

# What Makes Right Acts Right?

W. D. Ross

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W. D. Ross (1877–1971) developed a truly novel moral theory in his book *The Right and the Good* (1930), from which this selection is taken. He found something attractive about both utilitarianism and Kantianism, the major theoretical competitors of his day, but found that each had a major flaw. Ross applauded utilitarianism's emphasis on benevolence, but rejected its idea that maximizing goodness is our sole moral duty. Kantianism, on the other hand, preserved the attractive idea that justice is independently important, but erred in claiming that the moral rules that specify such duties are absolute (never to be broken).

Ross created a kind of compromise theory, in which he identified a number of distinct grounds for moral duty (benevolence, fidelity to promises, truth-telling, avoiding harm, gratitude, justice, reparation). Each of these is a basis for a *prima facie* duty—an always-important reason that generates an “all-things-considered” duty, provided that no other reason or set of reasons is weightier in the situation. In other words, it is sometimes acceptable to violate a *prima facie* duty.

But when? We cannot offer a permanent ranking of these *prima facie* duties. Sometimes, for instance, it is right to promote the general happiness even if we have to commit an injustice to do so. But at other times, the balance should be struck in the opposite way.

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W. D. Ross, “What Makes Right Acts Right?” from *The Right and the Good* (1930), pp. 16–32.  
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Ross insisted that these *prima facie* duties are self-evident. Here he offers some very influential (and controversial) remarks on how we can gain moral knowledge, both of the moral principles themselves and of the correct verdicts to reach in particular cases.

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The point at issue is that to which we now pass, viz. whether there is any general character which makes right acts right, and if so, what it is. Among the main historical attempts to state a single characteristic of all right actions which is the foundation of their rightness are those made by egoism and utilitarianism. But I do not propose to discuss these, not because the subject is unimportant, but because it has been dealt with so often and so well already, and because there has come to be so much agreement among moral philosophers that neither of these theories is satisfactory. A much more attractive theory has been put forward by Professor Moore: that 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.

This theory is in fact the culmination of all the attempts to base rightness on productivity of some sort of result. The first form this attempt takes is the attempt to base rightness on conduciveness to the advantage or pleasure of the agent. This theory comes to grief over the fact, which stares us in the face, 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. Plato and others may be right in holding that a regard for the rights of others never in the long run involves a loss of happiness for the agent, that 'the just life profits a man.' But this, even if true, is irrelevant to the rightness of the act. As soon as a man does an action *because* he thinks he will promote his own interests thereby, he is acting not from a sense of its rightness but from self-interest.

To the egoistic theory hedonistic utilitarianism supplies a much-needed amendment. It points out correctly that the fact that a certain pleasure will be enjoyed by the agent is no reason why he ought to bring it into being rather than an equal or greater pleasure to be enjoyed by another, though, human nature being what it is, it makes it not unlikely that he will try to bring it into being. But hedonistic utilitarianism in its turn needs a correction. On reflection it seems clear that pleasure is not the only thing

in life that we think good in itself, that for instance we think the possession of a good character, or an intelligent understanding of the world, as good or better. A great advance is made by the substitution of 'productive of the greatest good' for 'productive of the greatest pleasure.'

Not only is this theory more attractive than hedonistic utilitarianism, but its logical relation to that theory is such that the latter could not be true unless it were true, while it might be true though hedonistic utilitarianism were not. It is in fact one of the logical bases of hedonistic utilitarianism. For the view that what produces the maximum pleasure is right has for its bases the views (1) that what produces the maximum good is right, and (2) that pleasure is the only thing good in itself. If, therefore, it can be shown that productivity of the maximum good is not what makes all right actions right, we shall *a fortiori* have refuted hedonistic utilitarianism.

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

If, so far as I can see, I could bring equal amounts of good into being by fulfilling my promise and by helping some one to whom I had made no promise, I should not hesitate to regard the former as my duty. Yet on the view that what is right is right because it is productive of the most good I should not so regard it.

