

GOVERNMENT ACTION & MORALITY

some
principles
and
concepts
of liberal
democracy

by R S Downie

ing of fl.
Mental condition of confidence, and the
courage, zeal, hope, moral-ist, n. One who
like.—Moralist, a writer or lecturer on
teaches morals; a writer or practises
ethics; one who inculcates or practises
moral duties.—Morality, mō-ral'i-ti, n.
[moralité.] The doctrine of moral
ness; morals; ethics; the practice of the
moral duties; virtue; moral character or
morality; the quality of an action, as esti-
mated by a standard of right and wrong; a
kind of drama among our forefathers in
which the personages were abstractions or
allegorical representations of virtues, vices,
—Moralize, mor'al-iz, v.t. moralized,
—izing. To apply to a moral purpose;
—v.i. To make moral

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Some Principles and Concepts
of Liberal-Democracy

By

R. S. DOWNIE

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at the University of Glasgow*

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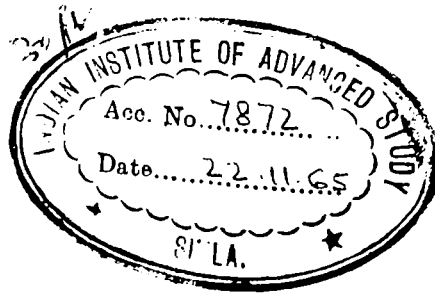


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To Eileen

PREFACE

This book is intended for anyone interested in the relationship between government action and morality in a liberal-democracy. Parts of the argument have already appeared in *The Philosophical Quarterly* (October 1961) and *Philosophy* (January 1964) and I am indebted to the editors and publishers of these journals for permission to make use of the material. In adapting and developing my arguments for this book I have been conscious of the interests of the general reader and have tried to keep my discussion free from technical terms and to illustrate the main points with examples taken from the national Press. Any suggestion of political bias in the examples is accidental since my concern is with general principles. These are intended to hold for all liberal-democracies, although I discuss them here in terms of British political institutions. In the inevitable delay between writing and publication the examples may lose their topicality, but it is to be hoped that, like the newspapers which line drawers and shelves, dated examples will have their own fascination.

I am indebted to a large numbers of friends and colleagues who have helped me in the writing of this essay. In particular, Professor W. G. Maclagan, to whose inspiring teaching I owe my first interest in moral philosophy, has guided and encouraged me. Thanks are due also to Dr. W. D. Lamont and Mr. H. J. N. Horsburgh who read and provided helpful criticisms of the text. Professor Graeme Moodie of the University of York found time in the crowded life of a Visiting Professor at Princeton to read my manuscript and save me from some of the blunders to which a philosopher is liable when he pronounces on political theory. Among the many students who have unwittingly helped me to formulate my thoughts mention must be made of Miss Mavis Brownlee who has endured most of the book in the name of tutorials. Finally, my wife has patiently listened to all of it in the

name of conversation, and has retaliated only to the extent of pointing out and removing errors of style and substance. The help I have received from these friends and many others merits more than a signed copy of the book.

R. S. DOWNIE

Glasgow 1963

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CHAPTER I

THE AIM AND THE APPROACH

1. Purpose of the Enquiry

The question of the relationship between government action and morality has often been raised recently in public and private discussion, but generally from the point of view of specific issues or immediate expediencies: philosophical analyses of the whole problem are less common, and, even were they more common than they are, the matter is sufficiently important to merit many attempts at investigation. I shall therefore try to clarify the problem by philosophical analysis and to suggest the nature of the connections which hold in the democratic state between government action and morality.

The pursuit of this aim involves certain risks. One may be accused of failing to create a vivid impression of the complex pressures and conflicting loyalties which affect the practical politician. The reply to the charge is that only those with a great deal of first-hand experience of political life can hope to describe realistically what it feels like to be faced with a grave and complex situation in which a moral decision must be made, and the philosopher is not to be blamed if he does not presume to try. In a similar way (if the comparison is not invidious) a psychiatrist may describe the behaviour of a neurotic in a detached manner without attempting to convey, as a novelist might, the restless compulsions felt by the neurotic. Again, one may be charged with over-simplifying the issues in the examples discussed. My aim, however, is to compensate for loss in realism by gain in clarity, and I shall try to achieve clarity by concentrating on the general principles underlying particular predicaments and stating them in as detached a manner as possible. Even if an attitude of detachment is granted as legitimate, however, one may still be accused of talking nonsense on matters of political theory, of engaging in

disguised political propaganda or of failing in logical rigour. But all of these are merely occupational hazards to which the philosopher is always open, and the problem with which I have chosen to deal is of such importance that the risk of appearing silly is worth taking. I shall begin by considering why government actions affect us so deeply.

Government actions readily put us into a critical frame of mind, for reasons which emerge if we consider some of their main features. To begin with, the actions of a government affect a large area of our lives, and affect it profoundly. Some examples of this come immediately to mind: its economic policies impinge on our private finances, and its foreign policies may plunge us into war. A moment's reflection is sufficient, moreover, to multiply the examples indefinitely: transport, education, health, even scientific research, ancient monuments and ordnance survey are all influenced directly or indirectly by government action.

But our readiness to criticise the government is due not merely to the area of our lives which can be significantly affected by it. We are apt to criticise the government also because we feel responsible for its actions. There are two senses in which this is so. In the first place, in a democracy we take on ourselves responsibility for a government's actions because we put it in power. This is obviously the case where the party for which we voted was elected: we want to see it successfully implement the policies in which we believe, and we criticise it when it fails to do this. But even when, from our point of view, the wrong party is elected we still regard ourselves as partly responsible for government action: we identify ourselves with the opposing party for which we did vote, and consequently with the attempts of this party to minimise the alleged errors of the government and to modify its seemingly mistaken policies. Thus we do participate, however indirectly, in the process of government and to that extent see ourselves as responsible for government action. Naturally, then, we criticise the government as we would criticise any agent for whom we are responsible. But there is a second sense in which we feel responsible for government action and are thus prone to criticise. In this

sense the government is vaguely thought to represent us, in that its actions reflect the values of our way of life. This is particularly true of the foreign policy of a government: we want the government's actions to be characteristic of what is best in our way of life. When we believe that the government has failed in this respect our criticisms of it are particularly vehement. Thus, some people said at the time of Suez that the government had betrayed our values. If responsibility in the first sense is like that which we have for our legal agents, responsibility in the second sense is like that which we feel for the actions of a member of our own family or a close friend. In the one case we feel responsible because we have in a sense authorised the action on our behalf, and in the other case we feel responsible because it is as it were a part of us that is acting.

There is one final reason for our readiness to criticise the government, and it gives more force to the others: the mistakes of a government, at least in a democracy, are widely publicised. In Britain there is an official opposition, the business of which is to scrutinise and expose every dubious detail of government action. This process is aided by a more or less free radio and Press which both report and discuss government action, thereby providing information for every coffee-room politician. If it is the case, then, that we are not only deeply affected by government action but are also deeply implicated in it, it is not surprising that we frequently engage in political criticism, and that this criticism is 'felt on the pulses'.

'Political criticism' is a broad term, however, and it covers criticisms of many different types which have little in common except their target. For example, we may criticise government action from the point of view of its legality, its expediency or its efficiency, and these are all frequent and legitimate forms of political criticism. In this book, however, I shall discuss mainly political criticisms made from the point of view of morality. This is worth doing because, although criticisms of this kind are often heard at the present time, their precise force is not always clear: they are made in a wide variety of contexts and it is not obvious what general principles, if any, are implicit in them. For example,

we may say that the government ought not to have bombed Cairo, that it ought to give more assistance to refugees, that it ought to impose economic sanctions on South Africa, that it ought to do more for old age pensioners, that it ought to create the role of an Ombudsman, that it ought to abolish capital punishment, that over a certain issue a certain government ought to have resigned and so on. Moreover, any attempt to formulate the general moral principles lying behind such criticisms must also counter two objections. On the one hand, it can be argued that government actions are not open to moral praise or blame, since they are the products of complex forces or pressures whereas only actions performed by individual agents are proper subjects for moral assessment. On the other hand, a different kind of opposition is based on the view that the existence of a government can be justified only in so far as it furthers the interests of the people it governs. On this basis it is argued that a government should not be concerned with moral issues but only with those of national self-interest. Hence, if a government claims to be acting with moral motives, according to this view it must be either hypocritical or failing to fulfil its function.

It is obvious from this brief survey of the relationships between government action and morality that questions of many different kinds are involved. Any attempt to answer the questions will therefore depend for its success on the clarity with which the questions have first been stated and distinguished, and the kind of answers given to the questions will depend on the view finally adopted as to the nature and function of a government. But since there are many views on the nature and function of government the answers one gives to the question of the relationship between morality and politics will be valid only within a given tradition: they will be determined by whether the political tradition with which one is dealing is, for example, liberal-democratic or Marxist. Moreover, if one's views on the relationship between morality and government depend on one's views on the nature of government, no less do they depend on one's views on the nature of morality. For example, moral criticisms of liberal-democratic governments are made not only from within that tradition but

also from the point of view of Marxist ethics or Natural Law ethics. Moral criticisms of this kind, which emanate from a different tradition, are apt to seem misplaced to those criticised. The criticisms seem to be based on more or less perverse misunderstanding of what is at stake morally or politically. For these two reasons I have confined my analysis to the liberal-democratic tradition in both morality and politics.

It should be noted, however, that what I have called the liberal-democratic tradition in morality and politics cannot be identified with the actual moral and political tradition in Britain or any other given community. No one real-life moral or political system will exhibit in their purity all the features which I shall attribute to the liberal-democratic tradition. In Britain, for instance, the contemporary 'common sense' morality is the product of more than just Kant's principle of respect for persons or Mill's principle that persons ought to be allowed to do as they like so long as they are not interfering with anyone else. In Britain the ordinary person's moral views are much influenced by traditional Christian teachings, by the residue of courtly traditions of chivalry and by folk traditions more ancient and primitive than either of these. Similarly, the nature and function of government in Britain can by no means be exhaustively explained by any simple conceptions of consent, contract or national self-interest: the accretions of centuries of political thinking and action are to be found reflected in the actual practices and procedures of the British government. Hence, any attempt to build up a picture of morality or politics in terms only of the liberal-democratic tradition must be subject to the important qualification that no actual moral or political system answers exactly to such a description. But it may still be true, nevertheless, that such an idealised picture will enable us to understand the rambling structures which are our actual moral and political systems. To understand the complexity of real-life systems, in short, we need the aid of a simple model; this is as true in philosophy as it is in science. Thus, in the first step of my attempt to clarify the relationship between morality and politics I shall construct by philosophical analysis a simple model of morality and politics in terms of the liberal-democratic tradition.

The nature of this aim emerges more clearly in an examination of what I shall mean by philosophical analysis.

2. Philosophical Analysis

Activities of so many different sorts have been associated with the term 'philosophy' throughout the centuries that it is impossible to isolate one as the only proper form of philosophical activity and produce historical justification for such a stipulation. But, despite the diverse nature of the activities which have come to be associated with the term 'philosophy', there are three kinds of activity which are particularly characteristic of moral and political philosophy. At least there are three forms of philosophical activity which are to be found in the works of those who are universally admitted to be great moral or political philosophers. These activities are clarification, recommendation and justification, and I shall consider them in order.

(a) *Clarification and Recommendation*

Clarification, and especially the clarification of concepts, is the form of philosophical activity which is most respectable at the moment. Now the view that conceptual clarification is an important philosophical procedure is by no means new: most philosophers have attempted to clarify their problems by clarifying the concepts through which the problems were posed. Bishop Butler, for example, in the second of his *Sermons* (1), says that he will explain what is meant by 'nature' when it is said that virtue consists in following nature and vice in deviating from it. What are new in the contemporary scene in Britain and America are the further claims that philosophy has no function other than that of clarification, and that clarification can properly proceed only by linguistic analysis. Such claims arise out of a desire to make philosophy a neutral activity which does not express the moral or political preferences of the philosopher. It is worth noting that the extreme claims are not made by all practitioners of linguistic analysis, nor indeed by some of the most distinguished. Thus, Mr. P. F. Strawson writes (2): 'Up to a point, the reliance upon a

close examination of the actual use of words is the best, and indeed the only sure way in philosophy. But the discriminations we can make, and the connexions we can establish, in this way, are not general enough and not far-reaching enough to meet the full metaphysical demand for understanding.' Even if we restricted philosophical activity to conceptual clarification, however, it is doubtful whether we could maintain the pretence of neutrality that is one of the main reasons given for the restriction. Successful clarification in fact involves an element of recommendation, and convincing recommendation involves clarification.

Consider first of all the claim that conceptual clarification involves an element of recommendation, and take the case of someone who is attempting to clarify the concept of duty by means of linguistic analysis. He begins by listing all the actual usages of the term that he can find in ordinary speech and in the law. But a list of usages by no means constitutes a clarification: some usages may well conflict with others. For example, in one usage of 'duty' an action can be a duty only if the person *can* perform it — 'ought' implies 'can'. But in another equally common usage a duty remains a duty whether or not the person can perform it. Thus, the motorist has a duty to stop at a pedestrian crossing whether or not, on a given occasion, he can do so. Any honest reporting of the facts of usage must record such discrepancies, but clarification of the concept of duty is not thereby achieved. Conceptual clarification in fact is concerned not merely with recording usage but with ordering it. There are, however, different principles in terms of which usage may be ordered. One way of organising different, or even conflicting, senses of a concept is to isolate a primary or fundamental sense of that concept and to explain how the others derive from it. Before this can be done, however, we require some way of identifying the primary sense. It would not be satisfactory to say that the primary sense of a term is the sense in which it is most commonly used, since usage-frequency is hard to estimate and will fluctuate. Etymology is suggestive when one is deciding the primary sense but it is not the final arbiter: in some cases the etymology of a term may be uncertain, and anyway it is not clear from the philosophical point of view what is to count as

the etymology of a word, whether the Latin or Old English root or the more basic Indo-European. Another method sometimes suggested for deciding the primary sense of a term is the consideration of how one would teach the term to a child or foreigner. It is assumed that the primary sense of a term is that sense of it which it does not share with any other term, and hence that in teaching its use one will teach its primary use. But there is no one way of teaching the meaning of a term, and anyway we must first decide the primary sense and then teach it; we do not decide the primary sense of the term by observing how we teach it.

A more promising line is to assume that, if a concept has different senses, connections, more or less systematic, will hold among these senses. It then becomes possible to argue that the primary sense of a concept is that sense which, when taken as primary, enables us to articulate the other senses in the simplest, most economical and most comprehensive pattern. In other words, the primary sense of a concept will be that in terms of which the other senses can be explained by such processes as metaphor, analogy, stretching of meaning and the like. Further, if one accepts this method of deciding which sense of a multi-functional concept is primary, one can then regard methods of teaching, considerations of etymology and, to a lesser extent, of frequency as helps in organisation. A similar view may have been held by Aristotle. He writes (3), 'There are many senses in which a thing may be said to "be", but they are related to one central point, one definite kind of thing, and have not merely the epithet "being" in common. Everything which is healthy is related to health, one thing in that it preserves health, another in that it produces it, another in the sense that it is a symptom of health, another because it is capable of it. And that which is medical is relative to the medical art, one thing in the sense that it possesses it. . . .' Conceptual clarification thus involves the ordering of usages from a stipulated centre, and this is not a neutral procedure. The picture that emerges of the concept may be in perspective, but it is still a picture from a given point of view, and there is involved a recommendation to see the concept from that point of view. It is quite possible that a different picture of the concept could be created by stipulating a different

set of usages as the conceptual centre. Conceptual clarification, then, if it is to be more than merely listing usage, must involve an invitation to see a concept from a given point of view. Thus clarification and recommendation go together.

Further, if this is true of the clarification of the internal organisation of a concept it is even more true of the clarification of a whole conceptual system. Any attempt to clarify the ordinary person's moral beliefs must take place from a given point of view. Our ordinary moral beliefs are not consistent: one person's moral beliefs in a certain society may conflict with those of another, and even the same person may adopt different moral beliefs at different periods or in different contexts. If, then, we are to characterise the ordinary person's moral beliefs in a society, we must select certain of these beliefs as more basic than the others and stipulate that they are the centre of the moral system. But this is to build up a picture of the moral life from a certain angle and to issue a disguised recommendation to see morality from this angle. Thus clarification and recommendation go hand in hand.

The same point emerges if we consider the matter from the opposite side and examine the claim that recommendation — in the sense in which a philosopher recommends — involves clarification. When a philosopher recommends a moral or political system he is not merely, if he is a genuine philosopher, expressing a purely personal preference. No moral or political philosopher writes in a vacuum: he is subject to the influences of those who have written before him on similar topics, and is affected by the moral, political and intellectual currents of his own day and society. It is not surprising, then, to find that the moral or political systems recommended by philosophers are created from materials which already exist in some form. Indeed, the great moral or political philosopher is distinguished not so much by his ability to create an entirely new set of ideas as by his ability to crystallise ideas which are already current but lack definite formulation, or ideas which are so general that, like the air we breathe, they pass unnoticed. The result of this is that when the moral or political philosopher builds up a philosophical system in terms of which he recommends us to view the moral and political situation, we

become aware of a clarification in our existing ideas. The recommended system makes us consciously aware of ideas which we have already implicitly accepted, and the outcome is a clarification of our moral and political outlook. Thus, clarification and recommendation are two aspects of the one philosophical process and, while the relative emphasis on each may vary in different philosophers, the successful pursuit of the one implies the presence of the other. Let us consider some illustrations of this in the different attitudes adopted towards the principle of utility in the British Empiricist tradition.

One characteristic formulation of the principle of utility is provided by Hume (4). In Hume's view, the nature of our morality is determined by the constitution of our human nature, and so the key to an understanding of morality is provided by an understanding of the principles according to which human nature operates. But Hume also believed that the most effective method of investigating was that exemplified in the new experimental science, and he therefore attempted to examine human nature scientifically, enquiring why men called certain actions virtuous and others vicious. The answer he gave was that men call those actions virtuous or vicious which afford them a characteristic kind of pleasure or pain, and the kind of actions which provide the characteristic pleasure are precisely the ones we regard as useful to others, or to the person himself, or which are agreeable to others or to the person himself. And this is Hume's version of the utilitarian principle: it purports to be a clarification of the principles in terms of which we all habitually act. As such it has the logical status of a statement of fact, rather than that of a recommendation as to what we ought to do. In other words, it can be true or false. But this is not the whole truth about Hume's principle of utility: the clarification of our moral ideas which it achieved was accomplished by the selection of certain beliefs and attitudes from the consciousness of the eighteenth-century gentleman and the creation from them of a coherent and persuasive system. Hume's utilitarianism acts not only as a clarification of the principles in terms of which we in fact behave, but also as a recommendation that we should continue to behave in this manner.

The principles which were implicit in our conduct are drawn out and erected into a recommended norm.

Hume's *Treatise* was published in 1739/40. By the end of the century British philosophical interests had altered. The intellectual consequences of the Scientific Revolution had been more or less assimilated, and moral and political philosophers became pre-occupied with the social and political consequences of the Industrial Revolution. This interest gave rise to reforms in the criminal code and in the franchise, and to factory legislation. It was from such a context that utilitarianism in its nineteenth-century form emerged. The philosophers in Britain most directly concerned with formulating the utilitarian principle at that time were the Philosophical Radicals, a group whose best known members were Jeremy Bentham and James Mill. But I shall consider nineteenth-century utilitarianism in the more familiar doctrines of John Stuart Mill.

Mill wrote his essay *Utilitarianism* to defend the doctrines of his father and Bentham against the criticisms which had been levelled at them by critics influenced by the Romantic Movement, and the result reveals an odd mixture of the influences of Hume, the Philosophical Radicals and the Romantic Movement. The important thing from our point of view, however, is the status of the utilitarian principle itself. Mill seems to regard it as the expression of a practical policy, because he calls it a 'creed' and a creed states a general attitude to life. Thus, Mill writes (5), 'The creed which accepts as the foundation of morals, Utility or the Greatest Happiness Principle, holds that actions are right in proportion as they tend to promote happiness, wrong as they tend to produce the reverse of happiness.' Moreover, he goes on to remove what he considers to be misunderstandings of his view, to defend it against criticisms, and to present it in as persuasive a form as possible. Mill then is explicitly asserting the principle of utility as a norm for conduct and recommending it as an ideal. Nevertheless, he also regards it as a doctrine which states explicitly, and so clarifies, moral views which we all hold anyway. For example, he tells us (6) that 'the principle of utility, or as Bentham latterly called it, the greatest happiness principle, has had a large share in

forming the moral doctrines even of those who most scornfully reject its authority'. It seems then that whether we like it or not we are influenced by the principle of utility, and Mill regards himself as recommending the principle to us by stating fully and explicitly what is already implicitly operative in our moral consciousness: by recommending the principle of utility to us Mill thinks that he is clarifying the principles of moral conduct to which we are all in fact aspiring. Thus, just as effective philosophical clarification involves a measure of recommendation, so persuasive philosophical recommendation involves some clarification.

(b) *Justification*

The third form of philosophical activity which is characteristic of the great philosophers is justification: philosophers in the past have at times attempted not only to clarify and recommend their views to us in the manner already discussed, but have also attempted in some sense to justify those views. This is the form of philosophical activity which has fallen most into disrepute at the moment, and it is instructive to consider why this has happened (7). It has happened, in the first place, because philosophers' attempts at the justification of a particular moral or political system have often involved the use of metaphysics, and many philosophers at the moment are sceptical about the possibility of metaphysics in this sense. In some cases, that is, the 'justification' involved the deduction of the truth about man and his place in the universe from certain *a priori* postulates or authoritative religious beliefs. Many philosophers now argue, however, that there can be no beliefs about the universe which have the *a priori* certainty required by the postulates of a metaphysical system, and that the deductions about man and the universe formerly thought to be derived from the postulates require the insertion of other premises, the truth of which may well be disputed. Hence, in so far as philosophical justification requires metaphysics, it shares in the disrepute into which metaphysics has fallen and from which it has scarcely yet arisen.

But there is a second reason for the lack of belief in the possibility of a philosophical justification of morality or politics. This is

the emphasis which has been given in modern ethics to an argument of Hume (8) to the effect that an 'ought' cannot be derived from an 'is'. The argument, at least as it is most commonly interpreted, states that morality is practical; moral judgments are concerned with what we ought or ought not to do. But no conclusion about what we ought to do follows logically from premises which tell us merely what *is* the case. For example, supposing the anti-metaphysical arguments were not valid and we were able to prove that God exists, no conclusion about what we ought to do would follow unless we inserted other premises such as 'We ought to do what God commands.' It seems, then, that even if we could prove that God exists we would not thereby have proved, say, that we ought to keep our promises. Conversely, failure to keep a promise can hardly be excused on the grounds that there is no God. Again, supposing we were able to prove by science that man is evolving in a given direction, no conclusions could be deduced about what we ought to do, whether we ought to encourage or fight against the evolutionary process. A second version of this anti-metaphysical argument, made familiar by G. E. Moore (9), is to the effect that we cannot define 'good' in terms of any matter of fact property. We take any alleged definition of 'good', say in terms of pleasure, and then ask, 'This is pleasurable, but is it good?' Now the fact that this question seems genuine, and it will seem genuine for any attempted definition of good, indicates that we cannot exhaustively define 'good'. Anyone who thinks that he has succeeded in defining good, according to Moore, has succeeded only in committing the Naturalistic Fallacy, or the fallacy of attempting to define good in terms of something other than itself.

The second argument against the possibility of philosophical justification, then, is that there is no logical connection between moral principles (and similar considerations apply to political principles) and statements of fact, whether of facts established by science, metaphysics or theology: a moral system cannot be derived from something other than itself, and so it cannot be justified by something other than itself.

The third reason for scepticism about the possibility of philosophical justification is not commonly put forward as an explicit

argument, but it is nevertheless an implicit presupposition of a great deal of modern ethical and political writing and reflects a moral outlook rather than a philosophical argument. This is the view that in the end we have got to make up our own minds on what we are going to do or believe, and that there must come an end to the reasons that can be found for acting in one way rather than in another. Such a view would not be shared by all Christians, but it would be held by the majority of those who regard themselves as agnostics as well as by many who would in a loose sense call themselves Christians. It is not easy to express briefly this view since it constitutes a moral attitude with many ramifications, but it seems essentially to consist in an emphasis on the individual as the ultimate arbiter of what is morally binding on him. Any justification for a moral principle other than that the individual himself has freely chosen to adopt it will therefore seem redundant. This is just to say, however, that the liberal-democratic attitude regards morality as autonomous, and that contemporary philosophical writing is so far from being neutral as to be largely an expression of that attitude.

Supposing, then, we assume that we are philosophising only within the liberal-democratic tradition, and that the arguments against metaphysics and again naturalism are valid (a large supposition), does it follow that philosophical justification is no longer possible? It follows only that one particular type of justification is no longer possible; it is no longer possible to justify a moral or political system by connecting it to or deriving it from some metaphysical superstructure, the certain truth of which can be independently established. But there remains the possibility of a less ambitious sort of justification, and that possibility I shall now explore.

The more limited sense of justification is illustrated when a person is asked to justify an action he has performed or a decision he has taken. For example, imagine that someone has sacked an employee and is asked to justify his action. His method will normally be to relate in full the events that led up to the action and to fill in as many of the background details as are necessary to give his listeners a grasp of the whole context of the action. In short, we

can justify an action by connecting it with accepted purposes and values. And this is roughly similar to the sense in which a philosopher can justify a system of morality or politics. He can articulate it in detail, indicating the systematic connections which obtain among its various concepts, and the function it has in a total way of life. Justification of this kind is essentially circular because the concepts of the moral or political system are explained in terms of one another, but if the circle is large enough this may still be an illuminating procedure. It may seem, of course, that justification in this sense is a poor substitute for metaphysical justification, but if the latter is not possible we must make do with the former. In this essay at least only the former will be attempted. I shall now relate this discussion of the nature of philosophical investigation to the purposes of the essay.

3. Applying the Method

The problem which I have set out to discuss philosophically is the general one of the relationship which holds in the liberal-democratic tradition between government action and morality. This large problem resolves itself into many smaller ones: the sense in which a group of persons such as a government is open to assessment in moral language, or in which a citizen has a moral duty to obey his government, the moral basis of government and so on. A large number of different issues are clearly involved in these questions and it is scarcely possible to discuss one without also discussing the others. There is therefore scope for philosophical analysis. I shall examine first of all the views on morality which are characteristic of the liberal-democratic tradition. This will be primarily a process of clarification since I shall attempt to specify the concepts which are at the basis of our outlook and then show how the various aspects of our moral attitude are connected with the central concepts and assumptions. But the analysis will also involve recommendation and justification. It will involve recommendation since in building up the model in terms of which I shall try to clarify our moral outlook I shall inevitably be selective, giving prominence to certain of our moral beliefs

and eliding others; if clarity is achieved it will be only from a recommended point of view. Similarly, I shall attempt to justify the moral attitude I depict, not by deriving it from some *a priori* structure, but by tracing its function within a total way of life: the justification will be in terms of conceptions acceptable to those who share the way of life. If it is objected that this is not properly justification since it will not succeed in proving to a Marxist, say, that our morality is better than his, then I can reply only that justification of this more ambitious variety is perhaps not obtainable, and that, if the term is preferred, I am willing to substitute 'reassurance' for 'justification'. The term 'reassurance' draws attention to the fact that what will be done will be to portray morality as something reasonable, as something with an important part to play in the life of society.

