as self-evident as anything could be, that to make a promise, for instance, is to create a moral claim on us in someone else. Many readers will perhaps say that they do not know this to be true. If so, I certainly cannot prove it to them; I can only ask them to reflect again, in the hope that they will ultimately agree that they also know it to be true. The main moral conviction of the plain man seem to me to be, not opinions which it is for philosophy to prove or disprove, but knowledge from the start; and in my own case I seem to find little difficulty in distinguishing these essential convictions from other moral convictions which I also have, which are merely fallible opinions based on an imperfect study of the working for good or evil of certain institutions or types of action.

of fidelity. (b) Those resting on a previous wrongful act. These may be called the duties of reparation.

- (2) Some rest on previous acts of other men, i.e. services done by them to me. These may be loosely described as the duties of gratitude.
- (3) Some rest on the fact or possibility of a distribution of pleasure or happiness (or of the means thereto) which is not in accordance with the merit of the persons concerned; in such cases there arises a duty to upset or prevent such a distribution. These are the duties of justice.
- (4) Some rest on the mere fact that there are beings in the world whose condition we can make better in respect of virtue, or of intelligence, or of pleasure. These are the duties of beneficence.
- (5) Some rest on the fact that we can improve our own condition in respect of virtue or of intelligence. These are the duties of self-improvement.
- (6) I think that we should distinguish from (4) the duties that may be summed up under the title of 'not injuring others'. No doubt to injure others is incidentally to fail to do them good; but it seems to me clear that non-maleficence is apprehended as a duty distinct from that of beneficence, and as a duty of a more stringent character.

It will be noticed that this alone among the types duty has been stated in a negative way. An attempt might no doubt be made to state this duty, like the others, in a positive way. It might be said that it is really the duty to prevent ourselves from acting either from an inclination to harm others or from an inclination to seek our own pleasure, in doing which we should incidentally harm them. But on reflection it seems clear that the primary duty here is the duty not to harm others, this being a duty whether or not we have an inclination that if followed would lead to our harming them; and that when we have such an inclination the primary duty not to harm others gives rise to a consequential duty to resist the inclination. The recognition of this duty of non-maleficence is the first step on the way to the recognition of the duty of beneficence; and that accounts for the prominence of the commands 'thou shalt not kill', 'thou shalt not commit adultery', 'thou shalt not steal', 'thou shalt not bear false witness', in so early a code as the Decalogue. But even when we have come to recognize the duty of beneficence, it appears to me that the duty of non-maleficence is recognized as a distinct one, and as *prima facie* more binding. We should

not in general consider it justifiable to kill one person in order to keep another alive, or to steal from one in order to give alms to another.

The essential defect of the 'ideal utilitarian' theory is that it ignores, or at least does not do full justice to, the highly personal character of duty. If the only duty is to produce the maximum of good, the question who is to have the good -- whether it is myself, or my benefactor, or a person to whom I have made a promise to confer that good on him, or a mere fellow man to whom I stand in no such special relation -- should make no difference to my having a duty to produce that good. But we are all in fact sure that it makes a vast difference. ...

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It is necessary to say something by way of clearing up the relation between *prima facie* duties and the actual or absolute duty to do one particular act in particular circumstances. If, as almost all moralists except Kant are agreed, and as most plain men think, it is sometimes right to tell a lie or to break a promise, it must be maintained that there is a difference between *prima facie* duty and actual or absolute duty. When we think ourselves justified in breaking, and indeed morally obliged to break, a promise in order to relieve some one's distress, we do not for a moment cease to recognize a *prima facie* duty to keep our promise ... We have to distinguish from the characteristic of being our duty that of tending to be our duty. Any act that we do contains various elements in virtue of which it falls under various categories. In virtue of being the breaking of a promise, for instance, it tends to be wrong; in virtue of being an instance of relieving distress it tends to be right.

