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# Public & Private Morality

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EDITED BY

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## Foreword

'Ceux qui voudront traiter séparément la politique et la morale n'entendront jamais rien à aucune de deux.' So Rousseau in *Émile*, and it is a judgment in the classical Greek tradition which I accept. This book had its origins in the thought of one question in the vast, continuous subject of morals-and-politics: the question unforgettably displayed by Machiavelli for every subsequent generation to consider. His was the problem of political realism: what is the relation, and what ought to be the relation, between political violence and political deceit on the one side and, on the other, the minimum acceptable moral standards which define human decency and which encourage or permit a tolerable quality of social life? What are the limits to be set upon grossly immoral and cruel practices which sometimes also effectively protect and promote great public causes? These questions are always pressing and difficult to answer and they were re-formulated in many of the arguments circling around the Vietnam War. Hearing some of the principal defenders of American policy at the time, and reading some of the documents, one had the clear impression that a simplified Machiavellianism, a naive contempt for 'moralistic' attitudes, had in recent years become influential among policy-makers in the U.S.A. and elsewhere. The problem of how to think consistently and responsibly about the horrors of violence and of cruelty, also of deceit, which are often incidental to policy-making, has not been much explored recently by moral philosophers. Although the dividing line between private life and public responsibilities can never be definite and clear, there is a moral threshold which is crossed both by those who assume power to change the lives of many men through public action and by those who undertake to represent in a public role the will and interests of many other men. A new responsibility, and even a new kind of responsibility, and new moral conflicts, present themselves.

Of the six essays in this book three directly confront Machiavelli's problem, which is a single complex question in political philosophy: Professor Nagel's 'Ruthlessness in Public Life' and my essay 'Public and Private Morality' and Professor Bernard Williams' 'Politics and Moral Character'. Each of us approaches the question from his own moral point of view, and with theoretical considerations in mind, and we would not claim to have examined every facet of the problem. The papers by Professor Scanlon and Professor Dworkin traverse rather broader issues of political theory, singling out and characterising the type of moral claim upon which political arguments turn. In both these essays the notion of rights is at the centre of the argument and in both cases the argument looks for the rational foundation of contemporary liberal attitudes. 'Morality and Pessimism' originated as a Leslie Stephen Lecture delivered in the University of Cambridge on 24 February 1972, with the relation between public policy and moral restraints as one of its themes.

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# 1 *Morality and Pessimism*

STUART HAMPSHIRE

I shall examine a current of moral ideas which was partly philosophical and partly something less precise, a movement in public consciousness. British utilitarianism was a school of moral thought, and a school also of general philosophy, which set out to do good in the world, even though it was only a philosophy; and it may even be judged to have succeeded in large part over many years in this aim. It is certainly not easy, and perhaps it is not possible, to calculate the real effect upon men's lives of any new system of moral ideas and of any new philosophy. But the utilitarian philosophy brought new interests into the study of political economy: into the theory and practice of public administration: into the rhetoric, and into the programmes, of movements of political and social reform in Britain. Indeed the utilitarian philosophy became part of the ordinary furniture of the minds of those enlightened persons, who would criticise institutions, not from the standpoint of one of the Christian churches, but from a secular point of view. As represented by Sidgwick at Cambridge, and in the minds of liberal and radical social reformers everywhere, the utilitarian philosophy was until quite recently a constant support for progressive social policies. Even the rare and strange adaptation of utilitarianism, which appeared in the last chapter of G. E. Moore's *Principia Ethica*, pointed towards liberal and improving policies: at least it did in the minds of Keynes, of Leonard Woolf and of others whose lives were seriously influenced by Moore. Moore himself wrote of his own moral conclusions as prescribing the aims of social policy, and, like Mill, he was marking the target of social improvements. The utilitarian philosophy, before the First World War and for many years after it – perhaps even until 1939 – was still a bold, innovative, even a subversive doctrine, with a record of successful social criticism behind it. I believe that it is losing this role, and that it is now an obstruction.