Having attempted in this way to clarify and justify morality, I shall attempt to perform the same task for politics. I shall describe some of our various attitudes to the existence of government and try to create out of them a single model which will help to clarify and justify our political ideas. Only then, after the initial clarification of the nature of moral and political activity, will it be possible to relate the two and discuss the moral basis of government. I shall then suggest the principles which I believe to be implicit in the moral judgments we pass on government action, and illustrate the operation of these principles in a number of examples taken from the Press, parliamentary debate and political commentaries. Up to this point the emphasis will be on clarification and justification in the senses described, with recommendation only in the background. When I deal with foreign affairs, however, the emphasis will change and I shall be concerned mainly with recommending an ideal which I believe to be implicit in our moral outlook at the moment. The question I shall be discussing is whether a government may justifiably pursue a moral end at the expense of the material interest of the people it is representing. I shall suggest that there is a sense in which this is justifiable, and in discussing this sense I shall apply the conception of a 'moral intermediary' and argue that the government has a function in world society which requires such a conception for its adequate

description. But to suggest that the government has a function to fulfil as a moral intermediary in world society is to recommend an ideal for political activity. To make such a recommendation, however, will not be merely to express a personal preference: by introducing and discussing the concept of a moral intermediary I hope to crystallise ideas about the moral function of government which are shared by many people at the moment. In other words, I hope that the conception of a 'moral intermediary' will not only convince but clarify.

CHAPTER II

THE NATURE OF MORALITY

1. Clarification

There are two connected problems which arise in the attempt to analyse the structure and quality of the ordinary person's moral beliefs and assumptions. The first is that of clarifying the manner and the social context in which morality presents itself to him. What is the nature of the moral consciousness in the ordinary agent? How do moral claims impinge on him in society, and how does he react to them? The second problem is that of justifying the agent's reactions to morality. Assuming that we have correctly described the ordinary person's moral consciousness, can we justify his response to it in terms of conceptions which he himself will admit as valid? These problems, as we have seen, are connected, but it is convenient to discuss them separately. I shall begin with the problem of clarification.

(a) *Duties*

A person can be called morally mature only when he becomes aware that he is just one person among others, all of whom have an equal claim to respect. He may be pursuing his own interests, but he belongs to a society, all the members of which are similarly engaged and have a right to consideration which matches his own. In other words, there is a moral consciousness in the proper sense only when the agent becomes aware that the existence of other persons gives rise from time to time to demands on him which cut across his own immediate interests, and that his failure to respond to these demands will render him a fitting object of criticism by the others. This moral consciousness is often called a 'sense of duty', and it is in operation when we say, 'I can't go out tonight because I promised to stay in and look after the children,' or, 'You shouldn't have deceived him about your intentions.'

The age at which such a consciousness comes to birth is not certain. The Swiss psychologist, Piaget, has investigated the moral judgments of children (1) and finds that the 'moral' standards of the 5-7-year-olds seem to derive from an authority or authoritative tradition which they accept. Their attitude is revealed in their reluctance to allow any modification in the rules of their games. At a later age, however, acceptance of authority becomes increasingly qualified by conceptions of what is fair, and only then does the moral consciousness assume something like its mature form. Moral awareness, then, is to be described as basically an awareness of the demands of duty, where duty is conceived as that which arises out of the existence and needs of persons in social relationships.

Duties can be of many different types, and they can be classified on various principles (2). It may be said, for instance, that we all recognise classes of duties which can be described very generally as duties to act fairly and to tell the truth in our dealings with the world in general. More specifically, there are duties which arise for us because of some special relationship we are in with a particular person: the duties to keep a promise or pay a debt are of this kind. Again, it may be said that we have duties to do good whenever we have the opportunity. It is sufficient for my purpose to draw attention to such demands, the satisfaction of which most people would recognise as obligatory, without raising the question of how they may best be classified. More important for my immediate purposes are duties which arise for people because of the particular position they occupy in society. In order to describe the nature of such duties it is useful to consider the social context in which they are performed and from which they derive their content.

'Society' is a vague term, but some precision may be given to it if it is regarded as referring to a social system. From this point of view society is not just the aggregate of individuals who happen to occupy a geographical area, but is the complex network of institutions which gives structure to the life of the community. In more concrete terms, society thus viewed as a system consists of the banks, churches, trade unions, universities, businesses, legal and political institutions, and a host of less formally organised

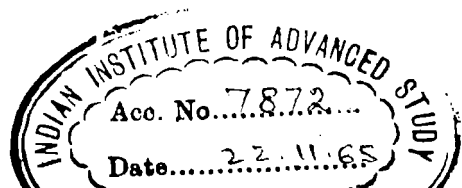
groups, which together give form and order to the community (3). It is obvious that a social system does not operate on its own: it is operated by individual persons. But the important point is that the individuals who operate the social system are not acting as free and uncommitted agents. Rather they are acting in social roles, understood as patterns of rights and duties the natures of which are determined by the natures of the institutions which give rise to the roles. Thus, when Mr. *X* is playing his part in the social system he is not necessarily acting as he himself would choose, but is acting, say, as a bank manager where his rights and duties are determined by his social role. Of course, not all our rights and duties can be so clearly stated as can those of a bank manager. Moreover, the term 'duty', as we have seen, is often used in situations where a person is not obviously acting in a role at all, but simply, say, returning a book he has borrowed from a friend. Nevertheless, even a book-borrowing situation presupposes the existence of a social system, and a social system is given form by the roles of its members. Hence, even if one does not make the extreme claim that all duties arise from social roles, it remains true that to be morally mature is to be conscious of the demands of duty, where that includes as a basic element awareness of one's social roles.

But moral maturity also involves a response of a certain kind to the demands of duty, a certain quality of role-enactment. The nature of this response may be described as a doing of duty for its own sake. The performance of our duties is almost always in our short or long-term interests, and we may even want to perform our duties, but the response of moral maturity is one of respect for duty as such. Indeed, it may be that the nature of our moral situation is not fully realised until actions are demanded of us that go painfully against our own interests, since it is only in such contexts that we can properly understand what is meant by the authoritativeness of the claim of duty upon us and the disinterested response which such a claim demands. Kant has sometimes been alleged to hold that an action is not performed dutifully if we enjoy doing it (4). But all he is maintaining is that we shall have a better understanding of what it is to act dutifully if

we take the case of an action which is not also in our interests or to our inclinations. And in this he is surely correct.

But not all moral demands cut across our self-interest. The demands of duty and the policies of enlightened self-interest very often coincide, and this, as I hope to show, is more than just a happy contingency. To begin with, many of our duties stem from our social roles, and it is obviously in our interests to enact our roles efficiently. Moreover, if we are prudent we try to ensure that our inclinations run along the moral grain of the community: one of the aims of character-training is to limit as far as possible the occasions on which moral struggle is likely to be necessary, because even a moderate level of moral attainment will not be achieved if every one of life's small duties requires effort of will. On the other hand, however, if our interests and our duties frequently coincide there is a likelihood that our awareness of the moral demand will become blunted: our duty will be seen as that which is in our own interests and just happens to be required of us as well. And in so far as our awareness of the moral demand is thus blunted, our response to it will likewise be affected. We shall respond as we would to a policy which pleases us and not as we should to one that is required of us: our role-enactment will become entirely a matter of self-seeking.

At this point, however, opinions may differ on the assessment of the situation. Most people will allow that an action performed from self-interest falls short in worth of one performed for the sake of duty. But many will contend that an action performed because the agent wants to do so exceeds in worth one performed out of dutifulness: it may seem better to do your job because you want to than because you feel obliged to. This is the more plausible when the wanting is inspired by a love for the person or group for whose sake the action is done. Now it may well be true that an action performed because the agent wants to perform it is of higher worth than one performed because it is seen as a duty. But in so far as this is true it is not incompatible with the contention that the truly moral consciousness is one which responds to a demand cutting across wanting. Thus, it may be of higher worth to love God and do as one wants than to act from a sense of duty. But



acting as one wants in this sense does not involve switching off one's sense of duty. An awareness of what is demanded of us is in fact operative in such wanting. The person who does as he wants in this sense is not acting, so to speak, as he *jolly well* wants. Rather, he is acting as one whose wants are steadied by a constant awareness of what is his duty. 'Wanting' in this sense is a grace of the moral response, but no substitute for it.

It is true, nevertheless, that the ordinary person takes an interest in the quality of the moral response, if our ordinary moral vocabulary is anything to go by, and the more lavish moral praises are reserved for those who respond willingly and eagerly to the moral demand and enact their roles with enthusiasm and devotion. Not that the austere dutiful response is never rewarded with praise; sometimes it is. But when it is so rewarded the duty is generally one which has been particularly painful to perform or has involved self-sacrifice to an unusual degree. Our terms of moral praise, then, are reserved for the dutiful action performed in adverse circumstances, or for a more than dutiful response to the demands of duty, or, as we shall see later, for actions performed in the pursuit of a moral ideal where there is no question of duty.

But our moral vocabulary contains more than terms of praise: we blame people at least as much as we praise them. And what we blame them for is not so much the poor quality of their response as their lack of performance of those actions which duty demands, their failure to enact adequately or at all their social roles. It may be objected, of course, that what we really blame people for is not their lack of actual moral achievement but their failure to try. And, without denying that there are other uses of the term 'duty' which do not carry this limitation, I think it must be admitted that only what lies within our power to do or forbear can be called our moral duty. A moral 'ought' implies an unconditional 'can', and the successful execution of an action may often depend on conditions beyond the conscious will. Hence, it cannot be our moral duty actually to perform a given action but only to try. But although the force of this objection has been conceded it does not require us to modify the claim that we blame people for their failure to perform rather than their failure to achieve a cer-

tain quality in their response: it merely draws attention to the fact that we are prepared to withdraw our blame if we can be convinced that the failure to perform the duty was due to circumstances outside the agent's control. Thus, we regard the carrying out of our duties as more important than the achievement of a virtuous response, and this is reflected in our moral language in that, without good cause shown, we blame in the strongest terms failure in the former, but not in the latter. It may indeed be that our praise of the latter is partly determined by the consideration that, if a person has cultivated a virtuous response, then he is more likely to perform his duties. But it remains true that what our social roles demand of us is the actual performance of our duties rather than the achievement of a certain quality of role-enactment.

(b) *Ideals*

This remains true, however, only in so far as our description of the ordinary moral consciousness is confined to the morality of our social roles with their rights and duties. But there is more to our ordinary moral outlook than rights and duties. There is a positive or creative side to morality which we may contrast with the morality of social roles by calling it the morality of ideals. The morality of ideals is not entirely separate, of course, from the morality of social roles. The motives from which a person acts may be a function of his moral ideals, and motives affect the quality of role-enactment. Moreover, a person may be sustained in the performance of a difficult duty by the power of his ideal to present all his duties as ultimately significant; the most trivial of life's tasks can take on a depth and meaning when it is seen in terms of an ideal. But the areas of moral experience in which ideals are most characteristically operative are those in which a person may be said to have exceeded the duties of his social roles, either in the sense that on a given occasion of duty he has done more than could be demanded of him, or in the sense that he has given his services where there could be no question of duty. The key to the moral ideal seems in fact to be provided by our terms of moral praise because it is in the contexts where we most easily praise that the moral ideal is most obviously operative.

Now it may be objected that it is not possible to exceed one's duty in either sense, because whatever is recognised as laying a moral claim upon us is to be described as a duty. And a plausible theory can certainly be developed which employs the term 'duty' in this wide sense (5). My concern here, however, is with the characterisation of our ordinary moral outlook, and I do not think that ordinarily we stretch the term 'duty' so far. Thus, while we should praise in the highest terms the person who sacrifices his life for another, we should not ordinarily regard such action as a duty. The behaviour of Florence Nightingale in devoting her life to the improvement of hospital services clearly exceeds what we should ordinarily mean by a duty. A duty is connected with what can reasonably be expected of a person, and saintliness or heroism cannot be so expected: they are qualities of a moral ideal (6).

But the basic demands of duty can be exceeded not only by the saint or the hero but also by what we may call the 'moral strategist'. The general nature of a person's duty is often clear enough but when and how this duty should be performed is not always so clear. Thus, it may be our duty to tell someone the truth about something, but when and how we go about this is a matter of 'moral strategy'. We can just tell the truth, or, as St. Paul recommends (7), we can tell it in kindness. A large part of the moral life is in fact concerned with 'strategy' in this sense, and there are a number of specific concepts, often neglected by moral philosophers, which refer to this aspect of morality. Examples of such concepts are 'tact', 'courtesy', 'sympathy', 'understanding', 'discretion', 'delicacy' and so on. Failure in moral strategy is indicated by the opposite of these terms, and also by such others as 'clumsiness', 'insensitivity' and so on. The importance of moral strategy is due to the fact that morality is a matter of relationships among people and no two people are quite alike in their outlook and response. Moral strategy in the sense intended is a function of the moral ideal.

If we draw together the various threads which I have distinguished in our ordinary thoughts about morality two main strands emerge. There is first of all a basic strand consisting of, among others, the rights and duties which are attached to our

social roles. Awareness of the duties of our social roles is awareness of demands on us which arise from our situation as agents pursuing ends in a society among other agents similarly engaged, and a consciousness cannot be called morally mature in which this awareness is absent. The important thing about these duties is that they should be performed, or, since this is not always possible, that an attempt should be made to perform them, and we blame severely, in the absence of good cause shown, any failure to make an attempt at duty. But the quality of our response to the demands of duty, or the manner of our role-enactment, can vary enormously. This variation is a function of the second strand in our moral outlook, which I have called the moral ideal. Thus, a duty may be performed simply as the satisfaction of a demand, or it may be regarded as a claim which demands a loving response. Moreover, a person may be sustained by his ideal in the performance of his duty in difficult circumstances, or be inspired by it to accept social roles which are not required by his station in society, or in some other way to exceed the strict demands of duty. It is such actions, in which the spirit of a moral ideal is operative, that are felt to merit moral praise. Morality has therefore a negative strand, in which duty is exacted from us like a debt (8), and a positive or creative strand. Naturally the two strands are not separate but are closely interwoven in the one moral outlook. They can be distinguished, however, and it is conceptually useful to distinguish them.

2. Justification

There is a need to justify the moral demand and the agent's response to it because, after all, it may be that the agent's consciousness of a moral demand on him is something he ought to stifle rather than cultivate. To the primitive mind the desire for revenge may take the form of an authoritative demand that cuts across self-interest. Yet such a demand ought to be subdued and not satisfied. In so far as we fail to inspect the credentials of the moral demand we cannot be sure that it is not like the desire for revenge. Alternatively, if we wish to say that the moral demand

requires no justification in this way since it is self-authenticating, we can vary the content of the question and ask what makes a demand a moral demand. The precise formulation of the question is less important, however, than what has inspired it, namely, the desire to investigate the rationale of morality, to see the moral life as a form of rational activity.

Now one way of justifying an activity, as I suggested in the previous chapter, is to give an account of its function, to demonstrate its place in human life and society. This can be done by investigating the reasons offered to support the imposition of duties. It may be objected, of course, that to put the question of justification in this way is to beg a question about the nature of morality, since it is to assume that morality is to be justified in social terms. But I do not wish to maintain that the full force of moral experience can be accounted for in social terms. It may well be that morality points beyond itself and requires a religious or a metaphysical interpretation. This may be, but it does not exclude the claim that morality has a social function; it merely excludes the claim that the nature of morality is exhausted by its social function. And this is not a claim I wish to make. I shall, then, consider morality as a social phenomenon and leave aside the question of whether it also bears a divine signature. What place does morality have in social life?

In discussing the nature of moral experience I argued that there are two main strands in our ordinary thoughts about morality, distinguishable in theory if not in practice. The one is concerned with a basic morality of rights and duties, which is characteristically the morality of our social roles; the other, concerned with actions which go beyond duty in some way, involves the positive or creative side to morality. I shall consider these strands separately.

(a) *Rules and Roles*

The most striking thing about a duty or obligation is, as the etymology of 'obligation' indicates, that it ties us and so restricts our freedom. When we have a duty we are no longer free to do as we want. Of course, we remain free in the sense that we are able to

perform the duty: if we are not able to perform it, it ceases to be our duty. But although we must be free in this sense when we have a duty, we are no longer free to do as we want. When we are obliged to do something our wants are no longer important because the duty binds us irrespective of our wants. And this is the feature of obligation which requires justification. It seems to be a basic assumption of a liberal-democratic society, a type of society to which our own approximates, that a person should be allowed to do as he wants unless some reason is provided why he should not. This assumption is involved in the principle that persons are to be respected as ends in themselves. To be a person is to be a creature of reason and desires, capable of formulating policies for action and designing means for desired ends, capable, in short, of pursuing happiness. Respecting a person as an end involves respecting his pursuit of happiness, and so it involves accepting as a sufficient justification of an action, 'because I wanted to'. If the sufficiency of the justification is at any time questioned, then the onus is on the person who raises the query to provide a reason why the desired course should not be pursued. Now, as we have seen, when we have a duty there is an interference with our freedom to do as we want. Some reason must therefore be forthcoming to justify this interference with our freedom. What counts here as a reason?

An answer to this question must begin by pointing out that we are not alone in our pursuit of what we want: we live in a society in which other persons are similarly pursuing their wants and satisfying their needs. It is obvious that sooner or later people clash in this pursuit. It may be that several people want the same thing, or that they want incompatible things, but at any rate the indiscriminate pursuit of objects of desire by everyone produces a state of chaos which can hardly merit the title of a society. It is in order to prevent such chaos that our freedom to do absolutely as we want is removed. It is removed by the existence of rules which restrict our freedom to do as we want when this will prevent other people from doing as they want. In other words, we have rules to create a measure of harmony in society. The more basic of these rules ('basic' in the sense of being more necessary for the stability

of society) are incorporated in the legal system and observance of them is enforced by sanction. They are all backed by the force of public opinion, however, and social disapproval follows a breach of them. It is from these rules that many of our specific duties derive. For example, we have duties to refrain from killing or harming others in the pursuit of our objectives, to refrain from stealing their property and so on. Such specific duties derive from general moral rules prohibiting action of this kind. Apart altogether from metaphysical or religious interpretations of the rules, there is clearly sufficient justification for their existence in the fact that we are all persons pursuing objectives in society and some way must be found of harmonising our interests.

One way of ensuring social harmony, of course, would be to have an elaborate series of rules designed to minimise contact between persons. The nature of such a system may be expressed in the rule of the ant-heap, 'Everything which is not forbidden is compulsory' (9). But although such a system would be compatible with the aim of achieving harmony, it would be in conflict with the assumption that a person should be allowed to do as he wants or pursue his own happiness unless good reason is provided why he should not. The function of morality is not just that of achieving harmony, but that of achieving harmony in such a manner that each person may attain the greatest number of the aims which make up his happiness compatible with similar attainment by every other person. Hence, the ideal society is not just the harmonious society: harmony is not an end in itself but a means to the attainment of individual aims.

The function of morality cannot in any case be exhaustively described in terms of the achievement of social harmony. Many of our moral rules, some of them also formally incorporated in the legal system, are not designed to prevent friction in society. For example, the moral rule, 'Promises ought to be kept,' and the more specific forms of it which cover contract in the law, cannot be fully explained in terms of social harmony. To explain the function of such rules we require a second concept, which may be expressed in terms of social co-operation. We can all acquire more of what we want if others help us, and so a second set of moral rules has

developed. The existence of these rules is justified by the possibility that arises with them of satisfying a greater number of wants. Many of our activities depend for their successful continuance on the fact that we can rely on people to do as they say they will, or to return what they have borrowed. But social co-operation of this nature is possible only if it is universal in a given society, and it can be universal in a human society only if there are rules which impose co-operative activities as duties. Hence, a second set of moral rules may be subsumed under the heading of social co-operation.

In so far as the two conceptions of social harmony and social co-operation are the key to moral duties we may expect that the general nature of our social roles will also be explicable in terms of them. It is in fact by means of the clusters of duties which make up our social roles that harmony and co-operation are achieved in society. Our society has acquired its nature largely because of the shaping influences of its political, legal, educational and industrial institutions, and an institution is the name for a cluster of social roles. It seems, then, that our liberty as individuals to do or forbear absolutely as we want is qualified by the necessity for harmony and co-operation that arises out of our nature as human beings and our situation as social beings: we exploit each other, but are willing to allow this process to persist only in so far as it is administered by rules that bind on all, that is, by rules which are fair.

But, without further explanation, the concepts of social harmony and social co-operation hardly account for the characteristics which I have alleged are typical of moral experience. I have already argued that the main, perhaps the defining, characteristic of moral experience is the consciousness of a claim which cuts across self-interest; the experience of an absolute demand. But the concepts of social harmony and social co-operation seem rather to be open to analysis in terms of self-interest, immediate or far-sighted. How then can the characteristic feel of a moral situation be explained?

The answer to this question is to be found by bringing out what is involved in the existence of moral rules. Our interests are

furthered by the existence of moral rules, but a rule by its very nature is something which binds on all, and in so far as it does so it may be called 'objective'. This is not to be understood as implying that a moral rule embodies some intrinsic good or absolute value. I have argued that the existence of moral rules and the interference with our personal liberty that this involves are justified by the conceptions of social harmony and social co-operation. But these are not conceptions of absolute values or intrinsic goods: they refer merely to the general function of the rules. The precise content of the rules will depend on the nature of actual societies, and since societies vary, the content of the rules will also vary. Hence, when I call a moral rule 'objective' I do not mean that it embodies some intrinsic good or absolute value. I mean rather that it binds on individual persons in a society regardless of what they as individuals happen to want at a given time. We all derive certain benefits from living in a harmonious and co-operative society, and these benefits necessarily depend on the existence of the rules. But, in so far as the benefits depend on the rules, the rules must bind universally. Sometimes, however, adherence to a particular rule in a particular case will not be in our individual interests. But we do not want the situation that would arise if everyone made exceptions in their own favour when it suited them, and, as rational creatures, we are able to operate on the principle of equity and refrain from excepting ourselves from the rule when this is in our own immediate interests. It is this ability we have to act impartially in a field of competing interests that includes our own which gives to morality its characteristic feel and form. Kant described the ability (10) as the 'autonomy of the will'. We are able to act as self-legislating members of a society of persons all of whom are equally deserving of respect simply as persons. It is in this ability, according to Kant, that human dignity essentially consists, and it is this ability that gives a moral situation its characteristic feel and form — that we cannot, in reason, refuse to do an action, even though its performance is painful to us as creatures of wants.

The same point can perhaps be put in a slightly different way if the conception of 'self-interest' is developed. I have argued that

social harmony and social co-operation are to be analysed in terms of self-interest. But what exactly is the 'self' in this connection? In so far as the two conceptions to be analysed are social in nature, an exhaustive analysis cannot be provided in terms of individual selves, not even all the individual selves who at a given time make up society. The 'self' whose interest is furthered by social harmony and social co-operation is in fact that of the whole continuing social community. Now, in so far as each individual participates in the life of the community, his own interests will be furthered. But the community, the 'social self', makes reciprocal demands on him; the community requires the help of every individual person to sustain and nurture it. It takes this help by imposing on the individual social roles which give rise to duties. And the demands of the community exerted through the medium of social roles may go against individual self-interest. But if the community is thus a society rationally organised into social roles the individual will feel that its claims are laid on him by reason: reason demands that the system of roles with its rights and duties, which he acknowledges to be for the benefit of the community, should also bind on him as an individual even though this at times goes against his particular desires. In this way we can account for the characteristic feel of moral situations.

So far I have been attempting to justify the moral response to the claims of duty, and I have tried to do so in terms of what may be called 'rule-and-role morality'. But I have still to deal with the creative or positive side to morality, which I shall call 'ideal morality'. This aspect of morality cannot be omitted without distortion of the whole. It is not merely that there is an area of moral experience to which justice cannot be done using only the conceptions of rule and role: it is also that even the area of experience to which these conceptions most clearly apply is at the same time influenced by ideals. It is therefore important to examine the nature and effect of ideals.

(b) Ideals

I have argued that it is a fundamental assumption of our ordinary moral outlook that persons are to be respected as such. An

implication of this assumption, or another way of putting it, is that persons are to be allowed to do as they want unless good reason is provided why they should not. Good reason is provided by the two conceptions of social harmony and social co-operation, which together give rise to rule and role morality. Despite the existence of moral rules, however, or even *because* of their existence, there is clearly a large area of life in which we remain free to do as we want, in that there are no obligations to restrict our actions. But it would be wrong to conclude from this that people regard what they do in this rule-free area as a matter of indifference. It is, indeed, quite the opposite case. In the rule-free area of human experience people are able to develop and express those aspects of their lives about which they feel most strongly. They are able to give expression to their values and devote themselves to the furtherance of their ideals. I do not wish to suggest that these ideals are pursued consciously as moral ideals. Indeed, people may explicitly deny that their ideals are specifically moral, restricting that term to those areas of experience where conceptions of rule and role most obviously apply. The ideals may rather be regarded as religious or aesthetic or social (concerned with family life, friends and so on). But however they may be described, they are viewed by the person who holds them not as things alien or imposed which restrict his freedom to do as he wants, but rather as things visionary which express what he really wants.

The pursuit of such ideals may involve the adoption of new sets of rules. But these rules are not like the rules of social harmony and social co-operation in that they do not apply to all members of society in similar situations; they are not universalised. They are rules adopted in the pursuit of the ideal and may perhaps be called rules of self-realisation. The interesting thing is that, no matter how constricting these rules are, they are neither felt nor described as constraints. The agent in pursuit of his ideal, hedged in on every side by self-imposed restrictions, may nevertheless describe his activity as 'free'. The activities which a person regards as free are in fact relative to an ideal of the good life. The true service in which perfect freedom is said to consist is the service of an ideal felt as such. This sense of 'free', in which activities are so described

relative to an ideal of the good life, is in fact fairly common in our ordinary thought. Thus, we may describe ourselves as 'free' at the weekend even although we have no spare time at all but are completely absorbed in our leisure or social activities. We say we are free because we are doing what we really want to do.

It may be asked, however, whether there is any justification for calling such ideals 'moral' ideals when they may not even be seen as such by those who follow them. To raise this question is to raise the question of the criteria for distinguishing moral issues from others, and to this question there is no very clear answer. The issues involved in what I have called rule and role morality are to be regarded as moral, but no agreement is likely to be reached on how far beyond this model morality extends. Thus, what I have called the 'positive' or 'creative' side to morality may be interpreted in other terms. For example, it is common for religious people to minimise the scope of morality ('mere morality') in order to leave the maximum room for religious experience. Or, again, the place of morality may be restricted in order to make room for romantic ideals of self-expression. From another point of view the place of morality may be restricted in order to allow scope for political activity. Where precisely the line is drawn between such activities and morality proper is a matter for personal decision. The very fact that it is morality which must be restricted to make room for these ideals, however, indicates that a close connection must exist between the ideals and morality. It indicates that morality is not a tightly-bounded sphere, but flows easily into ideals of the good life. A decision as to whether such ideals are to be called 'moral' would seem, then, to depend on how far the term 'moral' is regarded as honorific. If one tends to think of morality as something external and conventional, then one will also tend to think of one's ideals as transcending 'mere morality'. But this conception of morality may reveal, from another point of view, a question-begging inadequacy (11). Morality, from the second point of view, will include all to which man aspires in his loftiest moments.

The case for calling ideals of the good life 'moral', however, is

not just the continuity between those spheres of action to which admittedly moral concepts apply and those to which conceptions of ideals apply: it is also that, at least in the lives of morally good people, the spirit of an ideal can inform the quality of dutiful action. I have already drawn attention to this fact of moral experience, and I am now suggesting that the variation in quality can be related to the operation of personal ideals. Thus, an ideal has two functions: it defines the forms of activity to which a man aspires when he is doing what he most wants to do, and hence it explains why and in what direction a man will exceed his duty; but in so far as such aspirations cannot be restricted, the ideal will claim respect in all his actions and hence will govern the quality of all his actions. In other words, an ideal demands from us actions and qualities in actions which, according to our view, 'mere morality' does not require, or which are the expression of 'true morality'.