Something should be said of the relation between our apprehension of the *prima facie* rightness of certain types of act and our mental attitude towards particular acts. It is proper to use the word 'apprehension' in the former case and not in the latter. That an act, *qua* fulfilling a promise, or *qua* effecting a just distribution of good, or *qua* returning services rendered, or *qua* promoting the good of others, or *qua* promoting the virtue or insight of the agent, is *prima facie* right, is self-evident; not in the sense that it is evident from beginning of our lives, or as soon as we attend to the proposition for the first time, but in the sense that when we have reached sufficient mental maturity and have given sufficient attention to the proposition it is evident without any need of proof, or of evidence beyond itself. It is self-evident just as a mathematical axiom, or the validity of a form of inference, is evident. The moral order expressed in these propositions is just as much part of the fundamental nature of the universe (and, we may add, of any possible universe in which there were moral agents at all) as is the spatial or numerical structure expressed in the axioms of geometry or arithmetic. In our confidence that these propositions are true there is involved the same trust in our reason that is involved in our confidence in mathematics; and we should have no justification for trusting

it in the latter sphere and distrusting it in the former. In both cases we are dealing with propositions that cannot be proved, but that just as certainly need no proof.

Some of these general principles of *prima facie* duty may appear to be open to criticism. It may be thought, for example, that the principle of returning good for good is a falling off from the Christian principle, generally and rightly recognized as expressing the highest morality, of returning good for evil. To this it may be replied that I do not suggest that there is a principle commanding us to return good for good and forbidding us to return good for evil, and that I do suggest that there is a positive duty to seek the good of all men. What I maintain is that an act in which good is returned for good is recognized as specially binding on us just because it is of that character, and that *ceteris paribus* any one would think it his duty to help his benefactors rather than his enemies, if he could not do both; just as it is generally recognised that *ceteris paribus* we should pay our debts rather than give our money in charity, when we cannot do both. A benefactor is not only a man, calling for our effort on his behalf on that ground, but also our benefactor, calling for our *special* effort on that ground.

Our judgements about our actual duty in concrete situations have none of the certainty that attaches to our recognition of the general principles of duty. A statement is certain, i.e. is an expression of knowledge, only in one or other of two cases: when it is either self-evident, or a valid conclusion from self-evident premisses. And our judgements about our particular duties have neither of these characters. (1) They are not self-evident. Where a possible act is seen to have two characteristics, in virtue of one of which it is *prima facie* right, and in virtue of the other *prima-facie* wrong, we are (I think) well aware that we are not certain whether we ought or ought not to do it; that whether we do it or not, we are taking a moral risk. We come in the long run, after consideration, to think one duty more pressing than the other, but we do not feel certain that it is so. And though we do not always recognize that a possible act has two such characteristics, and though there may be cases in which it has not, we are never certain that any particular possible act has not, and therefore never certain that it is right, nor certain that it is wrong. For, to go no further in the analysis, it is enough to point out that any particular act will in all probability in the course of time contribute to the bringing about of good or of evil for many human beings, and thus have a *prima facie* rightness or wrongness of which we know nothing. (2) Again, our judgements about our particular duties are not logical conclusions from self-evident premisses. The only possible premisses would be the general principles stating their *prima facie* rightness or wrongness *qua* having the different characteristics they do have; and even if we could (as we cannot) apprehend the extent to which an act will tend on the one hand, for example, to bring about advantages for our benefactors, and on the other hand to bring about disadvantages for fellow men who are not our benefactors, there is no principle by which we can draw the conclusion that it is on the whole right

or on the whole wrong. In this respect the judgement as to the rightness of a particular act is just like the judgement as to the beauty of a particular natural object or work of art. A poem is, for instance, in respect of certain qualities beautiful and in respect of certain others not beautiful; and our judgement as to the degree of beauty it possesses on the whole is never reached by logical reasoning from the apprehension of its particular beauties or particular defects. Both in this and in the moral case we have more or less probable opinions which are not logically justified conclusions from the general principles that are recognized as self-evident.

There is therefore much truth in the description of the right act as a fortunate act. If we cannot be certain that it is right, it is our good fortune if the act we do is the right act. This consideration does not, however, make the doing of our duty a mere matter of chance. There is a parallel here between the doing of duty and the doing of what will be to our personal advantage. We never *know* what act will in the long run be to our advantage. Yet it is certain that we are more likely in general to secure our advantage if we estimate to the best of our ability the probable tendencies of our actions in this respect, than if we act on caprice. And similarly we are more likely to do our duty if we reflect to the best of our ability on the *prima facie* rightness or wrongness of various possible acts in virtue of the characteristics we perceive them to have, than if we act without reflection. With this greater likelihood we must be content.