Utilitarianism has always been a comparatively clear moral theory, with a simple core and central notion, easily grasped and easily translated into practical terms. Its essential instruction goes like this: when assessing the value of institutions, habits, conventions, manners, rules, and laws, and also when considering the merits of individual actions or policies, turn your attention to the actual or probable states of mind of the persons who are, or will be, affected by them: that is all you need to consider in your assessments. In a final analysis, nothing else counts but the states of mind, and perhaps, more narrowly, the states of feeling, of persons; or, more generously in Bentham and G. E. Moore, of sentient creatures. Anything else that one might consider, in the indefinite range of natural and man-made things, is to be reckoned as mere machinery, as only a possible instrument for producing the all-important – literally all-important – states of feeling. From this moral standpoint, the whole machinery of the natural order, other than states of mind, just is machinery, useful or harmful in proportion as it promotes or prevents desired states of feeling.

For a utilitarian, the moral standpoint, which is to govern all our actions, places men at the very centre of the universe, with their states of feeling as the source of all value in the world. If the species perished, to the last man, or if the last men became impassible and devoid of feeling, things would become cold and indifferent and neutral, from the moral point of view; whether this or that other unfeeling species survived or perished, plants, stars, and galaxies, would then be of no consequence. Destruction of things is evil only in so far as it is, or will be, felt as a loss by sentient beings; and the creation of things, and the preservation of species, are to be aimed at and commended only in so far as sentient beings are, or will be, emotionally and sentimentally interested in the things created and preserved.

This doctrine may reasonably be criticised in two contrary ways: first, as involving a kind of arrogance in the face of nature, an arrogance that is intelligible only if the doctrine is seen as a residue of the Christian account of our species' peculiar relation to the Creator. Without the Christian story it seems to entail a strangely arbitrary narrowing of moral interest. Is the destruction, for instance, of a species in nature to be avoided, as a great evil, only or principally because of the loss of the pleasure that human

beings may derive from the species? May the natural order be farmed by human beings for their comfort and pleasure without any restriction other than the comfort and pleasure of future human beings? Perhaps there is no rational procedure for answering these questions. But it is strange to answer them with a confident 'Yes'. On the other hand the doctrine that only our feelings are morally significant may be thought, on the contrary, to belittle men: for it makes morality, the system of rights, duties and obligations, a kind of psychical engineering, which shows the way to induce desired or valued states of mind. This suggests, as a corollary, that men might be trained, moulded, even bred, with a view to their experiencing the kinds of feeling that alone lend value to their morally neutral surroundings. With advancing knowledge states of the soul might be controlled by chemical means, and the valuable experiences of the inner life may be best prolonged and protected by a medical technique. So the original sense of the sovereign importance of human beings, and of their feelings, has been converted by exaggeration into its opposite: a sense that these original ends of action are, or may soon become, comparatively manageable problems in applied science.

From the standpoint of philosophy, in a full, old-fashioned sense of that word, we have moved, slowly, stage by stage, in the years since 1914, into a different world of thought from that which most of Leslie Stephen's contemporaries inhabited; and by a 'world of thought' here I mean the set of conditioning assumptions which any European, who thought in a philosophical way about morality, would have in mind before he started to think, assumptions that he probably would not examine one by one, and that he would with difficulty make explicit to himself. One such assumption was that, even if the transcendental claims of Christianity have been denied, any serious thought about morality must acknowledge the absolute exceptionalness of men, the unique dignity and worth of this species among otherwise speechless, inattentive things, and their uniquely open future; how otherwise can morality have its overriding claims? A second assumption, explicit in J. S. Mill, and unchallenged by his utilitarian successors, was that both emotional sensitiveness, and intelligence in the calculation of consequences, can be expected to multiply and increase, as moral enlightenment spreads and as standards of education improve, into an indefinite

and open future. In this open future there will be less avoidable waste of human happiness, less unconsidered destruction of positive and valued feelings, as the human sciences develop and superstitions become weaker and softer. The story of the past – this is the assumption – is essentially the story of moral waste, of a lack of clear planning and contrivance, of always repeated losses of happiness because no one methodically added the emotional gains and losses, with a clear head and undistracted by moral prejudices. The modern utilitarian policy-makers will be careful social economists, and their planning mistakes will be progressively corrigible ones; so there is no reason why there should not be a steadily rising balance of positive over negative feelings in all societies that have a rational computational morality. A new era of development is possible, the equivalent in morality of high technology in production.

