Universalizability and Prescriptivity in Practical Reasoning

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UNIVERSALIZABILITY AND PRESCRIPTIVITY IN PRACTICAL REASONING

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1. The problem of desires as the normative basis of reasons.

If one takes desires as the basis of practical reasons, one has a straightforward procedure for deciding what to do, viz: perform those actions which best satisfy one's desires. What about cases of practical conflict, i.e. when one's desires conflict with the desires of others? Egoists have a ready answer to this question, viz: only one's own desires provide reasons for acting—the desires of others are totally irrelevant to one's own decisions to act. For those who find this response unconvincing the problem remains: how do the desires of others provide one with a reason to act? A weaker version of this question is: in what way do the desires of others become relevant to my own practical reasoning about what to do? Do the desires of others, themselves, ever provide one with a reason for acting? If so, what is the structure of the reasoning which accounts for this?

R.M. Hare offers a theory which may be viewed as an attempt to demonstrate how the desires of others are relevant to one's own deliberation about what to do, and may provide one with a reason for action. His theory combines four ingredients: (1) the agent's desires, (2) the facts of the situation, (3) sympathetic imagination, and (4) two formal principles or rules of moral reasoning, viz: prescriptivity and universalizability. Two goals of an ethical theory are to provide a procedure for deriving practical judgments about what one ought to do, as well as one for assessing the legitimacy of the actions of others. In this paper I examine Hare's theory as it applies to the bilateral case and show it fails to achieve these goals.

2. Hare's universal prescriptivism: the test case.

In order to show how the rules of universalizability and prescriptivity operate in moral reasoning Hare considers a case from Matthew xvii, 23. A person (A) owes money to someone else (B) who in turn owes money to a third person (C). The law permits the creditors to exact their debts by putting their debtors in prison. The first creditor (B) must decide in this situation what to do. He must decide whether to have A incarcerated in order to make him pay. Included amongst the facts of this situation is the fact that B wants to incarcerate A in order to exact
the debt. He would be ready to accept the singular prescription 'Let me put A into prison'. In deliberating he must, according to Hare's rules, see that in turning this prescription into a moral judgment, that is, in forming the judgment 'I ought to put A in prison' he must accept the principle 'Anyone who is in my position ought to put his debtor into prison'. In accepting this principle B reflects that C is in the same position with regard to him as he is with regard to A; and that, if anyone in this position ought to put his debtor into prison, then C ought to put B into prison. If he accepts this further consequence, that is, the judgment 'C ought to put me (B) into prison', he is committed to the singular prescription 'Let C put me (B) into prison' which follows from it. This is not something that B is, as the argument goes, ready to accept, since he wants not to go to prison. If he cannot accept this singular prescription he cannot accept the judgment that he (B) ought to incarcerate A, since it is this original judgment which generates the singular prescription—'Let C put me (B) into prison.' Thus, we observe, according to Hare how the principles of universalizability and prescriptivity, in conjunction with the facts of the situation and what people want, combine to generate moral judgments.

Hare points out that the above argument would collapse if 'ought' were not being used both universalizably and prescriptively. If it were not being used prescriptively the move from accepting the moral judgment 'C ought to put me (B) into prison' to the singular prescription 'Let C put me (B) into prison' would not be valid. Moreover, if 'ought' were not being used universalizably, then the move from 'I ought to put A into prison' to 'Anyone who is in my position ought to put his debtor into prison' would be invalid. Thus, we would never get the judgment 'C ought to put me (B) into prison'. In order to test a moral judgment one must determine the consequences of accepting it, and then decide whether or not one can accept them. It should be pointed out that not every practical situation will be one in which there is a third party in the same position with respect to oneself as one is in with respect to one's victim. What is necessary, according to Hare's thesis, is that we be able to accept the judgment in question both as an agent and patient. Hence we must be able to imagine ourselves in the circumstances of our victim. Hare boldly attempts to provide the structure of moral argument with minimal resources. The four ingredients mentioned earlier reflect the structural features of a moral argument. Using them is a method for rationally adjudicating conflicts of desires between different people. It may also help us to show the intersubjective validity of an ethical dispute and the possibility of its resolution.