The contents of ideals derive from many sources. A rich source is religious thought. It is in religious thought that, above all, man has found pictures of himself and his situation in the world, and these pictures seem to many to have the marks of authority. Religious thought itself, of course, is derived from many sources not all of which are specifically religious. Thus, philosophy has contributed much to the pictures men form of themselves, both through religious thought and independently. Another important source is our political institutions. I do not mean just political philosophy, although it too has played a part: I mean that the actual political system and institutions we have will influence our ideals of the good life. This influence may come about negatively through a reaction against a political system, or positively through an imitation of it. Thus, an ideal may be formed in opposition to a political system found to be cramping and restricting to man's spirit. On the other hand, the importance of impartiality and fairness in our dealings with each other may first be realised when these standards are seen in operation 'writ large' in a legal system. And the integrity or lack of it of the men who act in the organs of the state can and does influence not only the actual practice of the community but also ideals of conduct.

Our ideals are characteristically of patterns of activity or states of existence which involve others no less than ourselves. We are social animals and typically our ideals are social. It is natural, then, that people should want their ideals to be shared by others. But the danger inherent in this desire is that enthusiasm for their ideals may lead people to force them on others. Persecution of the religious by the non-religious and of the non-religious by the religious are only two examples of the evil to which enthusiasm for an ideal may lead. It is small comfort to the man at the stake that his persecutors believe that it is for his own good that he is burning. Rule and role morality is therefore essential, because it stresses that persons must be respected as such and cannot legitimately be interfered with, except in so far as they are harming others. A person may be persuaded into the adoption of an ideal; he must not be forced. Thus, although our ideals may inform the quality of the actions required of us by the conceptions of basic morality, the conceptions of basic morality provide in their turn a check on our ideals, preventing idealism from degenerating into fanaticism.

3. Moral Agency

One final topic remains to be discussed in the context of the liberal-democratic approach to morality. What is the nature of the agent who exercises the rights, performs the duties and pursues the ideals which have been discussed? Since the fundamental principle in the preceding analysis has been respect for persons as such, it is tempting to suggest that the relevant moral agents are persons. But this answer is not one which is acceptable without qualification, as a moment's reflection will show. Thus, we would not normally regard children, the aged or the mentally sick as moral agents, but they are persons nevertheless and must be respected as such. If we enquire why, although respecting them as persons, we do not regard them as moral agents, the answer seems to be that they lack the ability to perform duties. A person is a moral agent, then, if he can perform duties; and to perform duties it is necessary both to be able to judge between alternative courses

of action or know what one is doing, and also to have the freedom to perform the actions.

These two criteria — the ability to understand what one is doing and the freedom to do it — are generally fulfilled in the normal adult human being, but in our common sense outlook we generally make the further assumption that the criteria are not fulfilled elsewhere than in a normal adult human being. It is true that children, the aged and the mentally sick are sometimes subjected to moral praise or blame, but, if such judgments are not for subsidiary purposes such as moral education, they cannot survive criticism. For example, a young child may be blamed or praised for its behaviour but the point of such judgments is to inculcate standards of conduct: the child has not reached such maturity as genuinely to merit the praise or blame. Similarly, although a person may in irritation blame his aged grandmother for failing to pass on some important piece of information, cool reflection will suggest that the blame was unfair. The same considerations apply also to lunatics and the mentally sick. The special problem raised by mental sickness is not that of deciding whether it is compatible with moral responsibility but of deciding when it is. There are many borderline cases in which it is not easy to say whether the person was morally responsible or not, but when it is clear that he is not, he has failed to satisfy one or both of the two criteria I have mentioned.

A harder problem to analyse — and one which is important for this enquiry — is that of deciding whether the common sense assumption, that only normal adults satisfy the criteria for moral agency, will exclude groups from the class of moral agents. Granted the common sense assumption, is it permissible to make moral judgments about group action and to hold the group morally responsible for its actions? This question will be discussed in detail in the next chapter so a brief answer will suffice at this stage. It seems that from the common sense point of view we do regard groups as morally responsible, as fitting subjects for moral predicates, provided that it is possible to reduce the decisions of the group to the decisions of the consenting members. In other words, provided that it is possible to see the group decision as

resulting from the sum of the individual decisions, we are ordinarily prepared to apply moral predicates to the group decision. On the other hand, if the group is large and complex so that it does not seem possible to explain the group action in terms of individual actions or decisions, then we do not normally regard the application of moral language as significant: we are more likely to view the group action as something which is the outcome of impersonal forces. The problem with which I shall be concerned in the next chapter is that of investigating our attitudes to the processes of government as a matter of group activity. At the moment, however, I wish merely to make clear our common sense moral assumptions, and one of them seems to be that only normal adult human beings are in the full sense moral agents and so can be held morally responsible and made the subjects of moral judgments.

4. Conclusion

In this chapter I have been outlining some of the main features of our everyday morality in so far as it is influenced by liberal-democratic conceptions, and I have tried to justify this morality by relating it to the way of life of which it forms an integral part. The basic assumption in our moral outlook is that persons are to be respected as ends in themselves. Whether or not this principle can itself be justified is a question for metaphysics which I shall not raise: certainly in terms of our ordinary moral outlook the principle of respect for persons is primary and all other moral principles are derivative. To respect a person as an end means that we must respect his liberty to pursue his own ideals of the good life or simply to do as he wants. Since we live together in society, however, some organisation of interpersonal relationships is necessary, especially as organisation brings with it the possibility of high degrees of civilisation. The structure of this organisation is the form of our morality, which appears as systems of rules giving rise to rights and duties. Many of these rights and duties make up patterns which are the social roles through which we participate in community life. The price of social organisation, however, is constraint. But this is felt to be justified in so far as the reasons

given for it refer to our voluntary participation in the creation and evolution of the rules which bind us, and to the function of the rules in sustaining and developing the way of life which we value. We do not, however, regard all persons as bound by the rules of society, but only those who have rational discernment and the ability to choose. In other words, although we regard all persons as worthy of respect as such, we regard as moral agents only normal adults.

It is obvious that much of importance has been omitted from this account of our ordinary moral outlook, but perhaps enough has been said to clarify some of its salient features. Assuming that it has, I shall attempt to carry out a similar operation on our attitudes towards government.

CHAPTER III
THE NATURE OF GOVERNMENT

I. Clarification

(a) Introduction

In discussing the nature of morality I began by assembling a coherent description from the various strands in our ordinary thoughts about what we ought or ought not to do in moral situations. When the clarification was complete I suggested a justification of the claims of morality in terms of conceptions acceptable to those influenced by liberal-democratic ideas. I propose to adopt the same method when discussing the nature of government: clarification will precede justification. The task of clarifying the nature of government is much more complicated, however, than that of clarifying the nature of morality. This is so partly because the process of government is theoretically complex in a way in which morality is not, and hence our ordinary views on government may often be unclear or erroneous. More important, however, is the fact that while morality is involved in all our practical concerns, and our moral conceptions are consequently corrected and refined by use and by collisions with the conceptions of others, our political involvement is most likely to remain that of the spectator. We may feel strongly about political matters, but for most people actual political activity is restricted largely to the recording of a vote every few years and to discussions over coffee. Hence, no pressure is placed on us by the demands of the practical situation to form consistent and clear notions on the nature of government and political action. Moreover, the ideas which we have about political activity are liable to be disjointed, because such thinking as we do about the nature of government and of its actions will be relative to different contexts, and from the practical point of view there is no incentive to combine into a single picture our various notions of government. Let us consider

some of these strands in our ordinary thoughts about government.

From one point of view, we think of the government as something impersonal and inscrutable, as, for example, when we fill up official forms such as income tax returns. In such contexts the government is regarded as a kind of machinery or, if it is connected with human agency, as consisting of anonymous bureaucrats, 'faceless men'. Similarly, the operation of the legal system is regarded as a matter of impersonal processes. It is true that we may not regard the operation of the legal system as a process of government, but we do regard it as an 'authority' which watches over, and may direct, our actions. Sometimes, though rarely, the actions of the legal system are associated with particular individuals, but most often the legal system comes under the rubric of the impersonal conception: the operation of the legal system is conceived as a matter of the machinery of government.

From another point of view government is conceived as a matter of the judgments and decisions of various individuals. For example, if a person attends a political meeting before an election, or if he watches a television discussion between M.P.s, he may think of government in this way. It is true that when this strand in his thought is uppermost he may believe that the judgments and decisions are made by a group such as the Cabinet, but the group is nevertheless regarded as composed of identifiable individuals.

A third attitude towards government is not, as it were, autonomous, but combines in various ways with the first and second. In this attitude the government is conceived as a political party. This is like the first conception of government in that it is basically impersonal and government is thought of as the application of certain principles and policies. But it is also like the personal conception in that it is not impossible to attach names to the formulators of the policies and the prosecutors of the principles: manifestos and policies have not that degree of anonymity which is reserved for official forms and documents. In practice it is not easy for a government to separate its position as a government from its nature as a political party in power. It is difficult, for example, even for the Prime Minister to address the nation as such without

party considerations intruding in his speech and in the minds of his listeners. And if it is difficult for the Prime Minister to free himself from his associations with his party, it is impossible for the Leader of the Opposition. It is perhaps only in times of national crisis, or in matters of foreign policy where the government is speaking for the nation as a whole, that politicians can really be free of party associations. When this happens, however, a fourth attitude to government can sometimes be detected in the public as a whole.

Formerly, this attitude was animated by national sentiment: people regarded foreign policy not as a matter of the machinery of government, nor primarily as a matter of the actions of individual statesmen, nor even as party principle, but rather as a matter of British action. It was not so much 'the government' that was acting as 'our government' or 'the British government', where the expressions indicated that the government was a representative of the nation as a whole. There were, even in former days, exceptions to this: some daring actions were associated with the names of individual statesmen, such as Disraeli; others with a party; others again, such as the declarations of war which followed on complicated alliances, with the machinery of diplomacy and negotiation. By and large, however, at least till 1945, government action abroad was identified with the action of the nation. To some extent this situation has altered. Foreign policy and colonial policy are more easily associated with parties and names. For example, the Suez affair, however it may have been regarded outside Britain, was not generally thought of as the action of the nation or of 'our government'. Rather it was associated with the Conservative Party, or even with a group in the Conservative Party and the name of the then Prime Minister. The fact that this should be so is an index of the decline of nationalist feeling in Britain. People no longer automatically side with the decisions of their government in foreign policy any more than in domestic policy. But although our thoughts on the government's foreign policy are thus changing, remnants of the older outlook still remain, especially where there is a wide consensus of agreement on the action. For instance, it is still possible to speak of the attitude of 'our government' towards

apartheid or towards the Russian intervention in Hungary. The government on these matters is still speaking for the nation as a whole, and government action is correspondingly regarded as that of the British people. Again, contributions to disasters in other countries or to international refugee funds are regarded as the actions of 'our government'. I shall attempt later to analyse in more detail the nature of this attitude towards government, which is indeed one basis for my conception of the 'moral intermediary' function of government, but for the moment it is sufficient to draw attention to the fact that this strand in our ordinary thoughts about government maintains its identity and has not entirely merged with the others.

I shall now examine these strands in more detail, although the third strand will not be given independent discussion, since it exists only in conjunction with one or other of the first two.

(b) The Impersonal Process Theory

There are a number of features of government which invite us to regard it as a complicated system of machinery by which various processes are carried on, processes necessary for the maintenance of stability and prosperity in society. Some of these processes are administrative and concern, say, the collection of taxes; others, again, are legal and concern the allocation of the rights and duties of various sections of the community. These complex processes are thought of as going on in a particularly concentrated form in Westminster, but as extending also throughout the whole of society in a dense ramification of boards, corporations and local governments. In so far as government in this sense is associated with people at all it is with 'faceless men', anonymous bureaucrats whom it is impossible to identify behind the red tape of the numberless departments of the various governmental institutions.

Such a conception can sometimes have sinister overtones, as, for example, when the impersonal nature of government is pictured as a remorseless grinding of wheels within wheels. It is in fact a small step to take from the view that government is a matter of impersonal processes to the view that it is a matter of inhuman forces which trap and crush the individual. And sometimes, as

we shall see, there are factors other than a desire for rhetorical effect which may lead us to take this step. But more favourably, and to continue the mechanical analogy which is one basis of the conception, government in this sense can be seen as a complex system of checks and balances, which holds in tension the various pressures exerted by different elements in the community and thus maintains, more or less efficiently, the equilibrium of community life. Whether this strand in our ordinary thoughts about government is given a favourable or an unfavourable bias, however, it still expresses the view that government is a matter of impersonal processes rather than of the direct action of individual persons. There is therefore an ambivalence involved in our ordinary thoughts about the nature of government action, and, consequently, divergent views can be expected on such problems as whether and how far moral terms can be applied to it. It is important, therefore, to investigate in more detail some of the factors which lead us to adopt the impersonal process view of government action, and to consider how far that view reflects its true nature.

Natural processes have certain characteristics which distinguish them from human actions. In the first place, some natural processes, such as the movement of a glacier or the encroachment of the sea, create an impression of vastness by the size of the areas or the length of time involved. And the vastness of natural processes suggests a second of their characteristics — their elemental strength. We feel that the processes will go on whether we like it or not. Not all natural processes, however, are vast and elemental in this way: some, such as those involved in growth, are minute and create an impression of infinite complexity. So many different factors contribute, say, to the growth of a cell that we feel it is beyond human ability to understand them all. A fourth characteristic is common to all natural processes, and that is their anonymity. It is true of course that natural objects and processes have an infinite variety; no one flower petal is quite like another. But the variations in natural processes are not seen as expressions of the traits of familiar persons; they have no sparks of individuality but are anonymous. If these are four of the main features which

characterise natural processes our tendency to extend impersonal language to the actions of governments can be explained; there are sufficient points of resemblance to make the extension of natural process language plausible, especially if attention is directed to the administrative and legal sides of government.

Consider first the vastness of the administration. There was a time when the administration was carried on by a comparatively small number of bodies all of which were under the direct supervision of a minister. Peel and Gladstone, for example, had a minute knowledge of the workings of their administration and conducted correspondence personally on many detailed points. But personal ministerial supervision of this nature is out of the question in the modern state. There has been in this century an enormous increase in the specific functions of the state with a corresponding increase in the size of the administration. Hundreds of new advisory and executive boards have been created to deal with the policies and problems of a welfare state. Along with the increase in the functions of the government goes an increase in its strength. The power of the government can be experienced in almost every area of society and it is not surprising if in the face of this vast elemental strength the individual may at times feel trapped and helpless.

But the impression which the administration makes on the average person is not just one of vastness and strength; it is also one of enormous complexity. There are no general principles running through the organisation of administrative bodies or the laws governing their composition and interaction. A further increase in complexity is due to the fact that no sharp line can be drawn between those bodies which are a function of the central government administration, those which are a function of local government and those which are a function of private enterprise. For example, bodies dealing with gas and electricity are not wholly a part of the official administration, but neither are they private enterprise.

In view of the lack of a uniform system of organisation running through the administration it is not surprising that the impression of complexity it produces is reinforced by another factor — the

extent to which the functions of administrative bodies overlap. This is especially noticeable in such a matter as seeking permission for a project. To build a house in a certain district, for example, permission is required from many bodies, some of which may give and others withhold it. Complexity of this nature is like the complexity of a dense wood in which the bushes and trees intertwine. But even a single government department can suggest the internal complexity of a briar bush. In a briar bush it is difficult to trace a shoot to its source, and similarly in a government department it may be difficult to trace a given decision to its origins. The difficulty here is partly due to the understandable unwillingness of officials to make decisions on their own account, so that the actual roots of a decision seem to be lost amidst the various sub-departments.

The impression of vast strength and complexity, both horizontal and vertical, which the administration makes is again strengthened by the Civil Service practice of anonymity. Psychologically this practice suggests that the government consists of 'faceless men'. The effect of the practice is aggravated by the connected tradition that the records of a government department are not granted for scrutiny to interested parties. The result of such anonymity is more than psychological; it has important legal consequences. The practice of anonymity and the connected refusal to disclose official documents makes it very hard indeed for a private individual to conduct a successful case against the government. It is very difficult for a private person to discover against whom his action should be conducted and to obtain the relevant information in the form of official files. The impression of anonymity is reinforced by a third feature of administration. The men, if they can be located, who take the decisions, are acting as officials and it is therefore open to them to plead that it is not really they who are making the decisions; the decisions are rather forced on them by the nature of their roles in the institutions under the auspices of which they are acting. They can argue — and here the impersonal process conception combines with the party policy conception — that their role is merely to carry out that aspect of the party policy with which their institution is

particularly concerned. And institutions themselves are like vast anonymous growths.

These, then, are some of the features of government which suggest that government action is not a matter of the personal initiative and decisions of individuals but results from impersonal processes more or less animated by party policies. When this attitude towards government is uppermost in our minds it may combine with one of our common sense moral assumptions to yield the conclusion that it is senseless to hold the government morally responsible or to apply moral terms to it at all. It will be remembered that one of the assumptions of our common sense morality is that moral responsibility can be ascribed only to a normal adult; only a normal adult can be regarded as a moral agent. If this assumption operates in a person's mind along with the conception of government as an impersonal body, the administrative machine, then the two grounds may suggest that it is senseless to apply moral concepts to governments, just as it is senseless to apply them to machines or natural processes. The argument may for clarity be expressed in a syllogism:

All morally responsible actions are actions performed by individual persons;

But no actions performed by governments are actions performed by individual persons;

Therefore, no actions performed by governments are morally responsible actions.

Whatever criticisms may be levelled at this argument, and some will be levelled shortly, it is not unpalatable on the surface and it will commend itself to us, in certain contexts. We do believe — as we have seen it is one of our fundamental moral assumptions — that the necessary conditions for moral action can be realised in and only in an adult human being. We also believe, when we do not think about it too much, that government is somehow a function of an impersonal body. There are, indeed, views of government upheld by some theorists which seem to support us in this belief. For example, the government has been depicted as merely an administrative body which mediates interests by implementing

the demands of various 'pressure groups' (1). The ordinary conception of government which I have been outlining consists of echoes of such theories; and it operates along with the moral assumption to yield the conclusion that governments are somehow outside the sphere of morality. The logical argument, of course, may not occur by itself in our mind, but it may produce conviction when it is fused with certain non-logical views about the proper function of government — as that the government should be looking after the people's interests and not bothering with moral questions. Such views, which I shall investigate later, give specious support to the logical argument, making it psychologically palatable.

But although this argument may satisfy us in certain contexts, in other contexts we may wish to resist the conclusion that governments cannot be said to be morally responsible. For example, fresh from a debate on Suez, we may wish to say that the British government was, or was not, morally justified in acting as it did. But if we reject the conclusion of the syllogism we must reject at least one of the premises, and in so far as we remain true to common sense we will not reject the major premise. We may, however, substitute for the minor premise the view that government actions are proper subjects for moral assessments. Thus, we are left to justify the conclusion of the following argument:

All morally responsible actions are actions performed by individual persons;

But all actions performed by governments are morally responsible actions;

Therefore, all actions performed by governments are actions performed by individual persons.

This conclusion expresses a view of government at the opposite extreme from that of the impersonal conception. Moreover, it clearly corrects an inadequacy in the impersonal conception of government. No matter to what extent government action results from administrative machinery or the application of social or economic forces, it is unpalatable to omit entirely in a theory of

government the part played by persons. When governments act persons act; and this truth is by no means upset by the claim that social or economic or administrative factors also shape government action (2). Indeed, the criticism that the impersonal conception excludes government from the sphere of morality is only a special case of the more general criticism that it excludes government from the sphere of individual action. It is this criticism which is expressed in the conclusion of the second syllogism, and which is reflected in the second strand which I have distinguished in our attitudes towards government. Let us, therefore, investigate how much truth about the nature of government is contained in the second strand, remembering that the third strand may exist in symbiotic conjunction with it, as with the first strand.

(c) *The Personal Action Theory*

The view of government which I shall call the 'personal action' theory is the most widely held which can be found in western political ideas. It is widely held because it can combine many different threads in our thoughts about government and it rests on deeply-rooted convictions about the nature of action. The theory states that to speak of 'government' is to use a convenient fiction; to use the term 'government' is to use a kind of abbreviation to refer to the individual persons who make up a government. When we say that a government has acted, we really mean, according to the theory, that the individual persons who compose a government have acted, and we can introduce the third strand by saying that they have acted in terms of party policies. In a similar way, we may say that a crowd is angry and really mean that a large proportion of the people who collectively make up the crowd are angry. Again, we may say that the reading-public was startled by a new novel and mean only that X, Y, Z, who collectively are the reading-public, were startled. Thus, when the government takes steps to prevent inflation or intervenes in a dispute, the personal action theory will interpret this as meaning that the individual members of the government take steps or intervene (more or less in terms of party policies). And this interpretation makes an irresistible appeal to what we have seen are deeply-

rooted common sense convictions. I shall now try to discover some of the reasons for this appeal, because the reasons may shed some light on the nature of government and of our conceptions of it. There seem to be three connected reasons for the plausibility of the personal action theory.

The first reason is that we often think of the government in terms of its actions rather than in terms of institutions. It is by means of its actions that a government makes its existence known to us. The actions may affect us directly, as when we are sent a compulsory purchase order or are called-up. But even when they do not affect us directly government actions are conspicuous in the national or international field, as when the government builds a new motorway or negotiates on the Common Market. It is the case, then, that we frequently think of a government in terms of its actions. But to think thus of a government is to move in the direction of the personal action theory, because we tend to assume in our common sense outlook that only individual persons perform actions. Indeed, it is possible to defend the view that there is a necessary connection between the concept of an action and that of an individual person.

But not only do we often think of a government in terms of its actions, we also think of these actions as having certain purposes. For example, the actions of the government in building a new motorway or in negotiating on the Common Market are not regarded as random, but as having definite purposes such as the speeding of traffic or the maintenance of Britain's prosperity. Opinions may differ, of course, on the wisdom of one government policy rather than another, but this is not to dispute that government actions are open to purposive interpretations. Moreover, in the modern world we tend to think of the social set-up as changeable by human effort and initiative. The medieval view of legal and political institutions was that they are sacrosanct structures the basic natures of which are unchangeable by human agency. But after the period of the Enlightenment more emphasis was given to the view that institutions may be reformed and economic forces directed by individual human reason and initiative; and the processes of law were no longer regarded as a matter of giving

expression to immemorial norms but as reflecting human purposes at every stage. To think in these purposive terms of the nature of government, however, is to incline once again to the personal action theory: if we assume a necessary connection between the concept of an action and that of an individual person, then we must do so also for the concept of purpose and that of an individual person, since there is also a necessary connection between the concept of purpose and that of action. It may be objected that to speak of the purpose of a government action is really just to speak of the ends or objects of the action, and not necessarily of the individual persons who perform the actions. But although it is true that we often identify a purpose by the end it realises, the concept of purpose cannot be divorced from that of individual action. An end is something aimed at and only individual persons can have aims. Thus, this line of thought finds a natural resting-place in the personal action theory, or in that theory held along with the party policy theory.

It may be argued, however, that in so far as there is a necessary connection between the concept of purposive action and that of individual persons, we cannot always properly speak of government action in purposive terms: for, although it is true that some government actions may fairly be attributed to one person, the majority are the outcome of group discussion and decision. Now this is certainly true, but it does not constitute a reason for questioning the propriety of a purposive interpretation of government action. We may speak of group purposes without in any way straining the concept of purpose. To speak of group purposes is just to say that all the individual members of a group of persons will agree to a particular description of what it is they are trying to do. Thus, to attribute joint or common purposes to the members of a government is once again to move along a line which leads directly to the personal action theory. It could also be to move along a line which leads to some metaphysical view of the state as a single entity with a life and purposes of its own, but such a view runs against the grain of the liberal-democratic tradition; and it would in any case be incompatible with the third reason for the plausibility of the personal action theory.

The third reason for the plausibility of the personal action theory is the most important. It is a fundamental tenet of the liberal-democratic tradition that governments can be held responsible for their actions. But, as I have already argued, it is a fundamental moral tenet of the same tradition that only adult individual persons can be held responsible for their actions. The conclusion must therefore be drawn that governments consist of adult individual persons. Once again we are led to the personal action theory that to speak of governments and their actions is to use a convenient abbreviation to refer either to the individual persons who at any given time make up a government or to the actions of these persons.

The general line of the third argument for the personal action theory is clear, but the argument requires careful interpretation in detail. It is certainly a doctrine of the liberal-democratic tradition that governments can be held responsible for their actions, but it is not clear what 'responsible' means in this context. We may describe a person as 'responsible' and mean that he takes his duties seriously and that we can rely on him in a difficult situation. In a similar way — to anticipate later argument — we may describe a government as 'responsible' and mean that it takes its duties seriously, faces up to crises in a realistic manner, and does not fritter away its energies on trivial matters. Now we may hope that a government will be responsible in this sense, but it is not this sense which is meant when, in our tradition, a government is said to be responsible. Indeed, it is possible that a dictatorship may be responsible in this sense. Moreover, the term 'responsibility' can look in two directions, as when we can be held responsible *for* something and *to* somebody. It is therefore necessary to decide what it is that the government is responsible for, and to whom it is responsible.

It is probably the latter sense, of *responsibility to*, that people have in mind when they say that in Britain the government is responsible. What is meant is that the Queen's ministers are responsible to Parliament, and indirectly through Parliament to the electorate. An increasing emphasis on ministerial responsibility in this sense is a feature of British constitutional history from the

seventeenth century. The doctrine of ministerial responsibility and its implications, however, clearly requires investigation (3).

Ministerial responsibility includes the notion of moral responsibility, but it is wider than that. We do believe — indeed, this is one of the main reasons for our insistence on the theory of representative government — that ministers can be held morally responsible in the sense that they are open to moral praise or blame for their actions by Parliament and the electorate. But this by no means exhausts the concept of ministerial responsibility, as can be brought out if we investigate the other dimension of ministerial responsibility and ask *for what* ministers are responsible. The answer to this question seems to be that they are responsible for all the actions taken in their name by the government departments of which they are the head. But if ministers are in fact responsible for all the detailed workings of their departments, then clearly ministerial responsibility must be a wider conception than that of moral responsibility: for no minister can possibly be acquainted with all the detailed decisions involved in the working of his department. The doctrine of ministerial responsibility can only mean, then, simply that the minister must be prepared to answer questions in the House about the actions of his department. For some of these actions, of course, the minister will bear moral responsibility, because he has himself initiated or at least permitted them. But other actions will be performed without his concurrence and for them he will be required to provide explanations rather than bear guilt. There will, of course, be officials in his department who do bear moral responsibility for the actions he must explain.

The two sides to ministerial ‘responsibility to’ — liability to moral praise and blame, and liability to produce an explanation — may be brought out in terms of accountability as well as responsibility. To put the doctrine in terms of accountability enables us to exploit the ambiguity of the expression ‘accounting for’. To ‘account for’ something may just be a matter of investigating it and providing an explanation of why it occurred. In this sense ministers are obliged to account for all the actions of their department. But ‘to account for’ can also mean ‘to justify’, and for

those actions of his department of which he had, or ought to have had, knowledge a minister may be required to provide a justification as well as an explanation. It is for the latter actions that a minister bears moral responsibility, and it is probably the notion of moral responsibility that is the primary one in the doctrine of ministerial responsibility. We feel that the actions of the minister, and through him of his department, must be open to public scrutiny and to moral condemnation or (more rarely no doubt) to moral praise. To insist on the doctrine of ministerial responsibility, however, is to be led to the personal action theory because, as we have seen, we do all accept the assumption that only individual persons can be held morally responsible. Naturally, moreover, the convictions that government actions are purposive and that they are responsible will strengthen each other. We may therefore combine and summarise the three arguments for the personal action theory in a syllogism:

All purposive actions to which moral responsibility can be attached are actions performed by individual persons;

But all government actions are purposive actions to which moral responsibility can be attached;

Therefore, all government actions are actions performed by individual persons.

