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1. **BEGIN PART ONE.** Ross asks: Is there “any general character which makes right acts right” (16)? If so, what is it? Moral philosophers agree (though we’re not told why) that neither egoism nor [hedonistic] utilitarianism “is satisfactory” (16). G. E. Moore’s theory, however, is “much more attractive” (16) than either of these. Ross says that, according to Moore, “what makes actions right is that they are productive of more good than could have been produced by any other action open to the agent” (16; italics in original).

2. Moore’s theory is “the culmination of all the attempts to base rightness on productivity of some sort of result” (16). (This is teleology or consequentialism, though Ross doesn’t use those names.) One such theory bases rightness on “conduciveness to the advantage or pleasure of the agent” (16), or “self-interest” (16). (This is ethical egoism, though Ross doesn’t use that name.) Ross dismisses ethical egoism on the ground that it is incompatible with a certain fact, namely, “that a great part of duty consists in an observance of the rights and a furtherance of the interests of others, whatever the cost to ourselves may be” (16). (Ross, like so many philosophers before and since, fails to take ethical egoism seriously. By taking it as a fact that duty requires furtherance of the interests of others, he begs the question against the ethical egoist, who denies precisely that. Ross might reply that he is not trying to persuade the ethical egoist; he is addressing people whose minds are not made up.)

3. Hedonistic utilitarianism is an improvement on “the egoistic theory” (17), but it, too, “needs a correction” (17). Its value theory is too narrow. Pleasure is not the only thing that is “good in itself” (17); other things that are good in themselves are “the possession of a good character” and “an intelligent understanding of the world” (17). “A great advance is made by the substitution of ‘productive of the greatest good’ [Moore] for ‘productive of the greatest pleasure’ [Bentham]” (17).

4. Hedonistic utilitarianism is the conjunction of two “views,” to wit: (a) “that what produces the maximum good is right” and (b) “that pleasure is the only thing good in itself” (17). Therefore, if “a” is false, then hedonistic utilitarian-

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1 The parts are identified (in the book) by extra spacing.
2 The theory of *Ethics* (1912), not *Principia Ethica* (1903). Ross says the theory of *Principia* is “less plausible” (16 n. 1) than that of *Ethics*. Ross calls Moore’s theory “ideal” or “agathistic” utilitarianism to distinguish it from “hedonistic” utilitarianism (9 n. 1).
ism is false. (This is Bernard Williams’s strategy in “A Critique of Utilitarianism” [1973].) To put it in contemporary terms, utilitarianism implies (but is not implied by) consequentialism. Alternatively, utilitarianism is a species (or proper subset) of consequentialism.

5. The “plain man” keeps a promise not because it will produce the best consequences but because he made a promise. He looks backward rather than forward. However, in cases (Ross calls them “exceptional”) where it would be “disastrous” (18) to keep a promise, one should break it. For example: “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” (18). (This is similar to Feldman’s doctor case; Feldman may have constructed his case from Ross’s example.) In cases such as this, one thinks it right to break the promise not because it produces more good than keeping it, but because the “duty of relieving distress” (beneficence) is “more of a duty” than “the duty of fulfilling promises” (18) (fidelity). “This account surely corresponds much more closely with what we really think in such a situation” (18). Ross argues against consequentialism (my term) as follows: (a) if consequentialism is true, then one should be indifferent between keeping and breaking a promise, provided that the amount of good one does is the same; (b) one should not be indifferent between keeping and breaking a promise in such a case; therefore, (c) consequentialism is not true.

6. Ross considers and rejects two theories about what ought to be done in “cases of conscience” (18), by which he means, presumably, cases of conflict. The first is that of Kant, who holds that the perfect duty to keep a promise prevails over the imperfect duty to do good by, for example, “relieving distress” (18). (This is absolutist deontology.) The second is that of Moore and Rashdall, who hold that there is only one duty, viz., “producing good” (18), and that in cases of conflict one should perform whichever act produces the most good. (This is consequentialism.) Ross admits that both theories are simpler than his, but insists that “it is more important that our theory fit the facts than that it be simple” (19). What we “really think” (19) is that “normally promise-keeping . . . should come before benevolence [sic; he means beneficence], but that when and only when the good to be produced by the benevolent [sic] act is very great and the promise comparatively trivial, the act of benevolence [sic] becomes our duty” (19).