3. Problems with the Debtor Case.

The thrust of Hare's argument rests on the fact that one cannot sincerely assent to a singular prescription if doing so would be contrary to what one desires. B cannot accept the singular prescription 'Let C put
me into prison' since this would be contrary to his inclinations not to be incarcerated. We see here what is involved in assenting to a singular prescription. In assenting to a singular prescription a person is giving notice that he will form the intention to do what is prescribed. In this case, assenting to the singular prescription ‘Let C put me into prison’ would commit B to forming the intention to go to prison. In assenting to this prescription B is saying or implying that he intends to go to prison. The reason B cannot accept this prescription is that, ex hypothesi, he doesn’t want to go to prison.

Hare also describes the example as one in which B is inclined to, or wants A to, repay his debt.

He (B) is no doubt inclined to do this, (have A repay him) or wants to do it. Therefore, if there were no question of universalizing his prescriptions, he would assent readily to the singular prescription ‘Let me put A into prison’. (FR, p. 91)

If this is how the case is described, and if there is no mention of an independent procedure for adjudicating the weight or force of conflicting desires or inclinations a person may have, then it seems that we are faced with a problem which would make it impossible for a person to decide this case by moral reasoning. The problem is this. On the one hand applying Hare’s criterion to this situation leads B to reject the moral judgment ‘I ought to put A into prison’ on the grounds that it yields a singular prescription ‘Let C put me (B) into prison’ which B cannot accept, since it is contrary to his desire not to be incarcerated. So far the result is unobjectionable. It seems natural to suppose that B be able to accept the judgment ‘I ought not to put A into prison’. But accepting this would commit him to the singular prescription ‘Let me not put A into prison’, and thus to ‘Let me not make A repay the money’. He cannot accept either of these singular prescriptions, since doing so would conflict with his desire to be repaid. Thus it is impossible, according to Hare’s apparatus, for him to decide what to do in this situation. We can generalize this consequence in any case in which there are two sets of conflicting desires, the joint satisfaction of which is mutually incompatible. In such cases the presence of two mutually incompatible desires necessitates rejecting both affirmative and negative singular prescriptions. Thus the person has no way of deciding what he ought to do. If we view the situation as one in which a moral judgment is called for, our practical reasoner is left bereft of any procedure for deciding the case by reasoning.

If Hare were to reply to this that B’s desire to avoid prison is greater or stronger than his desire to be repaid he would be introducing some sort of decision procedure like this: In a situation in which a person has two sets of conflicting desires, one of which is in conflict with his accepting the singular prescription ‘Let me do P’ and the other is in conflict with the singular prescription ‘Let me not do P’, he must first decide which set of desires is stronger. If the first set of desires is stronger he must reject the singular prescription ‘Let me do P’. If the second set of desires is stronger he must reject the singular prescription ‘Let me not do P’.
Two remarks are immediately in order. First, it is not clear how this procedure helps. Hare’s example is based on the contention that a person cannot sincerely assent to a singular prescription if, in doing so, it would be contrary to his desires. There is no mention of the relative force or weight of these desires. If I cannot assent to a singular prescription because it conflicts with my desires then I cannot assent to such a prescription no matter what the relative weight of the desires is. If on the other hand there is some way of taking into account the weight of one’s desires in making our decision, it isn’t obvious why someone could not have a stronger desire to be repaid than not to go to prison. In this event, the situation described by Hare would simply be one possible situation. If the only intuitively acceptable result in this case is that let $A$ go free, then a defect in Hare’s apparatus is that it does not guarantee this result. If this apparatus is an attempt in supplying the criteria for rationally evaluating or assessing wants, inclinations, and decisions to act, then it fails, since the decisive factor in acting in this case is the strength of the desire and not its reasonableness, or the rationality in its derivation. Someone who in that situation was more inclined to be repaid than not to be incarcerated would be justified, according to Hare’s criteria, in jailing his debtor, since he would have no trouble in sincerely assenting to the singular prescription ‘Let $C$ put me (B) into prison’.