I have argued in the previous chapter that we wish to accept the view expressed in the major premise because it is a fundamental moral conviction about human beings and the moral situation. The minor premise sums up a few of the political assumptions of the liberal-democratic tradition, and the conclusion leaves us on the threshold of the personal action theory.

The temptation to cross the threshold becomes almost irresistible in the modern political scene, where the electorate is encouraged to think of the government in terms of identifiable individual persons. It is not just that at election time the electorate try to remember who their M.P. has been and consider the names of new candidates; it is also that we can frequently see the Prime Minister and his Cabinet on television and that the actions of the government are often attributed by name to the ministers who bear

responsibility for them. Hence, it is easy to think that when we speak of government action we are speaking in abbreviation of the actions of the individual persons who compose the government. It is understandable, then, that the personal action theory is widely held and, especially when it is combined with the party policy theory, constitutes an important common sense outlook on government. Moreover, it raises no problems in the way of our moral assessment of government action. The actions of the government in terms of the personal action theory can be assessed as easily and in roughly the same sense as the actions of individual persons. For example, when the actions of the British government over Suez are blamed or praised in moral terms the people making the assessments do not feel that moral language is being subjected to any logical strains; and it is significant that when such moral assessments take place it is generally known, or made generally known by the Opposition, which member of the government is particularly implicated.

But despite its obvious plausibility, and the genuine insights into the workings of government which the personal action theory expresses, it is open to criticism. The criticism does not in the end amount to a refutation of the theory, but it does draw attention to the need for a radical revision and for amplification in various directions. Let us then consider how the personal action theory may be criticised.

The theory states that when governments act it is really individual persons who are acting. But it can be argued that this statement omits to mention the main characteristic of government action. It may indeed be true that when governments act individual persons act, but this misrepresents the nature of government action unless it is also said that it is *as government representatives* that the individual persons are acting. The individual persons who act when the government acts are not acting as private individuals but in a public or official capacity, and it is in its failure to bring this out that the essential inadequacy of the personal action theory consists. Let us examine this criticism when it is applied first to government purposes and then to government responsibility.

A government may make a treaty with another state, and according to the personal action theory we explain this by saying that the individual persons who happen to be members of the government make a treaty. But it can be argued that the personal action theory, at least as so far stated, cannot explain why the treaty should be maintained and honoured by a succeeding government, often perhaps after the members of the original government are dead. This feature of government action cannot entirely be explained in terms of the purposes of the individual persons who happen to be members of a government. For example, the British government made a Treaty with Belgium in 1839, and this Treaty was honoured in 1914. To explain how a particular government can perform actions which, in principle at least, commit a later government, we require the use of concepts which have a wider reference than those which apply only to individual purposes, even when the individual purposes are inspired by party policies.

Consider again that a government department can sue a private person, and, since the Crown Proceedings Act (1947), it has been possible for a private individual to sue a government department. But the purpose of a government department in suing cannot be explained by reference only to the purposes of the individual persons in the department. Similarly, the reactions of the department on being sued, however they may have repercussions on the individual persons in the department, cannot entirely be explained as the reactions of individual persons.

Thus, in general, the criticism of the personal action theory of government action is that the purposes of government action cannot exhaustively be analysed as those of the individuals who perform the actions: the theory says nothing about the institutional form of the purposes. Substantially the same criticism emerges when the personal action theory is applied to government responsibility.

The government in our political tradition is held to be responsible for its actions to Parliament. Now, to say that a person is responsible *for* something may just be to say that he did it, and perhaps also that he is to be praised or blamed for it. But to say that one person is responsible *to* another person or groups is to say

something which requires more elaborate analysis. A workman may be said to be responsible to his foreman for what he does, and the foreman to his employer. This suggests that there is a special relationship obtaining between the workman, the foreman and the employer, and that to understand the relationship it is necessary to understand the whole system of which the workman, the foreman and the employer are all members. There are in fact rules which govern the behaviour of the workman in relation to the foreman and the foreman in relation to the employer, and these rules together make up a system which is the firm, shop or institution to which they all belong. There are, of course, different sorts of systems giving rise to different sorts of 'responsibilities to'. Thus, the responsibility of the soldier to his C.O. is clearly of a different sort from that of the employee to the employer. But in every case the existence of a system of rules is implied in the notion of 'responsibility to', and a description of the precise form of 'responsibility to' requires reference to the nature of the system of rules.

Applying this analysis to the immediate problem we must look for the system of rules which constitutes ministerial 'responsibility to'. The situation is a complicated one because, as I have already suggested, ministerial responsibility takes different forms and more than one system of rules will therefore be necessary to constitute it. In the first place, ministers are legally responsible for the actions of the Crown, in the sense that government actions can be scrutinised by the courts for their legality. A legal system is therefore implied in the doctrine of ministerial responsibility. But further, ministers are responsible in the sense that they must answer questions on the actions of government departments. This responsibility is not legal but conventional: it implies the existence not of a system of rules enforceable by the courts but of a traditional system of procedure which is fundamental to the British constitution. Thirdly, ministers are also morally responsible in their official capacity. Once again the existence of a system of rules, this time moral rules, is implied, and to describe this system is to provide an account of the moral basis of government, a task I have reserved for a later chapter. In the present context it is

sufficient to point out that the moral basis of government, that which constitutes a minister's 'responsibility to', will require a more elaborate analysis than will the moral actions of the individual who happens also to be the minister.

Thus, just as the personal action theory does not bring out that the purposes of a government are not the purposes of individual persons, so it also fails to bring out that ministerial responsibility is not just the responsibility of the individual persons who happen to be ministers. Once again the personal action theory omits to emphasise the importance of institutional form in its analysis of government action. Essentially the same criticism may be put in a third way.

One reason why the personal action theory has appealed to those who belong to the liberal-democratic tradition is that it does throw into relief the scope that exists for individual initiative in directing government action. The liberal-democratic tradition is something that grew out of the Reformation and the Enlightenment, and hence it is partly based on the conviction that political, social and legal institutions can be changed by human initiative. It is therefore tempting for anyone influenced by this tradition to see government action — at least government action that is approved of — as a matter of individual decision and initiative. And no doubt this outlook is partly justified. But there is another aspect of the situation to which critics of the personal action theory may point in order to bring out its inadequacies. For, if the initiative of individual persons has moulded government action, no less has the existence of political traditions and institutions. An adequate analysis of government action must take into account the conventions of Parliamentary debate and procedure, such as the traditional deference to the Speaker in the House of Commons, and the influence of the bureaucracy in moulding government policy to its own traditions. The personal action theory cannot easily accommodate such factors.

These three criticisms of the personal action theory, or three applications of the same criticism, do not amount to a refutation of that theory. Indeed, the theory expresses such obvious truths that a refutation of it is not to be expected. But the criticisms do draw

attention to the need for a supplement of some sort. Part of the supplement is to be obtained by incorporating elements from the impersonal process theory, and the other part by making more explicit the place of party policies.

(d) The Social Role Theory

So far I have been discussing two strands, either of which may occur along with a third, in our ordinary thoughts about government action. In terms of the first, government action is seen as a matter of impersonal processes. This attitude is justified in that it is based on a number of genuine insights into the nature of government, but it is inadequate in so far as it omits to mention those features of government rightly stressed in the second strand — the purposive and responsible aspects of government action. But, although the second strand again contains insights into the nature of government, it is itself inadequate since it fails to deal with the institutional form of government action. In other words, the situation is that the impersonal process theory concentrates on the concepts of function involved in a description of government action while the personal action theory concentrates on the concepts of purpose and responsibility. An adequate theory must somehow combine both kinds of concept and relate them to party policies. I shall try to formulate such a theory by making use of the concept of a social role, a concept I introduced when discussing the nature of morality.

The concept of a social role has significance against the background of society viewed as a system, and, as a system, society consists of the various institutions which give form and order to the community. Now important among the institutions are those concerned specifically with government. It is not necessary for the purposes of this essay to describe in detail the nature of the institutions, but, in general, government may be described as a function of three main organs — the Legislature, the Executive and the Judiciary — and of an Administration. The Legislature is concerned with formally enacting rules of law, with scrutinising the actions of the Executive, and in general with acting as a forum for the discussion of matters affecting the public or national good.

The Executive (or the Cabinet) is concerned with the introduction and carrying out of domestic and foreign policy: it is 'the government' when that term is used narrowly. The Judiciary is concerned with interpreting and applying the law, with examining the actions of the Executive for their legality, and with the defence of rights and the enforcement of duties as justice requires.

The Administration is not always regarded as an organ of government since it consists of Civil Servants appointed by examination and allegedly politically neutral — who are employed merely to carry out the policies dictated to them. And certainly, if one takes as an example of the Civil Service Administration the local Post Office, it is not plausible to attribute to it much political influence. Nevertheless, the permanent Civil Servants in a ministry exert considerable political influence. They select and present to the minister the relevant facts on which he must settle an issue. But a decision about what is relevant is not entirely neutral and will reflect a political outlook. In a sense, then, it will itself be a political decision. Moreover, the implementing of ministerial policy is again not an entirely neutral activity but involves actual political decisions. Thus, it is realistic to include the part of the Administration in any account of the processes of government: not only does it carry out political programmes but it makes political decisions as well. Indeed, it has sometimes been said that Civil Service departments, such as the Foreign Office, will at times adopt political policies of their own and impede the carrying out of ministerial policy if it differs from these. The realistic view of government, then, is that it is a matter of joint responsibility; the Legislature, the Executive, the Judiciary and the Administration are merely the names of functional differentiations within a single complex.

Applying this account of the institutions of government to the general problem of building up an acceptable theory of government, we can regard these functional divisions as creating sets of social roles directed towards the various political ends already outlined. From one point of view, then, a government action can be analysed entirely in terms of the structure of the relevant role,

and it will bear no trace of the personality of the person acting in the role: the action can be seen as a product of the machinery of the institution, and the important thing will be not *who* the official is but *what* he is. Official action in this sense can be described in terms of the functional concepts appropriate to the institution which gave rise to the role. It is from this point of view that the impersonal process theory depicts government action, which appears as the outcome of vast, complex, anonymous processes. The result is that the concept of responsibility seems to have been eroded, and government action is excluded from the sphere of morality.

But although this approach is valid as far as it goes, we have seen that it is an abstraction: whenever governments act individuals also act, and this is the point on which the personal action theory insists. In other words, the complex system of social roles which makes up the institutions of government is operated by individual persons, and they constitute the subjects for those attributes of purpose and responsibility on which the personal action theory concentrates. The main bearers of responsibility are the heads of the various departments which constitute the Executive: it is they who formulate the party policies which shape and colour the actions of the government as a whole. Moreover, it is the ministers who also superintend the carrying out of the party policies by their administrative apparatus. Nevertheless, as we have seen, ministerial responsibility sometimes amounts to no more than the convention that the minister must answer questions on and account for the actions of his department. To admit this, however, is not to admit that there are government actions for which no one bears moral responsibility. I have argued that the processes of government are a joint responsibility of all concerned, and, although the minister may not bear moral responsibility for all the actions on which he must answer questions, there will be members of his department who do bear moral responsibility. To this extent the personal action theory is justified. But it must always be remembered that it is in their social roles in the relevant institutions that the officials bear the responsibility, and to that extent the impersonal process theory is also justified.

It seems, then, that an adequate theory of government action must combine the three strands which I found in our common sense attitudes towards government. Government has an institutional form, and may therefore seem a matter of impersonal processes; it has men and women to act for it, and may therefore seem a matter of straightforward personal action; it has political parties, and may therefore seem a matter of the application of various doctrines. I have argued that we must unify all three aspects of government and that we can do so by means of the concept of social roles. It must also be remembered that I found a fourth attitude towards government about which I have so far said very little. In the fourth attitude the government was seen as a 'moral intermediary', and my account of the nature of government cannot be regarded as complete until this aspect of government is incorporated in the existing theory. Meanwhile, however, I shall try to expand the existing theory by raising the question of how the existence of government can be justified in terms of our common sense assumptions.

2. Justification

In discussing the nature of morality I distinguished questions of clarification from questions of justification. The existence of morality as a normative system requires justification in that the obligations of morality interfere with our liberty to do as we want. The justification consisted not in the attempt to deduce morality from some general theory of the universe regarded as necessarily true but in showing the place of morality in the human social situation. Morality in fact was distinguished, from one angle, by the kind of justification given for it. The justification consisted in revealing its function in a total way of life accepted as given, and in pointing out that the individuals on whom morality is binding do themselves participate in the creation and maintenance of the norms which bind on themselves and others. Now precisely the same problem of justification arises for the existence of government, because governments impose obligations on us and thus restrict our freedom to do as we want. But if the same problem arises

over the existence of a system of political norms as over the existence of moral norms it may be that a similar solution can be found. I shall therefore investigate the function of government in our society and the extent to which the individual participates in the governmental process.

The most general formula usually offered for the function of government is that it furthers the public good or the national interest. Such terms, which I shall regard as synonymous for present purposes, clearly require careful analysis. The public good has often been thought of negatively as a matter of protecting the interests of the inhabitants of the given political unit or territorial area. This means that the citizens must be defended against invasion or attack from outside and that the government may therefore maintain armed forces and levy such funds as are needed for their support. This has always been regarded as a function of the government, although opinions may differ widely on the precise meaning of 'adequate defence'. It is equally obvious that public good requires the protection of the citizens from attack from within the state itself. This may mean protection from subversive elements within the state which would seek to undermine it, or it may mean protection from criminal elements which would attack the life or property of the inhabitants. At all events the conception of public good clearly involves the maintenance by the state of some body with the function of preserving peace within as well as without the state. The protective function of the state can clearly be extended much further. For instance, the citizens require protection against disease, so there is room for provision by the government of systems of sanitation and for the development of various public health regulations. Again, in any society in which there are mechanised forms of transport, traffic regulations are necessary to safeguard the lives of the citizens. It will be generally agreed that in these cases, and there are many similar ones, the government may impose such rules and regulations on, or require such services of, its citizens as are necessary to further the end of public good, understood negatively as a matter of protecting the interests of the people.

The function of the government is obviously not exhausted by

this negative conception: more is involved in the public good than protection, no matter how extensively the protection extends. Indeed, there is implicit in the conception of protection a second more positive function of government. If we consider the protection of a country against disease, it is clear that no line can be drawn between this and the positive furthering of the health of the inhabitants. A lasting freedom from disease can be had only if the inhabitants of a community are basically healthy, and the health of a large number can be secured only by the provision of welfare services and so on. The concept of public good is therefore to be analysed negatively into protection against hostile elements of any kind and positively into the provision of various services which will lead to the well-being and prosperity of the community as a whole.

This second function of the state is one which has come into prominence in this century, although it must be present in some form wherever there is a political society. But recently many functions formerly fulfilled by private bodies have been taken over by the government, and the pressure on the government to extend its social services is increasing. Not only do we look to the state to provide us with health services, an educational system, roads, postal services and so on, but we also expect it to encourage industry, to ensure a basic standard of living for everyone, and even to take over most of the functions of the family by the provision of various services for children and the aged. Cultural life also is encouraged by the government or government-sponsored bodies, and many people would like to see the government playing an even greater part in developing the cultural life of the nation. Opinions differ, of course, on how far the government is justified in going in the direction of positively furthering the interests of the citizens. Some people feel that it has already gone too far in extorting money by taxation to provide certain services, or they argue that in certain areas government interference will defeat its own ends by stifling the life it is seeking to encourage. Others again hope to see the range of government activity greatly extended till it permeates every area of human life.

The two elements into which I have analysed public good are sometimes expressed by means of the concept of freedom. The

negative sense of public good — protection — can be expressed in terms of 'freedom from'. Thus protection against outside invasion can be called 'freedom from oppression' and against civil disorder 'freedom from fear' and against disease 'freedom from disease'. The more positive sense of public good — social welfare of all kinds — can be expressed in terms of 'freedom to'. Thus, the provision of educational services gives the freedom to engage in intellectual pursuits. It is doubtful, however, whether any clarification of the concept 'public good' can be achieved by analysing it in terms of 'freedom', since the latter term is even more ambiguous than the former. The term 'freedom' in a political context does little more than signal the presence of a favourable emotion and it is therefore of no value in the analysis of any other concept. I have preferred, then, to break the concept of public good into the concepts of public protection and public welfare, both of which terms admit of a more concrete analysis.

There is, however, a third element involved in the public good and the third element is at least as important as the other two. The public good requires that there should be an independent arbiter* between conflicting group interests; and this is the third of the functions performed by the government (4). In any society, and especially in a complex one such as our own, there are bound to be groups with competing or even conflicting interests. The interests of consumers, for instance, may conflict with the interests of retailers: the former want to pay as little as they can for a given commodity while the latter want to make the highest possible profit on the same commodity. Again, the interests of an industrial firm which wants to dispose of waste products cheaply by pouring them

* At first I took the view that the third function of government was to be an *impartial* arbiter, but it was pointed out to me by Professor Graeme Moodie that a government is 'impartial' only in a narrow range of cases. For example, it is impartial among a limited number of contestants in a limited conflict about the precise *application* of a general rule, principle or policy. Apart from such cases, a government would be regarded as totally unresponsive if it were 'impartial'. I have therefore adopted Professor Moodie's suggestion and described the government as a relatively detached or independent arbiter. It is true that 'impartiality between interests' is a liberal-democratic ideal, but even as an ideal it requires some refinement before it is acceptable.

into a river may conflict with the interests of those concerned with preserving the beauty of the countryside or with fishing the river. Employer and employee, landlord and tenant, television advertisers and viewers, farmers and house builders, may all conflict from time to time, or all the time, over specific details or general policies. In such situations the government acts as an independent arbiter deciding issues in terms of the public good.

It may be asked, however, by what criterion the public good is decided. After all, whichever way the government decides in a dispute will produce benefit for one part of the public, and it is to be doubted if there is one good in which every member of the public can share. It may be suggested that the good in terms of which the government will decide an issue is the good of the majority. But this is not always the case: sometimes a minority may be favoured and sometimes all may be required to make sacrifices. The 'public good' which is furthered cannot, then, be reduced to the good of any group, majority or minority, within the community at a given time. It cannot even be the individual goods of the people who, taken collectively at any given time, make up the community. This suggests that the 'public' whose good is furthered by the government is the whole continuing social community. Just as an adequate conception of government action requires the use of concepts which cannot be reduced to concepts about the actions of individual persons, so an adequate analysis of public interest requires the use of concepts which cannot be reduced to concepts about the interests of individual citizens or groups. To say this, of course, is not to say that there is a mysterious organism 'the public' over and above the individuals who make up the public, any more than to deny that government purposes and responsibilities can be analysed in terms of the purposes and responsibilities of individuals is to assert the existence of a mysterious entity over and above the individuals who make up the government. The well-being of the public, or of society as a whole, requires the continued existence and prosperity of institutions such as banks, schools, insurance companies, theatres, businesses and organisations of all kinds, as well as various long-term policies such as town and country planning, re-forestation, slum-clearance

and so on, and the nature of these institutions and policies cannot be adequately analysed in terms of the interests and purposes of any group of individuals. The interest or good which determines the independent arbitration of the government is, then, that of the whole continuing social community.

To argue that the good of the public is not just that of the individuals of whom at any given time the public consists is not to suggest that the government may impose some conception of intrinsic good or natural law with no relation to what individuals within the society actually want. In some political traditions it may seem permissible for a government to pursue some abstract ideal for human life in society, but within our own tradition this forms no part of the government's function. The point is rather that the government must develop the implications of what the public actually want in order to elicit an enlightened conception of what in the long run they really want. Independent arbitration in the interests of the public good may therefore involve policies designed to preserve institutions or to further policies which produce no immediate benefit for anyone. Assuming the acceptability in principle of this account of public interest or good, the object of independent arbitration on the part of the government, I shall go on to examine in more detail the nature of the independent arbitration.

In discussing the nature of government I distinguished three organs — Executive, Legislative and Judicial — which are jointly responsible for the processes of government, and an adequate account of the government's function as an independent arbiter must refer to all three. The Legislature is obviously concerned with introducing new laws and regulations, and these will act as checks and balances to existing sectional interests or they will adjust the social order to accommodate the arrival of new institutions. In general, then, the function of the Legislature as an independent arbiter is that of holding in continual tension the constantly changing forces of society, and this is done by the enactment of new legislation or the readjustment of existing legislation.

The social situation is complicated, however, by the fact that one of the main forces at work in it is the government itself, understood narrowly in this context as the Executive. For example, in pursuing

the public good, interpreted in either its negative sense of public protection or its positive sense of public welfare, the government as the Executive may clash with a sectional interest. This may be either the interest of a powerful section, such as a large industrial concern, or that of a single individual. For example, the Executive may wish to build a road through someone's house, and the person in question may feel that he is being unfairly treated because the road need not go through his house, or because he is not receiving adequate compensation. In such a situation the Executive does not necessarily prevail. The aims of the Executive are not automatically identified with the conception of public good but are rather regarded as a further sectional interest the claims of which are to be balanced against those of the other person involved. To decide the issue the government interpreted as the Judiciary may be called in, and the function of the government as arbiter is that of deciding which of two sectional interests may prevail; both the private person in question and the Executive are legal persons. Independent arbitration is still a function of government, then, even when one of the parties is an organ of government.

The Judiciary decides the issue mainly in the light of existing legislation. But not all of the relevant law may have issued from the Legislature or, if it has, it may have issued from a Legislature concerned with a very different social framework. In such a case the Executive can reassert itself as an organ of government and insist on having its own way. This it can do by introducing new legislation which will enable it to win its case. The Executive, of course, cannot by itself pass the new legislation, but it can be introduced by the Executive, and, by the system of Party Whips, it can be forced through the Legislature. Naturally, such a procedure seems at first sight to be at variance with the conception of the government as an impartial arbiter between conflicting sectional interests, but in some cases — and the expedient is only infrequently used* — it may be justified by the conception of public good. After all, it is not always morally right to hold slavishly to a moral rule when the consequences of doing so will be disastrous.

* It may be that the frequency is increasing as the Executive grows in power.

Special legislation is sometimes introduced in cases where the Executive is not one of the contending parties. For example, in 1900 a majority of members of the Free Church of Scotland decided to join with the Church of Scotland, despite the significant doctrinal differences. The minority group of the Free Church claimed the funds on the grounds that the majority had departed from the doctrines which defined the nature of the Free Church. The House of Lords upheld this view, adopting a strict view of the nature of corporate personality. On this occasion the government decided that the public good would not be furthered by this decision and, acting as a relatively detached arbiter between two parties of which it was not one, it passed a special Act of Parliament which divided the funds equally between the two contending parties. The government, then, not only furthers public good by protecting its citizens and improving their welfare but also by arbitrating between sectional interests. 'Government' in this sense, however, is a function of the three organs, the Legislature, the Executive and the Judiciary.

So far I have been attempting to suggest the kind of justification which is accepted in our tradition for the obligations imposed on us by the government, and I have expressed the justification in terms of the function of government. It should be noted here, for it will be of importance for the argument in the next chapter, that the function of government is closely similar to that of morality. In the case of both morality and politics we must justify obligations by showing how they stem from rules which serve to organise people in society in terms of public good. But in our tradition the existence of government and political obligations cannot wholly be justified by referring to their social function, any more than the existence of moral obligation was completely justified by its function. In the case of moral obligation the main justification stemmed from the conception of the autonomy of the will: obligations were regarded as authoritatively binding, as distinct from simply coercive, in so far as they were regarded as issuing from the will of the person obligated. In our tradition, assent is immediately given to Kant's conception of the will of every rational being as a universally legislating will. Human dignity is thought to consist in the fact that we

are both source of and subject to the laws which bind us in a society of persons all equally entitled to respect. The question which this raises is whether some similar analysis can be found to complete the justification of political obligation.

The answer is that a similar justification can be found, and it may be expressed in terms of the concept of consent. The analysis of consent is best approached by considering a concept with which it has often been confused in the past — that of contract (5). Since political theory was first written, the concept of contract has been used in some form or other to account for the relationship between the ruler and the ruled. Traces of the theory can be found, for example, in the suggestions of Glaucon and Adeimantus in Plato's *Republic*. In the Middle Ages, again, the theory was not without notable advocates, and it is even arguable that Aquinas dabbled in it. But the period of social contract theory was pre-eminently that which began with the publication of Hobbes' *Leviathan* in 1651 and ended with the publication of Rousseau's *Social Contract* in 1762. Even during this period, however, there was no single doctrine to which every thinker influenced by social contract ideas subscribed, and the situation was still more complicated by the fact that there were really two main applications of the social contract theory: one concerned mainly a contract among the members of a society, and the other concerned mainly a contract between the members of the society and their government. Nevertheless, what was common to the various versions of the theory was the view that the government did not hold office by virtue of some divine right but held it because, and only in so far as, it performed a certain function in society. In other words, the various forms of the theory of social contract stressed that the authority exercised by the government somehow stemmed from the will of the people, and the people were entitled to withdraw their support from the government if it failed to fulfil the function for which it existed, or if it abused the authority by which it performed that function. It was to express this attitude towards government that the concept of contract was used.*

* These general comments on contract do not apply, without serious qualification, to Hobbes.

Taken literally, contract theory is easy to criticise. Historically speaking, the members of a community have never made such contracts either with one another or with a ruler, and, supposing they had, we would not now regard ourselves as bound by them. But even if we do not take the contract theory as expressing a view on the historical origins of society but regard it rather as expressing metaphorically the relation of ruler to ruled, we might still object to it: the metaphor suggests a relationship altogether too mechanical and legalistic (6). The real point which is being expressed by means of the metaphor of contract is that the government may command with authority, and not just with power, so long as the members of the community consent to the general ends pursued by the government. It is in consent and not in contract that we must look for the final justification of the obligations placed on us by the government. Whereas the term 'contract' is apt to suggest something completed once and for all, the term 'consent' can more easily be analysed as a continuous process, as an organic relationship of functional dependence. Let us consider in more detail what this amounts to in the modern state.

It is obvious that the theory of consent is unrealistic if it is regarded as an attempt to mirror the facts of government in a large modern state. Every individual cannot participate directly in the processes of government, and, even were it practicable to hold a referendum on every major issue, it would not be desirable, since many issues are of too technical a nature for the average member of the community to hold informed opinions on them. Indeed, most people remain comparatively uninterested in the vast majority of political issues. Nevertheless, consent theory does express a truth which is fundamental to the liberal-democratic tradition: the people are not puppets to be manipulated at the whim of the government. Sooner or later the government of a democracy must go to the people, who then have the opportunity to participate indirectly in the processes of government by voting into power that party the general aims of which they regard as most nearly fulfilling their own. Further, even when the government is in power, the members of the public can still participate indirectly in the processes of government to the extent that they can voice their criti-

cisms of particular government actions, or draw the attention of the government to particular abuses which they think ought to be remedied. This can be done by letters to Members of Parliament or newspapers, or through local party organisations. To say, then, that in the last resort the government rests on the consent of the people it governs may not be to say anything positive about the connection between the will of the people and the legislation which a government actually introduces. It is, however, to say something important: that the range of choices open to policy-makers is restricted by the necessity of obtaining a periodic mandate from the people. This is the truth which is expressed in the claims that those governed can participate in the processes of government and that, to the extent that this is possible, the existence of government may be regarded as legitimate.

3. Conclusion

In this chapter I have tried to describe the main strands in our ordinary thoughts about the nature of government. Each strand expresses genuine insights into the nature of government, and taken together they give rise to the theory that the government consists of a set of institutions operated by individuals. The individuals are not acting as free and uncommitted agents but are pursuing political policies in social roles, the natures of the roles being determined by the institutions in question. The institutions are headed by individuals who are responsible in various senses and more or less directly to the people who put them there. Having clarified the nature of government in this way I then tried to justify its existence by relating it to assumptions accepted in the society which it governs. I suggested that we regard government as legitimate in so far as it fulfils the function of furthering the public good, provided that we are able to participate in the process of government.

