Chapter 3  Obligations and Reasons

1. 'Is' and 'ought'

Writers on morality, Hume noted, often move imperceptibly
from statements joined by 'is' to ones joined by 'ought' and
'ought not'. These, he protests, express some new relation, make
some new sort of claim, which needs to be explained: 'a reason
should be given, for what seems altogether inconceivable, how
this new relation can be a deduction from others which are
entirely different from it.' This protest has since hardened into a
dictum, sometimes called Hume's Law, that one cannot derive
an 'ought' from an 'is'. Along with Moore's naturalistic fallacy
and open question argument, this is one of the best-known ways
of drawing a sharp distinction between moral facts and all
others, or between all facts on the one hand and values on the
other, between description and evaluation. But those who query
such distinctions often challenge Hume's Law.

It is curious that so much interest has been concentrated on
the word 'ought', which is a relatively weak modal auxiliary.
Anyone who really means business uses 'must' or 'shall' rather
than 'ought' (or 'should') in his moral pronouncements. The
Ten Commandments are not given in English in the form 'You
ought not to have any other gods before me . . . You ought not
to kill . . . and we should get a rather different message if they
were. But since much of what holds for 'ought' holds also for
'must', it will do no harm to follow the usual practice of dis-
cussing the problem mainly in terms of 'ought', but to note if
'must' differs in any significant way.

'Ought' and 'must' and 'shall' and 'should' are constantly
used in non-moral as well as moral contexts, and as with
'good' it is not likely that their moral uses are completely cut off
from the others. So we may start by glancing at some of these.
One might say to a beginner in chess, 'You must not move
your rook diagonally.' It would be even more natural to say
'You can't' here, for though he physically can so move it, just as
he can throw it across the room, he cannot thereby make a
move in a game of chess. Similarly if someone tries to move (in
what would otherwise be the correct way) a rook which is
pinned against his king by an enemy bishop, one might say that
he must not, or can't, do that. If someone is thinking of moving
a rook which is similarly pinned against his own queen, so that
the move, though valid, would result in the loss of the queen
without adequate compensation, and probably therefore in the
loss of the game, one might still say 'You can't' (or 'You must
not'; or 'You ought not to') move that rook. 'Can't' or 'must
not' may be used because it is not the right sort of move for that
piece, or because, though the right sort of move, it is not allow-
able in the circumstances, or because, though allowable, it
would be disastrous. In the third case, though hardly in the
others, 'ought not' could be used instead; and one might also
say 'ought not' if one thought that the proposed move, though
not plainly disastrous, was unwise.

In such examples, there is no difficulty about a transition
from 'is' to 'ought'. The rules of the game, together with the
actual positions of the pieces, and perhaps what it is likely that
his opponent will do, coupled with the general aim of winning,
are sufficient to determine that the player must not do this, or
ought not to do that. Here there is no 'new relation', but just the
old ones that could be stated in 'is'-linked premisses, of being
contrary to the rules of chess, likely to lead to the loss of the
queen, and so on. (We shall consider in Section 2 how 'must'
and 'ought' come to express such relations.)

There is no more difficulty about hypothetically imperative
'ought'-statements in other contexts. If someone wants to get to
London by twelve o'clock, and the only available means of
transport that will get him there is the ten-twenty train, and
catching this train will not conflict with any equally strong
desires or purposes that he has, then he ought to, indeed must,
catch the ten-twenty. If smoking has the effects it is alleged to have, then if a heavy smoker wants to live long and be healthy, and doesn’t get much enjoyment from smoking, and, if he gave it up, would not feel it much of a loss and would not switch to other indulgences, such as overeating, which were likely to be even worse for his prospects of long life and health, then he ought to give up smoking. When we put in enough factual conditions about the agent’s desires and about causal, including psychologically causal, relations, the ‘ought’ conclusion follows. But no ‘new relation’ is involved. ‘Ought’, as we shall see, says that the agent has a reason for doing something, but his desires along with these causal relations constitute the reason.