There is an obvious rejoinder to the above objection. The preceding argument rests on the presupposition that an individual cannot accept a singular prescription he is averse to. And so, in a case where he has two sets of conflicting desires he cannot accept either an affirmative moral judgment and the principle it implies or a negative moral judgment and the principle it implies. Thus, we have the problem. The rejoinder to this is simply that Hare’s criterion is not committed to this presupposition. Rather, Hare presupposes that an individual cannot accept a singular prescription which is contrary to his desires only after the principle of universalizability is applied to the situation. In applying Hare’s criterion the individual is attempting to determine whether he can accept the judgment that he ought to put $A$ in prison. By applying the principles of universalizability and prescriptivity he sees this would commit him to the singular prescription ‘Let $C$ put me into prison’. This he cannot accept, since it is contrary to his desires. But he still might accept the judgment that he ought not to put $A$ into prison. Applying the criterion once again, he is committed to accepting the singular prescription ‘Let $C$ not put me into prison’ and not the singular prescription ‘Let me not put $A$ into prison’. If he is committed to the former prescription by applying the principles of universalizability and prescriptivity there is no problem. In this case he can certainly accept the former prescription, since doing so is not contrary to his desires.

The above rejoinder is too facile. The problem it conceals is this. It is true that in attempting to find out whether he can accept the negative moral judgment and the principle it implies the relevant singular
prescription seems to be ‘Let C not put me into prison’ and not ‘Let me not put A into prison’. But the thrust of the universalizability criterion is that the individual is committed to a moral principle which implies many moral judgments and singular prescriptions: an infinite number in fact. One of the singular prescriptions B is committed to in accepting the the moral principle—anyone who is in my position ought not to put his debtor into prison—is ‘Let me not put A into prison’. B is committed to this, after applying the universalizability criterion. But he is averse to accepting this singular prescription, and thus the problem arises again.

Let me make this point clear. There are actually two problems here. One problem suggests that Hare’s theory fails to provide a procedure for deciding what one ought to do. The other is that there is a confusion about when consideration of one’s desires enters into our practical decisions. I shall call the first problem “the failure of the first-person perspective” and the second problem “the failure of the third-person perspective.” The reasoning behind both problems involves the following presuppositions:

1. A person cannot sincerely assent to a singular prescription or conjunction of singular prescriptions, after applying the universalizability criterion, if doing so would conflict with his inclinations to act, namely, his desires.
2. A singular prescription reflects a person’s desires if the person is inclined to act on that singular prescription.
3. In order to apply Hare’s criterion a person must consider his own desires in the actual situation in conjunction with what his desires would be in the hypothetical situation and then, after considering these desires jointly, decide in his own person what he ought to do. In other words the individual must, in his own person, accept the singular prescription which reflects his desires in the actual situation and the singular prescription which reflects the desires he would have in the hypothetical situation. This is due to universalizability and sympathetic imagination.
4. A person must be able sincerely to assent to the singular prescription he is inclined to act upon as well as those singular prescriptions he is committed to by his acceptance of the moral judgment which implies the singular prescription he desires to act upon. He must be able sincerely to assent to the singular prescriptions implied by the moral principle he commits himself to when he universalizes his original moral judgment.

4. The failure of the first-person perspective.

Keeping these presuppositions in mind let us run through the argument again. B wants to incarcerate A, since he thinks that this will be a way of exacting his debt from A. He wants to know if he can accept the singular prescription (SP):
SP1. Let me (B) put A into prison.

Assenting to this would commit him to the moral judgment (MJ):

MJ1. I (B) ought to put A into prison.

This moral judgment implies the moral principle (MP):

MP1. Anyone who is in my (B) position ought to put his debtor into prison.

This moral principle in turn implies the moral judgment:

MJ2. C ought to put me (B) into prison.

And this moral judgment implies the singular prescription:

SP2. Let C put me (B) into prison.

Hare's argument stops at this point, concluding that B cannot accept MJ1; since it implies SP2 which conflicts with his desire not to be incarcerated.

I suggest that this doesn't capture the full force of the universalizability principle. According to presupposition (3), it would appear that the relevant prescription (P) that B must accept is not SP2, as it first appears, but rather

P1. Let me put A into prison and let C put me into prison.