Many people would be inclined to say that the right act for me is not that whose general nature I have been describing, viz. that which if I were omniscient I should see to be my duty, but that which on all the evidence available to me I should think to be my duty. But suppose that from the state of partial knowledge in which I think act A to be my duty, I could pass to a state of perfect knowledge in which I saw act B to be my duty, should I not say 'act B was the right act for me to do'? I should no doubt add 'though I am not to be blamed for doing act A'. But in adding this, am I not passing from the question 'what is right' to the question 'what is morally good'? At the same time I am not making the *full* passage from the one notion to the other; for in order that the act should be morally good, or an act I am not to be blamed for doing, it must not merely be the act which it is reasonable for me to think my duty; it must also be done for that reason, or from some other morally good motive. Thus the conception of the right act as the act which it is reasonable for me to think my duty is an unsatisfactory compromise between the true notion of the right act and the notion of the morally good action.

The general principles of duty are obviously not self-evident from the beginning of our lives. How do they come to be so? The answer is, that they come to be self-evident to us just as mathematical axioms do. We find by experience that this couple of matches and that couple make four matches, that this couple of balls on a wire and that couple make four balls: and by reflection on these and similar discoveries we come to see that it is

of the nature of two and two to make four. In a precisely similar way, we see the *prima facie* rightness of an act which would be the fulfilment of a particular promise, and of another which would be the fulfilment of another promise, and when we have reached sufficient maturity to think in general terms, we apprehend *prima facie* rightness to belong to the nature of any fulfilment of promise. What comes first in time is the apprehension of the self-evident *prima facie* rightness of an individual act of a particular type. From this we come by reflection to apprehend the self-evident general principle of *prima facie* duty. From this, too, perhaps along with the apprehension of the self-evident *prima facie* rightness of the same act in virtue of its having another characteristic as well, and perhaps in spite of the apprehension of its *prima facie* wrongness in virtue of its having some third characteristic, we come to believe something not self-evident at all, but an object of probable opinion, viz. that this particular act is (not *prima facie* but) actually right.

In this respect there is an important difference between rightness and mathematical properties. A triangle which is isosceles necessarily has two of its angles equal, whatever other characteristics the triangle may have -- whatever, for instance, be its area, or the size of its third angle. The equality of the two angles is a parti-resultant attribute. And the same is true of all mathematical attributes. It is true, I may add, of *prima facie* rightness. But no act is ever, in virtue of falling under some general description, necessarily actually right; its rightness depends on its whole nature<sup>4</sup> and not on any element in it. The reason is that no mathematical object (no figure, for instance, or angle) ever has two characteristics that tend to give it opposite resultant characteristics, while moral acts often (as every one knows) and indeed always (as on reflection we must admit) have different characteristics that tend to make them at the same time *prima facie* right and *prima facie* wrong; there is probably no act, for instance, which does good to any one without doing harm to some one else, and *vice versa*.

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Supposing it to be agreed, as I think on reflection it must, that no one means by 'right' just 'productive of the best possible consequences', or 'optimific', the attributes 'right' and 'optimific' might stand in either of two kinds of relation to each other. (1) They might be so related that we could apprehend *a priori*, either immediately or deductively, that any act that is optimific is right and any act that is right is optimific, as we can apprehend that any triangle that is equilateral is equiangular and *vice versa*. Professor Moore's view is, I think, that the coextensiveness of 'right' and 'optimific' is apprehended immediately. He rejects the possibility of any proof of it. Or

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<sup>4</sup> To avoid complicating unduly the statement of the general view I am putting forwards I have here rather overstated it. Any act is the origination of a great variety of things many of which make no difference to its rightness or wrongness. But there are always many elements in its nature (i.e. in what it is the origination of) that make a difference to its rightness or wrongness, and no element in its nature can be dismissed without consideration as indifferent.