7. Moore’s “ideal utilitarianism” oversimplifies “our relations to our fellows” (19). Yes, we stand in the relation of possible benefactor (or beneficiary) to others, as Moore says, but we also stand in other relations to them, such as promisee to promiser, wife to husband, and friend to friend. Each of these relations “is the foundation of a prima facie duty” (19). When more than one prima facie duty is “incumbent” on a person, he or she must study the situation fully until
he or she forms “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” (19).

8. Ross clarifies the difference between prima facie duty and duty proper. The term “prima facie duty” refers 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” (19). Ross apologizes for the term “prima facie duty,” which suggests, falsely, that one is speaking “only of an appearance which a moral situation presents at first sight, and which may turn out to be illusory” (20). A prima facie duty is an “objective fact” (20). He can think of “no term which fully meets the case” (20). The word “claim” (suggested by Prichard) is inappropriate. Simon Blackburn suggests (in his dictionary) “pro tanto duty (or obligation),” which means duty so far as it goes.

9. Ross says that there is “nothing arbitrary” (20) about the prima facie duties, though he refuses to claim “completeness or finality” (20) for his list. “Each [prima facie duty] rests on a definite circumstance which cannot seriously be held to be without moral significance” (20). In the footnote to this paragraph, Ross says that we know (i.e., have knowledge of) the prima facie duties. “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” (21). To those who deny that we have this knowledge, Ross says that he can’t prove it. All he can do is ask his interlocutor to “reflect again” (21). He goes on to say (in the footnote) that the “main moral convictions of the plain man” (21) are “knowledge from the start,” not mere opinions “which it is for philosophy to prove or disprove” (21). Other moral convictions, however, are “merely fallible opinions” (20). Ross is a methodological conservative. Compare Jeremy Bentham, J. J. C. Smart, and Peter Singer, who are methodological progressives. John Rawls, with his method of reflective equilibrium, is somewhere in between the two camps (i.e., he is one or the other, depending on how they are characterized).

10. Ross lists the seven prima facie duties: fidelity, reparation, gratitude, justice, beneficence, self-improvement, and non-maleficence (his names). The first two (fidelity and reparation) “rest on previous acts of my own” (21). Note that fidelity includes veracity (my name). The third (gratitude) rests “on previous acts of other men, i.e. services done by them to me” (21). The duty of non-maleficence (“not injuring others,” “the duty not to harm others”) is “a duty of a more stringent character” than the duty of beneficence. It is “prima facie more binding” (22). Compare the medical dictum “primum non nocere” (first do no harm). “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” (22). Of the seven duties, only the duty of non-maleficence is “stated
Ross sketches an argument (we might call it the justice objection) against ideal utilitarianism, which requires production of the maximum good. Here is my reconstruction of the argument: If the only duty is to maximize the good (as ideal utilitarianism says), then it doesn’t matter whose good is maximized (mine, my benefactor’s, my promisee’s, or a stranger’s); but “we are all in fact sure that it makes a vast difference” (22); therefore, it’s not the case that the only duty is to maximize the good. According to Ross, duty is “highly personal,” rather than impersonal (22).

Ross comments on the “provisional list of the divisions of duty” (22). As regards nomenclature, the terms “fidelity” and “gratitude,” as ordinarily used, refer to “states of motivation” (22), but the prima facie duties are to act, not to have (or act from) certain motives. The term “justice” is less tied to motivation. “I have used the word ‘beneficence’ rather than ‘benevolence’, in order to emphasize the fact that it is our duty to do certain things, and not to do them from certain motives” (23).

It might be objected (call it the Lack-of-Unity Objection) that Ross’s “catalogue of the main types of duty is an unsystematic one resting on no logical principle” (23). Ross replies that his catalogue makes no claim to being ultimate. It is a statement of “the duties which reflection on our moral convictions seems actually to reveal” (23). Ross’s method of arriving at the list of prima facie duties is the same as that of “the rival theory” in arriving at the list of goods. The method in both cases is “direct reflection on what we really think” (23). “Loyalty to the facts is worth more than a symmetrical architectural or a hastily reached simplicity” (23). Ross’s reply here is ad hominem (to the person). In fact, it’s a tu quoque (in the nonfallacious sense).