P1 captures the import of the requirement that B's decision must be made in propria persona, after considering the two different sets of desires possessed by persons in both the agent and patient roles. He must decide as the person he actually is concerning his actual and hypothetical desires. He must decide on what he ought to do concerning both sets of desires. In this way Hare's apparatus may be characterized as a procedure for adjudicating conflicting desires and decisions to act and demonstrates the role of other people's desires in one's own practical reasoning. In assenting to P1, he would be making his judgment in light of, or because of, what both sets of desires, considered jointly, allow him sincerely to accept. P1 reflects his desire to be repaid but also reflects a desire to be incarcerated which B does not have. He is inclined not to go to prison. Acceptance of P1 requires his being inclined to be incarcerated. But he doesn't have such an inclination. Therefore, he decides against P1.

P1 is defeated; since B cannot sincerely assent to it, since it is contrary to his inclinations to be incarcerated.

In order to be justified in incarcerating A, B must be able to assent to P1. He cannot do so. Therefore B is not justified in incarcerating A. He must reject MJ1. We have come to the same answer as Hare.

If he is not justified in incarcerating A, it would seem natural to
suppose that he could successfully apply Hare’s criterion to the singular prescription:

SP3. Let me not put $A$ into prison.

Notice that if all it took to overturn a singular prescription was the fact that it conflicted with the agent’s desires, $B$ could reject SP3 out of hand at this stage of the argument. As we observed earlier, and as presupposition (1) informs us, one can reject a singular prescription on the grounds that it conflicts with one’s desires only after applying the universalizability criterion. So transforming SP3 into a moral judgment $B$ would be committed to:

MJ3. I ($B$) ought not to put $A$ into prison.

Assenting to this moral judgment would commit him to the moral principle:

MP2. Anyone who is in my position ought not to put his debtor into prison.

MP2 commits $B$ to the moral judgment:

MJ4. $C$ ought not to put me ($B$) into prison.

This moral judgment implies the singular prescription:

SP4. Let $C$ not put me into prison.

Hare’s deployment of the argument would stop here. And $B$ can certainly accept SP4, since he is inclined not to be put into prison. As I suggested earlier, however, this does not capture the full force of Hare’s criterion. According to presupposition (3), and perhaps (4), it would seem that the relevant prescription that $B$ must accept is not SP4, but rather

P2. Let me not put $A$ into prison and let $C$ not put me into prison.

P2 captures the import of the requirement that $B$’s decision must be made in propria persona, after considering the two different sets of desires possessed by persons in both agent and patient roles. He must decide as the person he actually is concerning his actual and hypothetical desires. His decision about what he ought to do must be based on both these sets of desires. In assenting to P2, he would be making his judgment in light of or because of what both sets of desires considered jointly allow him to accept. P2 reflects his desires not to be incarcerated but also reflects desires not to be repaid. These latter he does not have, since he wants to be repaid. He is not disinclined to be repaid. Therefore, on balance he decides against P2.

P2 is defeated, since $B$ cannot sincerely assent to it, since it is contrary to his inclinations to be repaid.
In order to be justified in incarcerating \( A \), \( B \) must be able to assent to \( P_2 \). He cannot do so. Therefore \( B \) is not justified in not incarcerating \( A \). He must reject \( M_J3 \). This is, however, not the same answer as Hare’s. In fact it renders the situation morally neutral. It is not the case that \( B \) ought to incarcerate \( A \), and it is not the case that he ought not to incarcerate \( A \). This conclusion is certainly not what Hare seeks, nor is it intuitively plausible. Thus the problem emerges again. This, I suggest, is bound to happen, given any plausible interpretation of Hare’s criterion.

Despite the problems with the debtor example discussed above, there may still be some way to prevent the failure of the first-person perspective. If so, Hare’s conclusion must be the rejection of \( S_P1 \)—‘Let me (\( B \)) incarcerate \( A \)’—This is the intuitively obvious conclusion. Thus if Hare’s theory could generate this conclusion it would provide a first-person procedure which yields intuitively plausible results as well as making clear the structure of the reasoning which produces such conclusions. It would, also, be natural to assume that employing Hare’s theory from the third-person perspective yields the same results. Let us examine this case.