(2) the two attributes might be such that the question whether they are invariably connected had to be answered by means of an inductive inquiry. Now at first sight it might seem as if the constant connexion of the two attributes could be immediately apprehended. It might seem absurd to suggest that it could be right for any one to do an act which would produce consequences less good than those which would be produced by some other act in his power. Yet a little thought will convince us that this is not absurd. The type of case in which it is easiest to see that this is so is, perhaps, that in which one has made a promise. In such a case we all think that *prima facie* it is our duty to fulfil the promise irrespective of the precise goodness of the total consequences. And though we do not think it is necessarily our actual or absolute duty to do so, we are far from thinking that any, even the slightest, gain in the value of the total consequences will necessarily justify us in doing something else instead. Suppose, to simplify the case by abstraction, that the fulfilment of a promise to A would produce 1,000 units of good<sup>5</sup> for him, but that by doing some other act I could produce 1,001 units of good for B, to whom I have made no promise, the other consequences of the two acts being of equal value; should we really think it self-evident that it was our duty to do the second act and not the first? I think not. We should, I fancy, hold that only a much greater disparity of value between the total consequences would justify us in failing to discharge our *prima facie* duty to A. After all, a promise is a promise, and is not to be treated so lightly as the theory we are examining would imply. What, exactly, a promise is, is not so easy to determine, but we are surely agreed that it constitutes a serious moral limitation to our freedom of action. To produce the 1,001 units of good for B rather than fulfil our promise to A would be to take, not perhaps our duty as philanthropists too seriously, but certainly our duty as makers of promises too lightly.

Or consider another phase of the same problem. If I have promised to confer on A a particular benefit containing 1,000 units of good, is it self-evident that if by doing some different act I could produce 1,001 units of good for A himself (the other consequences of the two acts being supposed equal in value), it would be right for me to do so? Again, I think not. Apart from my general *prima facie* duty to do A what good I can, I have another *prima facie* duty to do him the particular service I have promised to do him, and this is not to be set aside in consequence of a disparity of good of the order of 1,001 to 1,000 though a much greater disparity might justify me in so doing.

Or again, suppose that A is a very good and B a very bad man, should I then, even when I have made no promise, think it self-evidently right to produce 1,001 units of good for B rather than for A? Surely not. I should be sensible of a *prima facie* duty of justice, i.e. of producing a distribution of

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<sup>5</sup> I am assuming that good is objectively quantitative, but not that we can accurately assign an exact quantitative measure to it. Since it is of a definite amount, we can make the supposition that its amount is so-and-so, though we cannot with any confidence *assert* that it is.

goods in proportion to merit, which is not outweighed by such a slight disparity in the total goods to be produced.

Such instances -- and they might easily be added to -- make it clear that there is no self-evident connexion between the attributes 'right' and 'optimific'. The theory we are examining has a certain attractiveness when applied to our decision that a particular act is our duty (though I have tried to show that it does not agree with our actual moral judgements even here). But it is not even plausible when applied to our recognition of *prima facie* duty. For if it were self-evident that the right coincides with the optimific, it should be self-evident that what is *prima facie* right is *prima facie* optimific. But whereas we are certain that keeping a promise is *prima facie* right, we are not certain that it is *prima facie* optimific (though we are perhaps certain that it is *prima facie* bonific). Our certainty that it is *prima facie* right depends not on its consequences but on its being the fulfilment of a promise. The theory we are examining involves too much difference between the evident ground of our conviction about *prima facie* duty and the alleged ground of our conviction about actual duty.