But a moral ‘ought’, it may be said, does introduce a new relation, and cannot therefore be derived from an ‘is’. Admittedly a moral ‘ought’ conclusion may follow from a statement whose explicit connective is an ‘is’: Doing X is wrong, therefore you ought not to do X. This inference is valid, if any coherent and corresponding senses are given to ‘wrong’ and ‘ought’; but anyone who is defending Hume’s Law will brush this sort of example aside as irrelevant, saying that there is an ‘ought’ concealed within the predicate ‘wrong’, so that ‘Doing X is wrong’ is not an ‘is’-statement in the intended sense.

A more serious challenge to Hume’s Law is made by John Searle, who discusses the following argument in five steps:

1. Jones uttered the words ‘I hereby promise to pay you, Smith, five dollars.’
2. Jones promised to pay Smith five dollars.
3. Jones placed himself under (undertook) an obligation to pay Smith five dollars.
4. Jones is under an obligation to pay Smith five dollars.
5. Jones ought to pay Smith five dollars.

Searle concedes that this is not watertight as it stands: (2) would not in all circumstances follow from (1), or (4) from (3), or (5) from (4). But it is easy in principle to insert unquestionably factual premises from the conjunction of which with (1), (2) will follow. It is not so easy to supplement (3) and (4) with factual premises which will exclude competing claims and extenuating circumstances which might otherwise undermine the conclusion. But, as Searle says, it is not these that have been seen as the problem for a derivation of ‘ought’ from ‘is’. The view that this problem is insoluble will be sufficiently refuted by the derivation even of the weakened conclusion ‘Other things being equal, Jones ought to pay Smith five dollars; let us read (5) as saying this.

With these stipulations, the argument goes through for some sense of (5); but for what sense (or senses)? Searle suggests that the gap between description and evaluation, the sharp distinction that has made it seem impossible to derive ‘ought’ from ‘is’, is bridged by the recognition of a peculiar class of facts, institutional facts as opposed to brute facts. It can be a matter of institutional, though not of brute, fact that one undertakes and then has certain obligations.

However, this explanation runs together two different ways of speaking. We can describe an institution as it were from the outside: there is an institution or social practice of promising, somewhat as there is a practice of playing chess. This institution has as a part the making of certain demands on those who participate in it; we may say, roughly, that the promising institution demands that promises be kept, much as chess requires that moves of only certain sorts be made. But as an alternative to describing any such institution and its demands from the outside, we can speak as if it were within the institution; we can say simply ‘You must not move that rook (because this would leave your king in check)’ or ‘Jones ought to pay Smith five dollars (because he promised to do so)’.

It is true that these same words could serve as an elliptical expression of a statement of the former sort, as shorthand for, say, ‘The promising institution demands (in these circumstances) that Jones pay Smith five dollars.’ But though the same words could do either job, these are two radically different jobs.

But in which sense is (5) to be taken? If it is taken (elliptically) as describing the institution from the outside, then the argument goes through as a matter of general logic, with purely
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ative word since . . . the notion of promising is logically tied to the evaluative notion of obligation, but since it also is purely “descriptive” (because it is a matter of objective fact whether or not someone has made a promise) . . . the whole distinction [between “evaluative” and “descriptive”] needs to be re-examined.’ He thinks there are two non-coincident distinctions, one between evaluation and description as two kinds of illocutionary acts among many others, and one between what can and what cannot be objectively decided as true or false. But the truth of the matter is that someone who promises purports to put himself under an obligation by implementing the constitutive rules of a certain institution. That is how ‘Jones promised . . .’, as used from outside the institution, is at once purely descriptive (and objectively decidable) and ‘logically tied to the evaluative notion of obligation’; it refers to a purported evaluative item; but is not itself evaluative.