CHAPTER IV
GOVERNMENT ACTION AND MORALITY:
PART ONE

1. The Moral Basis of Government

So far I have examined some of the salient features of morality and of government in the liberal-democratic tradition, and I have suggested the place that each has in a way of life. The question now arises of the relationships which may hold between morality and government in that tradition. In order to answer this question, however, I must first consider the extent to which government action can be said to have a moral basis, for this will determine the subsequent discussion of the relationships between morality and government action. The answer to this question has in fact really been given in the foregoing analysis of the justification commonly accepted for the existence of government, and in examining the moral basis of government I shall merely be developing and making more explicit what has already been implicit. I shall therefore begin by recapitulating some of the preceding argument.

It was argued that the obligations imposed on us by the government are regarded as justifiable in so far as they are the expression of political policies or of a legal order in the creation or maintenance of which the individual has himself participated, provided also that the operation of this political and legal order is directed to the sustenance of the public good. If this justification is examined in more detail, however, it can be seen to be moral in nature. Morality was identified by the kind of justification given for its norms. And a moral obligation was said to be justified — to be a *moral* obligation — if the reasons given for it connect it with a system of rules stemming from the will of the agent and regarded as necessary for the continuance of an organised and co-operative society. In other words, morality was justified by the conception of

the autonomy of the will of the agent as a source of the norms which bind on him, and by the function of these norms in sustaining a society the general nature of which he regards as desirable. If morality is felt to require no justification, as being that which itself justifies other forms of activity, we may express the same points in a slightly different form by saying that any obligation is genuinely moral, or that any form of activity is morally justified, if reasons can be given for it which connect it with the will of the agent concerned and with the well-being of the society of which the agent is himself a member. But this is the kind of justification which was given for the obligations imposed on us by the government and for political activity in general, as some expansion will make clear.

Morality was characterised from one point of view by its function. But political activity was seen to be justified if and only if it had precisely the same function — the maintenance of the public good. It is by means of governmental activity that the public good can most adequately be served, for the superior power of the government makes it in most cases an incomparably better vehicle for that end than any one person or group. For example, the government is obviously able to further the causes of social harmony and social co-operation on a scale vastly beyond that which is open to the individual: statutes may be introduced which regulate the behaviour of the members of the community, and the statutes can be supported by the employment of coercion. But, although the individual may delegate to the government the performance of those duties which he is unable to perform himself, the difference in the scope of the duties does not amount to a difference in function. In the case of both morality and politics the reasons which are given (and accepted) for the imposition of duties restricting the freedom of the individual refer to the function of the rules from which the duties spring, and the function in each case is the same — that of maintaining a state of society the general nature of which the individual regards as desirable.

But the reasons which are used to support the imposition of a moral obligation refer not only to the function of the obligation but also to the source of the obligation in the will of the agent; he is the source of the imperatives which bind on himself and others

universally. Now it cannot be said that the individual is in quite the same way the source of his legal or political obligations since they may emanate, say, from Westminster. Nevertheless, as we saw, the individual does participate indirectly in the processes of government by electing representatives and, if the representatives are to continue in office, they cannot ignore the needs and wants of their electors. To this extent, then, there is a parallel between the moral doctrine of the autonomy of the will and the political doctrines of consent and representation. After all, when the individual decides in a particular case that he is obliged to refrain from lying he does not actually create the rule that binds him but rather consents to it. Hence, the difference between the obligations which stem from rules created by the government and those which stem from moral rules is not so great as it may at first seem; the nature of the consent in each case is the same.

If the steps in the argument are put together it is clear where they are leading. I have argued that a moral obligation may be identified by the kind of justification which is given for it — one that refers it to a rule of which the individual is the source in the sense that he consents to it as a means of promoting the public good. But precisely the same justification is given for political obligation. Taken together these two findings seem to suggest that political obligation is a sub-class of moral obligation. In other words, the claim is that there are not several kinds of obligation — moral, legal and political — but that there is only one kind of obligation — moral: in so far as the citizen feels himself obliged by his government, as distinct from simply coerced, he feels himself to be under a moral obligation. I shall examine this claim in more detail and attempt to guard against possible misunderstandings and objections.

To begin with, the claim is not that whenever a person obeys the government he is doing so for morally good reasons. Clearly, people in fact obey their government for various reasons, such as the fear of punishment which may follow disobedience, force of habit or patriotism. My claim is rather that whenever a person feels a duty (as distinct from a pressure) to obey his government, or feels obliged (as distinct from coerced) to support it, then the duty

or obligation is moral in nature. In maintaining this, however, I am not denying the propriety of the terms 'legal obligation' or 'political obligation'; there are clearly contexts in which such terms are convenient and others would be misleading. For example, from the point of view of the historian 'legal obligation' may refer simply to the requirements, whatever they may be, of a given legal system. My argument is rather that, from the point of view of the agent, these are secondary or derivative uses of the expression 'obligation': they are secondary or derivative in the sense that they stress the content of the obligation but presuppose its form as obligatory. They draw attention to the fact that there is an important class of obligations which is concerned with carrying out the instructions of the government. But these instructions become obligations, as distinct from commands backed by threats, only when they are self-imposed, re-enacted, as it were, by the private legislature of the individual person. In a similar way, 'legal obligation' is merely a shorthand expression for our moral obligation to obey the commands issuing from legal sources. There is not 'legal obligation' over and above moral obligation: there is only moral obligation with a legal content. The claim, then, is that the commands of the government — whether 'government' is understood narrowly as the Executive or widely to include the Judiciary, Legislature and Administration — become obligations only in so far as they are re-imposed by the person on himself. This is to say that all genuine obligation is primarily moral obligation.

It may be objected to this analysis that conflicts exist between moral and political obligations or between moral and legal obligations. For example, a person may feel morally obliged to break the law as a protest against a government policy, or he may be ordered by his government to do what his moral conscience forbids, as in the case of pacifists in time of war. In virtue of such conflicts, then, it may seem less plausible to maintain that 'political obligation' or 'legal obligation' are merely names referring to specific kinds of moral obligation than to maintain that they are autonomous kinds of obligation competing on occasion with moral obligation. If this objection can be sustained it will destroy the whole basis of my argument. It therefore requires careful discussion, especially since

the discussion will also bring to light points of the greatest importance for the later analysis.

The objection may be countered in two ways, each of which is sufficient in itself. The first method is to draw attention to the consequences of admitting legal and political obligation as autonomous forms of obligation. The consequences are that it becomes difficult to exclude other and more dubious candidates for the title of autonomy. For example, it is not unknown for artists to speak of an 'aesthetic conscience' and to regard this as something which may compete in its demands on the artist with the moral conscience. Art may then be conceived as a form of activity imposing obligations on artists by virtue of their participation in it. Again, there is something which is occasionally described as 'scientific integrity', and what seems to be meant by this expression is that the nature of scientific activity imposes on its participants obligations which may on occasion compete with moral obligations. Having once admitted aesthetic and scientific obligations, however, we must admit obligations imposed by any serious form of activity, and the result is that morality will be confined to a narrow area of human experience — that concerned with such matters, say, as truth-telling and the regulation of sexual behaviour. (It is worth noting *en passant* that the ordinary use of the word 'moral' is so confined.)

Moreover, not only will the area of the jurisdiction of morality be confined, but the nature of the jurisdiction itself will be affected. If autonomy is granted to the claims of these other activities a moral claim will become only one of a large number of claims competing for the allegiance of the agent, and it will have no necessary priority over the others. Now, if such a restriction in the area of morality, and such a diminution in its authority, are consequences of allowing autonomy to legal and political obligation, we have good reason for denying them this independence; for claims so restricted both in area and in authority cannot be moral claims. After all, if morality is restricted in the manner indicated, a situation in which there was a conflict between a legal and a moral obligation would not have the personally worrying quality which does in fact characterise such situations: it would be more like a situation in which one must decide between two incompatible invitations. The first

method of counter-argument, then, is to point out the unpalatable implications of saying that political and legal obligations are autonomous competitors with moral obligations.

The second method of counter-argument is to point out that conflicts do arise between what are indisputably moral obligations.* For example, if I have promised a friend not to divulge his secret marriage, and I am asked whether it is true that he is secretly married, then my obligation to keep the promise will conflict with my obligation to tell the truth. (Silence or evasion may at times be as revealing as speech.) To admit that moral obligations conflict, however, is not to deny either that they are obligations or that they are moral: it is merely to imply that the application of moral rules to experience is not always straightforward. Let us see the relevance of this to the alleged conflict between moral and political or legal obligations.

Take the case of the person who feels morally obliged to protest against the presence of nuclear bases in Britain. We shall say that the force of letters to his M.P. and to the Press has been spent, and he concludes that some form of non-violent resistance is morally appropriate. Such a procedure may involve the breaking of the laws of the land, which the agent normally feels obliged to observe. This is the situation which may be described as a conflict between moral and legal obligation, but I have preferred to call it a conflict between two moral obligations with different contents. Similarly, the expression 'aesthetic conscience' does not indicate a claim on the artist which may compete with the claims of morality, but rather that among the moral claims on an artist there will be an important class concerned with the pursuit of art. And 'scientific integrity' means that a scientist has a moral duty, say, to refrain from distorting his evidence for non-scientific ends, and not that science can somehow compete with morality. Thus, the objection to the view that political and legal obligation are species of moral obligation may also be answered by pointing out that conflicts between moral obligations are familiar phenomena which do not

* Strictly speaking, the conflict would be between *prima facie* moral obligations. But this does not materially affect, although it would complicate, the argument.

constitute special problems for the position I am putting forward.

Assuming, then, that political and legal obligation are ultimately forms of moral obligation, we may attempt to take another step. If we regard as justifiable only those commands of the government which we can accept as moral obligations it is plausible to argue further that only those actions of the government itself on behalf of its citizens are justifiable which *could* be accepted as moral obligations. After all, it would be a strange anomaly if the actions a government demands of its citizens were justifiable only if they could be accepted as moral obligations, while the actions which a government performs itself on behalf of its citizens were free from these strictures. At any rate, I shall assume that all government action, whether in the form of action delegated to the citizens or in the form of action performed on their behalf, is justifiable if and only if it follows the pattern of morality. Now, if this assumption were valid, we should expect that it would be reflected in the moral judgments we make about government actions. And this is indeed what we find. We regard moral rules and the duties to which they give rise as binding in so far as they fulfil the function of organising a community of persons conceived as ends in themselves, and in so far as we have ourselves participated in the process whereby the rules are imposed. These two factors provide the key to the pattern of morality, and they are the basic ones at work when we make moral criticisms of the government. Let us consider how they operate.

The first factor is the one which is most obviously operative in our moral judgments about government action and it therefore requires little expansion in general terms, although its mode of operation will be discussed later in particular examples. It is clear, however, that if the government fails to act as if society were an order of rational beings whose collective good it must further and among whose competing claims it must arbitrate it will be criticised on moral grounds; failure to care for the welfare of the citizens or failure to arbitrate are common grounds for the moral criticism of government action.

The second factor operative in our moral judgments of govern-

ment action does require explanation in general terms before an examination of its mode of operation in particular cases will be profitable. This factor is concerned with the other characteristic of morality on which I have placed emphasis — that we regard as genuinely binding (as distinct from simply coercing) only those norms which we have imposed on ourselves. Now it is obviously not possible in the modern state for all the citizens to participate directly in the creation of the norms imposed upon it. But, as we have seen, indirect participation is possible in several ways. Most obviously, the citizens can participate as electors in voting into power those parties whose policies they distrust least. They thus have some part, however indirect, in determining the policies which will affect them. Moreover, some at least of these policies are put into practice by local government officials, and the electorate can participate also in the election of local governments. Further, the electorate can continue their participation in the processes by which they are governed by means of letters to M.P.s and the national Press. Participation of all kinds depends on the availability of detailed information about Parliamentary proceedings, the workings of the administration and so on. The Opposition, the Press, *Hansard* and political commentators of all kinds clearly play a great part in ensuring that information and discussion of government action are plentiful, but the main responsibility for the provision of information of this kind rests with the government itself. And it is in this context that the second of the two criteria is most evidently operative. The government is always severely criticised in moral terms for failing to disclose information about its doings, except where the publicising of that information would be detrimental to the security of the state. It is not enough, moreover, for the government to present to the nation a *fait accompli* in political matters: the electorate must be allowed to share in the arguments for or against a particular policy, and any attempt to treat the citizens not as rational beings but as puppets to be manipulated, in however benevolent a fashion, will in the end produce moral revulsion.

This point was stressed by Professor D. V. Donnison in a letter to *The Times* on 29 July 1963. Professor Donnison was concerned

with the failure of the government to publish a Social Survey on housing, but his letter was generalised to apply to government decisions in all matters. He pointed out that as governments gradually assume greater responsibility for our welfare their 'decisions become increasingly complex and difficult. Yet in the last resort it is laymen who must approve these decisions and assume responsibility for them. If we are to remain a democracy our governments must be prepared to keep the electorate better informed. A government that shares its knowledge only with selected "experts" will rapidly degenerate into a mere technocracy.' The second criterion takes the form, then, of an insistence that the actions of the government at all levels be open to the scrutiny of the people and that the government must assist in the processes of inspection.

In Chapter II, I maintained that our moral system is partly a matter of rules and roles and partly one of ideals. In this chapter, I have so far tried to argue for a solidarity between the morality of rule and role and our political system. It may now be asked whether there is any connection between political life and that side of morality concerned with ideals. In other words, is it part of the government's function to pursue ideals of the good life? Does the government play a part in the positive or creative side of morality?

At first sight it seems as if it is no part of the government's function in our tradition to pursue ideals. I described the government's function as the protection of its citizens against some of the uncertainties of human life, the creation of welfare services and the provision of arbitration among competing sectional interests. If the government's function is so described two arguments, a more and a less radical, may be urged against the view that a government can pursue moral ideals.

The more radical argument is to the effect that the pursuit of a moral ideal is actually incompatible with the function of government as I have described it. The government, it may be said, has been depicted as properly concerned only with such matters as arbitration, which are of concern to the community as a whole. To pursue a moral ideal, on the other hand, whether it be Christian or Communist or Fascist, will involve the elevation of some sec-

tional interests at the expense of others, to the consequent detriment of the arbitral function of government.

This objection is valid, however, only on the assumption that if a government interests itself in moral ideals it will be concerned exclusively with one ideal. Thus, if the government pursued exclusively the ideals adopted by, say, racialists or religious enthusiasts then it might legitimately be argued that it was failing in its function of independent arbiter. It is possible, however, for a government to pursue, or encourage its citizens to pursue, a variety of ideals without in any way impairing its function as an independent arbiter. The radical objection fails, then, if it is stressed that the pursuit of moral ideals by a government does not commit it to the ideals of any one sectional group.

But although the pursuit of moral ideals by a government may be compatible with the function of government as I have described it, it may be argued, in the second place, that it is wrong to extend the function of government by including in it the pursuit of ideals, on the grounds that this would involve the unwarranted intrusion of the government in areas of life which are the preserve of the private individual and his conscience. Indeed, it may be argued that it is not possible for a government by its very nature to pursue moral ideals, since the pursuit of ideals is essentially a matter for private initiative and individual self-realisation.

This objection misconceives the manner in which a government can pursue ideals. The suggestion is not that there should be a government department concerned with moral ideals but rather that a government should encourage in many different ways the pursuit of ideals by its citizens: it should create the political atmosphere in which a plurality of ideals of the good life can be followed by the citizens. For example, it should encourage the correct use of leisure by the provision of educational facilities and it should encourage the arts by the commissioning of public works. It is important, moreover, that a variety of ideals be encouraged. A. N. Whitehead has maintained that progress is founded on the experience of discordant feelings. He points out that the Chinese and the Greeks both achieved perfections of civilisation, but that 'even perfection will not bear the tedium of indefinite repetition. To

sustain a civilisation with the intensity of its first ardour requires more than learning. Adventure is essential, namely, the search for new perfections' (1). It is in the encouragement of the 'search for new perfections' that a government can pursue moral ideals. This is a function of government in that it fosters the creative impulses which sustain a society. Lacking the self-criticism and the imaginative vision which come from moral ideals a society stagnates; its science declines, its literature becomes shallow and its social services lack humanity. Such a condition of society is clearly undesirable: it is therefore part of a government's function to prevent it by encouraging the pursuit of moral ideals. If it is correct, then, to claim that a government may in the manner described encourage the growth of moral ideals in society, we may expect that the third factor implicit in our moral judgments of government actions will reflect this; the third type of moral criticisms of government action will be concerned with the extent to which the government does or does not foster ideals of the good life.

The conclusion of this analysis of the moral basis of government, then, is that there are three criteria implicit in the moral judgments we make about government action: we judge a government by the extent to which it furthers the public interest, where that is understood as a matter of protection, social welfare and independent arbitration; by the extent to which it allows participation by its citizens in the processes by which they are governed; by the extent to which it encourages the pursuit of ideals of the good life. It should be noted that I am not here so much recommending these criteria as claiming that they are in fact implicitly operative in the moral judgments we make about government action in the liberal-democratic tradition. My aim in this context is primarily to clarify the principles on which we in fact pass judgment; but philosophical clarification may, as we have seen, involve at the same time a disguised recommendation.

It may be objected that although the three criteria I have suggested are frequently used in our moral judgments of government action they do not exhaust the possible criteria. For instance, if the government were to introduce a measure legalising the existence of brothels it would certainly be exposed to strong moral criticism.

Now it may be argued that the moral objection to such a measure would not be based on any of the three criteria I have suggested, and hence that the three criteria do not exhaust the possible basis for moral criticism of government action.

The answer to this objection is to concede it, and then to qualify the concession. It is certainly true that government action in the imagined case, and in many others, would be exposed to moral criticism, and that the criticism may not be based on any of the three criteria I have mentioned. But I have not set out to provide an account of all the possible criteria which may be used in moral judgment but of those only which belong to the liberal-democratic tradition. No doubt government action admits also of criticism from the point of view of Marxist or Christian ethics, and such criticism will employ criteria of a different nature from the ones I have suggested. This may be so, but since I am not here attempting to discuss these moral traditions I may justifiably neglect the criteria which arise out of them: the objection would be damaging only if it showed that within the tradition I am discussing I have not accounted for all the criteria we employ.

Moreover — and this is the second stage in the reply — it is not the case that any set of criteria is equally relevant when applied to government action in our tradition. For example, it is not relevant to criticise a government for acting in ways which are inconsistent with a Christian or Communist form of society since, if my analysis has been correct, it is not the function of government to create societies which exemplify one ideal of the good life to the exclusion of others. Rather it is the function of government to promote the public good in a manner which encourages the active participation of the citizens, and in so doing to create the conditions in which a multiplicity of ideals of the good life may flourish side by side. It is arguable, further, that this view is in fact accepted by many who would regard themselves as Christians or Communists. For example, if a Christian wished to oppose the creation in Britain of licensed brothels he might not formulate his opposition on explicitly Christian grounds. He might rather argue that the existence of such institutions would not be in the public good. Similarly, Christian opposition, say, to the opening of public houses on

Sundays may be based on exclusively Christian principles, such as Sunday observance. Nowadays, however, it is more likely to be expressed ostensibly in terms of factors, such as the possible increase in road accidents, which relate to the conception of the public good. If it is the case, then, that moral criticism which stems from another tradition is nevertheless couched in language which suggests the liberal-democratic tradition, this may be evidence that we all accept as relevant only the three criteria which stem from that tradition. At any rate, I shall assume this and go on to examine in detail the application of these criteria to government action in its various aspects.

2. Moral Judgment and Government Action

Assuming that I am correct in attributing a moral basis to government, I shall now examine in more detail the manner in which the criteria implied by this basis are used in moral judgments about government action. It will be remembered that the analysis of the nature of government in Chapter III suggested that government may be regarded as a particular system of social roles which are enacted by individual persons more or less in terms of political policies. It follows from this that a moral judgment about a government action will be a complex affair which may refer explicitly or implicitly to any or all of the three elements in government action. In other words, when using the suggested criteria to make a moral judgment about government action a person may be referring mainly to the morality of the role, the morality of the political policy or the morality of the role-enactment. Not infrequently, of course, we fail to discriminate clearly the precise object of our moral judgment and the result is a loss of force in the moral judgment: spreading itself diffusely over the wide target of a government action it fails to make a convincing impact at any point. It is important, then, to distinguish clearly what is our precise target when we make a moral judgment on a political matter, and I shall therefore examine the manner in which the three criteria may be applied to the three elements which make up the complex of a government action.

(a) The Morality of the Role

I have argued that whenever governments act individual persons act, but that the persons are acting as government representatives in roles with an institutional form. A moral quality may therefore enter government action through the structure of the role itself considered as a pattern of rights and duties more or less clearly defined. If a society is characterised in total abstraction from its members it is generally the morality of the system of roles that is meant. We say, for instance, 'The whole system is rotten', and thus express our moral condemnation of a social system while at the same time indicating a sense of bafflement over the precise location of responsibility for the creation of this state of affairs. This point is illustrated by Gandhi, speaking of the British government in India. '... an Englishman in office is different from an Englishman outside. ... Here in India you belong to a system that is vile beyond description. It is possible, therefore, for me to condemn the system in the strongest terms, without considering you to be bad and without imputing bad motives to every Englishman' (2). This is a characterisation of a system of roles conceived in abstraction from its operators as a network of *responsibilities for* and *to*. Similarly, cases of the deliberate burning of crops or the disposal of surplus milk for economic reasons have the characteristics of moral evil, but the blame does not generally rest with a single person or group; the actions are more often a consequence of the economic structure of society. It is in such contexts, when a person feels he is not personally to blame for an action he has performed, that he is likely to say, 'I was only doing my duty', or, 'It is part of my job', or, 'I am not responsible for this decision'. By means of such expressions we attempt to shift the blame on to the nature of the role, or (it may be) we modestly disclaim personal merit for an action. A moral quality can therefore be said to enter action through the structure of the role.

At this point, however, it may be argued that some justification is required if we are to use the language of moral (as distinct from natural) good and evil of role-structure. It will be remembered that one of the fundamental assumptions of the liberal-democratic

tradition in morality is that if we are to be justified in using moral language of anything we must be prepared to show a connection with free individual human decision. If we cannot demonstrate such a connection then the good and evil we attribute will be like that which we attribute to the seasons or the dispositions of animals. Is there, then, a connection between role-structure and free individual human decision?

There is such a connection, and it lies in the fact that society, conceived as a complex system of social roles, is a human artefact; it has been built up as a result of innumerable human judgments, decisions and acceptances in the past. Of course, not all the judgments, decisions and acceptances which have led to the creation and development of our institutions are to be assessed in moral language: many will simply be the result of the mistakes or happy chances which inevitably follow from limited human knowledge, and honest mistake of fact is hardly to be assessed in moral terms. Moreover, some of our institutions can less properly be said to have been built up by judgment and decision than to have grown up by custom: we did not so much create them as find ourselves in possession of them. Nevertheless, among the judgments and decisions which have created our social and political institutions are some to which praise and blame can be attached, and those institutions which have grown up by custom are at least accepted by us; even if we did not make them we do consent to their presence. Our institutions, then, are images of ourselves as moral creatures. It is society rather than the individual now acting in the role which is morally responsible in this sense, because, from this point of view, the individual would not necessarily have chosen the actions to which his role commits him. This is an aspect of the *morality* of action because there remains a connection, although an oblique one, between the action resulting from the nature of the role and individual human decision. But it is only an *aspect* of the morality of action since it clearly omits much we must include under this heading. Nevertheless, the structure of a role is connected with individual decision in so far as it was created and is accepted and sustained by that means. We may therefore justifiably speak of the morality of the role as such.

Now if it is the case that a role, considered as a pattern of rights and duties in abstraction from its operators, has its own moral quality, it will tend to produce actions with that same moral quality no matter who is acting in the role. In other words, we may speak of the morality of the role as such because there is an irreducible ingredient in any official action which is due to the role and not to the morality of the person involved or the political policy in terms of which he is trying to act. Let us now examine the manner in which the three moral criteria are applied in particular to the morality of the roles of government.

The first criterion concerned the extent to which government action furthered or hindered the public good, and, applied to the morality of the role itself, this criterion will be operative when we judge that the furthering of the public good requires the creation of a new political role or a modification in the structure of an existing role. For example, it was argued in the 1950s in Britain that the maintenance of the public good required the creation of a new role — that of Minister of Science. And from time to time there is a demand for the setting up of councils or advisers to deal with a variety of problems connected with the public good, such as wages, or the modernisation of transport. Judgments of this nature arise out of an application of the first criterion to the morality of role-structure.

The second criterion concerned the extent to which the government respected its citizens as rational beings by allowing them to participate in the processes of government, or at least by exposing the processes of government and administration to inspection and criticism. Moral judgments based on this criterion and referring to role-structure may be concerned, say, with the desirability of creating means whereby the justice of government action can be examined. For example, after the Blake spy trial the government was reluctant to allow an enquiry. Mr. Gaitskell, the Leader of the Opposition, argued that the plea for secrecy might 'become the cloak to cover incompetence' (3). The Prime Minister, Mr. Macmillan, replied that Britain's security system would be reviewed by 'a body of independent persons of standing'. The answer of the Prime Minister clearly expresses a desire to satisfy the moral

demand that the processes of government be open to public scrutiny without endangering the national security. A similar desire is behind the recent discussion of the role of Ombudsman and the possibility of creating it in this country. It is felt that the existence of an Ombudsman would facilitate public scrutiny of the actions of the Executive and the Administration without endangering national security.

The third criterion concerned the extent to which the government encouraged the growth of a multiplicity of ideals of the good life. This criterion is in operation mainly when we discuss government policies, but we also use it sometimes when evaluating the roles of government. For instance, we may say that the government ought to create some body concerned with education in the most profitable use of leisure. Again, we may say that the existence of secret policemen investigating the political records of men in official positions will in the end stifle freedom of thought. Such judgments apply the third criterion to the nature of governmental roles.

(b) The Morality of the Policy

Moral judgments in terms of the three criteria sometimes have as their primary object not the roles as such but the political policy in terms of which the role has to be enacted. To speak of the morality of a political policy, of course, is again to abstract from the concrete action, which is also shaped by the nature of the role and coloured by the moral quality of the person enacting the role. Nevertheless, it is a useful abstraction because there is no doubt that sometimes the predominant moral quality of a government action comes from the political policy involved. It may be objected, however, as in the case of the role as such, that some justification must be provided if we are to use moral language of a policy as distinct from the persons carrying out the policy: there must be a connection between the policy and individual decision. The answer to the objection is the same as in the previous case. A connection does exist between the policy and individual decision; it lies in the fact that the policies are created by the judgments, decisions and acceptances of the persons who formulated the policies. Thus, a

policy constitutes one aspect of the morality of government action, and I shall therefore investigate the manner in which the three criteria are used to evaluate it.

The criterion concerned with the implementation of the public good is the one which is most frequently operative when moral judgments are made about political policy. After all, the term 'public good' does not have a definite descriptive content, and opinions vary a great deal on what constitutes the public good at any given point in history. Political policies may be said to be the means whereby a government expresses its own views on what makes up the public good, and as such they are always liable to moral criticism. Priorities in the allocation of government expenditure are especially vulnerable targets for morally indignant criticism. For example, it has been said that the government was morally weak or unjust to impose a pay pause on sections of the community, such as the nursing and other professions, which are not well organised to protect their own interests, while breaking the same pay pause in the face of threatened industrial action. Similarly, taxation policies, education policies and housing policies are all targets for the exercise of the public good criterion.