This implicit optimism has been lost, not so much because of philosophical arguments but perhaps rather because of the hideous face of political events. Persecutions, massacres, and wars have been coolly justified by calculations of the long range benefit to mankind; and political pragmatists, in the advanced countries, using cost-benefit analyses prepared for them by gifted professors, continue to burn and destroy. The utilitarian habit of mind has brought with it a new abstract cruelty in politics, a dull, destructive political righteousness: mechanical, quantitative thinking, leaden academic minds setting out their moral calculations in leaden abstract prose, and more civilised and more superstitious people destroyed because of enlightened calculations that have proved wrong. Suppose a typical situation of political decision, typical, that is, of the present, and likely to be typical of the immediate future; an expert adviser has to present a set of possible policies between which a final choice has to be made; advantages and disadvantages of various outcomes are to be calculated, and a balance is to be struck. The methods of calculation may be quite sophisticated, and very disparate items may appear in the columns of gain and loss. The death of groups of persons may, for example, be balanced as a loss against a very considerable gain in amenity to be handed down to posterity; or a loss of liberty among one group may be balanced against a very great relief from poverty for another. Such calculations are the every day stuff of political

decision, and they seem to require a common measure that enables qualitatively unrelated effects to be held in balance. The need to calculate in this manner, and to do so convincingly, plainly becomes greater as the area of government decision is widened, and as the applied social sciences render remote effects more computable.

Given that the vast new powers of government are in any case going to be used, and given that remote and collateral effects of policies are no longer utterly incalculable, and therefore to be neglected, a common measure to strike a balance is certain to be asked for and to be used; and apparently incommensurable interests will be brought together under this common measure. The utilitarian doctrine, insisting that there is a common measure of those gains and losses, which superficially seem incommensurable, is in any case called into being by the new conditions of political calculation. Any of the original defects in the doctrine will now be blown up, as a photograph is blown up, and made clearly visible in action.

For Machiavelli and his contemporaries, a political calculation was still a fairly simple computation of intended consequences, not unlike the stratagems of private intrigue. He and his contemporaries had no thought that a political calculation might issue in a plan for the future of a whole society or nation, with all kinds of dissimilar side-effects allowed for, and fed into the computation. Computation by a common measure now seems the most orthodox way to think in politics, although this kind of computation had originally been almost scandalous. At first the scandal and surprise lingered around the notion that moral requirements, and moral outrages, could be represented as commensurable gains and losses along a single scale. Yet now those who talk about being responsible in political decision believe that the moral issues must be represented on a common scale, if they are to be counted at all. How can the future of an advanced society be reasonably discussed and planned, if not on this assumption? To others, and particularly to many of the young in America and in Europe, who would not quote Burke, it seems now obvious that the large-scale computations in modern politics and social planning bring with them a coarseness and grossness of moral feeling, a blunting of sensibility, and a suppression of individual discrimination and gentleness,

which are a price that they will not pay for the benefits of clear calculation. Their point is worth considering: perhaps it can be given a philosophical basis.

Allow me to go back to the beginnings of moral theory: as a non-committal starting-point, it may be agreed that we all assess ourselves, and other people, as having behaved well or badly, on a particular occasion, or for a tract of time, or taking a life-time as a whole. We similarly assess courses of action, and even whole ways of life, that are open to us before we make a decision. The more fundamental and overriding assessments, in relation to which all other assessments of persons are subsidiary and conditional, we call moral assessments, just because we count them as unconditional and overriding. The goodness or badness imputed may be imputed as a characteristic of persons, or of their actions, their decisions and their policies, or of their character and their dispositions, or of their lives and ways of life. Let me take the assessment of persons as the starting-point. When we assess ourselves or others in some limited role or capacity, as performing well or ill in that role or capacity, the assessment is not fundamental and unconditional; the assessment gives guidance only to someone who wants to have that role or to act in that capacity, or who wants to make use of someone who does. But if we assess persons as good or bad without further qualification or limitation, merely as human beings, and similarly also their decisions, policies, characters, dispositions, ways of life, as being good or bad without qualification, then our assessments have unconditional implications in respect of what should and should not be done, and of what people should, and should not be like, of their character, dispositions and way of life. A human being has the power to reflect on what kind of person he wants to be, and to try to act accordingly, within the limits of his circumstances. His more considered practical choices, and the conflicts that accompany them, will show what he holds to be intrinsically worth pursuing, and will therefore reveal his fundamental moral beliefs.