Ross is not content to rest his case on an argumentum ad hominem, i.e., an argument that is designed to show that his theory is no worse than the theories of his critics. “[I]n principle there is no reason to anticipate that every act that is our duty is so for one and the same reason” (24). Sometimes one has a duty because one has made a promise. Sometimes one has a duty because one has done a wrong. And so on. “[I]f on reflection I find (as I think I do) that neither
of these reasons is reducible to the other, I must not on any a priori ground assume that such a reduction is possible” (24).

16. Can the main types of duty be arranged “in a more systematic way” (24)? Ross appears to think so. “[T]here are three main things that are intrinsically good—virtue, knowledge, and, with certain limitations, pleasure” (24). Ross says it “seems self-evident” [sic] that one has a prima facie duty to bring intrinsic goods into existence. But if a given “virtuous disposition” or “piece of knowledge” is intrinsically good, then it’s intrinsically good whether realized in oneself or in others.

17. Pleasure differs from virtue and knowledge in that, “while we clearly recognize a duty to produce pleasure for others, it is by no means so clear that we recognize a duty to produce pleasure for ourselves” (24). Ross gives two reasons for this. First, “we are all impelled so strongly towards the promotion of our own pleasure that we do not stop to ask whether it is a duty or not” (25). Second, we are usually called upon to give up some pleasure in order to do our duty, so we think of pleasure and duty as incompatible; and this is a good thing. Ross concludes that it is right to get pleasure for oneself so long as doing so “does not involve the failure to discharge some more stringent prima facie duty” (25).

18. The duties of beneficence and self-improvement “rest on the same ground” (26). The only difference between them is that one (self-improvement) “is more under our control than the other” (26). (Compare Kant, whose practical law of duty required making oneself good [virtue] and other people happy [pleasure].) As for virtue, while it is true that “one man cannot compel another to be virtuous” (26), Kant “overshoots the mark when he contends that one man cannot do anything to promote virtue in another” (26; italics in original). We can and do induce virtuous responses in others. “[O]ur duty to do this is not different in kind from our duty to improve our own characters” (26).

19. The duty of non-maleficence rests on the “fact” that “if there are things that are bad in themselves we ought, prima facie, not to bring them upon others” (26).

20. Ross uses the word “justice” to mean “the bringing about of a distribution of happiness between other people in proportion to merit” (26). This is a fourth good (an intrinsic good, presumably), to be added to virtue, knowledge, and pleasure. It is “a more complex good” (27) than any of those “simple goods” (27), and not reducible to them. Each of us has a prima facie duty of justice “to all men alike” (27), and not just to those to whom we have special responsibilities.

21. The duty of justice is a “general obligation” (27). In addition, there are “special obligations” that arise from one’s behavior, even when one doesn’t mean to create (incur, undertake) an obligation. These are the duty of reparation (brought about by “the infliction of injuries on others”) and the duty of gratitude (brought about by “the acceptance of benefits from [others]”). Ross calls
Some duties (i.e., obligations) are created (incurred, undertaken) intentionally. This category includes promises, both explicit and implicit. An implicit promise is a “mode[] of behaviour in which without explicit verbal promise we intentionally create an expectation that we can be counted on to behave in a certain way in the interest of another person” (27). Ross doesn’t use the term “fidelity” here, but he is referring to the prima facie duty of fidelity.

Prima facie duties “are compounded together in highly complex ways” (27). For example, the duty of “obeying the laws one’s country” arises from (a) the duty of gratitude, (b) the duty of fidelity, and (c) the duty of beneficence.

As another example of how prima facie duties are compounded, the duty of justice and the duty of reparation combine to create a duty to correct injustices that are “due to a social and economic system which we have, not indeed created, but taken part in and assented to” (28).

Almost everyone (Kant being a notable exception) thinks that it is sometime right “to tell a lie or to break a promise” (28). This shows that there is a difference between prima facie duty and actual duty. When we break a promise, we feel “compunction” for behaving as we do, and also recognize “that it is our duty to make up somehow to the promisee for the breaking of the promise” (28). A given act can fall under more than one category; it can be (for example) both “the breaking of a promise” and “an instance of relieving distress” (28). These are parti-resultant attributes, for they are part of the act’s nature. The actual duty is a toti-resultant attribute, for it is the whole (total) of the act’s nature.