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

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

I suggest '*prima facie* duty' or 'conditional duty' as a brief way of referring to the characteristic (quite distinct from that of being a duty proper) which an act has, in virtue of being of a certain kind (e.g. the keeping of a

promise), of being an act which would be a duty proper if it were not at the same time of another kind which is morally significant. Whether an act is a duty proper or actual duty depends on *all* the morally significant kinds it is an instance of.

The phrase '*prima facie* duty' must be apologized for, since (1) it suggests that what we are speaking of is a certain kind of duty, whereas it is in fact not a duty, but something related in a special way to duty. Strictly speaking, we want not a phrase in which duty is qualified by an adjective, but a separate noun. (2) '*Prima facie*' suggests that one is speaking only of an appearance which a moral situation presents at first sight, and which may turn out to be illusory; whereas what I am speaking of is an objective fact involved in the nature of the situation, or more strictly in an element of its nature, though not, as duty proper does, arising from its whole nature.

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

1. Some duties rest on previous acts of my own. These duties seem to include two kinds.
  - A. Those resting on a promise or what may fairly be called an implicit promise, such as the implicit undertaking not to tell lies which seems to be implied in the act of entering into conversation (at any rate by civilized men), or of writing books that purport to be history and not fiction. These may be called the duties of fidelity.
  - B. Those resting on a previous wrongful act. These may be called the duties of reparation.
2. Some rest on previous acts of other men, i.e. services done by them to me. These may be loosely described as the duties of gratitude.
3. Some rest on the fact or possibility of a distribution of pleasure or happiness (or of the means thereto) which is not in accordance with the merit of the persons concerned; in such cases there arises a duty to upset or prevent such a distribution. These are the duties of justice.
4. Some rest on the mere fact that there are beings in the world whose condition we can make better in respect of virtue, or of intelligence, or of pleasure. These are the duties of beneficence.

5. Some rest on the fact that we can improve our own condition in respect of virtue or of intelligence. These are the duties of self improvement.
6. I think that we should distinguish from (4) the duties that may be summed up under the title of 'not injuring others.' No doubt to injure others is incidentally to fail to do them good; but it seems to me clear that non-maleficence is apprehended as a duty distinct from that of beneficence, and as a duty of a more stringent character.

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

If the objection be made, that this catalogue of the main types of duty is an unsystematic one resting on no logical principle, it may be replied, first, that it makes no claim to being ultimate. It is a *prima facie* classification of the duties which reflection on our moral conviction seems actually to reveal. And if these convictions are, as I would claim that they are, of the nature of knowledge, and if I have not misstated them, the list will be a list of authentic conditional duties, correct as far as it goes though not necessarily complete. The list of *goods* put forward by the rival theory is reached by exactly the same method—the only sound one in the circumstances—viz. that of direct reflection on what we really think. Loyalty to the facts is worth more than a symmetrical architectonic or a hastily reached simplicity. If further reflection discovers a perfect logical basis for this or for a better classification, so much the better.

It may, again, be objected that our theory that there are these various and often conflicting types of *prima facie* duty leaves us with no principle upon which to discern what is our actual duty in particular circumstances. But this objection is not one which the rival theory is in a position to bring forward. For when we have to choose between the production of two heterogeneous goods, say knowledge and pleasure, the 'ideal utilitarian

offered, that one of the goods is the greater; and this is no better than a similar opinion that one of two duties is the more urgent. And again, when we consider the infinite variety of the effects of our actions in the way of pleasure, it must surely be admitted that the claim which *hedonism* sometimes makes, that it offers a readily applicable criterion of right conduct, is quite illusory.

I am unwilling, however, to content myself with an *argumentum ad hominem*, and I would contend that in principle there is no reason to anticipate that every act that is our duty is so for one and the same reason. Why should two sets of circumstances, or one set of circumstances, not possess different characteristics, any one of which makes a certain act our *prima facie* duty? When I ask what it is that makes me in certain cases sure that I have a *prima facie* duty to do so and so, I find that it lies in the fact that I have made a promise; when I ask the same question in another case, I find the answer lies in the fact that I have done a wrong. And if 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.