The key point may be made clearer if we note two senses in which (5) is not established by Searle’s argument. One is that in which (5) would assert what I have called an objective value, in which it would say that Jones’s paying of five dollars to Smith is now intrinsically required – not just required by the institution of promising, but, given the facts that there is such an institution and that Jones has tangled with it, required simply by the nature of things. The other is that in which anyone who accepts (5) thereby himself endorses or subscribes to the relevant prescription. It is very obvious that (5) in the first of these two senses does not follow from (1) in conjunction with any other hard facts about the circumstances and the institution; this would be, in Hume’s words, a new relation, and it would be inconceivable that it should be deduced from those others that are entirely different from it. What we are to say about the second sense is less clear. I can surely refrain from endorsing the promising institution; I can decline to speak within it. No doubt this would be eccentric, unconventional, it might well make people distrust or dislike me, but it is not logically ruled out. But what if I am Jones? Is this move open to him? Can he consistently refrain from endorsing the institution of promis-
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future tense version of (5) if and when he made a sincere promise, and that he may be well advised to keep the promise if he wants to go on using and benefiting from the institution. This objection seems formidable mainly because the harmlessly correct first and second points are liable to be confused with the third, unsound because circular, argument. True, Jones cannot ‘consistently’ decline to accept (5) as spoken within the institution; but only in that he will have changed his mind: there is no logical inconsistency here.

There are other institutions, with associated speech acts, that have the same logical form as promising. Children use the word ‘Bags’ as part of a well-defined institution. Whoever first says ‘Bags I the chocolate cake’ thereby purports to acquire an exclusive right to the chocolate cake. So we can construct an argument like Searle’s, leading from ‘John first said “Bags...” by way of ‘John bagged...’ to ‘John has a right to...’ But here it is even more obviously an open question whether we are to endorse the institution or not.

Searle’s argument has been much discussed, and he has replied to such objections as I have stated here. Bagging differs from promising in that it purports to secure a right whereas promising purports to give a right to someone else. But this does not affect the cogency of the inference form, on which Searle originally relied. Nor can it matter that promising is a better-established institution than bagging, and is built into the ordinary language, not only into juvenile slang. But Searle’s main reply to his critics is a protest against the ‘anthropological attitude’, that is, against the use of the distinction on which I have relied between speaking outside and speaking within the institution. He argues that if we rely on such a distinction here, we must, for consistency, do so with regard to all parts of language, and this would undermine the validity of arguments on all topics, not just his. But this is not so. Words like ‘promise’ and ‘bags’, as used within their respective institutions, have a peculiar logical feature not shared by most parts of language.

The performance of a certain speech act in appropriate circumstances is, in virtue of one part of the meaning of the words,
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sufficient to validate the statement 'Jones promised . . .' or 'John begged . . .'. But also, in virtue of another part of their meaning, such a statement entails 'Jones ought to . . .' or 'John has a right to . . .'. The very meanings of these words thus embody synthetic claims, in fact justifications of transitions from 'is' to 'ought'. For this reason the adopting of such fragments of language is not a neutral matter, as is the use of most parts of language, such as figure in most arguments: to use the word 'promise' or 'beg' with its full within-the-institution meaning is already to endorse the institution in a substantial way, to adopt and support certain distinctive patterns of behaviour and to condemn others.

Other arguments have been suggested as ways of bridging the gap between 'is' and 'ought', but I have concentrated on Searle's because it is representative of the whole class. Such arguments, therefore, constitute no threat to any sensible interpretation of Hume's Law, or indeed to any point that Hume himself was making. Nevertheless, the popular formulation of the law is misleading. From sets of 'is'-statements which are purely factual, which conceal no value terms, we can derive not only hypothetically imperative 'ought'-statements but also moral ones. Admittedly we do so only by speaking within some institution, but this can itself be part of ordinary language. Such derivations can be linguistically orthodox: the forms of reasoning that go with the central moral institutions have been built into ordinary language, and in merely using parts of that language in a standard way we are implicitly accepting certain substantive rules of behaviour. To bring out what does not go through we have to isolate the key aspects of possible senses of 'ought', either the alleged objective intrinsic requirement or the speaker's own endorsement of an institution and its demands. These do not normally occur in isolation, and views which single out any one of them as the meaning of moral terms are implausible and indeed incorrect analyses of ordinary moral language. These aspects commonly occur in close combination with factual (including institutionally factual) elements. We learn the concept of 'ought' along with the concept of a promise,

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the concepts of meanness and generosity, courage and cowardice, and the like. Meanness is not only a certain kind of spirit but also one to be discouraged, not only a certain kind of behaviour but also one not to be practised. Such concepts, and the words that express them, bridge the gap between description and prescription. The distinction between the factual and the evaluative is not something with which we are presented, but something that has to be achieved by analysis.