I believe that all I have so far said about this starting-point of moral philosophy is non-committal between different theories, and is innocent and unquestion-begging, and will be, or ought to be, accepted by moral philosophers of quite different persuasions, including the utilitarians. I believe this, because the various

classical moral philosophies can all be formulated within this non-committal framework. Each moral philosophy singles out some ultimate ground or grounds for unconditional praise of persons, and prescribes the ultimate grounds for preferring one way of life to another. This is no less true of a utilitarian ethics than of any other; the effectively beneficent and happy man is accounted by a utilitarian more praiseworthy and admirable than any other type of man, and his useful life is thought the best kind of life that anyone could have, merely in virtue of its usefulness, and apart from any other characteristics it may have. The utilitarian philosophy picks out its own essential virtues very clearly, and the duties of a utilitarian are not hard to discern, even though they may on occasion involve difficult computations.

But there is one feature of familiar moralities which utilitarian ethics famously repudiates, or at least makes little of. There are a number of different moral prohibitions, apparent barriers to action, which a man acknowledges and which he thinks of as more or less insurmountable, except in abnormal, painful and improbable circumstances. One expects to meet these prohibitions, barriers to action, in certain quite distinct and clearly marked areas of action; these are the taking of human life, sexual relations, family duties and obligations, and the administration of justice according to the laws and customs of a given society. There are other areas in which strong barriers are to be expected; but these are, I think, the central and obvious ones. A morality is, at the very least, the regulation of the taking of life and the regulation of sexual relations, and it also includes rules of distributive and corrective justice: family duties: almost always duties of friendship: also rights and duties in respect of money and property. When specific prohibitions in these areas are probed and challenged by reflection, and the rational grounds for them looked for, the questioner will think that he is questioning a particular morality specified by particular prohibitions. But if he were to question the validity of recognising any prohibitions in these areas, he would think of himself as challenging the claims of morality itself; for the notion of morality requires that there be some strong barriers against the taking of life, against some varieties of sexual and family relations, against some forms of trial and punishment, some taking of property, and against some distributions of rewards and benefits.

Moral theories of the philosophical kind are differentiated in part by the different accounts that they give of these prohibitions: whether the prohibitions are to be thought of as systematically connected or not: whether they are absolute prohibitions or to be thought of as conditional. Utilitarians always had, and still have, very definite answers: first, they *are* systematically connected, and, secondly, they are to be thought of as not absolute, but conditional, being dependent for their validity as prohibitions upon the beneficial consequences of observing them. Plainly there is no possibility of proof here, since this is a question in ethics, and not in logic or in the experimental sciences. But various reasons for rejecting the utilitarian position can be given.

All of us sometimes speak of things that cannot be done, or that must be done, and that are ruled out as impossible by the nature of the case: also there are things that one must do, that one cannot not do, because of the nature of the case. The signs of necessity in such contexts mark the unqualified, unweakened, barrier to action, while the word 'ought', too much discussed in philosophical writing, conveys a weakened prohibition or instruction. The same contrast appears in the context of empirical statements, as in the judgments 'The inflation ought to stop soon' and 'The inflation must stop soon'. The modal words 'must' and 'ought' preserve a constant relation in a number of different types of discourse, of which moral argument is only one, not particularly conspicuous, example: he who in a shop says to the salesman 'The coat must cover my knees', alternatively, 'The coat ought to cover my knees', speaks of a need or requirement and of something less: he who, looking at the mathematical puzzle, says 'This must be the way to solve it', alternatively 'This ought to be the way to solve it', speaks of a kind of rational necessity, and of something less: examples of 'ought' as the weaker variant of 'must' could be indefinitely prolonged into other types of contexts. So 'He must help him' is the basic, unmodified judgment in the context of moral discussion or reflection, and 'He ought to help him' is its weakened variant, as it is in all other contexts. To learn what a man's moral beliefs are entails learning what he thinks that he must not do, at any cost or at almost any cost.