It will be remembered that I analysed the public good into three main elements — protection, social welfare and independent arbitration between competing sectional interests. It is to be expected, then, that when the public good criterion is operating the elements in it may not be clearly distinguished. For instance, in granting a wage increase to one section of the community rather than another the government does not always make clear whether its intention is to benefit the community as a whole by encouraging a functionally important section of it, or whether it believes that fairness demands that the claims of the section be recognised. Failure to discriminate in this context is not a serious confusion, however, since both aims are governed by the conception of public good.

The respect and participation criterion is in operation when we demand that the country be kept informed about some important matter. For instance, assuming that it is in Britain's interests to

join the Common Market, we might still argue that the government ought to respect the electorate by providing them with all the information available on the problem; it should be part of a government's policy to educate public opinion on the important political issues. In other words, it is not enough that a government's policies be always in the public interest: it should also be a government's policy to allow general participation in the processes by which the public interest is furthered. The index of our desire to be kept in critical awareness of government policy is the moral indignation engendered by the suspicion that the government is interfering with the liberty of the Press. Interference of this kind is generally regarded as morally wrong because the government is commonly thought to have a duty to keep the public informed on all the major issues with which it is concerned. Sometimes, of course, that is not possible, either because national security does not allow it or because the issues are of too complex a nature for general discussion. In such cases the respect and participation is still operative in the demand that the Prime Minister should make it his policy to discuss the matter with the Leader of the Opposition. Again, there is generally moral approval when a government decides to discover the views of the electorate on an issue by appointing a Royal Commission. But moral indignation results when the government, having discovered the views of the electorate, refuses to implement them. Indeed, so deeply felt is the need for respect and participation that there is often a demand for the creation of roles, such as that of Ombudsman, which would ensure its permanent satisfaction. In other words, political parties vary in the extent to which their policies allow the participation of the electorate in the processes of government, but morally good government requires some means whereby respect and participation are kept at a maximum.

The third criterion, concerning a government's attempts to stimulate ideals of the good life, is used in discussions of how far the government has gone or ought to go, say, in promoting interest in the arts by building a national theatre or commissioning public works by artists. Again, the same criterion is at work when we say that the government ought to preserve certain ancient monuments,

develop national parks or, in general, to support some ventures which do not have an immediate return in economic terms but nevertheless contribute to the enrichment of human life.

(c) The Morality of Role-Enactment

Government action, finally, is a matter of individuals acting in the roles of government, as officials or as politicians, and we can therefore expect that many moral judgments about government action will have as their target the role-enactment of those in public positions. It is not always easy, of course, to separate that which is genuinely a matter of individual role-enactment from that which is a matter of political policy. Moreover, there are traditional ways of enacting certain roles — such as that of the Speaker in the House of Commons — which somehow become built in to the structure of the role and cannot therefore be regarded as entirely matters of individual response to the role, although they may well have originated in such a manner. Further, each role, or at least each type of role, will have its own peculiar moral dangers and opportunities. In particular there is an important distinction to be drawn between the role of an administrator or bureaucrat and that of a politician. Consider first the role of the administrator.

In an administrative machine, such as the British Civil Service, official business is conducted in terms of procedural regulations. There is a strict hierarchy of authority, and each official within the hierarchy is limited to a specific type of task and has the necessary authority to carry it out, for the most part using written documents. An administrator is appointed mainly for his intellectual ability and holds his position on a contractual basis. His rewards, a regular salary and promotion, are carefully regulated and depend to a great extent on seniority.

It is obvious that an administrative machine with such characteristics will have many advantages, and will avoid many of the moral abuses to which an administration based on preferment and patronage is liable. For example, the corruption of officials by bribery is less likely to occur in a bureaucratic than in an avocational form of administration. Moreover, the administration will operate with greater speed and efficiency, and there will be a greater

degree of fairness, in the sense of uniformity, in the carrying out of official policies. It follows from this that the moral quality relevant to the role-enactment of an official will be conscientiousness, in the sense of an ability to put public duty before private feelings. In other words, an official must be able to perform his tasks dutifully within the framework of rules which define the nature of his employment.

Now the merits of the administration and the qualities expected of a good administrator also constitute the moral dangers of the system, and create a target for moral judgment in terms of the three relevant criteria. Consider first the uniformity of operation or fairness which is a feature of bureaucracy. When this is compared with systems in which favouritism and bribery play a large part its merits are not likely to be disputed. But it must also be remembered that this very uniformity of operation also produces considerable impediments when a decision has to be adapted to meet an individual case in which special conditions obtain; there is more to fairness than uniformity of treatment. It is not uncommon, then, to find cases of hardship produced by an inflexible application of the principle of uniform treatment, and when this happens the administration is open to moral censure for its unimaginative conception of its function; it has been forgotten that the regulations governing impartial administration are relative to the public good and do not exist for their own sake. In other words, the role-enactment of bureaucrats may be criticised in terms of the first criterion.

There is a second feature of the operation of bureaucracy which is both desirable in general and a potential source of moral weakness — the separation which is encouraged between an administrator's public and private morality. This feature is connected with the uniformity of operation of the administration: if the decisions are to be similar in similar cases then the individual officials must be discouraged from allowing their private views and moral outlook to encroach on their public duties. Moreover, the separation of the public from the private in our administration is reinforced by two further factors, one constitutional and the other psychological. The constitutional factor is the system of accountability

which, as I tried to show in Chapter III, is a feature of the liberal-democratic tradition in politics. A senior Civil Servant may be required to come before a parliamentary body, such as a Select Committee on Estimates or a Public Accounts Committee, and give an account of his doings. And a minister is accountable to the House of Commons for all the actions performed in his name by his department. The psychological factor is the sense of working for the public good which animates many bureaucrats. This may be a genuine altruism or it may be a disguised egoism, the individual ego being merged in the collective ego of the department. At any rate, the psychological factor combines with the constitutional to make it easy for an official to ignore any promptings which may come to him from his private morals. Now the separation of the public and the private may often be a safeguard against moral failing as measured by the first criterion: the public good is likely to benefit from the system of accountability and the altruism (or disguised egoism) of officials. But the separation of public and private may also lead to moral default in terms of both the second and the third criteria.

The second criterion concerned the importance of acting in ways which respect the persons concerned and allow for their participation in the actions. In the context of bureaucratic action this amounts to the demand that officials be frank and reasonable in their dealings with the public. But an over-zealous conception of official duty may lead a Civil Servant to act in a high-handed manner which would be intolerable in private life. Indeed, there is sometimes a lack of frankness about bureaucratic action which in private life might be described as dishonest. A case of this, quoted in *Occasion for Ombudsman* by T. E. Utley, is that of Mr. Dudley Glanfield, a farmer of Surrey. Apparently in 1955 the Central Electricity Authority wanted to erect pylons across Mr. Glanfield's land. He protested and suggested an alternative route which would do less damage to his land. A public enquiry was held in which an Inspector of the Ministry of Fuel and Power agreed to the alternative route and 'the Inspector accompanied by the Central Electricity Authority representatives and Mr. Glanfield with his Counsel and solicitor, walked over the alternative route said to be

acceptable to the Central Electricity Authority and the parties all shook hands on the same . . .'. A month later it emerged that the Minister of Fuel and Power had given his consent to the original route before the public enquiry took place, and 'the public enquiry was therefore a complete farce with a foregone conclusion. For nothing that was said or done at the Enquiry could apparently have any effect because the Minister had previously already given his consent to the pylon line and such consent could not be altered.' This seems to be an example of official action which was lacking in the frankness and reasonableness stressed in the second criterion. No doubt the officials concerned were moved by a sense of public duty, but in private life their actions might be described as dishonest.

The third criterion, as it affects the role-enactment of bureaucrats, concerns the extent to which official action is modified by the influence of moral ideals. Now, since moral ideals are largely a matter of private morality, it is clear that they will exert very little restraining power over official action. The result is a kind of moral failing not uncharacteristic of bureaucratic action — an over-formality and lack of sympathy in the approach to individual cases which, in private life, might be described as arrogance. This failing, moreover, is aggravated by the predominant method of conducting business in the administration, namely, by written documents. In written documents formality and uniformity are rooted in the literary style adopted by the bureaucracy. The result is an impression of the administrator as a person austere and cold, pursuing policies with a ruthless inflexibility which would be strongly censured in private morality. Nor is this impression wholly unjustified by the quality of administrative action: the sense of duty which characterises the good official requires the leaven of a moral ideal if it is not to degenerate into simple officiousness.

In a leader in *The Times* for Wednesday, 24 October 1962, many of the foregoing points are illustrated. The leader, entitled 'Public and Private Ethics', is partly concerned with a discussion of the *Memoirs* of Lord Chandos. Lord Chandos is quoted as saying that the 'commercial morality of Government Departments sometimes

does not reach the minimum standards which the instinct of survival imposes on the business world'. He can remember senior officials saying, 'Well, Minister, we have studied the contract with great care and we see no way in which we can get out of it.' The leader suggests that the attitude of mind depicted by this remark is connected with the fact that Civil Servants are in the public service and 'the arrogance which is so often apparent in Civil Servants' dealings with private individuals or interests, particularly in writing, can be presented as a kind of humility. . . . To serve the people, their masters, they will do almost anything.' In fairness, however, the leader points out that the failing is not peculiar to the Civil Service but is shared by any public body. 'The most surprising people are ready to do collectively what they would shun to do privately.' It seems, then, that if the administrator is to avoid moral censure in terms of the three criteria, and especially in terms of the second and third, he must not allow the division between private and public to degenerate into a division between the human and the inhuman.

The role-enactment of the politician calls for qualities of rather a different sort from those of the administrator. An administrator is responsible in the end only for carrying out his specific duties within the hierarchy of authority, but a politician is required to show that he has a mind of his own. He must reveal in his actions a capacity for independent action and judgment for which he alone is responsible. It is true, of course, that politicians are obliged to restrain this independence where matters of party policy are involved, but it must be remembered that the formulation of party policy is also a matter for politicians, and that initiative and adventurous judgment are needed for this. In other words, whereas the good official* will exhibit a discreet sense of duty within the framework of authority, always acting impartially and deferring to those in authority above him, the good politician will exhibit a more critical attitude towards regulations and an awareness that policies can be changed by human initiative. The good politician, in a word, exhibits leadership.

* This description of the good official must be qualified by the discussion on pp. 101-8.

But if leadership is the virtue of the politician it is also the source of his moral failings. In the first place, the desire to exhibit leadership may impel a politician to make striking changes which are not in the public interest. The obvious example of this is the dictator. If a dictator is to maintain himself in power without deploying ruthless force he must capture the public imagination and inspire confidence in his individual judgment. The pursuit of these ends, however, may drive him to policies which are not in the long run adapted to the public good. For instance, to maintain power a dictator may need to engage in a war damaging to the public good. And every politician is to some extent exposed to the same danger: a leader must avoid boring his followers, but boredom may sometimes be avoided at the expense of the public good. The desire of a politician to display leadership may therefore engage him in moves which are dramatic but open to moral censure in terms of the first criterion.

The desire to lead may also blind a politician to the importance of respecting the public as rational beings who must be allowed to participate intellectually at least in the process of government. This point was brought out in an editorial article in *The Observer* on Sunday, 29 July 1962. The article began by saying that the government's economic and political difficulties 'have found the Prime Minister overdrawn on his personal account'. The argument is that whatever the merits of the political policies introduced by the government, the Prime Minister has not been sufficiently frank about them, and his motives for introducing them have accordingly become suspect. 'The real criticism of Mr. Macmillan is not that he is, on occasion, devious in his approach. It is that he has made an art of deviousness. By refusing to speak to the public candidly and seriously, he has weakened the public's estimation of his own seriousness . . . public opinion is seen as something to be manipulated: political argument is replaced by public relations. . . . There is a lack of simplicity and directness about its [the government's] action, an obliqueness and over-sophistication about its approach to the voters, which invites distrust even while the general direction of its policies should be commanding support.' This article clearly voices the kind of moral criticism which is sometimes

directed at even the most effective politicians. The desire to exhibit leadership, to appear to be in touch with every change in the economic or international scene, may produce a 'quirky reluctance to tell the public the truth, simply and honestly'.

A somewhat similar kind of criticism of the government emerged in an editorial article in the *Political Quarterly* (1959) on the results of the 1959 election. The article points out that the 1959 electorate was satisfied with its material lot, but that in the fields of colonial and foreign policy there were a series of disasters, conjured up by names such as Suez, Cyprus, Hola, Nyasaland and the Devlin Report. The serious aspect of the matter, according to the editorial, is not that the policies followed were failures but that 'in each case, the Government extricated itself from the mess by means which earlier standards of political morality would never have tolerated'. Referring to an action of the government the article says that the Prime Minister relied 'on the undoubted success of the Government in keeping people materially happy, in the knowledge that this surface contentment would be a powerful factor in making them vote for the Government again, to escape the consequences of an action which he and his colleagues must have known to be dishonest'. The Prime Minister was able to divert attention from the political disasters by projecting on the public a confident image of himself, but 'it is not good for our political health if pure technical performance conjures out of sight the failure — or the deliberate refusal — of a government to maintain its integrity'. It is worth noting that in the same article the Labour Party in Opposition also incurs moral censure for its failure to arouse public interest and indignation over the moral weakness of the Government. This editorial article, then, illustrates the contention that we expect politicians as a class, whether in the Government or in the Opposition, to maintain certain moral standards in their role-enactment. It is not enough for them to act for the public good in the sense of the material prosperity of the nation: they must also respect the citizens as rational beings with a right to be informed on the true nature of their government's actions.

The morality of electioneering is, of course, more complex than

the *Political Quarterly* editorial suggests. A political party may wish to introduce a policy which it sincerely and correctly believes to be in the public interest. Now, as we have seen, the 'public interest' is not necessarily identical with the immediate interests of a given electorate, and it is possible that if the electorate is told the unadorned truth about the policy the party may not receive a mandate at the polls. The operation of both the public good and the respect and participation criteria in the realities of political life at election time may therefore create a genuine moral dilemma for a party leader and those who formulate party policy. Some gilding of the political pill is no doubt morally permissible, but the natural desire of a party to be elected may easily entice its leaders too far. If this happens the respect and participation criterion will be transgressed.

We apply the third criterion to the actions of politicians in a somewhat ambivalent manner. On the one hand the role-enactment of politicians is regarded by the general public with the utmost cynicism. So far are they from expecting any signs of moral idealism from politicians that charges of bribery and corruption serve only to confirm chronic suspicions. On the other hand constituents do expect from their M.P.s moral qualities which are a function of moral ideals. For example, it is expected that M.P.s should always be ready to listen with patience and sympathy to grievances and should exhibit tact and understanding in their dealings with the electorate. In other words, people look to politicians for the human qualities which they sometimes find wanting in bureaucrats, or, as it is sometimes put, they expect politicians to tell Civil Servants what the public will not tolerate. Moreover, moral qualities of a more heroic nature are sometimes demanded of politicians. In particular, a politician is expected to show courage in maintaining a point of view even where this results in the disapproval of his own party. The case of Peel and the repeal of the Corn Laws is often quoted in this connection. It seems, then, that despite the common cynical attitude towards politicians we do expect that their role-enactment will display qualities which can be assessed only in terms of the positive or creative side to morality with which the third criterion is concerned.

3. Corporate Action and Individual Responsibility

In discussing the criteria by which we pass moral judgments on government action I have been concerned mainly with the actions of politicians and officials considered as individual persons acting in specifiable roles. It may be pointed out, however, that some government actions are not just those of individuals enacting roles in terms of policies but rather involve the whole government. Moreover, we do sometimes want to hold the government as a whole morally responsible, and it is not clear how this can be done if the moral responsibility of governments is limited to that of individual persons in certain roles. What, then, is the connection between the actions of the government as a whole and those of the individual politicians and officials who collectively make up the government?

The answer to this question requires the introduction of the concept of a corporate person. A corporate person may be defined as a group of persons, individual or corporate or both, so organised that they are capable of exercising rights and performing duties pertaining to the ends of the group as a whole and not just to those of its individual members. Now, when the government is acting as a whole it is acting as a corporate person and its rights and duties pertain to it as a corporate person. The form of speech which attributes actions to the government as a whole, as opposed to the Home Secretary, the Chancellor of the Exchequer and so on, is therefore not metaphorical, since it receives conceptual justification in the notion of corporate personality.

But, although the attribution of corporate personality to the government may explain the sense in which it can be said to act as a single unit, it does not, without further elaboration, explain the attribution of moral responsibility to the government as a whole. Indeed, it may be argued that unless the actions of the government as a corporate person can be reduced to the actions of its individual members we cannot, without violating a fundamental assumption of our moral outlook, use moral language of them at all. Yet I have argued that we can legitimately speak of government action in a

sense which does not reduce to the actions of the Home Secretary, the Foreign Secretary and so on.

The solution of this problem is not to abandon the concept of an individual in a social role but to develop it. Reserving for the next section the problems of the administrator in moral conflict with the policies of his political superior, I shall for present purposes mean by the government the members of the Cabinet. I can then say that the individual persons who are members of the government have more than one role. Each has a role as Foreign Secretary, Chancellor of the Exchequer and so on, and is individually responsible for his actions in that role. But since each also has a role as a member of the Cabinet he is also morally responsible for the decisions of the Cabinet as a whole. Cabinet decisions issue in the more important government actions and each member of the government shares moral responsibility for such action. The distinction between the action of an individual person in his role, say, as Foreign Secretary, and in his role as Cabinet member is reflected in political practice. When certain policies are disastrous the Foreign Secretary must resign if it is clear that he is more responsible than other government members. Again, if by some misdemeanour the Foreign Secretary reveals himself as unfit to enact the role, it is he rather than the whole government who must resign. But the whole government as a corporate person stands or falls morally by certain major policy decisions, because all the government members have consented to the policy. Naturally, the distinction is only one of degree since the members of a government are closely involved with each other and if a minister must resign from a role the whole government suffers. Moreover, a minister may attempt to save a government by accepting individual responsibility for what is really a Cabinet decision, or he may be sacrificed by a government unwilling to resign. A possible example of this is the Hoare-Laval Pact. In September 1935 the Foreign Ministers of Britain and France made speeches to the Council of the League of Nations, affirming their support of the Covenant, and, when Mussolini attacked Abyssinia, they consented to the imposition of sanctions, even if these were half-hearted. Yet in December the news leaked out that the two ministers had secretly

agreed to surrender a large piece of Abyssinia to Mussolini. This produced a storm of protest which might have overthrown the government, but in Britain Hoare accepted full responsibility and resigned. Nevertheless, it is arguable that the decision was a Cabinet one and that the whole government as a corporate person should have resigned.*

Broadly speaking, however, and despite many exceptions, political practice reflects a distinction between Ministerial and Cabinet responsibility. Both types of responsibility may be classed as moral, however, since each is connected with the judgments and decisions of individuals in social roles. In the former case the roles are those of the government considered in the diversity of its functions, and in the latter they are those of the government considered as a single corporate person. A politician, regarded both as an independent unit of government, such as Home Secretary, and as a member of the Cabinet, may be compared to the florets of a dandelion: from one point of view each floret is an independent flower in its own right, but from another each is a constituent member of the large flower. The admission of the fact that we do sometimes hold the government as a whole morally responsible for its actions involves, then, only an elaboration and not a modification of the analysis of government action which I have suggested.

4. Private and Public Morality

I have been arguing for the complexity of government action, on the grounds that it involves at least three elements, relating to the nature of the role, the policy being implemented and the enactment of the official or the politician in the role. If the argument is accepted it follows that an individual politician or official can never merit the whole praise or blame for any government action, since he contributes only one of the three elements. The praise or blame may, admittedly, be applicable to one element in a situation more than others. For instance, in the editorial article of the *Political Quarterly* from which I have quoted† it is clear that the moral

* The situation was in fact more complicated than my over-simplified account of it suggests.

† p. 97.

blame is being placed on the role-enactment of the relevant politicians rather than on the political policies or the nature of the roles. Nevertheless, even in this example the politicians are being judged not as private individuals but in terms of their role-enactment as government representatives; to deny this is to return to the personal action theory of government. But the term 'role-enactment', as I have used it, is an abstraction from a total moral situation of which the other two moral elements come from the structure of the role and the nature of the political policy. It follows that the total moral content of any government action cannot be attributed to any one individual: a politician or an official may be responsible for an element, even a large element, in a government action, but no one person is fully responsible for the total moral content of the action.

My claim that the morality of a government action is in three strands is supported by a familiar phenomenon in the political world — the pulling apart of the strands. In the majority of government actions the three strands are closely intertwined, but on occasion a politician or official may indicate that he is in moral disagreement with the nature of the role he has been assigned or with the nature of the policy he has been given to enact or vote for. When this happens the strands no longer pull in the same direction and their distinct existences are displayed, giving rise to moral tensions in the political scene. It is worth noting that a common device adopted to escape the tensions produced by this situation involves a conscious or implicit restriction of the areas of life to which moral considerations are allowed to apply. Thus, moral considerations are sometimes said to be applicable only to private or personal matters while public life or party politics remain outside their jurisdiction. The ethics of this attitude are expressed in such significant tautologies as, 'Government decisions are political matters', or, in non-political spheres, 'Business is business'. But very often a politician or official will honestly face up to conflicts between his own moral beliefs and the role or policy he has been assigned to support with actions or votes. When this happens a situation is created the ethics of which require examination.

The simple view of the situation is that when a man finds himself in moral disagreement with the duties of his role, or with the policies in terms of which he is expected to carry out his role, he ought to resign. In this view a man is held responsible for the total action which proceeds from the role, as he would have been supposing he had also created both the structure of the role and the policy. In so far as he did not bother to envisage the kind of actions which would be expected of him he is morally blameworthy. But in any case he can resign or refuse to obey orders. Thus, we say, 'You ought to have gone into the implications of your job', or, 'You ought to have realised what would be expected of you', or, 'You ought to resign rather than support such policies', or, 'You agreed to be responsible to him — for that — for him'. In other words, the argument admits that tensions may sometimes exist between the duties demanded of a person in his social role and his private moral beliefs, and claims that his private moral beliefs must in every case have priority; he is fully responsible for the actions he performs in his social role, as for his actions as a private person.

There can be no doubt about the plausibility of this view. It is supported, for example, in the first leader of *The Times* on 13 October 1962. Referring to the resignation of Sir Hugh Foot as British representative on the United Nations Trusteeship Council the leader says that 'any man has the right to resign from a post in which his conscience is in conflict with the work he has to do. That right belongs to a Civil Servant — whose function is that of interpreter rather than principal — as much as to a politician . . . the point has been reached where he could no longer defend the policy to which he objected against mounting and almost unanimous attack in the United Nations'.

Stated in this way the 'resign-if-you-disagree' view seems persuasive. But it produced opposition from Sir Hugh Foot's predecessor in office. Writing to *The Times* on 15 October 1962, Mr. Ivor Bulmer-Thomas expressed surprise over the resignation of Sir Hugh Foot. He argued that 'the United Kingdom representative in the Trusteeship Council . . . has no policy of his own. His function is solely to expound the policy of Her Majesty's Ministers in the United Kingdom. . . . It will be subversive of good govern-

ment if Civil Servants expound only those policies with which they personally agree.' On this view the official abdicates from responsibility for the nature of the policy: his responsibilities seem to be limited to efficient implementation of the relevant policy. Let us consider the respective merits of the resign-if-you-disagree view and the ignore-your-own-attitude view.

The resign-if-you-disagree view was supported by Mr. Kenneth Younger in the correspondence in *The Times* which followed Sir Hugh Foot's resignation. The premise on which Mr. Younger's argument rests is that a political minister has not only a right but a moral duty to resign if he cannot agree with a political policy. The defence of this premise seems to be that a minister is identified with the policy and must 'himself face the music'. In other words, the moral duty to resign-if-you-disagree arises out of a context in which one must 'appear week after week in public to lend the weight of one's own personality to arguments one believes to be wrong'. Using this premise Mr. Younger goes on to point out that there is not always a hard and fast line to be drawn between the political minister and the Civil Servant, and that consequently the moral duty to resign-if-you-disagree may devolve on the Civil Servant. 'Civil Servants at United Nations are now required to perform the public role traditionally reserved for politicians and I do not see how they can reasonably be denied all right to withdraw from this exposed position.' And in the end this view is generalised to apply to all Civil Servants, whether or not they hold special political positions: Civil Servants have a right, not to say a moral duty, to resign where 'deep convictions are at stake'. If we deny Civil Servants this elementary right of resignation we may find ourselves committed to condoning Eichmann's 'sustained obedience to high political authority'. The general view was supported by a previous correspondent, Mr. A. J. B. Moody, who wished that 'all nations were represented in the Council of the U.N. by men whose conscience and integrity would bring them to make a similar sacrifice'.

But although the resign-if-you-disagree view seems plausible there are several factors which may be argued against it, or at least in qualification of it. The first factor is that frequent resignations

make for an unstable government, and this is morally undesirable for the community as a whole. For instance, if we take a disagreement over a minor matter of policy, then the ignore-your-own-attitude view is obviously plausible. It is indeed 'subversive of good government' if every politician or administrator has such attachment to his own political attitude that he will refuse to implement those which in any way differ. After all, a Civil Servant does have an outlet for his moral and political attitudes: he can offer his advice to the minister. Indeed, Sir Hugh Foot (4), discussing the moral principles guiding the public servant overseas, argues that any official must firstly 'give honest advice fearlessly' and secondly 'do his utmost to convince those in ultimate authority of the soundness of his recommendations'. If the minister does not accept the advice then the Civil Servant may with some justification feel that it is the minister and not himself who bears the responsibility for the policy which is finally carried out. Similarly, a politician may discharge his moral duty by speaking his mind freely on party policy, and he is not morally bound to resign from the party if his advice is not accepted: frequent resignations make for political instability.

A second factor which may be argued against the resign-if-you-disagree view is that resignation may have political consequences and repercussions which extend far beyond the particular policy for which the person resigned. For instance, Sir Hugh Foot's own resignation was criticised on the grounds that its occurrence would embarrass the British government and exacerbate the difficulties facing them in the Rhodesias and Nyasaland. As was pointed out by Mr. John Biggs Davison in the correspondence in *The Times*, '... if non-racialism fails, Sir Hugh will bear part of the responsibility'. In a similar way, a Member of Parliament may decide to vote with his party even although he disapproves of a particular policy and knows that the constituency he represents will disapprove of it: disloyalty to party may on occasion make for instability in government. In minor, or even in comparatively important matters of policy, then, a case can be made out in favour of the ignore-your-own-attitude view.

In the third place, it is important to consider the consequences

that resignation will have on the role or policy which is being rejected. A person may hate his role and all its implications but still feel obliged to remain in it because, by opting out, he will leave the role open for someone without even his scruples. There are various ways in which a role can be enacted, and a person can bring to his actions a quality which may either mitigate or exacerbate its evil effects. Indeed, the actual structure of a role may be altered if it is enacted with a characteristic quality. To take an analogous case, the effects of an evil system of laws may be mitigated if it is impartially administered. Just as there is no clear distinction between the interpretation of existing law and the creation of new law, so there is none between enacting an existing role and gradually altering the structure of that role. Traditions of scrupulous role-enactment come in the end to be built into the structure of the role itself. For instance, the standard of role-enactment established over a long period by medical practitioners in Britain has come to be so much taken for granted that failure to attain it may bring a formal reprimand. And even in roles which are basically evil in nature much may be done to improve the situation, or at least prevent it from degenerating, by morally enlightened role-enactment. Thus, there may be morally good reasons for remaining in a morally bad role.

Similar considerations apply to the carrying out of a morally bad political policy. Sometimes resignation may be the only action compatible with moral integrity — indeed, the resignation of a prominent official or politician may mitigate a bad role or policy by provoking public discussion of it — but at other times resignation may pass unnoticed and leave room for officials of a more extreme or less scrupulous cast of mind. In such cases the morally correct course may be for the official to remain in office and attempt to enact the policy in as moderate a way as possible: if he cannot prevent the policy's being put into action he may at least prevent it from being carried to extremes. After all, there can be no distinction in practice between moderation in policy and moderation in the enactment of policy.