Ross draws an analogy to “the operation of natural laws” (28). Prima facie duties have gravitational force. In a given case, there can be multiple forces operating, some of them stronger than others. Actual duty, like the location (or movement) of an object, depends on the degrees of force and their respective strengths. Both the laws of nature and “the general principles of morality” (29) are absolute. The analogy breaks down, however, in that gravitation is a causal process, whereas rightness is conceptual. Duty proper, in other words, is not caused by prima facie duties (though it is a function of them). This is where the word “tendency” is unfortunate, for it suggests causation. Note: In this paragraph, Ross uses the terms “prima facie right” and “prima facie wrong.” This links rightness and wrongness to duty. To say that there is a prima facie duty of fidelity is to say that fidelity is prima facie right and infidelity prima facie wrong.

We “apprehend,” as self-evident, the prima facie rightness of “certain types of act” (29), such as fulfilling a promise. In this respect prima facie rightness is like a mathematical axiom or “the validity of a form of inference” (29). “[W]hen we have reached sufficient mental maturity and have given sufficient
attention to the proposition it is evident without any need of proof, or of evi-
dence beyond itself” (29). Moral order, no less than spatial/numerical struc-
ture, is “part of the fundamental nature of the universe” (29). “In both cases
we are dealing with propositions that cannot be proved, but that just as cer-

28. It might be objected that “the principle of returning good for good [i.e., grati-
tude] is a falling off from the Christian principle . . . of returning good for evil”
(30). Ross replies that (a) he is not opposed to the latter (viz., returning good
for evil) and (b) there is, in addition to a duty of gratitude (to particular people),
a duty of beneficence (to people generally). If one cannot help both one’s ben-
efactor (to whom two duties apply) and one’s enemy (to whom one duty ap-
plies), then one should help one’s benefactor. If one cannot both repay one’s
deitor (to whom two duties apply) and be charitable to someone (to whom
one duty applies), then one should repay one’s debtor. “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” (30; italics in original).
Ross is suggesting that special duties (such as gratitude and reparation) are
more stringent than general duties (such as beneficence).

29. We can be certain about “the general principles of duty” (i.e., about the prima
facie duties), but not about “our actual duty in concrete situations” (30). A
statement is certain (i.e., an “expression of knowledge”) when it’s either self-
evident or a valid conclusion from self-evident premises. Neither situation ap-
plies to judgments about particular duties. First, in cases of conflict between
two or more prima facie duties, we are not certain what to do; “we are taking
a moral risk” (30). “[A]ny particular act will in all probability in the course of
time contribute to the bringing about of good or of evil for many human be-
ings, and thus have a prima facie rightness or wrongness of which we know noth-
ing” (31). (Compare actual-consequences utilitarianism.) Second, the conclu-
sion of an argument which has self-evident prima facie principles as its premi-
ses does not follow from them deductively. Judgments of actual duty (i.e.,
duty all things considered) are like judgments of beauty; “we have more or less
probable opinions which are not logically justified conclusions from the gen-
eral principles that are recognized as self-evident” (31).

30. Is it then arbitrary, random, or capricious what we (choose to) do? No.
Though we can’t be certain that we act rightly (and are therefore “fortunate”
[31] when we do), “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” (32). Ross adds
that the same uncertainty attends self-interested action. All we can ever do is
what seems to be to our long-run advantage. Note that Ross is accepting the
indeterminacy of his normative ethical theory. There may be a single right
answer to what it is right to do in a particular situation (cf. Ronald Dworkin’s “right-answer thesis”), in the sense that the gravitational forces are what they are, but we can never know what it is. We are doomed to muddle through, i.e., to do the best that we can with the limited knowledge that we have.

31. Ross addresses the objection that the right act is that act “which on all the evidence available to me I should think to be my duty” (32). This conflates right action and morally good action, where moral goodness consists in doing (what one takes to be) one’s duty for the sake of duty. If I do what the evidence shows to be my duty, I am blameless, but that doesn’t make the act right. It merely shows (assuming I do my duty for the sake of duty) that my act is morally good. (An act can be morally good without being right, just as a belief can be justified without being true. Rightness and truth are objective; moral goodness and justification are intersubjective.)