The coextensiveness of the right and the optimific is, then, not self-evident. And I can see no way of proving it deductively; nor, so far as I know, has any one tried to do so. There remains the question whether it can be established inductively. Such an inquiry, to be conclusive, would have to be very thorough and extensive. We should have to take a large variety of the acts which we, to the best of our ability, judge to be right. We should have to trace as far as possible their consequences, not only for the persons directly affected but also for those indirectly affected, and to these no limit can be set. To make our inquiry thoroughly conclusive, we should have to do what we cannot do, viz. trace these consequences into an unending future. And even to make it reasonably conclusive, we should have to trace them far into the future. It is clear that the most we could possibly say is that a large variety of typical acts that are judged right appear, so far as we can trace their consequences, to produce more good than any other acts possible to the agents in the circumstances. And such a result falls far short of proving the constant connexion of the two attributes. But it is surely clear that no inductive inquiry justifying even this result has ever been carried through. The advocates of utilitarian systems have been so much persuaded either of the identity or of the self-evident connexion of the attributes 'right' and 'optimific' (or 'felicific') that they have not attempted even such an inductive inquiry as is possible. And in view of the enormous complexity of the task and the inevitable inconclusiveness of the result, it is worth no one's while to make the attempt. What, after all, would be gained by it? If, as I have tried to show, for an act to be right and to be optimific are not the same thing, and an act's being optimific is not even the ground of its being right, then if we could ask ourselves (though the question is really unmeaning) which we ought to do, right acts because they are right or optimific acts because they are optimific, our answer must be 'the former'. If they are optimific as well as right, that is interesting but

not morally important; if not, we still ought to do them (which is only another way of saying that they are the right acts), and the question whether they are optimific has no importance for moral theory.

There is one direction in which a fairly serious attempt has been made to show the connexion of the attributes 'right' and 'optimific'. One of the most evident facts of our moral consciousness is the sense which we have of the sanctity of promises, a sense which does not, on the face of it, involve the thought that one will be bringing more good into existence by fulfilling the promise than by breaking it. It is plain, I think, that in our normal thought we consider that the fact that we have made a promise is in itself sufficient to create a duty of keeping it, the sense of duty resting on remembrance of the past promise and not on thoughts of the future consequences of its fulfilment. Utilitarianism tries to show that this is not so, that the sanctity of promises rests on the good consequences of the fulfilment of them and the bad consequences of their non-fulfilment. It does so in this way: it points out that when you break a promise you not only fail to confer a certain advantage on your promisee but you diminish his confidence, and indirectly the confidence of others, in the fulfilment of promises. You thus strike a blow at one of the devices that have been found most useful in the relations between man and man -- the device on which, for example, the whole system of commercial credit rests -- and you tend to bring about a state of things wherein each man, being entirely unable to rely on the keeping of promises by others, will have to do everything for himself, to the enormous impoverishment of human well-being.

To put the matter otherwise, utilitarians say that when a promise ought to be kept it is because the total good to be produced by keeping it is greater than the total good to be produced by breaking it, the former including as its main element the maintenance and strengthening of general mutual confidence, and the latter being greatly diminished by a weakening of this confidence. They say, in fact, that the case I put some pages back<sup>13</sup> never arises -- the case in which by fulfilling a promise I shall bring into being 1,000 units of good for my promisee, and by breaking it 1,001 units of good for some one else, the other effects of the two acts being of equal value. The other effects, they say, never are of equal value. By keeping my promise I am helping to strengthen the system of mutual confidence; by breaking it I am helping to weaken this; so that really the first act produces  $1,000 + x$  units of good, and the second  $1,001 - y$  units, and the difference between  $+ x$  and  $- y$  is enough to outweigh the slight superiority in the immediate effects of the second act. In answer to this it may be pointed out that there must be some amount of good that exceeds the difference between  $+ x$  and  $- y$  (i.e. exceeds  $x + y$ ); say,  $x + y + z$ . Let us suppose the immediate good effects of the second act to be assessed not at 1,001 but at  $1,000 + x + y + z$ . Then its net good effects are  $1,000 + x + z$ , i.e. greater than those of the fulfilment of the promise; and the utilitarian is bound to say forthwith that the promise should be broken. Now, we may ask whether that is really the way we think about promises? Do we really think that the

