for optimism about the state of philosophy of education. If practitioners could finally give up the habit of chewing dead bones and remember that most education does not take place in schools the future would be a great deal brighter.

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Moral Thinking. By R. M. HARE. (Oxford: OUP, 1981. Pp 242 + viii. Price £11.)

Professor Hare's aim in *Moral Thinking* is to apply his conclusion about the logic of the moral concepts (reached in *The Language of Morals* and *Freedom and Reason*) to the practical question of how to solve our moral problems rationally. Moral judgements are, he claims, universally prescriptive, and this linguistic intuition can provide the basis for a rational moral decision procedure which results in a form of utilitarianism. Appeal to linguistic intuitions is legitimate, for they make no pretence of establishing matters of moral substance – they clarify the meaning of our questions rather than attempting to answer them. Appeal to *moral* intuitions, on the other hand, can play no part in building a rational moral system, because it provides no protection against conditioned prejudice, and no method for adjudicating between conflicting intuitions. Moral intuitions are relevant only in so far as they provide evidence about the true meanings of the moral words: if the moral judgements yielded by our theory coincide to a large extent with the accepted judgements of the community, then we have reason to believe that our linguistic intuitions about the moral concepts are correct.

Hare argues that moral thinking should be done at two levels, the intuitive and the critical. The intuitive level involves making moral decisions by invoking general principles, whilst critical level thinking is to be employed when these general principles conflict, or when we are deciding which to adopt. Since we are not archangels with superhuman powers, it is necessary for us to have such "intuitive" guidelines for our moral thought, both to enable us to make urgent decisions quickly, and also to counter the danger of rationalizing our desires in particular situations. Moral intuitions, if they are to perform these functions, must be learnable and easy to apply, and hence must be simple. If we are to have enough of them to guide our moral thought adequately, it is inevitable that they will conflict in unforeseen situations, and this reveals the necessity of critical thinking to adjudicate between them. Critical thinking can be avoided only at the cost of fanaticism, the irrational elevation of some favoured principles above all others.

Since moral judgements are prescriptive, it is coherent to maintain that they are also descriptive. They do, however, have a lot in common with descriptive judgements, for their logic is universal, and so requires that moral assessment be "supervenient" upon the descriptive properties of the situation concerned. This consistent application of the moral words makes it tempting to conclude that there exist objective moral properties to which they are consistently applied. Intuitionism and naturalism can thus be explained as natural errors, whose occurrence is predicted by, and therefore corroborates, the theory of universal prescriptivism.

Although moral judgements are not factual, this does not imply that there is no rational (critical) procedure for making them. Rational thinking must be done in the light of the facts, and so a rational moral decision is one which approximates as nearly as

possible to that decision which would be made by an archangel apprised of all the relevant facts. Relevance need not be stipulated in advance: a fact is relevant if its non-existence would make a difference to the decision of our omniscient archangel. We, however, are forced by our ignorance and limited capacities to make provisional judgements of relevance, and the most obvious candidates for this are personal desires. Informed moral thinking thus requires knowledge of others' desires, whilst the theoretical problem of how such knowledge is to be possible (a problem attending any moral system which places a value on beneficence) may be solved by the traditional 'argument from analogy'.

In order to represent to myself perfectly another person's desire that X will happen, I must feel an equal desire that X should happen were I in his exact situation. Since moral prescriptions are universal, any moral judgement that I make in the actual situation must apply equally to the hypothetical situation in which our roles are reversed, and in which I take over his desire that X should happen. In prescribing universally for all descriptively identical situations, therefore, I shall take into account both my present desire (say, that X *should not happen*) and also my present desire that X *should* happen were I in different shoes. The stronger desire will win, and if this procedure is generalised, the prescriptions which result will clearly coincide with a form of desire-satisfaction utilitarianism. The rational moral agent will give equal weight to the equal desires of all, and since he is one of those concerned, this weight will be positive. His moral prescriptions will be fashioned to satisfy desires solely in proportion to their strength, and thus to maximise the total satisfaction of desires.

The two-level system outlined in *Moral Thinking* can, according to Hare, be used to rebut many of the criticisms which have been levelled both against universal prescriptivism and against utilitarianism. In particular, he examines from this perspective the claims that the former attempts unsuccessfully to distinguish moral from non-moral prescriptions on purely logical grounds, and that the latter is morally repugnant.

Hare's position in *Freedom and Reason*, that moral judgements are to be characterised solely as universal prescriptions which are overriding, is open to the obvious difficulty that moral principles frequently conflict and hence override each other. Further, it has been objected that a Nazi's overriding prescription for universal extermination of the Jews could not possibly be considered a *moral* prescription, for it is not concerned with, or justified by reference to, human needs and desires. Hare deals with these problems by arguing that *intuitive* moral judgements (which can conflict) are those derived from overriding and universally prescriptive *critical* principles (which cannot). He then points out that rational critical thinking based on such principles, as outlined above, will necessarily involve reference to the satisfaction of human desires.