But to concede in this way that 'ought' can be derived from 'is' by virtue of forms of reasoning embedded in ordinary language, in the established concepts and the standard meanings of certain words, makes no inroads upon the moral scepticism formulated in Chapter 1. It yields no way of demonstrating that objective values, intrinsic prescriptions, practical necessities and the like are part of the nature of things, no way of constraining assent or adherence to moral views. And this is the central meta-ethical question, the objectivity or subjectivity of values and requirements, not the analysis of moral concepts or of moral language.

2. The meaning of 'ought'

Language and meaning, then, are not our main concern. But the argument of the last section may be reinforced by a more accurate study of the meanings of the key terms. I have spoken loosely of different senses in which 'ought'-statements and remarks about obligation can be taken; but (as with 'good' in Chapter 2) we might hope to find a single meaning for 'ought' in both moral and non-moral uses, with perhaps some inbuilt indeterminacy that invites resolution, but that can be resolved in various ways. We must take account not only of moral and prudential and hypothetically imperative 'oughts' but also of such statements as 'This ought to do the trick', 'They ought to be across the border by now', and 'It ought to have dissolved; I wonder why it didn't', which we can perhaps call epistemic. A first attempt at a general equivalent of 'a ought to G', might be
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There is a reason for a's G-ing.' (In many cases the not quite equivalent, and stronger, 'There is a reason against a's not G-'ing' would seem to be a little nearer the mark, but the simpler formula, without the negations, may be accurate enough for our purposes.) We could then say that different uses (not different senses) of 'ought' introduce different kinds of reason. The epistemic 'ought'-statements refer to what are or were reasons for expecting such-and-such an outcome. We can also draw some illumination here from etymology. 'Ought' is a past tense of 'owe', but used as a present: if a ought to G, then a somehow owes that he/she/it should G. But what is it for Jones, say, to owe Smith five dollars? Is it as if five dollars in Jones's pocket or bank account were trying to fly across into Smith's? Rather, since Jones's pocket and bank account may both be empty, it is as if there were an invisible hook reaching out from Smith and fishing for the money in Jones's pocket. Or an immaterial suction-pipe. The owing is itself something like a demand for payment. Similarly if a ought to G, there is something about the situation that sets up an expectation or presumption of a's G-ing. A similar metaphor is buried in the term 'obligation'. If a is obliged to G, it is as if it were tied down to G-ing; an obligation is an invisible cord. If something is offered without obligation, there are no strings attached. 'a is bound to G' is, like an 'ought'-statement, indeterminate between epistemic and moral uses. It also has purely legal uses, which 'ought', it seems, does not. This may be because 'is bound' is stronger than 'ought'; like 'must', it brooks no denial, whereas 'ought' is more pusillanimous. We cannot say 'It was bound to dissolve; I wonder why it didn't'. Nor is 'bound to' used in hypothetical imperatives, though 'obliged' is. I can be obliged to catch the ten twenty if I want to be in London by twelve, but I cannot be thus bound to catch it. The reason for this cannot be that 'bound to' is too strong; there can be strong hypothetical imperatives, and 'must' can be used to state them: 'You must catch the ten twenty if you want to be in London by twelve.' Perhaps 'bound to' is excluded because it would too strongly suggest an epistemic reading: it is if I start early enough from home that I shall be bound to catch the ten twenty. But otherwise 'ought' is like 'bound to', but weaker: if a ought to G, it is only half bound to G.