5. The failure of the third-person perspective.

Suppose \( B \) is ruminating over whether \( C \) is justified in incarcerating him (\( B \)). Let us suppose further that Hare’s criterion is directly applicable as a method of deciding \( B \)’s problem. \( C \) is inclined to incarcerate \( B \) because \( B \) owes him some money, and \( B \) is trying to decide whether or not \( C \) is justified in doing this. \( B \) thinks he can apply the criterion of universalizability in the following manner:

\[ S_P5. \text{Let } C \text{ put me (} B \text{) into prison.} \]

\( B \) is ruminating over whether he can sincerely accept \( S_P5 \). He observes correctly that in assenting to \( S_P5 \) he is committing himself to the following moral judgment:

\[ M_J5. C \text{ ought to put me (} B \text{) into prison.} \]

In order for \( B \) to accept this, he must be able to assent to the moral principle which is implied by \( M_J5 \), viz:

\[ M_P3. \text{Anyone who is a creditor ought to put his debtor in prison.} \]

Let us suppose that \( B \) is also a creditor with respect to \( A \). \( M_P3 \) then commits \( B \) to the moral judgment:

\[ M_J6. I \text{ ought to put } A \text{ into prison.} \]

Accepting \( M_J6 \) commits \( B \) to the singular prescription:

\[ S_P6. \text{Let me put } A \text{ into prison.} \]

If we follow the presuppositions stated in section 3 we again face the
problem. B will not be able to conclude that C is justified in
incarcerating him, or that C is justified in not incarcerating him. The
situation must again be regarded as morally neutral. Hare's theory fails
to tell us what to do, or what to adjudge others should do. As stated
earlier, this is not an acceptable solution. Let us examine the reasoning
deployed without invoking Hare's presuppositions.

B can accept SP6 since it would not conflict with his desires to
incarcerate A. Thus C is justified in incarcerating B and B is justified in
incarcerating A. When we try the alternative procedure of attempting to
see whether the opposite result is ruled out, in corroboration of Hare's
criterion, we find:

SP7. Let C not put me (B) into prison.

In accepting this B is committed to the moral judgment:

MJ7. C ought not to put me (B) into prison.

In order for B to accept this, he must be able to assent to the moral
principles which MJ7 implies, viz:

MP4. Anyone who is a creditor ought not to put his debtor into
prison.

But in accepting MP4 B is committed to the moral judgment:

MJ8. I ought not to put A into prison.

If B accepts this he is committed to the singular prescription:

SP8. Let me not put A into prison.

B cannot accept SP8, since doing so would conflict with his desires. So
he must reject SP7 and MJ7 (as well as MP4). Thus C is not justified in
not incarcerating B. Though this situation is not plagued by the problem
involved in the failure of the first-person perspective, it yields results
which are counter-intuitive, and contrary to what Hare expects. We
conclude that C is justified in incarcerating B, and therefore that B is
justified in incarcerating A, something which is quite surprising. The
crucial question is this: Why should we come up with aberrant results
just because we have switched perspectives? The first-person perspec-
tive, if it yields any results at all, yields results contrary to those arrived
at when reasoning is carried out from the third-person perspective.
What is the explanation of this curious fact? How is it possible?

One attempt at reconciliation would be to say that SP5 may be
rejected by B at the very outset of the argument, since this singular
prescription is contrary to his desire not to be incarcerated. So in this
case it is unnecessary to invoke Hare's apparatus to defeat a singular
prescription, and the moral judgment from which it derives. To take this
way out has its own difficulties. We must find out why, in practical
reasoning from the first-person perspective, desires may come into the
argument only after one has applied the principle of universalizability; whereas in practical reasoning from a third-person perspective, we are able to reject the singular prescription right off, on the grounds that it conflicts with the reasoner's desires alone, before having applied any of the other criterion.

If Hare accepts the possibility of not applying the principle of universalizability to both types of practical reasoning he is committed to the possibility of someone, (e.g. B) from the first-person perspective, rejecting the singular prescription 'Let me not put A into prison', since accepting this singular prescription would be contrary to his desires (to make A repay him). This implies that the principle of universalizability is not always relevant to one's practical reasoning. Consideration of one's desires may come into the argument immediately in reasoning from the third-person perspective in the sense that the singular prescription under consideration may be rejected simply on the grounds that it conflicts with the individual's desires and does not have to be subjected to the test of universalizability. If so, Hare must explain why a similar procedure couldn't be used in reasoning from the first-person perspective. In carrying out his reasoning from this perspective B could reject SP3, that is, he could claim that he is unable to transform SP3 into a moral judgment simply on the grounds that accepting SP3 would be contrary to his desires to be repaid by A, without first applying the principle of universalizability. If we are permitted to bring in desires at this level in practical reasoning from the third-person perspective, why can't we do the same in practical reasoning from the first-person perspective?