32. Are the prima facie duties self-evident “from the beginning of our lives” (32)? No. They become self-evident to us in the same way that mathematical axioms do, by generalization from experience. Example: This particular fulfillment of a promise is prima facie right; that particular fulfillment of a promise is prima facie right; therefore, the fulfillment of promises is prima facie right. The belief that a particular act is “actually right” (as opposed to prima facie right) is never more than “an object of probable opinion” (33).

33. The actual rightness of an act “depends on its whole nature and not on any element in it” (33; footnote omitted). Acts (Ross calls them “moral acts”) “always . . . have different characteristics that tend to make them at the same time prima facie right and prima facie wrong” (33). This means that there are always conflicts! “[T]here is probably no act, for instance, which does good to any one without doing harm to some one else, and vice versa” (33-4). Thus, there is “an important difference between rightness and mathematical properties” (33). “A triangle which is isosceles necessarily has two of its angles equal, whatever other characteristics the triangle may have” (33). It is not the case that an act that is prima facie right is necessarily actually right. An act can be prima facie right without being actually right, because prima facie rightness is a parti-resultant attribute and actual rightness is a toti-resultant attribute.

34. BEGIN PART TWO. What is the relation between the attributes “right” and “optimific,” where the latter means “productive of the best possible consequences” (34)? Ross says the relation is not one of meaning (i.e., synonymy). There are two other possibilities. First, they are coextensive, like “equilateral triangle” and “equiangular triangle.” This is Moore’s view. Moore says we apprehend the coextensiveness of the attributes immediately but he “rejects the possibility of any proof of it” (34). Second, there is a “constant connexion”
between the attributes that can be ascertained by inductive inquiry. Ross replies that there are cases (such as keeping a promise) in which doing the right thing does not produce the best possible consequences. Example: I can fulfill a promise to A that produces 1,000 units of good for A, or I can produce 1,001 units of good for B, “to whom I have made no promise” (34-5). All else is equal. Is it self-evident that it is my duty to do the second act? No. “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” (35). (Here we have a threshold, though Ross doesn’t use the term. Moderate deontologists have thresholds. If a promise can be broken for only one additional unit of good, then promises are not being taken seriously.)

35. Change the example so that only A is involved. I have promised A to confer (on A) 1,000 units of good. If I keep the promise, therefore, I benefit A by 1,000 units. However, if I break the promise, I benefit A by 1,001 units. My actual duty is to keep the promise—though “a much greater disparity might justify me in [breaking it]” (35). Example: keeping the promise benefits A by 1,000 units, whereas breaking the promise benefits A by 2,000 units. Ross doesn’t mention it, but A can release me from the promise in order to get the additional unit of good. Rights are waivable.

36. Another problem with utilitarianism is that it is insensitive to justice, understood as “producing a distribution of goods in proportion to merit” (35). Suppose my choice is between conferring 1,001 units of good on B, who is “a very bad man” (35), and conferring 1,000 units of good on A, who is a very good man. Such a slight disparity in good does not outweigh the prima facie duty of justice. (The implication is that a greater disparity—say, 2,000 units of good for B—might outweigh it.)

37. Ross argues as follows: “[I]f 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)” (36). Therefore, by modus tollens, it is not self-evident that the right coincides with the optimific (i.e., “there is no self-evident connexion between the attributes ‘right’ and ‘optimific’” [35]).

