

***'The principle of universalisability...is not the guaranteed touchstone for all moral decisions but merely the expression of the minimal requirement of consistency' (4/80). – Discuss***

*If I were Fortune which I'm not, B should enjoy A's happy lot,  
And A should die in miserie, That is, assuming I am B.*

*But should A perish? That should he, (Of course, assuming I am B).  
WS Gilbert*

There is widespread agreement that the idea of universalizability points to an essential feature of moral thought. In order to enter into ethical judgement, or debate, consistency seems to be necessary. For example, most religions have some form of the Golden Rule, which could be summarised in the phrase "do as you would be done by". The Christian Bible expresses it thus; "treat others as you would like them to treat you" (Luke New English Bible), but similar phrases also occur in other religions, and are used in many non-religious contexts. In its most well known, and most austere form, the requirement of universalizability is stated by Kant, in his first formulation of the categorical imperative as;

*"Act only according to that maxim whereby you can, at the same time, will that it should become a universal law."*

Other important work on the underlying grounding of moral judgements has been done by Hare; - " I have been maintaining that the meaning of the word 'ought' and other moral words is such that a person who uses them commits himself thereby to a universal rule."

If it is right for a particular person A to do an action X, then it must likewise be right for any person exactly like A, or like A in the relevant respects, also to do X. Furthermore, if A is right in doing X in this situation, then it must be right for A to do X in other relevantly similar situations. Whilst a moral judgement may concern a particular subject in a particular situation, it must supervene upon general features of the situation, that can in principle occur in other cases. This paraphrases what Hare has to say on the matter.

It therefore seems reasonable to assume that universalizability is sufficient to guarantee that an imperative will be consistently applicable to all relevant moral agents. However, to assert the importance of the principle is not the end of the matter; we need to be a little bit more specific than to just make a bald statement of its necessity.

Hare discusses the following necessary principles to establish some kind of universalizability.

(1) 'Ought'-judgments (and value-judgements in general) are made on a criterion. If the same criterion is satisfied, the same judgment must be made. So as long as a value-judgment is made on a criterion, it is implicitly universal.

(2) 'Ought'-judgments, and value-judgements in general must be supported by a reason, and the same judgment must be made whenever the same reason holds.

These conditions support a 'weak' universalizability. In addition, if we satisfy the third condition stated by Hare;

(3) It must be possible to remove all words which make individual references and replace them with semantically universal words

Then we have established a 'strong' universalizability.

It is not immediately obvious whether a weak or strong universalizability is required for us to make moral judgements. Most writers, Mackie included, have maintained that a strong version is required. When I make moral prescriptions, I am committed to a substantive moral judgment about all similar cases. This includes hypothetical cases in which I am in a different position from my actual one. So I must put myself in the position of *all* those affected by my action. Whether I can accept the judgment – that is, whether I can prescribe it universally – depends on whether I could accept it if I had to live the lives of all those affected. This does seem to suppose the strong version of universalizability.

The presence of universalizability also only gets us to the position whereby we have the authority to make moral prescriptions. We still have problems as to the interpretation of the universal rule. In order to be consistent, do we need to apply our rule equally to all those affected? Here we may bear in mind that universal application of our precept need not entail that we must always apply it with equal force; there is still scope for arguing that tailoring the rule to individual circumstances is possible without losing the virtue of consistent moral judgement. There is also the vexed question of moral dilemmas; what should we do when two or more universal rules appear to require contradictory action? Also, we will inevitably come up against the problem of specially deserving cases;

is Mother Theresa deserving of more consideration than a convicted criminal?

Hare "solved" this problem by arguing that the nature of "ought" statements plus the nature of different human circumstances led to a two-stage version of preference utilitarianism. Kant would no doubt have been apoplectic to discover that his categorical imperative leads inexorably to an acceptance of utilitarianism!

Utilitarianism is implied because to sincerely assent to an ought claim is to prefer that the thing in question be done, even if one had to occupy, successively, the positions of each and every one of the persons involved. The two stage version arises because we need

1. Intuitive level moral principles – quick rules to enable us to decide what to do
2. The ability to think critically and apply correct moral principles, across time and varying circumstances.

For 1. Hare argues that we use "rule" utilitarianism, while for 2. we use "act" utilitarianism.

The problem arises in the detailed interpretation of universal rules. Human beings vary in their ability to apply reason to detailed situations. Applying quick intuitive rules is one thing, but detailed interpretation is quite another. We may require the detachment of an ideal observer (Hares "archangel"), or a detached "view from nowhere".

Hares views do not easily apply to ideals. It is easy to conceive, in a consequentialist view of ethics, how we might maximise preferences, but how do we treat ideals? Is it possible to regard an ideal as just another preference? It may be that we regard an ideal as having strong substantive content in itself, capable of trumping mere preferences.

Similarly, we may quite reasonably speculate as to how the principle of universalizability would handle the problem of the sincere fanatic. The "sincere Nazi" is often invoked here; the fanatic who holds that killing all Jews is necessary, and is willing to accept that he also be killed if it happened that he had Jewish blood. Lest this be thought purely fantasy, we should recall Hannah Arendt's account of the Eichmann trial. Eichmann correctly quoted Kant, and stated in evidence that he had tried to live according to the principle of the categorical imperative. In the case of the fanatic, we would probably be content to assert that the intensity of the desire of the single fanatic to achieve some outcome can never be great

enough to trump the combined intensity of all those involved to avoid this outcome. This is a messy answer, but it is the best we are likely to get.

In conclusion, we could say that universalizability is a necessary quality of moral prescriptions; without it such prescriptions will not have the force they require. Universality helps to provide a reason for making moral judgements; sometimes it is regarded as the reason itself. However, universalisability is not sufficient to guarantee moral gravitas; we appear, as moral agents to require something extra. Sometimes, the very universalization of a precept can create anxiety. Consider, for instance, an attempt to formulate a principle to allow the terminally ill to take advantage of "assisted dying". Many will express anxiety about such a universal principle, unless they have some idea about how it will apply in all possible cases. Regarding people as equals does not imply that we treat them equally. A common form of statement is to say "I agree in principle but.....". Perhaps Hare is correct after all in saying that we need two levels of reason to cope with moral thought; one at the lofty level of universal principles, and another to cope with applied ethics.