The most common objection to utilitarianism is that unusual cases can be devised in which it does not square with our moral intuitions. The system of *Moral Thinking*, however, disarms this objection by invoking the distinction between the two levels of moral thought. Critical thinking is not answerable to moral intuitions, for it is itself used to derive them, with the aim of giving the best utilitarian results in the world *as it is*. These intuitions cannot, therefore, be expected to give utilitarian results in unlikely situations where, for example, sadists enjoy more pleasure than their victims suffer pain, or lives are saved by transplanting the organs of a healthy man, or society is improved by 'punishing' the innocent. The simple fact is that these situations do not arise – the pain of torture greatly outweighs even the most extreme sadist's pleasure of

torturing, and is a great deal less alterable by education and conditioning; we can never have sufficient confidence in the success of an operation to justify killing a healthy man (rather than one of those whose life is anyway in peril); "punishment" of the innocent would inevitably produce immense insecurity amongst the members of the society, besides undermining the prevention of crime: if innocence doesn't guarantee safety, then why bother to remain innocent?

Similar remarks apply to the questions of rights, justice, and equality. The utilitarian is not committed to rejecting every rights-based (intuitive) moral code, for such a code can in fact be well adapted for producing utilitarian results, the world and man being as they are. The rules of justice also have a high acceptance-utility, whilst economic equality is rendered desirable by the two factors of envy and the diminishing marginal utility of possessions. Even the distinction between morality and supererogation (related to the question of what others have a right to expect) can be accounted for: demanding too much of ourselves is often in practice unhelpful to others, and we are, no matter how altruistic our motives, best able to satisfy the desires of those we know best, including ourselves.

Just as he rejects any *a priori* distinction between good and evil desires, Hare also sees no need for Mill's distinction between "higher" and "lower" pleasures. "Higher" pleasures are so simply because they give *more* pleasure to those who can appreciate them, and so their superior force is guaranteed by the very structure of rational moral thought. Clearly, long-term utility is best served by encouraging such pleasures, and by educating more people to appreciate them.

Hare's two-level reconciliation of act- and rule-utilitarianism is very powerful, and deals easily with most of the common intuitionist objections to utilitarianism. Doubts will arise mainly with respect to his *a priori* justification of the theory, and the method of critical thinking on which it is based.

It is generally accepted that moral principles must be universal in form – containing no indexical terms. This cannot apply just to the principles of the intuitive level, however, since critical thinking differs from intuitive thinking only in the specificity of its rules, and would replace it entirely in a being of unlimited intellectual powers. Approximating as nearly as possible to the moral thinking of such a being, we must treat other people's desires equally with our own, because true knowledge of another's desire involves representing it to oneself, and properly representing it to oneself involves seeing it as 'mine' through imaginative identification with its owner. The relevance of desires to universal prescriptive thinking is, for Hare, guaranteed by the fact that having a desire is the same as assenting to a prescription. Universalizability demands that we prescribe not only for the actual situation, but also for the hypothetical situations in which we occupy the place of other people. Thus the prescriptive implications of seeing someone as 'I' carry over to the desires of those others with whom one identifies, and whose prescriptions one therefore endorses hypothetically. It follows that one will necessarily find oneself prescribing in a utilitarian fashion.

It is essential to Hare's argument that the moral agent treat his own desires, and hence those of others, "from the inside". In doing his critical thinking, he is not asked to detach himself from them and to see them merely as factual data for a well-informed moral decision: on the contrary, he is expected to continue prescribing their satisfaction *even in his capacity as a moral thinker.* But this would surely run counter to many people's view of the ideal rational moral decision-maker, who would be expected to ignore both his own desires and those of others in favour of moral principles which, although they

might mention the desires of those concerned as relevant *facts*, would nevertheless be quite independent of them for their validity. Moral principles are typically considered to be objectively right whether we like it or not.

Hare's biggest disagreement with the ordinary man will probably be his denial that there are any "objective" moral principles to be considered in our critical thinking. This is, indeed, a vital premise of his argument, for even if he were able to demonstrate the moral relevance of desires, he has produced no reason whatever for treating them as *uniquely* relevant. Having introduced them as plausible candidates for relevance, he introduces no others. Yet objective moral principles, if there were any, would be irresistible candidates themselves.