This would make the problem involved in "the failure of the first-person perspective" obvious. On the one hand Hare's apparatus requires the rejection of the moral judgment that B is justified in incarcerating A. If desires may come into consideration at the level of the initial singular prescription then we must conclude also that B is not justified in not incarcerating A, since it would be contrary to his desires to accept the singular prescription 'Let me not put A into prison'. Thus, once again we would be left with the problem, that B is not justified in incarcerating A, and he is not justified in not incarcerating A. Hare has not provided a procedure for deciding the issue.

6. Explanation of the failures.

One problem with Hare's theory is its misconception of the role desires play in practical reasoning. According to Hare the principles of prescriptivity and universalizability are really just preliminary, since the ultimate test which determines whether a singular prescription can be transformed into a moral judgment is whether the singular prescription conflicts with any of the agent's desires. There are two general and fatal defects in any theory giving desires such a significant role, viz: (1) It is not unusual for a person to accept a singular prescription and the moral judgment from which it derives, which conflict with some very strong
desires. Why would anyone ever expect a moral judgment to be in accord with all the desires of the agent? This fact of moral experience is important. Any theory which denies its possibility must be radically defective, for even when the theory works, whatever that would be like, it rests moral judgments on a fortuitous feature of the situation, viz: that the agent has a certain desire. We can’t expect similarly situated persons necessarily to make the same decisions about what to do. It all depends on whether or not the particular person, in the given circumstances, has a certain desire. If this is what theories taking desires as the basis of reasons for actions are committed to, then it seems their desirability is highly questionable. (2) Also, on such a theory the relation between ethical judgments and rationality is rendered highly dubious. If all that matters in order to overturn a moral judgment is that the person doesn’t have a certain desire, we haven’t even begun to examine the grounds or reasons for those desires. A moral theory is defective when it, (a) takes desires as unreflective, brute facts which either obtain or not in a situation, and (b) ranks irrational or motivationally unintelligible desires on an equal footing with desires for which there are good reasons. Surely, something has gone wrong.

A theory locates the proper role played by desires in deriving ethical judgments, when it postulates general needs, interests and desires the satisfaction of which in a certain manner is the aim of ethically motivated behavior. This does not imply that a person cannot accept a moral judgment in a particular case if he doesn’t want to act in accord with it—nothing could be a more misleading picture of ethical reasoning. Rather, such theories deny that the ultimate justification of a system of moral judgments can be based on anything but the needs, interests and desires of moral agents.

Why is it that the principle of universalizability along with the agent’s desires are insufficient in deriving ethical judgments in cases of practical conflict? The answer is this: Hare’s purpose is to give the desires (interests, inclinations) of others equal weight to one’s own desires in one’s own deliberation and, thus, to provide a procedure for determining how one decides in cases of conflicting interests. This is precisely the problem. The principle of universalizability may achieve the goal of demonstrating how the desires of others can have equal weight to one’s own desires, that is, it may demonstrate how the desires of others are relevant to one’s own practical reasoning. But the mere relevance of a consideration tells us nothing about how to decide the issue—that is, whether to decide in one’s own favor or in favor of the other party—in cases of practical conflict. The principle of universalizability demonstrates, if anything at all, that other people’s desires are relevant to one’s own practical deliberation in that those desires must be considered in making a practical judgment, and may, given certain conditions, provide one with a reason to act or refrain from acting. The trouble is that the principle of universalizability itself cannot, as I have shown, tell us when such conditions are present.
Moreover, it is a consequence of using this principle that in cases of conflicting claims the person in deciding *in propria persona* must always be incapable of choice; since whatever choice he makes will conflict with certain desires (either actual or hypothetical) he has. Thus cases of conflicting interests (practical conflict) cannot be decided on Hare’s account of the practical reasoning. To do this something more (than the principle of universalizability) is required. What more is needed is a *principle of priority*. Such a principle consists in a ranking or an ordering of morally relevant aspects of people and their situations so as to determine, e.g. in the debtor case, whether or not paying one’s debt or going to jail, not being repaid and letting one’s debtor go free, follows from an institutional arrangement or a set of practices and the principles upon which these practices depend, which rational individuals would unanimously endorse.