38. Can the coextensiveness of the right and the optimific be established inductively? That is, do all the acts that we intuitively believe to be right actually have the best consequences? Such an inquiry would have to be “thorough and extensive” (36). “[T]he 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” (36). So if we have to choose between doing the right thing because it’s right and doing the optimific thing because it’s optimific, we should choose the former. “[T]he question whether [acts] are optimific has no
importance for moral theory” (37).
39. We think that promises ought to be kept, not because of the good consequences of doing so but simply because we have made a promise. “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” (37). The bad consequences of promise-breaking include effects on others as well as on the promisee. Without promises, “each man . . . will have to do everything for himself, to the enormous impoverishment of human well-being” (37).
40. A utilitarian will challenge Ross’s case in which keeping a promise produces 1,000 units of good for the promisee, while breaking it produces 1,001 units of good for someone else. Ross had stipulated that the other effects of the two acts “are of equal value” (38). The utilitarian says the other effects are never of equal value, since keeping a promise strengthens, and breaking a promise weakens, “the system of mutual confidence” (38). Ross replies that this bad effect has already been taken into account. There has to be some case in which the benefit of breaking a promise outweighs the detriment of doing so. “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” (38). Ross says that a promise to a dead man (on a deserted island, say) is still prima facie binding, even if nobody will be affected by keeping or breaking the promise.
41. Ross concludes that “the attributes ‘right’ and ‘optimific’ are not identical” (39). Neither intuition nor deduction nor induction establishes their identity. However (and this is a serious admission), “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” (39). This looks like constrained utilitarianism, i.e., utilitarianism with Nozickian side constraints. The difference between Ross and Nozick is that Nozick’s side constraints are absolute. Ross seems committed to the view that, since there is always more good to be done, for someone, somewhere, the only escape from the duty of beneficence is when some other prima facie duty applies. But see paragraph 54, where Ross clarifies the difference between the utilitarian duty to promote the general welfare and his own duty of beneficence. Paragraph 54 makes it clear that Ross is not a consequentialist, and therefore not (even) a constrained utilitarian.
42. BEGIN PART THREE. Ross proceeds to a discussion of method. It might be objected 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” (39). (This is the debate between methodological conservatism and methodological progressivism.) Ross admits that moral theory has changed people’s moral consciousness, but denies (tacitly)
that it must or ought to. He says he has tried, unsuccessfully, to “get rid of [the] view that promise-keeping has a bindingness independent of productiveness of maximum good” (40). He thinks most people will arrive at the same place. It’s self-evident that there is a prima facie duty of fidelity, but not self-evident that “production of the maximum good is the only thing that makes an act obligatory” (40). It’s “nothing less than absurd” (40) to ask people to repudiate their own moral (or aesthetic) experience in favor of a theory.

43. Ross says that (some of) our moral judgments constitute knowledge and not mere belief (or justified belief). These judgments “form[ ] 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” (40). Compare the utilitarians J. J. C. Smart and Peter Singer, who accord no weight to moral judgments, with the deontologist John Rawls, who, in his method of reflective equilibrium, accords finite weight to moral judgments. Ross accords infinite weight to moral judgments.

44. Natural science and ethics differ in the following respect. In natural science, “what we really think” (40) can be tested by sense-experience. This is not the case in ethics, which furnishes “no more direct way of access to the facts about rightness and goodness . . . than by thinking about them” (40). Natural science : sense-perceptions :: ethics : the moral convictions of thoughtful and well-educated people. “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” (41). Compare ordinary language (J. L. Austin) and the common law. It comes as no surprise that Jeremy Bentham despised all of the following: conventional morality (to be reformed in accordance with the Greatest Happiness Principle), ordinary language (to be replaced with a precise, perspicuous language), and the common law (to be replaced by statutory codes).

45. BEGIN PART FOUR. Ross asks: “[W]hat (if anything) is the universal nature of all acts that are right” (41; italics in original)? The first thing to note is that anything we do has “countless effects, directly or indirectly, on countless people” (41). Most acts, if not all acts (even the right ones), “will have adverse effects . . . on some innocent people” (41). By the same token, “any wrong act will probably have beneficial effects on some deserving people” (41). “Every act therefore, viewed in some aspects, will be prima facie right, and viewed in others, prima facie wrong” (41). Here is Ross’s criterion of rightness:

[R]ight acts can be distinguished from wrong acts only as being those which, of all those possible for the agent in the circumstances, have the greatest balance of prima facie rightness, in those respects in which they are prima facie right, over their prima facie wrongness, in those respects in which
they are *prima facie* wrong—*prima facie* rightness and wrongness being understood in the sense previously explained (41).

No general rules can be laid down concerning comparative stringency—though “a great deal of stringency belongs to the duties of ‘perfect obligation’” (41). These duties are fidelity (“keeping our promises”), reparation (“repairing wrongs we have done”), and gratitude (“returning the equivalent of services we have received”). Judgment (perception) is required. Judgment is “highly fallible, but it is the only guide we have to our duty” (42). Compare paragraph 51.

46. “[A]ny act may be correctly described in an indefinite, and in principle infinite, number of ways. An act is the production of a change in the state of affairs” (42). Here’s a puzzle: “[T]he only changes we can directly produce are changes in our own bodies or in our own minds” (42; italics in original), but something I do directly “is worthless in itself” (42). So “it seems as if what I do has no obligatoriness in itself” (42; italics in original). There are three possible accounts of the matter.