It is a shame that this matter is dealt with in so cursory a fashion in *Moral Thinking*. The logical case for Hare's form of critical thinking requires a proof that objective prescriptions are incoherent, but we are told simply that moral prescriptions "are imperatives, and it does not make sense to ask whether an imperative . . . states an objective fact, since it does not state any fact. . . . The notion of an objective prescription is an incoherent conflation of the notions (each in itself coherent) of a prescription and the factual statement that it is issued" (p. 84). Hare, it is true, does point out that Mackie's 'argument from queerness' is appropriate to expose a conceptual rather than a factual error in the belief in objective values. But more needs to be said on this important issue. He might, for example, argue from the nature of moral experience in the style of Hume (whose sentimentalism inspires Mackie), for if moral ideas are derived from internal impressions, it will be as incoherent to ascribe them to things outside the mind as it is, at least in Hume's opinion, so to ascribe the idea of necessity. Alternatively Hare might point to the dubious epistemological nature of objective values, and address himself to those who are happy to accept that they can, because of this, play no part in a *rational* moral decision procedure. This approach would have the advantage of enabling him to by-pass the objection made earlier, that his treatment of desires as prescriptions of the moral thinker begs the question of their moral relevance (and indeed appears to ensure in his eyes their *unique* moral relevance). For if there are no "objective" constraints on our moral decisions, then it is surely rational (in the sense of prudent) to choose those principles which will most satisfy our own desires, and hence, given universalizability, the desires of others. On such a view, it would be utterly foolish to treat anything *but* desires as relevant.

Having seen that Hare's method of moral thinking is rather idiosyncratic, it is interesting to ask what motive he can suggest for following it. His answer is that universal prescriptivism may be justified prudentially: the benefits of human society require an interpersonal code of behaviour, while to get on in society one must be seen to conform (of course, this would only justify conformity to the conventional morality, which is *not* utilitarian). Pure prudence is not in one's best interest, because one is likely to betray one's short-term desires in the heat of the moment, when selfishness would be better served by coolly keeping up the pretence of virtue.

Unfortunately, Hare is hoist with his own petard, for the rational (prudent) man has at his disposal an option that is far more reliable than two-level universal prescriptivism, namely, two-level *prudential* prescriptivism. The rational man will critically devise a code of "intuitive" prescriptions for himself which will, in general, give the appearance of moral orthodoxy, but only in so far as moral orthodoxy is in his own interest. In difficult or unusual situations, for example, he will have no reason whatever to resort to moral *universal* critical thinking, but will employ prudential critical thinking to his best

advantage. Never need he be committed to sacrificing himself for others: when death or serious injury is in question the critical thinking will come to his aid. He will have all the advantages of quasi-moral universal *intuitive* principles, but none of the disadvantages, since his critical thinking will design them with precisely this in mind.

If we do not in fact think like this two-level prudentialist, it is largely because we are brought up to judge by the interpersonal, universal standards of the community, enshrined in the very language in which we think. We see these standards as objective rather than as designed, and it is precisely for this reason that they are effective. Virtue is, according to Voltaire, a "universal and necessary" prejudice. Perhaps this is just as well, for if anyone were rationally to *choose* the prescriptions by which he lived, he would probably not be moral, and would certainly not be a utilitarian.

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Rights. By M. BENDITT. (Totowa: Rowman & Littlefield, 1982. Pp. 148.)

This essay on rights is partly devoted to an examination of the nature of a right and partly to a discussion of the bases of certain rights, particularly those of beneficence and of state welfare, with rather more space given to the substantive than to the conceptual issues. It also contains a consideration of the place of rights in moral debate as a whole, with special relevance to utilitarianism and to various attempts to account for the existence of moral conflicts. The final chapter on legal rights is mostly confined to the question whether there is a legal duty to rescue anyone in distress and whether there is a legal right to government largesse.

On the substantive questions of what things one has a right to and on what basis one rests the claim to any such rights the author is generally sensible, moderate and humane, though, by the nature of the case, unable to offer knockdown proofs to convince any reader of a different persuasion.

On the conceptual issues, he makes many points with which this reviewer agrees. For instance, that rights do not necessarily imply nor are implied by duties, that the ideas of *ought* and *obligation* are importantly different, that there is no reason to suppose that there is only one ultimate principle by which all moral conflicts must in the end be decided.

On the other hand, there are important issues which the author either neglects, treats too cursorily or is wrong about. There is, for instance, no discussion of the kinds of things which can have rights, e.g., incapacitated or as yet unborn humans, animals or nature; or of the conceptual relations between rights, powers and privileges. Nor, despite his substantive treatment of the bases of certain rights and his short discussion of various theories of rights, is there any full examination of the commonly alleged conceptual sources of rights, e.g., in what is good, beneficial, in one's interest, needed, etc. And, as with current discussions of rights, his contentment to feed on a one-sided diet of examples distorts his theory. What about the right to assume, expect, hope, feel indignant, criticise, punish, complain, etc.? A bite of some of these may cure us of some of our theses about rights and duties, about claims, about the necessity of society, about interests, etc.

The author's too cursory treatment of certain key points can be illustrated from his