In view of these morally relevant considerations — the instability which frequent resignations produce, the possible extent

of the political repercussions, the possibility of moderating the evil nature of a role or policy by the moral quality of the enactment — it is clear that the resign-if-you-disagree view cannot be accepted in its simplicity but must be qualified by the ignore-your-own-attitude view. How far it must be qualified is, of course, a question for the moral agent and depends on the nature of the particular situation in which he finds himself. Sir Hugh Foot suggests three tests which the official should apply before deciding to resign (5). He should ask himself whether the issue is one of main principle rather than secondary matters; whether he himself will be directly involved in carrying out the decision; and whether the issue will be a continuing problem in which he will be expected to defend a policy with which he is in fundamental disagreement. Only if the answer to these questions is affirmative does Sir Hugh regard resignation as permissible or obligatory. Other public servants might wish to add to, or distinguish among, Sir Hugh's tests, but clearly the moral situation for an official, or for anyone in a social role, has more complexity than emerges from the simple form of the resign-if-you-disagree view.

Now it may be objected that to reject the simple form of the resign-if-you-disagree view is also to reject the doctrine, fundamental to the liberal-democratic attitude, that moral responsibility is a function of the adult individual; it is to admit that a person may sometimes perform actions which have moral elements in them for which he is not fully responsible. But this objection is based on a confusion over the doctrine of individual responsibility. The doctrine is that sane adult individuals (and no others) are to be held totally responsible for their moral actions: it is not that sane adult individuals are to be held responsible for the total moral content of their actions. To admit the need for modification in the resign-if-you-disagree view is not to abandon the doctrine that moral responsibility is a function of the individual, but rather to draw attention to the moral problems for the agent which follow from its acceptance. The factors which I have included in the ignore-your-own-attitude view are such that for an official or politician the moral choice must sometimes be a choice between evils. For instance, he may need to choose between the evil of resigning in

moral protest, and so leaving the role open for someone with fewer moral scruples, and that of remaining in office, and so implementing a policy of which he does not morally approve. But a choice between evils is still a choice which can be made by a morally responsible person; no moral abdication is involved. After all, the moral situation of the private person not acting in a social role may occasionally be such that he must choose between evils, and we should not on that account alone deny him moral responsibility. Indeed, it may be said that the agent is never responsible for the total moral content of an action. The situation in which he finds himself is never one of which he is sole creator, since he is born into an environment not of his making: his moral actions, being reactions to his situation, are necessarily affected by it. Thus, to accept the view that the morality of a government action is compounded of three elements, the morality of the role, of the policy and of the enactment, is not to cast doubt on the doctrine of individual moral responsibility, but to define the nature of the moral situation for an official or politician. And his situation is only a particular form of a universal predicament.

My discussion of the relationship between public and private morality has so far been concerned with the question of how far a public figure may allow his own moral outlook to affect the enactment of his social role. There is, however, a second question which may arise over the relationship between public and private morality. How far, if at all, is a public figure rendered unfit for office by a private life which many people would condemn? How far is the private moral behaviour of a public figure relevant to his social role?

This topic received a great deal of public debate as a result of what came to be known as the 'Profumo affair'. Mr. John Profumo, a Cabinet Minister, was rumoured to be involved with a woman who was at the same time the mistress of a Soviet diplomat. In a personal statement to the House of Commons Mr. Profumo denied that there had been anything improper in his relationship with her, but was later forced to admit that he had lied to the House and to his colleagues. The ensuing scandal produced a Parliamentary debate and much editorial comment and correspon-

dence, which may fairly be taken to represent a cross-section of liberal-democratic views on the subject.

One of the most common approaches emphasised the separation between public office and private morals: what the Minister did with his spare time was regarded as his own business, and the only relevant consideration was said to be whether the Minister's choice of personal friends was likely to put him in a position which might be dangerous from the point of view of national security. It was conceded that Mr. Profumo ought not to have lied to his colleagues and to the House, but it was also maintained that he ought not to have been publicly questioned on the matter about which he did lie. This position — which we might call the 'separate compartment' view — was expressed as follows by Mr. William Devlin, one of the many correspondents to *The Times* on 14 June 1963, 'We might never have known, and ought never to have known about the Profumo affair provided no security breach was involved. I do not defend Mr. Profumo's action in the Commons, but would point out that the only question he answered incorrectly was one that should never have been put by any public body, least of all by the Press. Would you, Sir, think it necessary to publish the fact in your columns if one of your leader writers visited a brothel?'

The separate compartment view of the relationship between public and private life, however it may require qualification, has an obvious plausibility to anyone influenced by the liberal-democratic tradition. Nevertheless, the view came under heavy attack in two leaders in *The Times* (11 June and 13 June 1963) and from numerous correspondents. In the first of the two leaders *The Times* took the Profumo affair as the occasion for a generalised attack on British society as a whole. Asserting in its leader headline that 'It Is a Moral Issue', *The Times* depicted the private life of Mr. Profumo as a sign of widespread moral decadence. In the second leader, 'A Matter of Conscience', and in some of the many letters provoked by the first leader, there emerged a more specific view to the effect that there is no legitimate dividing line between public and private morals: even supposing no question of national security or public interest arises, the private morals of a politician are still matters on which the public, the Press and even Parliament

may fairly pass judgment. In contrast to the separate compartment view we may call this the 'continuity view'.

It is obvious that as an unrestricted thesis the continuity view is not plausible. A minister may be unnecessarily unpunctual at meal times or mean with tips, but these failings, although they may be matters of private morals, hardly affect the public life of an official or politician. If the continuity view is to be plausible, therefore, we must find some way of distinguishing those aspects of private morals which are relevant to public life from those which are not. One way of drawing this distinction was suggested by the Warden of All Souls College, Oxford, in a letter to *The Times* (13 June 1963). Mr. Sparrow argued that a 'public man who has shown himself corruptible or lacking in integrity in the ordinary relations of life, even if not directly connected with his office, cannot complain if the public declines to entrust him with its interests; but his married life and his extra-marital relations are his own affair.' Now if the continuity view is expressed in this restricted form it constitutes an acceptable modification of the separate compartment view. Many moral virtues, such as honesty, are obviously relevant to public life, since a failure in honesty in private life gives grounds for inferring a probable failure of a similar kind in public life. In its modified form, however, the continuity view expressly excludes as irrelevant the sexual morality of politicians, and on that account it would not be acceptable to many of *The Times'* correspondents. Yet there is no obvious connection between sexual morality and political reliability and the onus of proof therefore seems to rest on those who assert that there is a connection. Two main arguments (apart from those with premises derived from religious belief) were used to assert a general relevance of sexual morality to political life.

The first was the argument from national security: a public figure may have his secrets wheedled out of him by his mistress. In this form the security argument is not convincing. Provided the official exercises discretion in his choice of mistresses no danger to security need arise. There is, however, a stronger form of the security argument to the effect that the sexual failings of a public figure may render him liable to blackmail. The force of blackmail in this context will depend on the domestic situation of the public

figure, the state of public opinion on sexual behaviour and the attitude of the Press, and, while blackmail may in isolated cases be applied to a politician, it remains true that many major politicians whose sexual morals would not bear much scrutiny have survived these dangers unscathed. It is worth noting, however, that homosexual practices make a public figure much more liable to blackmail, as was shown in the trial of the Admiralty clerk Vassall in 1963. But this may be a stronger argument for altering the law on homosexual practices than for asserting the relevance of a politician's sexual behaviour to his political competence. At best, then, the security argument has force only in specific cases and does not establish a general connection between sexual behaviour and political reliability.

The second argument for the relevance of sexual morality to political morality was the argument from public example. One writer to *The Times* on 13 June 1963, Mr. Frank McLeavy, M.P., praises the leader for stressing the moral aspect of the Profumo case. He writes, 'The decline generally in morality is one which should cause grave concern. Unless we can arrest it the whole of society will be engulfed.' Again, in the same correspondence column Mr. F. A. J. Lochrane writes that 'a society which regards as normal the breaking of a solemn oath made in the marriage service, in church, is not likely to regard lying, or other forms of moral decadence, as of any major importance. A country which lays so little value on moral issues does not deserve a leading place in the world.' The force of this argument, however, depends entirely on the suppressed premise that the sexual morals of public figures must be exposed to public scrutiny, and this is a premise of doubtful acceptability in liberal-democratic morality. This is especially true in view of the methods and procedures which are involved in exposing a person's private life to public scrutiny: rumour, innuendo and the intrusion into private life of reporters and photographers. It is true that the Press defends its activities in this context by referring to national security, but this may often be merely a pretext for the exploitation of sexual scandal to satisfy the prurient curiosity of newspaper readers. In so far, then, as the public example argument implies a context of Press intrusion and

gossip it is not compatible with the principle of respect for persons which is at the root of our moral outlook. To assert this, however, is compatible with demanding from politicians and administrators an exemplary standard of moral behaviour in their official role-enactment.

It therefore seems doubtful whether there is a satisfactory argument which establishes the general relevance of private sexual morals to public life, although in specific cases and for specific reasons it may be justifiable to caution or sack a politician for his private sexual morals. It would indeed be surprising if there were a general relevance of sexual morals to public office in view of the wide divergencies in attitude towards the former among the distinguished public figures in the history of politics. The continuity view of the relation between private morals and public office can certainly be said to improve on the separate compartment view to the extent that there are some moral virtues and vices which carry over easily from private life to public life, but it must be stressed that moral judgment on these virtues and vices is pertinent only in so far as the role-enactment of the public figure is affected.

It remains true, then, that it is the morality of official government action, rather than the private moral behaviour of individual politicians, which should be the target for moral judgment. And whereas the leaders in *The Times* may have expressed the views of many people on a specific issue, the leader in *The Observer* for 16 June 1963 is more characteristic of liberal-democratic attitude. The leader says that 'while not denying the importance of private morality in public men, public morality still seems more important. To support dishonest policies which affect the lives of millions while expressing outrage at a Minister's private morals shows a lack of proportion. It will seem curious to many that Lord Hailsham and Mr. Selwyn Lloyd should now wax so excessively indignant over Mr. Profumo's lies when, as senior Ministers at the time of Suez, both of them were able to stomach the far more serious lies that were then told about our Government's collusion with the French and Israeli Governments in preparing an attack on Egypt.' The conclusion, then, seems to be that while it may occasionally be desirable from the point of view of political expediency to expose

the private morals of public figures, it is their official action which is the more appropriate subject for moral seriousness on the part of the general public.

5. Conclusion

In this chapter I have attempted to draw out the implications of the previous two chapters. Moral and political activity, as they were depicted in Chapters II and III, are of such a nature that there is a necessary connection between them; legitimate government rests on a moral basis. It follows that whenever a government acts in ways which are untrue to its basis it will be open to moral criticism. In particular, moral criticism is directed at government action in terms of three criteria concerned with the conceptions of public good, rational participation and moral idealism. But, since any government action is compounded of elements derived from three sources, the criteria can be illustrated in their application to the morality of governmental roles and policies, as well as to the role-enactment of administrators and politicians. The fact that we sometimes hold the government as a whole morally responsible does not require a modification of the analysis, since the government, as a corporate person, is still made up of individual persons in social roles who consent in the decisions of the government as a whole. But to assert that the moral ingredients in a government action are not all put there by the government representative carrying out the action is not to abandon the doctrine that moral responsibility is a function of the individual. Rather it is to draw attention to two aspects of the moral nature of government action: that part of its moral nature derives from decisions other than those of the representative who is acting, and that the representative may sometimes need to choose between evils. Practically, such problems are perhaps more acute for the politician or official than for many people, but, theoretically, they raise no special issues of principle, since they are part of wider problems: the ethical problem of the criteria for resolving conflicts of duty, and the metaphysical problem of the moral nature of the human situation. The private moral life of a public figure was found to be relevant

to his official life only in those restricted areas of action in which the two are continuous.

This account of the relationships between government action and morality has been given mainly in terms of the domestic action of governments. But it is not obvious how far the same account can be adapted to suit the foreign policies of a government. Accordingly, to that problem I shall now turn.

CHAPTER V

GOVERNMENT ACTION AND MORALITY:
PART TWO

1. The Concept of the Moral Intermediary

The argument in the previous chapter was concerned with the moral basis of government and with the principles on which we pass moral judgments about government action. I claimed that we regard as justifiable only those commands of the government which we can accept as obligations. On this basis I took a second step and argued that *all* actions of the government, including those it performs itself on behalf of its citizens as well as those it delegates to its citizens, must be such that they could be accepted by the citizens as moral obligations. In other words, government actions were depicted as justifiable only in so far as they followed the pattern of morality. In this chapter I wish to make explicit a third step*: I shall argue that the *function* of a government is to follow and develop the pattern of morality, or that the government exists in order to organise society on a moral pattern. For consider, the function of a system of morality, as we have seen, is that of enabling people to live together in society on a harmonious and co-operative basis. But, in a large and complex society such as our own, this function requires for its adequate fulfilment the help of a central body that can organise the members of society in a way which compensates for their individual lack of understanding, strength, resources and will-power. The government exists in order to satisfy this need, and we can therefore say that legitimate government is a means whereby the members of society are organised for moral purposes. In other words — and to make explicit a concept which has been implicit in the discussion of the last chapter — the government may be said to be a moral

* The emphasis in the analysis of this step will be on recommendation with clarification in the background.

intermediary enabling people to perform their obligations to one another with a scope that would be impossible on the individual level.

In order to bring out more clearly what I mean when I say that the function of government is to be a moral intermediary I shall put my argument in a different way. It is sometimes maintained that the function of government is to represent the people. Now the terms 'represent' and 'representative' are ambiguous, and Mr. A. Phillips Griffiths has distinguished a number of senses in which they may be used (1). There is one sense (I do not take them in his order) which may be disposed of straight away as irrelevant to the purpose — that of *symbolic representation*. For example, the monarch is a symbolic representation of the majesty of the state. It may be said, of course, that a government official, such as an ambassador, symbolises the majesty and might of the imperial state. It is to be hoped, however, that such representation is nowadays confined to receptions and garden parties where it is least likely to be misunderstood: certainly it is not in this sense that the government represents the people as a moral intermediary.

A more relevant sense is called by Mr. Griffiths *ascriptive representation*. In this sense a person has, say, a legal representative who acts on his behalf and commits him to something. Mr. Griffiths thinks it plausible to say, at least in some cases, that a member of the House of Commons represents his constituents in this sense, especially in cases where he negotiates with a government department on behalf of his constituent. Now I should wish (although it does not, of course, follow that Mr. Griffiths would wish) to claim that it is in a similar sense that the whole government may be said to represent the people. A government, as a legally constituted body, acts on behalf of the people as a whole, committing them to various policies and negotiating on their behalf with sectional groups within the nation and with foreign nations. In fact, to say that the government is the ascriptive representative of the people, acting at home and abroad on their behalf, is to say, in the terminology I am introducing, that the government is the legally constituted intermediary of the people. To ask with what aims the

government is the intermediary of the people is to move on to a second relevant sense of 'represent'.

The second relevant sense is *representation of interests*. Mr. Griffiths points out that a member of Parliament may concern himself with the interests of some group, such as a trade union. I wish once more to extend the sense and say that the government as a whole represents the interests of society as a whole. The government, as an intermediary of the people, is concerned with their interests, or with creating a harmonious and co-operative society. Now when I discussed the justification of government in Chapter III, I argued that the government ought not merely to pursue the public interest but to do so in a certain manner — one which showed respect for persons as having an equal right to consideration, and allowed for the equitable pursuit by all of their ideals. This is the third ingredient in the concept of the moral intermediary, and in order to make clear its place in the concept I shall consider another sense of representation.

This sense is called by Mr. Griffiths *descriptive representation*, and it can be explained if we say that a typical member of a group is a descriptive representative of it. For example, a member of Parliament who comes from a working-class background may be said to be a descriptive representative of the working class. Now the point of having descriptive representatives of a class in Parliament is that they will share its attitudes and values. This suggests the third ingredient in the conception of the moral intermediary — the government represents the country not only by acting as its ascriptive representative and furthering its interests, but also by expressing its fundamental moral values. This we may call representation of values. Mr. Griffiths does not include it as a separate sense of representations. He does, however, suggest something similar under the heading of symbolic representation. Thus, he writes that we might say that 'Keir Hardie represented for us the fine old tradition of the British working class movement . . . we might say that in virtue of his personal qualities he embodies its spirit.' Now this is certainly an example of what I propose to call representation of values, and my only quarrel with Mr. Griffiths is that he includes the example of Keir Hardie along with the example

of the monarch under the heading of symbolic representation, whereas I prefer to regard Keir Hardie as an example of that special kind of descriptive representation which I have called representation of values. And it is the fact that the government represents not only the interests of the people as a whole but also their values that enables me to claim that the government is not just an intermediary but a moral intermediary. The government as a moral intermediary organises society so that its members may enter the functionally significant relationships which define their duties: it ensures a maximum of public good compatible with respect for persons as ends in themselves.

Now this analysis is merely drawing out the implications of what has already been said: to maintain, as I did in Chapter IV, that we regard as legitimate only those government actions which further the public interest, respect persons and encourage the pursuit of ideals, is to imply that legitimate government is a moral intermediary representing our interests and our values; and I have been concerned merely to make explicit this implication. But in so far as the conception of the moral intermediary emerges from the previous analysis, it must be based on the government conceived as a domestic body and on society conceived domestically. Thus, when I argued that the government justifies the obligations it imposes by the conception of 'public interest', I tacitly identified 'public interest' with 'national interest', or at least I failed to distinguish the two conceptions. But government action also has its outward looking aspect; the government also acts as the ascriptive representative of the nation in the international field. A problem therefore arises as to whether we can apply the same analysis to government in the international field. Can we say that internationally as well as domestically the government is a moral intermediary? If we do, we are saying that the government represents not only our interests abroad but also our values. Let us consider the consequences of taking this line.

If we maintain that the government is a moral intermediary with respect to the international field we are maintaining that the nation as a whole is only one unit among others in an international society. Now morality has no national frontiers because its field is the social

relations of persons as such. As Hume puts it, '... we give the same approbation to the same moral qualities in China as in England. They appear equally virtuous, and recommend themselves equally to the esteem of a judicious spectator' (2). If, then, we say that the government is a moral intermediary with respect to an international society, we are really saying that it is organising its people so that they may fulfil their moral duties to the members of this society. Just as the government acts as a moral intermediary on the domestic scene, organising people into the functionally significant relationships which give rise to their duties, so it can act on their behalf as a moral intermediary in the international field and enable them to fulfil their moral duties to humanity at large.

This line of argument suggests itself as a natural extension of the previous pattern of analysis. If accepted, moreover, it will cohere with the fourth attitude towards government which I detected in our ordinary outlook in Chapter III but have not yet discussed. In Chapter III, I argued that we do sometimes think of the government in a sense devoid of party associations as a representative of the people as a whole, as 'our government'. This attitude was formerly given its emotional colouring by nationalist feeling, but nowadays nationalist feeling, in Britain at least, has declined. The attitude has not disappeared, however, and it now takes the form of a desire that our government shall conduct itself with integrity in the international scene. Just as we identify ourselves with our family and desire that its representative on any occasion should act with integrity, so we identify ourselves with our government in its international conduct and desire that it should always represent our values as well as our interests. There is therefore some plausibility in the view that the government can legitimately act as a moral intermediary in its foreign policy as in its domestic policy. At least there is no glaring contradiction of the liberal-democratic attitude in such a view.

Despite its immediate plausibility, however, the view is open to a serious objection. In discussing morality at the individual level I argued that, while the existence of a moral system is justified as being in the long-term interests of all, individual persons may be

obliged to act on occasions in ways not in their own immediate or even long-term interest. Now, if we hold that the government ought to act as a moral intermediary in the international field, it will follow that it may at times be obliged to act in ways which are not obviously in the national interest. And to many people this is a repugnant idea. They would argue that the government represents the national interest, as a trustee, and that it is failing in its function — failing in trust — if it does not promote the national interest on all occasions in the international field. Indeed, one of the criteria on which we make moral judgments about government actions in domestic matters emerged in the last chapter as the criterion of public interest. The point is that domestically the conceptions of the government as a representative of interests and as a representative of values are not obviously incompatible, since it is in the national interest that the government should represent our values by respecting its citizens and their moral ideals: internationally, however, the two conceptions often seem to pull apart, and tensions arise between a government's obligations to its own citizens and to those of the world at large. It follows, then, that since representation both of values and of interests is involved in the conception of a moral intermediary, there are serious difficulties to be faced by its extension to the international scene.

2. The Moral Intermediary and National Interest

If the difficulties are stated in more detail they may be seen to rest on two premises. The first is that following the dictates of morality, or representing values, in the international field is not always in the national interest, and the second is that a government must pursue the national interest at all costs. Let us investigate the premises in order.

It will be remembered that morality enters government action through the structure of the governmental roles, through the nature of the policies pursued and through the quality of the role-enactment shown by politicians or officials. The question, then, is whether government action so understood can represent our moral values and at the same time represent the national interest. In

other words, is it in the national interest that a government should act for the good of a public which extends beyond its national frontiers, respect as ends persons of other nationalities, and encourage the pursuit of moral ideals in the world in general? These questions may be discussed in a variety of contexts in international politics, but I shall be concerned mainly with two: the granting of aid of various kinds to undeveloped areas of the world, and the conduct of international diplomacy.

If government action towards the poorer nations of the world represented our moral values, the government in the first place would show a concern for their national welfare (3). There is clearly a great need for the social and economic development of the poorer nations. The nature of western society has been transformed during the past few hundred years, and the root cause of the change has probably been the development of science and technology in conjunction with a capitalist form of economy. Until recently, however, these developments have not affected the Afro-Asian nations, and the transmission of their beneficial effects has in any case been hindered by social organisations in which conceptions of status and privilege still take priority over those of contract and fairness. Add to these factors a rapidly increasing population and the difficulties of agriculture in tropical regions, and the predicament of the poorer nations becomes clear. There are various ways in which a rich western nation can help towards the solution of this unhappy situation. There is a need for capital, especially for foreign exchange, and this can be supplied by western liberal-democracies. Again, the government can lend scientists, technologists and economists to give guidance in the best use of the available resources, and it can encourage private companies to develop trade and provide illustrations of efficient business organisation.

But although the government may further the interests of nations other than its own, its services will not be appreciated unless it also treats the inhabitants of other nations as persons to be respected for their own sake and not just as inferior recipients of charity. The Afro-Asian nations are indeed particularly sensitive to patronage from the West since they lack a clear sense of

their own identity and, judging themselves by European standards, they see themselves as deficient. Any aid from the West must therefore be given with the aim of creating or restoring the self-respect of the poorer nations. Moreover, the respect criterion in this context further requires that we recognise as soon as possible the independence of nations emerging from colonial rule. It is true that in many cases the emerging nations have not the political maturity for independence, but they may wish to make their own mistakes in their own way. It may be said that representation of values in this context means further that we encourage the poorer nations, so long dominated by European culture, to develop their own endemic culture. Now there is some truth in this view, but it requires to be carefully stated for there are really two attitudes which progressive Africans (say) resent. One is the attitude of earlier Europeans — especially the missionaries — who tried to impose western notions. The other is that of sentimentalists who deprecate the 'westernising of the African' and come near to protecting the African areas as 'nature reserves'. The best that western countries can do in this context is to assist the poorer countries to obtain a clearer view of their own potentialities, and to help them in understanding the adjustments which will have to be made in their own traditions according to the elements they wish to incorporate from western culture.

Assuming that, if it truly represented our moral values, government action towards the poorer nations of the world would follow roughly the pattern I have described, I can now raise the question of whether such action would also represent the national interest. It is certainly true that the provision of economic aid and general assistance to a backward country may involve the nation in some economic hardship, but it can be argued that, in so far as the nations of the modern world are closely connected economically and otherwise, it is in the long-term interests of all that aid be given in various forms to nations that need it, even at the cost of some hardship to nations which provide it. The importance of this is slowly being recognised and is reflected in the development by governments of an international outlook. It can be maintained, then, that a government can represent moral values in matters of

aid to the poorer nations because national interests benefit in the long run.

Unfortunately, however, this analysis does not go to the root of the matter. Economic aid is seldom granted to underdeveloped countries without conditions being attached; in general it is hoped to bring the aided country within the sphere of influence of the wealthier country. A similar hope is often behind the respect afforded to the representatives of the poorer nation. When this does not happen the granting of aid is no longer in the national interest and it sometimes ceases. If the government were genuinely representing moral values, however, there would be no justification for stopping aid simply because the national interest no longer benefited. There is therefore an incompatibility in this matter between the government's representing moral values and its representing national interest.

Another area of international politics in which moral considerations may be said to apply is that of international diplomacy. In this matter it is mainly the role-enactment of diplomats which is involved. A diplomat may be allowed moves which can be called 'astute' or 'shrewd' without incurring moral censure, but, irrespective of the obligations of international law, there are implicit conventions which cannot be infringed without inviting condemnation on moral grounds. For example, it is incumbent on politicians, especially those of the Great Powers, to conduct their diplomacy with an eye to the good of a public which extends beyond their own national frontiers and, indeed, includes the whole global community. Mr. Walter Lippmann draws attention to this in his account of the conventions which govern the diplomacy of the United States and the Soviet Union over the use of nuclear weapons (4). He argues that '... the paramount rule of policy in this age is that, as between the nuclear Powers, there can be no important change in the *status quo* brought about by the threat of force or the use of force'. He points out that throughout the Cuban crisis 'the two Heads of Government have kept open channels of personal and official communication', and that the U.S. 'was careful to avoid the ultimate catastrophic mistake of nuclear diplomacy, which would be to surround the adversary and leave him no way

to retreat'. The assumption behind this delicacy in diplomacy is that there is 'a line of intolerable provocation and humiliation beyond which popular and governmental reactions are liable to become uncontrollable. It is the business of the government to find out where that line is, and to stay well back of it.' It might be argued that this is merely diplomacy governed by prudence, but Mr. Lippmann would reply that it is also 'sanity and common sense and a due regard for human life'. In other words, it is diplomacy governed by moral values.

Again, moral obligations to refrain from lying about national intentions and to refrain from collusive action seem to be recognised in international diplomacy. Such moral obligations are governed by the 'respect for persons' criterion, expressed by Kant in a form appropriate to international diplomacy in his treatise *Perpetual Peace*. In this treatise Kant argues that we can judge the rightness or wrongness of political actions in terms of what may be called the criterion of publicity. His argument seems to be that if a politician cannot make public the maxim or principle in terms of which the political action is performed, then the action is not showing respect for persons. If an action is right, the principle in terms of which it is performed will be capable of being made public without defeating the ends intended by the action. In making public the principle of the action a statesman, according to Kant, will be showing respect for those affected by the action, and treating them as equal members of a society of rational beings. Kant tends to make his publicity criterion sound unrealistic by suggesting that a statesman *ought* to publish the principle on which he intends to act. Clearly, however, in so far as individuals or other governments would be prepared to exploit for selfish ends advance information as to how a government will act its perfectly moral intentions might be defeated. But this difficulty may be avoided if the publicity criterion is regarded as stressing that the principle of an action must be *capable* of being made public, or at least be capable of rational defence after the action. And if the conduct of international diplomacy is based on the publicity criterion so formulated it can be said to represent what in Chapter II I outlined as our moral values.