47. The first account says that what is obligatory is aiming at something. But this makes it obligatory to act from a certain motive, and that is impossible. Also, one does not fulfill a promise by aiming to do so, or trying to do so. One fulfills it by doing so. The second account says that what is obligatory is doing what is likely to produce the result. But this suffers from the same problem: one does not fulfill a promise by doing what is likely to fulfill it. One’s duty is to fulfill it. The third account says that what is obligatory is actually producing a certain result. This is utilitarianism. “It says what is right is certain acts, not certain acts motivated in a certain way; and it says that acts are never right by their own nature but by virtue of the goodness of their actual results” (43). These three accounts correspond to (a) motive utilitarianism (subjectivism), (b) probable- (or foreseeable-) consequences utilitarianism (intersubjectivism), and (c) actual-consequences utilitarianism (objectivism). Ross says the third of these is “nearer the truth” (43) than the others.

48. What makes an act right is its nature and not, as utilitarians say, its consequences. “[I]f we ask ourselves whether it is *qua* the packing and posting of a book, or *qua* the securing of my friend’s getting what I have promised to return to him, that my action is right, it is clear that it is in the second capacity that it is right” (44).

49. Ross considers an objection to the effect that events may intervene which prevent the book (which one has borrowed and promised to return) from getting to its owner. His reply is that he has “excluded that case, and any similar case” (45). “I am dealing with the case in which I secure my friend’s receiving the book; and if he does not receive it I have not secured his receiving it” (45). “The attainment of the result proves the sufficiency of the means” (45).

50. Continuing: “It is equally true that non-attainment of the result proves the
insufficiency of the means” (45). Doing one’s duty means doing one’s duty. “Success and failure are the only test, and a sufficient test, of the performance of duty” (45). So if I carelessly pack up the book and it arrives on time, I have done my duty, though I deserve blame for the carelessness; and if I carefully pack up the book and it doesn’t arrive on time, I have not done my duty, though I deserve praise for the carefulness. (In the second case, I must pack up and send a second book.) “[W]e must not mix up the question of right and wrong with that of the morally good and the morally bad” (45). Cf. J. S. Mill.

51. Not all acts of promise-keeping are right, all things considered. All acts of promise-keeping, however, are prima facie right. (We might say that the act’s being the fulfillment of a promise is “the salient element in the ground of its rightness” [46].) Ross repeats his criterion of rightness (without calling it that): “[T]he ground of the actual rightness of the act is that, of all acts possible for the agent in the circumstances, it is that whose prima facie rightness in the respects in which it is prima facie right most outweighs its prima facie wrongness in any respects in which it is prima facie wrong” (46). Compare paragraph 45.

52. Ross summarizes: Suppose I pack and post a book to keep a promise to a friend, and the friend receives it. My act is right qua fulfillment of a promise. It is not right qua packing and posting. The packing and posting is “only incidentally right, right only because it is a fulfillment of promise, which is what is directly or essentially right” (46).

53. All forms of utilitarianism share the view that acts are right “because they will produce certain results” (46). Ross rejects this. “An act is not right because it, being one thing, produces good results different from itself; it is right because it is itself the production of a certain state of affairs. Such production is right in itself, apart from any consequence” (46-7). This is the contrast between consequentialism and deontology.

54. Ross clarifies and sharpens his disagreement with utilitarians. “[M]erely to have established that there are special obligations to do certain things irrespective of their consequences would be already to have made a considerable breach in the utilitarian walls; for according to utilitarianism there is no such thing, there is only the single obligation to promote the general good” (47; italics in original). Ross’s duty of beneficence differs from the utilitarian duty to produce the most good. To the utilitarian, an act that promotes the general welfare is extrinsically right (because of its consequences); to Ross, an act that promotes the general welfare is intrinsically right, like the act of keeping a promise. In other words, Ross’s focus is on the nature of the act, not on the consequences of the act. See paragraph 41.
## Ross's Intrinsic Goods*

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<td>2. “being an instance of being pleased” (107)</td>
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<td>6. Pages 107, 122, 138-9, 140</td>
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*The intrinsically good is best defined as that which is good apart from any of the results it produces* (68).

Bracketed terms are supplied by me. They are the natural contrasts to Ross's terms.