This suggestion that that there is a contractarian basis to practical reasoning cannot be pursued at this time. It is introduced because it is my belief that this notion is the proper expression of the principle of universalizability in ethics. Universalizability assumes its proper place in ethics when it is regarded as a method for creating mutually beneficial practices which order and structure social life, and not simply as a method for a solitary practical reasoner to use, in isolation from any cooperative interactions with others, to determine whether he is justified in acting.

When proponents of the principle of universalizability emphasize what *I* would do, if *I* were in another guy’s shoes, it is bound to be an insufficient account of practical reasoning. When, on the other hand, the emphasis shifts to what practices governing the particular situation in question would be agreed to by rational contractors, we may have located the appropriate place for the principle of universalizability in ethical theory.

**NOTES**

1 I would like to thank Donald Davidson, Edward Johnson and Gregory Vlastos for encouragement with this paper. Also, I must acknowledge a great debt to Gertrude Ezorsky and Paul Taylor who first started me thinking about the role of universalizability in ethical theory.

2 Hare’s theory of rational assent includes the principle that one cannot accept a singular prescription, after applying the universalizability criterion, *if doing so would conflict with what one wants*. Although Hare never explicitly states this principle, it is clear that his argument, in the test case, depends on it. Since the moral judgment “*B ought to incarcerate A*” is ultimately defeated on the grounds that the singular prescription “Let *C incarcerate me (B)*,” which follows from it, conflicts with *B*’s inclinations to remain free.

For additional evidence that Hare holds some such principle see *Freedom and Reason*:

(1) p. 92: Hare states that the moral judgment is defeated, since it would mean that *B* “is prescribing to *C* to put him into prison and this he is unwilling to do, *since he has a strong inclination not to go to prison*” [my italics]; (2) p. 94: Hare states that a person’s inclinations or interests are a necessary condition for the applicability of the universalizability criterion and that the implications of applying this criterion are accepted or defeated depending upon whether they conflict with the agent’s *desires*; (3) p. 97: In discussing moral disagreement Hare says that two people may disagree when “…their
different inclinations make one reject some singular prescription which the other can accept”; (4) p. 109: Hare compares one’s aversion to being incarcerated and one’s *inability to accept* the singular prescription “Let me *(B)* be incarcerated” with the belief that the cat is on the mat and the *inability to accept* the proposition “The cat is not on the mat”; (5) p. 109: In considering whether or not he is guilty of deducing a moral judgment from a factual statement Hare writes “It is not a question of a factual statement about a person’s inclinations being inconsistent with a moral judgment; rather, *his inclinations being what they are, he cannot assent sincerely to a certain singular prescription* [my italics] and if he cannot do this, he cannot assent to a certain universal prescription which entails it, when conjoined with factual statements about the circumstances whose truth he admits. Because of this entailment, if he assented to the factual statements and to the universal prescription, but refused *(as he must, *his inclinations being what they are)* [my italics] to assent to the singular prescription, he would be guilty of a logical inconsistency”; (6) pp. 110-11: Hare writes, “The analogy is between two relations [see citation above]: the relations between, in both cases, the ‘mental state’ of these men and what they say. If I believe that there is a cat on the mat I cannot sincerely say that there is not; and, if I want not to be put in prison…I cannot sincerely say ‘Let me be put into prison’; and (7) p. 116: Hare writes that what the criminal “is doing is to claim that the judge, having a disinclination to be put into prison, cannot accept the singular prescription “Let me, if I am in the criminal’s position, be put into prison’ and that, this being so, he cannot accept the moral judgment ‘I ought to put the criminal into prison’, which entails it.”


4 I do not consider the objection to this contention that it is simply false; since many times we do assent to singular prescriptions which are contrary to our desires or inclinations. For example, I don’t want to keep my promise to take Minna to the movies, since I would rather go with Ada to the opera. But I ought to keep my promise to Minna, so I will do something which I am not inclined to do.

5 By ‘first-person perspective’ I mean reasoning which yields a judgment upon which the agent will act. By ‘third-person perspective’ I mean reasoning which yields a conclusion about the propriety of someone else’s action.