The range of the utterly forbidden types of conduct amongst Stephen's friends would differ significantly, but not greatly, from

the range of the forbidden and the impossible that would be acknowledged in this room. Social anthropologists may record fairly wide variations in the range of the morally impossible, and also, I believe, some barriers that are very general, though not quite universal; and historians similarly. For example, in addition to certain fairly specific types of killing, certain fairly specific types of sexual promiscuity, certain takings of property, there are also types of disloyalty and of cowardice, particularly disloyalty to friends, which are very generally, almost universally, forbidden and forbidden absolutely: they are forbidden as being intrinsically disgraceful and unworthy, and as being, just for these reasons, ruled out: ruled out because they would be disgusting, or disgraceful, or shameful, or brutal, or inhuman, or base, or an outrage.

In arguing against utilitarians I must dwell a little on these epithets usually associated with morally impossible action, on a sense of disgrace, of outrage, of horror, of baseness, of brutality, and, most important, a sense that a barrier, assumed to be firm and almost insurmountable, has been knocked over, and a feeling that, if this horrible, or outrageous, or squalid, or brutal, action is possible, then anything is possible and nothing is forbidden, and all restraints are threatened. Evidently these ideas have often been associated with impiety, and with a belief that God, or the Gods, have been defied, and with a fear of divine anger. But they need not have these associations with the supernatural, and they may have, and often have had, a secular setting. In the face of the doing of something that must not be done, and that is categorically excluded and forbidden morally, the fear that one may feel is fear of human nature. A relapse into a state of nature seems a real possibility: or perhaps seems actually to have occurred, unless an alternative morality with new restraints is clearly implied when the old barrier is crossed. This fear of human nature, and sense of outrage, when a barrier is broken down, is an aspect of respect for morality itself rather than for any particular morality and for any particular set of prohibitions.

The notion of the morally impossible – ‘I cannot leave him now: it would be quite impossible’. ‘Surely you understand that I *must* help him’ – is distinct. A course of conduct is ruled out (‘You cannot do that’), because it would be inexcusably unjust, or

dishonest, or humiliating, or treacherous, or cruel, or ungenerous, or harsh. These epithets, specifying why the conduct is impossible, mark the vices characteristically recognised in a particular morality. In other societies, at other places and times, other specific epithets might be more usually associated with outrage and morally impossible conduct; but the outrage or shock, and the recognition of impossibility, will be the same in cases where the type of conduct rejected, and the reasons for the rejection, are rather different.

The utilitarian will not deny these facts, but he will interpret them differently. Shock, he will say, is the primitive, pre-rational reaction; after rational reflection the strength of feeling associated with a prohibition can be, and ought to be, proportional to the estimated harm of the immediate and remote consequences; and he will find no more in the signs of necessity and impossibility than an emphasis on the moral rules which have proved to be necessary protections against evil effects. The signs of necessity are signs that there is a rule. But the rational justification of there being a rule is to be found in the full consequences of its observance, and not in non-rational reactions of horror, disgust, shame, and other emotional repugnances.

But I believe that critical reflection may leave the notion of absolutely forbidden, because absolutely repugnant, conduct untouched. There may in many cases be good reflective reasons why doing such things, assuming such a character, may be abhorrent, and excluded from the range of possible conduct; there may be reflective reasons, in the sense that one is able to say why the conduct is impossible as destroying the ideal of a way of life that one aspires to and respects, as being, for example, utterly unjust or cruel or treacherous or corruptly dishonest. To show that these vices are vices, and unconditionally to be avoided, would take one back to the criteria for the assessment of persons as persons, and therefore to the whole way of life that one aspires to as the best way of life. A reflective, critical scrutiny of moral claims is compatible, both logically and psychologically, with an overriding concern for a record of un-monstrous and respectable conduct, and of action that has never been mean or inhuman; and it may follow an assessment of the worth of persons which is not to be identified only with a computation of consequences and effects.