At first sight international diplomacy which is governed by this criterion would seem to be in the national interest. It is certainly true that failure to observe the moral obligations of international diplomacy may incur the moral censure of the international community, which will be directed at the statesman concerned, his political party and the nation he represents. This is obviously not in the national interest, and it is therefore arguable that diplomats ought to enact their policies in terms of the customary moral principles without which international negotiations are seriously impeded or entirely break down. On the other hand, this analysis must be qualified. If a nation is liable to receive a serious diplomatic set-back, then, it may be argued, national interest requires a politician to use every tactic, including lying and bribery, to improve the situation. This view is illustrated in a speech made by Mr. Arthur Sylvester, the United States Assistant Secretary of Defence. Mr. Sylvester said (5) that 'news "generated" by the American Government was used successfully in the Cuban crisis and that the Government would continue to use "news" to further its foreign policy'. Mr. Sylvester went on to say that 'of course, the Government must not put out false information', but that news was 'a weapon in the American arsenal' and that 'the inherent right of the Government to lie to save itself when faced with nuclear disaster is basic'. Now it may be that there is a distinction between putting out false information and telling lies which can be seen only by a patriot, but to an outside observer it would seem that, whenever the nation is threatened with a serious diplomatic reversal, Mr. Sylvester would advocate a departure from the moral criteria for international diplomacy. At all events, his views are not consistent with Kant's publicity criterion. It may be further argued against the persistent adherence to moral principles in international diplomacy that the politicians of foreign nations are not to be trusted in this respect, and that consequently our diplomats should observe moral principles in their negotiations only so long as it is in the national interest to do so.

In general, then, if a government takes on itself the representation of moral values in the international field it will also to a great extent be representing the national interests. It is possible, how-

ever, that situations may occur in which representation of the national interest does require the abandonment of moral standards in roles, policies or enactment. Hence, the government cannot both represent moral values and act on every occasion in ways which national interest demands. A lot depends, of course, on how long long-term interests are allowed to be; and no doubt it can be held as an act of faith that policies required by morality will in the longest of all runs turn out to have been in the national interest. It is doubtful, however, whether it is legitimate to permit the term 'national interest' to be indefinitely extended: to be useful in political theory the term must have a defined range of application. Moreover, it is not acceptable to argue that a government may act as moral values demand so long as national interest is not impaired. It is a necessary truth that a government cannot admit the claims of morality for some of its international actions and deny them for others. Either it must admit the claims of morality to govern all its actions or it must maintain that it is beyond the jurisdiction of morality: morality demands a total commitment. It seems, then, that the first premise on which the anti-morality view of a government's function is based is valid: no *a priori* guarantees can be given to the effect that in representing moral values in the international field a government will always be acting in ways which further national interest.

To destroy the concept of the moral intermediary, however, the anti-morality argument must also establish the acceptability of its second premise — that a government must pursue the national interest at all costs; only by the establishment of this premise and its conjunction with the first can morality be driven right out of international negotiations. The second premise, however, is not one which commends itself to persons in the liberal-democratic tradition. Whatever may be the practice of politicians in our tradition, and despite the views of Mr. Sylvester,* it is generally felt that a government in pursuing national interest should not abandon the customary morality of diplomatic negotiations. Just as a trustee in

* It should be remembered that in maintaining his view Mr. Sylvester had to contradict himself. This is likely to be due less to lack of intelligence than to a hesitancy about the position he was maintaining.

pursuing the interests of the principal does not feel justified in breaking the law or departing from accepted moral standards no matter what can be gained by such action, so it is not generally thought to be justifiable for a government to depart from international law or the customary morality of international negotiations in the pursuit of national interest. Politicians in our tradition are no doubt frequently dishonest and hypocritical, as they are in any other political tradition, but we are not grateful to them if our national interest is furthered in ways of which we morally disapprove. In other words, we expect the government to represent our moral values by enacting its roles and policies, internationally as well as domestically, in a manner which recognises interests extending beyond its frontiers, shows respect for persons other than its own citizens, and indicates an awareness of the importance of moral ideals. Morality can therefore be allowed to enter the enactment of international policies.

But, even if we assume that morality may enter the enactment of international roles and policies and that the second premise is therefore invalid as stated, it may still be replied that the second premise can be reformulated in a weaker form. In this form the second premise, while allowing the representation of moral values to affect the enactment of roles and policies in foreign affairs, will exclude morality from the nature of the roles and policies themselves. And this exclusion would suffice to prevent the claim that the government may legitimately act as a moral intermediary in international affairs. In its weaker form the second premise states that the government has no function other than that of pursuing the national interest. So stated the second premise seems at first sight to avoid the objections levelled at the stronger form, since it does not maintain that the government must pursue the national interest at all costs, but only that the sole justification for its actions must be the national interest. If, then, I am to maintain my thesis that the government is a moral intermediary in the international field as well as in the domestic, I must be able to demonstrate some incompatibility between the premise and what most people in the liberal-democratic tradition would admit to be acceptable. Let us therefore investigate the weaker form of the premise, and attempt

to discover whether it is valid, or whether we are prepared to allow morality to enter the roles and policies of international affairs as well as their enactment.

It should be noted that even in its weaker form the second premise is universal: it states that the government has no function other than that of pursuing the national interest. In other words, the anti-morality case cannot be established by particular premises such as 'Some government policies must be based on self-interest', or, 'All government policies must be partly based on self-interest'. Such premises are obviously more plausible than the universal premise, but they do not combine with the first premise to entail the desired conclusion. Indeed, part of the plausibility of the anti-morality case may depend on assuming the particular forms of the premise for the material purposes of discussion and persuasion, but the universal form of the premise for the formal purpose of entailing the anti-morality conclusion. The universal form of the second premise may nevertheless be valid, and it must therefore be examined.

The first consideration which may raise doubts about its acceptability to our tradition emerges if it is compared with the stronger version which was rejected. The stronger version stated that the government must pursue the national interest at all costs, and this was rejected as inconsistent with our moral outlook. But if moral considerations are thus allowed to influence the enactment of international roles and policies it is not easy to exclude them from the roles and policies themselves. It will be remembered that the moral ideal for enactment was expressed by Kant's publicity criterion — that a statesman must always act in such a way that the principle governing his action is capable of being made public: only if this can be done is respect shown for all men as equal members of a society of rational beings. Now, if the policy being enacted is not consistent with our fundamental moral beliefs, then to make public the principle behind the policy will result in national and international protest which may defeat the purposes of the policy; a foreign nation is not going to stand idly by and see itself exploited, if this can be avoided. Hence, it is not easy to see how a line can be drawn between the morality of the enactment and the

morality of the roles and policies themselves. I have already argued that the structure of a role or the nature of a policy may gradually be altered by traditions of scrupulous enactment. The suggestion, then, is that since we allow, or even require, morally good role-enactment from our politicians, we cannot consistently deny the claims of morality in the nature of the roles and policies themselves. A political action is a unity in which I have found it convenient to distinguish elements for the purposes of analysis, but, if the claims of morality are once allowed validity in one of the elements, it becomes both practically and theoretically difficult to exclude them from the other elements.

So far the argument against the second premise has been the negative one that in its strong form it is not acceptable to the liberal-democratic tradition, and in its weak form it is an untenable compromise between the complete exclusion and the complete admission of the claims of morality in international affairs. The next stage is to argue on the positive side that we do allow that the government has a function other than that of pursuing the national interest, and that morality may therefore be admitted to the roles and policies of international affairs.

The suggestion that a government may act in the international field in such a way that it represents our moral values as well as our interests is by no means so surprising as it sounds: it is in fact accepted in principle by liberal-democratic countries, and in developing my concept of the moral intermediary I am merely giving shape to ideas which exist in an amorphous form in our present moral outlook. In order to make this claim plausible it is helpful to begin with a case such as that of a disaster of some kind, say, in the Soviet Union. Let us suppose that a private person establishes a disaster fund and receives, as is probable, a great deal of support from the people of the nation. In such a case we can say that the person is fulfilling the function of a moral intermediary in the international field, enabling people to fulfil their obligations to the wider community of the world at large. In general, we should approve of this function. If the government is substituted for the private person then it may be said to be fulfilling in a similar manner the function of a moral intermediary. In this capacity the

government is representing the moral values of the people of the country. It is presupposed that most people would feel morally obliged to help if only they could, and the government is in the position to provide them with the means of fulfilling their moral obligations to humanity at large. The practice of donating public money to international disaster funds is accepted by the public as a whole, and, indeed, many people feel that more ought to be done in this way by the government. For instance, it has sometimes been said in the national Press that the British government ought to have done more than it did do towards resettling refugees. It is arguable in fact that the public responds more freely to appeals to its moral maturity than to national selfishness. If the government should prove too generous with public money or services to other countries the public can, at least in a liberal-democratic country, express its disapproval in a general election. But there are no instances of a government having lost a general election through being too humanitarian in the international field. On the other hand, support for the agents of repression abroad does meet with moral criticism even when such support is in the national interest. For instance, it is arguable that the government was acting in the national interest when it supported Portugal as a member of N.A.T.O., but it was fairly widely criticised for this in the national Press during the period when Portugal seemed to be engaged in savage repression in Angola. Governments more often underrate than overrate the moral sense of their electorate.

An index of the desire on the part of the community as a whole that the government should not confine its activities to the pursuit of the national interest is provided by the indignation which was felt when it came to light that the Milk Marketing Board was proposing in the spring of 1962 to throw away about a quarter-of-a-million gallons of surplus milk. The milk was to be poured down derelict coal-mines because it was not possible either to process it at the creameries or to feed it to livestock. The disclosure of this method of disposing of surplus milk produced a public outcry in 1957, and again in 1962 there was widespread public indignation. For example, the *Daily Mirror* featured the news as its leading story on its front page on 2 April 1962, and also devoted a leading

article to it inside. The public view was expressed by Mr. H. L. Kirkley, the Director of the Oxford Committee for Famine Relief. He pointed out (6) that protein deficiency disease was widespread in Africa and that it could be partly conquered by a milk diet. 'I would have hoped that Britain could have made some contribution to meeting the situation in the form of dried milk. The American government are making a terrific contribution with their surplus food programme and it seems, on the face of it, disastrous and disturbing that something cannot be done to make use of this surplus milk.' An even more significant feature of this matter was that farmers, even though such a plan might seem to be against their interests, contended that Britain should take the initiative in an international surplus disposal programme. The government insisted, however, that home milk production was too high and that as an importer of dairy produce Britain could not offer to give away temporary surpluses. This seems to be a context in which the public felt the need for the government to act on their behalf as a moral intermediary and it was unfortunate that the government did not recognise the need.

Another example of our recognition that a government has a wider function than that merely of safeguarding national interest is provided in the statement by the Labour Party of its Common Market policy. Five broad conditions were laid down for Britain's entry into the Common Market, and it was maintained that 'the acceptance of these five conditions by the Six would mean a conscious decision to liberalise their commercial policy and to become an outward-looking rather than an inward-looking one that recognises, in deeds as well as words, that it has obligations not only to the 170 million people within the Common Market, but to the hundreds of millions outside'. It is true that the writers are no doubt thinking here mainly of the Commonwealth, but nevertheless there is a recognition that the function of the government extends beyond catering for the needs of its own citizens to the needs of the wider international community. And it is this function that I am attempting to conceptualise by means of the term 'moral intermediary'.

If what I have said is in general correct then the second premise

of the anti-morality argument is not acceptable to the liberal-democratic tradition. Far from believing that the government should pursue the national interest at all costs, we believe that the government also has the function of representing our moral values in the international community. In the light of this, let us reconsider the example of the provision of aid for the poorer countries.

The argument was not that the provision of aid involved policies which went grossly against the national interest: the intimate political and economic involvement of all the countries of the world means that our own political and economic health cannot be separated from that of other nations. The argument was rather that no guarantee could be given in advance that the provision of aid would always be in the national interest, and that the claims of morality demand consideration in advance of a settlement of the calculus of economic consequences for the nation. Hence, if a justification was to be provided for the wholesale provision of aid it could not be primarily in terms of national interest. Nevertheless, if we feel that the government has a function in addition to that of furthering national interest that it has, in fact the function of being a moral intermediary, then we can regard the activities of the government in terms of a conception which justifies the provision of aid where this is not necessarily in the national interest. Similarly, in the enactment of the roles and policies of international diplomacy, there is no radical difference between what morality demands and what interest requires: by and large it pays to honour treaties and agreements in international politics. Occasionally, however, national interest might benefit from an obliqueness of approach, or a failure in trust, which would be condemned by moral judgment. In such cases, adherence to moral values can be justified only if we allow that the government has the function of being a moral intermediary.

I have been arguing that the government has three functions: it is the ascriptive representative of the people, in that it acts on their behalf as a legally constituted agent; it represents their interests in that, domestically, it is concerned to promote the interest of all the citizens and, internationally, it is similarly engaged in a wider community; it represents the moral values of the citizens, domestically

and internationally. Now most often the three functions are compatible, but sometimes it is not possible to represent both interest and moral values, and when such conflict occurs priority must be given to moral values. It is for this reason that I have suggested that the government should be viewed as a moral intermediary, a concept which I have introduced to crystallise attitudes towards government which are not uncommon at the moment.

3. The Moral Intermediary and Political Possibility

An objection may be levelled against my conception of the moral intermediary function of government. It may be said that, granted that ideas supporting the notion can be found in various areas of society at the present time, it is nevertheless unrealistic to attribute to government the function of implementing these ideas. If action in terms of the three suggested criteria is to be obligatory on the government, it must be possible for the government to act in terms of the criteria. But this, it may be said, is not possible: a group such as a government is not able to act in morally good ways, and it is therefore pointless to suggest, even as an ideal, that it ought to act in these ways. An argument of this kind is developed at great length by Reinhold Niebuhr, and if his position is valid it will render untenable the arguments of this book. It is therefore incumbent on me to examine at least some of the grounds he provides for his position.

In his introduction Professor Niebuhr tells us 'that a sharp distinction must be drawn between the moral and social behaviour of individuals and of social groups, national, racial, and economic; and that this distinction justifies and necessitates political policies which a purely individualistic ethic must always find embarrassing' (7). He goes on to say that as individuals we can achieve a certain level of moral attainment, but 'all these achievements are more difficult, if not impossible, for human societies and social groups'. Now, even in the first statement of his thesis Professor Niebuhr is ambiguous, and the ambiguity — between a less and a more radical thesis — runs all the way through the discussion. The less radical thesis is that moral achievement is more difficult for

social groups than for individuals; and the more radical thesis is that moral achievement is impossible for social groups. Let us examine this ambiguity.

An example of it emerges in an argument in which Professor Niebuhr writes that since 'reason is always, to some degree, the servant of interest in a social situation, social injustice cannot be resolved by moral and rational suasion alone . . .' (8). Now, if we assume his premise (although it is by no means obviously correct, and it also begs the question) that 'reason is always to some degree the servant of interest', it is at least plausible to infer that 'social injustice cannot be resolved by moral and rational suasion alone'. But this mild conclusion is very different from the extreme statement which follows in the very next sentence. 'Conflict is inevitable, and in this conflict power must be challenged by power.' It is not clear to me whether such an extreme thesis could be established at all, but it certainly is not established by the grounds provided in his previous paragraph. Again, he maintains that the limitations of the human imagination 'make social conflict an inevitability in human history, probably to its very end' (9). If conflict is an inevitability in human history, one may well ask why Professor Niebuhr feels obliged to go on to qualify his extreme thesis by adding 'probably to its very end'. It can be only because he is not clear in his own mind which thesis he is maintaining. My criticism of Professor Niebuhr, then, is that he provides grounds which render his less radical thesis plausible, but, since he fails to distinguish it from the more radical thesis, he wrongly regards himself as having established the latter by the same arguments. It is not necessary to investigate all his arguments, but I shall examine some of the more characteristic grounds he provides for his position.

A number of arguments relevant to my purposes are to be found in the chapter in which Professor Niebuhr deals with the morality of nations. He tells us that the selfishness of nations is proverbial, and goes on to suggest the reasons for this. The first is that 'nations do not have direct contact with other national communities, with which they must form some kind of international community' (10). Now it is certainly true that, even at the present time, there is not enough direct personal contact between national com-

munities, and that this lack may be a factor in preventing 'the perception of need which makes sympathy flow'. But there is more personal contact at the moment than there was when Professor Niebuhr first wrote these words, and there is no reason to think that personal contact between nations will do anything but increase over the years and bring with it the 'perception of need' which may help to mitigate the selfishness of nations. At any rate, there is nothing in all this to suggest that selfishness is the inevitable concomitant of international relations.

Professor Niebuhr admits that 'there is always, in every nation, a body of citizens more intelligent than the average, who see the issues between their own and other nations more clearly than the ignorant patriot, and more disinterestedly than the dominant classes who seek special advantages in international relations' (11). Nevertheless, Professor Niebuhr contends that such groups exert only a minimum of influence on national self-seeking, and he is led once more to his morally sceptical conclusion. But if, as he admits, it is possible at all that 'rational interest in international justice may . . . affect the diplomacy of states', there is no reason why such occurrences should not become more common. And the existence of the feelings and attitudes which I have tried to crystallise by means of the concept of the moral intermediary are an indication of a widespread desire that rational factors should play a larger part in international and national affairs than they have done in the past.

Professor Niebuhr argues, again, that national interest affords a nucleus both for the unselfishness of the individual who can transcend his own limited concerns, and for the vicarious selfishness of the individual who can identify himself with his nation and its international triumphs. The unity produced by these two strong motives, according to Niebuhr, is such that it will effectively prevent any genuine altruism at the national level. Once again, the premises are unimpeachable: there are certainly many people in the public service whose motives are as Niebuhr describes. But the premises are not sufficient to produce moral scepticism in anyone not determined to adopt that position at all costs. People can develop in self-criticism, and groups with a more morally enlightened

conception of national prestige can spring up in society. I have already noted, for instance, that even in the political crisis of Suez, which involved national prestige in the old-fashioned sense, a significant part of the British population opposed their own government on moral grounds. Hence, loyalty to one's country is not necessarily to be identified with the assertion of one's country's interests at the expense of other countries; it is possible to be both loyal and sensitive to the needs of other countries, in so far as one sees one's government as a moral intermediary.

These were only a few of the many well-documented arguments which Professor Niebuhr provided in support of his views. I have tried to make it clear that his arguments render plausible the conclusion that it is *difficult* for nations to achieve any moral standards in their international conduct. His arguments, however, do not support the conclusion that it is *impossible* for them to do so, and it is only the latter which would render invalid my own position.

The weakness of Professor Niebuhr's more radical thesis may be brought out if it is reformulated more clearly. He presents his thesis in terms of a contrast between the moral and social behaviour of individuals on the one hand and of groups on the other, and, while he is prepared to allow a measure of genuine altruism to the individual, he is not prepared to allow the same to the group. Now, if this contrast is placed in the conceptual structure developed in this book, it appears as a contrast between individuals acting in a private capacity and individuals acting in social roles. But if individuals in a private capacity can attain any moral standards, it is not plausible to argue that as soon as they are in the roles of public service they must of necessity become monsters of national egoism. No doubt this often happens, but my claim is only that it does not necessarily happen. It is worth noting that Professor Niebuhr's book was first published in 1932, and perhaps we may say that world attitudes to international relations have altered significantly since then: in particular, the advent of nuclear weapons has provided a strong motive for the rational conduct of international relations. Professor Niebuhr may argue that the fact that it takes a threat to the interests of all to bring about rationality in international relations is evidence in favour of his view. It may be,

but, since I am not so much concerned with the causes of new attitudes and concepts as with their analysis and justification, it is not evidence against mine. I shall therefore move on to a second objection.

4. The Moral Intermediary and an International Society

The second objection to the conception of the moral intermediary is that, whereas there is a stable national society which gives significance to a system of morality within a state, there is no comparable international order to give significance to morality in international affairs. Hence, it is not justifiable for a government to act as if there were: nations, in Hobbes' terminology, are in a 'state of nature' towards each other, and they therefore lack the mutual trust which alone makes adherence to moral values a worthwhile enterprise. This argument rests on two premises, which I shall examine in turn: that no international social order exists, and that the pursuit of morality requires a social order.

Professor Niebuhr provided many examples of the behaviour of states towards each other, which suggested that the international order was one of anarchy. It may be, however, that he painted the international scene blacker than it was, even when he was writing. Moreover, the hypocrisy of nations, as Niebuhr admits (12), can be seen as the tribute which immorality pays to morality. And the very fact that nations feel obliged to provide some sort of moral justification for their international conduct implies a recognition that they are all members of an international community, and they may gradually come to take their responsibilities in the world community more seriously. Kant spoke in terms which implied belief in a world community. For instance, in *Perpetual Peace*, he writes that 'since the narrower or wider community of the peoples of the earth has developed so far that a violation of rights in one place is felt throughout the world, the idea of a law of world citizenship is no high-flown or exaggerated notion. It is a supplement to the unwritten code of the civil and international law . . .' (13). There is a firm belief in this passage in the existence of an international community, and nowadays the belief is much more generally shared by

all nations. Indeed, a significant difference between Kant's day and our own lies in the fact that what Kant refers to as the 'unwritten code of the civil and international law' has to some extent been written, and the result is a general weakening of the sovereign independence of states. For example, the vast majority of states have given up part of their sovereign independence in becoming subject to the decisions of the International Court.

Mr. L. Jonathan Cohen has drawn attention to the fact that, apart from international law, there exist a large number of institutions which imply the existence of a world community (14). For example, there is the World Meteorological Organisation which both provides benefits for and requires the co-operation of every nation in the world. Again, there are a large number of health and medical organisations the services of which are available to all nations, and there are international organisations to deal with transport and communications. Thus, if, in Kant's day, there was any justification for speaking of a world community and world citizenship, there is much more at the present time. Of course, as Cohen rightly stresses, the organisation of the world community must not be thought of as that of a single sovereign state: there is no one centre of power which can enforce international law. The world community does exist, but it exists in a much looser form of organisation than that of a nation-state.

A further sign of the present 'mundialist' attitude (to use Cohen's terminology) is provided in a leading article in *The Observer* for Sunday, 19 August 1962. The article is concerned mainly with Britain, and it begins by pointing out that the British are involved in a spiritual crisis of identity. There are growing economic links between Britain and Europe, and British culture is European and will increasingly be affected by the influence of Europe. The affinity between Britain and the white dominions, the article continues, amounts almost to identity; and with the Afro-Asian members we share a belief in moderation. Our traditional moderation has also made our friendship necessary to America, and we are certainly in many ways dependent on America. There is in fact no one label which adequately sums up our identity; rather we are living in a world 'in which there is no effective international

authority; but also in which no complete national sovereignty is left'. The most extreme example of interdependence is that of the Soviet-American dependence on each other's restraint. The article concludes by pointing out that the British position as a 'thoroughly mixed-up member of our embryonic world society is not basically different from the position of all other nations in the second half of the twentieth century. We are, whether we like it or not, citizens of the world. And it is possible to like it.'

The first premise on which the objection rested was that no world community exists. I have conceded that no world community exists comparable to the community which exists domestically in any of the long-established nation-states. On the other hand, I have claimed that a system of international law and many other institutions of international organisation have developed. Above all, there is a growing sense of unity and interdependence among the world's nations. The first premise is therefore at best only partly true, but before assessing its force in its weakened form I shall examine the second premise — that morality requires a social order.

It is certainly true that morality, as it was earlier described, becomes both possible and necessary only in a social order of some sort: only in a social order do we find that mutual dependence of persons which is the stuff of morality. To admit this, however, is not to admit that morality requires a highly organised and legally constituted form of order such as we find in an official institution: in fact, morality is more truly itself in a looser form of organisation such as we find in a family or a group of friends. It is in groups of this informal kind that most scope can be found for the creative side to morality, which was seen in Chapter II to be an essential ingredient in liberal-democratic morality. The second premise can therefore be accepted, provided we stress that the social order which is necessary for morality need not be tight-knit and formal but may be loose and inchoate.

Applying the discussion of the two premises to my claim that the government ought to act as a moral intermediary internationally as well as domestically, we may say that the conditions for morality are optimal in international society. Morality, I argued, is most

truly itself in a society of loose and informal organisation. But this is also the description which has emerged of international society. Hence, there is limitless scope for the government to exercise the function of being a moral intermediary. Indeed, morality has really two sides to it: it can maintain an existing social order, and it can create a new social order where one previously existed only in embryo. In other words, if morality is the expression of a social order, it is also the means to one, since it is only as a result of being respected and trusted that people can learn those principles of respect and trust on which the possibility of a social order depend. This point has been brought out by Mr. H. J. N. Horsburgh in a discussion of what he calls 'therapeutic trust' (15). By 'therapeutic trust' he means a trust which 'aims at increasing the trustworthiness of the person in whom it is placed'. It would seem to be the case that individual persons can often respond to trust of this nature, and it may be that the official representatives of nations can also do so. If this is the case, then the employment of trust and respect among the ascriptive representatives of the nation may lead to an increase in the trustworthiness of those with whom they are dealing. It may be that the only way to develop our international society is to act as if it existed in a developed form.

My contention has been that many people at the moment would like to see their government representing not only their interests in the international society but their values also. Politicians themselves seem to be aware of these amorphous desires on the part of the electorate. For example, Mr. Harold Wilson in an interview with Mr. Kenneth Harris is reported in *The Observer* of 16 June 1963 as saying that the voters expect from politicians 'a sense of purpose, a sense of direction and a real sense of priorities. . . . That's basically what we [the Labour Party] have to offer — not just an alternative team, but a sense of direction, a sense of purpose — I genuinely believe a sense of moral purpose. In the last resort, that is what I think will count.' Insights of this nature are not, of course, confined to any one political party but are diffused throughout society as a whole; and it is to gather them into a single concept that I have argued that the function of the government is to act at home and abroad as a moral intermediary.

5. Conclusion

It has now become possible to review the whole analysis of the relationship between government action and morality in the liberal-democratic tradition. In my first chapter I suggested that philosophical analysis has three sides: it is partly a matter of clarifying attitudes or concepts, partly of recommending them, and partly of justifying them. Philosophical analysis so understood was then applied to the moral and political attitudes and concepts which we find in contemporary western society, especially in Britain. Morality emerged as a matter of performing duties, many of which are connected with a person's role in society, and of pursuing ideals of the good life. It was justified by its function in sustaining and developing a way of life the general nature of which we regard as desirable. Our attitudes to government turned out to be more ambiguous than our attitudes to morality: government is seen sometimes as a matter of the operation of impersonal processes, sometimes as a matter of the personal action of individual men, and sometimes as matter of the application of the policies of political parties. All three attitudes contain elements of the truth, and the final picture of government action emerged as that of political policies being carried out by individual men in social roles. The justification for the existence of government so described was the same as that provided for the existence of our moral system — its function in maintaining a social order in which all can participate.

In Chapter IV, I combined the conclusions of the analyses of morality and of the nature of government, and suggested that government has a moral basis, in that all justifiable government actions are such that they could have been accepted as moral obligations. Assuming this, I was able to elicit the criteria we use when we pass moral judgments on government action. They concerned the extent to which it furthers the public good or interest, respects persons by allowing their participation in the processes of government, and encourages the pursuit of ideals of the good life. I drew attention in many examples to the ways in which the

criteria are applied to the nature of governmental roles and policies and to the enactment of officials and politicians. I considered also the position of the politician who is in moral disagreement with the policy he is expected to carry out, and that of the politician whose private life is open to moral criticism.

Chapter V began with the development of the implications of the previous analysis. Since government action is justifiable if and only if it sustains or develops the pattern of morality, I argued further that the government exists in order to do this, and that we might describe this function by saying that the government is a moral intermediary enabling our moral system to operate on a large scale. In other words, the government exists in order to represent our interests and our moral values. A problem then arose as to whether the government could also fulfil this function in an international society if national interests at times suffered. The answer, if present moral attitudes count as evidence, is that we do regard it as part of the function of government to act as a morally responsible member of an international society.

The function of government has sometimes been described in a negative way as that of protecting the interests of the citizens. To this is often added the function of positively furthering the interests of the citizens by welfare services and so on. I am here suggesting that these two functions are incorporated and transcended in the third legitimate function of government — that of being a moral intermediary. No doubt in reaching this conclusion I have blurred many important distinctions within morality and politics, but this price is worth paying if I have also brought an important part of the truth into focus.

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