production of the slightest balance of good, no matter who will enjoy it, by the breach of a promise frees us from the obligation to keep our promise? We need not doubt that a system by which promises are made and kept is one that has great advantages for the general well-being. But that is not the whole truth. To make a promise is not merely to adapt an ingenious device for promoting the general well-being; it is to put oneself in a new relation to one person in particular, a relation which creates a specifically new *prima facie* duty to him, not reducible to the duty of promoting the general well-being of society. By all means let us try to foresee the net good effects of keeping one's promise and the net good effects of breaking it, but even if we assess the first at  $1,000 + x$  and the second at  $1,000 + x + z$ , the question still remains whether it is not our duty to fulfil the promise. It may be suspected, too, that the effect of a single keeping or breaking of a promise in strengthening or weakening the fabric of mutual confidence is greatly exaggerated by the theory we are examining. And if we suppose two men dying together alone, do we think that the duty of one to fulfil before he dies a promise he has made to the other would be extinguished by the fact that neither act would have any effect on the general confidence? Any one who holds this may be suspected of not having reflected on what a promise is.

I conclude that the attributes 'right' and 'optimific' are not identical, and that we do not know either by intuition, by deduction, or by induction that they coincide in their application, still less that the latter is the foundation of the former. It must be added, however, that if we are ever under no special obligation such as that of fidelity to a promisee or of gratitude to a benefactor, we ought to do what will produce most good; and that even when we are under a special obligation the tendency of acts to promote general good is one of the main factors in determining whether they are right.

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In what has preceded, a good deal of use has been made of 'what we really think' about moral questions; a certain theory has been rejected because it does not agree with what we really think. It might be said that this is in principle wrong; that we should not be content to expound what our present moral consciousness tells us but should aim at a criticism of our existing moral consciousness in the light of theory. Now I do not doubt that the moral consciousness of men has in detail undergone a good deal of modification as regards the things we think right, at the hands of moral theory. But if we are told, for instance, that we should give up our view that there is a special obligatoriness attaching to the keeping of promises because it is self-evident that the only duty is to produce as much good as possible, we have to ask ourselves whether we really, when we reflect, are convinced that this is self-evident, and whether we really can get rid of our view that promise-keeping has a bindingness independent of productiveness of maximum good. In my own experience I find that I

cannot, in spite of a very genuine attempt to do so; and I venture to think that most people will find the same, and that just because they cannot lose the sense of special obligation, they cannot accept as self-evident, or even as true, the theory which would require them to do so. In fact it seems, on reflection, self-evident that a promise, simply as such, is something that *prima facie* ought to be kept, and it does not on reflection, seem self-evident that production of maximum good is the only thing that makes an act obligatory. And to ask us to give up at the bidding of a theory our actual apprehension of what is right and what is wrong seems like asking people to repudiate their actual experience of beauty, at the bidding of a theory which says 'only that which satisfies such and such conditions can be beautiful'. If what I have called our actual apprehension is (as I would maintain that it is) truly an apprehension, i.e. an instance of knowledge, the request is nothing less than absurd.

I would maintain, in fact, that what we are apt to describe as 'what we think' about moral questions contains a considerable amount that we do not think but know, and that this forms the standard by reference to which the truth of any moral theory has to be tested, instead of having itself to be tested by reference to any theory. I hope that I have in what precedes indicated what in my view these elements of knowledge are that are involved in our ordinary moral consciousness.

It would be a mistake to found a natural science on 'what we really think', i.e. on what reasonably thoughtful and well educated people think about the subjects of the science before they have studied them scientifically. For such opinions are interpretations, and often misinterpretations, of sense-experience; and the man of science must appeal from these to sense-experience itself, which furnishes his real data. In ethics no such appeal is possible. We have no more direct way of access to the facts about rightness and goodness and about what things are right or good, than by thinking about them; the moral convictions of thoughtful and well-educated people are the data of ethics just as sense-perceptions are the data of a natural science. Just as some of the latter have to be rejected as illusory, so have some of the former; but as the latter are rejected only when they are in conflict with other more accurate sense-perceptions, the former are rejected only when they are in conflict with other convictions which stand better the test of reflection. The existing body of moral convictions of the best people is the cumulative product of the moral reflection of many generations, which has developed an extremely delicate power of appreciation of moral distinctions; and this the theorist cannot afford to treat with anything other than the greatest respect. The verdicts of the moral consciousness of the best people are the foundation on which he must build; though he must first compare them with one another and eliminate any contradictions they may contain.