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

Something should be said of the relation between our apprehension of the *prima facie* rightness of certain types of act and our mental attitude towards particular acts. It is proper to use the word 'apprehension' in the former case and not in the latter. That an act, *qua* fulfilling a promise, or *qua*

effecting a just distribution of good, or *qua* returning services rendered, or *qua* promoting the good of others, or *qua* promoting the virtue or insight of the agent, is *prima facie* right, is self-evident; not in the sense that it is evident from the beginning of our lives, or as soon as we attend to the proposition for the first time, but in the sense that when we have reached sufficient mental maturity and have given sufficient attention to the proposition it is evident without any need of proof, or of evidence beyond itself. It is self-evident just as a mathematical axiom, or the validity of a form of inference, is evident. The moral order expressed in these propositions is just as much part of the fundamental nature of the universe (and we may add, of any possible universe in which there were moral agents at all) as is the spatial or numerical structure expressed in the axioms of geometry or arithmetic. In our confidence that these propositions are true there is involved the same trust in our reason that is involved in our confidence in mathematics; and we should have no justification for trusting it in the latter sphere and distrusting it in the former. In both cases we are dealing with propositions that cannot be proved, but that just as certainly need no proof.

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



self-evident premisses. The only possible premisses would be the general principles stating their *prima facie* rightness or wrongness *qua* having the different characteristics they do have; and even if we could (as we cannot) apprehend the extent to which an act will tend on the one hand, for example, to bring about advantages for our benefactors, and on the other hand to bring about disadvantages for fellow men who are not our benefactors, there is no principle by which we can draw the conclusion that it is on the whole right or on the whole wrong. In this respect the judgement as to the rightness of a particular act is just like the judgement as to the beauty of a particular natural object or work of art. A poem is, for instance, in respect of certain qualities beautiful and in respect of certain others not beautiful; and our judgement as to the degree of beauty it possesses on the whole is never reached by logical reasoning from the apprehension of its particular beauties or particular defects. Both in this and in the moral case we have more or less probable opinions which are not logically justified conclusions from the general principles that are recognized as self-evident.

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

The general principles of duty are obviously not self-evident from the beginning of our lives. How do they come to be so? The answer is, that they come to be self-evident to us just as mathematical axioms do. We find by experience that this couple of matches and that couple make four matches, that this couple of balls on a wire and that couple make four balls; and by reflection on these and similar discoveries we come to see that it is of the nature of two and two to make four. In a precisely similar way, we see the *prima facie* rightness of an act which would be the fulfilment of a particular promise, and of another which would be the fulfilment of

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

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

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

It would be a mistake to found a natural science on 'what we really think,' i.e. on what reasonably thoughtful and well-educated people think about the subjects of the science before they have studied them scientifically.

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

### W. D. Ross: What Makes Right Acts Right?

1. Ross begins by considering the view that the right action is the one that is "productive of more *good* than could have been produced by any other action open to the agent." What objections does he offer to this view? Do you think they are good ones?
2. Ross also considers Kant's view, according to which there are certain moral rules that must be followed without exception. What does Ross think is wrong with this theory? Do you agree with his criticism?
3. What does Ross mean by "*prima facie* duties," and how do these differ from "duty proper"? How does he think we should use our knowledge of *prima facie* duties to determine what our duty is in a particular situation?
4. How does Ross think we come to know *prima facie* duties? Do you find his view plausible?
5. What reasons does Ross give for his claim that we can never be certain about what the right thing to do is in a particular situation? Do you agree with him about this?

6. Ross claims that “the moral convictions of thoughtful and well-educated people are the data of ethics just as sense-perceptions are the data of a natural science.” Is beginning with our own moral convictions the best way of doing ethics, or do you think there is a better way?