If something like this is the general meaning of 'ought', we can understand how it can be used in epistemic contexts as well as in hypothetically imperative and moral ones. There are not radical changes of meaning between these different uses, only different ways in which the notion of something's being half bound, or of there being a reason, can be filled out and substantiated. Leaving aside the epistemic uses, we can see how even where what ought to do something is a human agent there are several possible sorts of reasons, several ways of being half bound. One sort is the hypothetically imperative, where some want or purpose or ideal that the agent has requires the action for its fulfilment, given the concrete state of affairs and the relevant causal relations. The hypothetical imperative 'If you want X you ought to do Y' does not mean exactly 'Doing Y is, in the circumstances, causally necessary for achieving X,' though it will hold if and only if this causal relation does; rather it looks at this causal relation from the point of view of a (possible) desire for X. The consequent of the conditional is not fully detachable; even if you do want X, the judgement that you ought to do Y still implicitly incorporates that want as what creates the reason for doing Y, the agent's being weakly tied to the doing of Y, which the 'ought'-statement asserts. Another way in which an agent can be half bound is that some institution may demand something of him or tend to restrict his choices of action in certain respects. If Jones literally owes Smith five dollars, some established system of commercial (or other similar) practice demands that he pay at some time. But, as I have stressed, this sort of requirement can itself be looked at in either of two ways, either neutrally, from the outside, or from the point of view of the institution itself or of someone who endorses it and joins in expressing its demands. 'Ought' can then express, in part, the demands of the speaker; his attitude can help to constitute the reason for the proposed action. But a third person 'ought', where the speaker is not
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himself the agent, seems never to refer only to the speaker’s demands. ‘Must’, indeed, sometimes does. ‘You must do this’—
‘Why?’—‘Because I say so’; but not ‘You ought to do this’—
‘Why?’—‘Because I say so.’ ‘Ought’ is never purely egocentric;
it always points to a reason of some kind other than the speaker’s attitude, though it can in part indicate that the speaker gives that reason his backing. Again etymology is surprisingly relevant here: ‘must’, unlike ‘ought’, is descended from a verb whose primary use was to give or withhold permission.

But as I suggested in Section 1, as well as hypothetically imperative and institutional and partly egocentric reasons and requirements, there are commonly believed to be intrinsic requirements, the situation itself or the nature of things is seen as demanding some action (or refraining from action); an agent is felt to be half bound to do something, and yet not by his own desires or by any specifiable institution or by the speaker’s attitude, or at any rate not only by these; some intrinsic requirement backs up, say, an institutional one. When ‘ought’ refers to reasons or semi-bindings of this supposed sort, it is thought to be a peculiarly moral ‘ought’. But on our view this moral ‘ought’ does not have an essentially different meaning or sense from other ‘oughts’: we have still the same basic meaning but a (partly) different way of resolving its indeterminacy. Besides, ‘ought’ seldom, if ever, in ordinary use, refers to such supposed intrinsic requirements alone; it typically refers also to reasons or requirements of at least one of the other sorts, the intrinsic requirements being seen as backing them up.

‘Must’, as we have seen, is stronger than ‘ought’, but otherwise works similarly. It, too, contains an indeterminacy which can be resolved in several ways. The general meaning of ‘a must G’ is something like ‘a is not permitted not to G’; but there can be causal, epistemic, institutional, legal, hypothetically imperative, egocentric, and supposedly objective, intrinsic, non-permissions. ‘Must’ and ‘is bound to’ cover much the same ground, but as a result of metaphorical extensions in opposite directions. In ‘is bound to’ what is literally a physical tying down is extended metaphorically to human demands and the like; in

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must what is literally the human performance of withholding permission is extended metaphorically to causal relations, epistemic guarantees, and supposed intrinsic moral necessities.

3. Varieties of reason

It was suggested that a rough general equivalent of ‘a ought to G’ would be ‘There is a reason for a’s G-ing.’ Confining ourselves to human agents and their choices of action, we might then hope to determine what people ought to do by seeing what can count as reasons for action. There seem to be several kinds. Most obviously, we would say that there is a reason for a’s G-ing, or that a has a reason to G, if G-ing would lead to the fulfilment of some desire or purpose or ideal that a now has, and a knows this. But what if G-ing would lead to such fulfilment but a does not know this, and again if a wrongly believes that G-ing will lead to such fulfilment when it will not? Does a have a reason for G-ing—and hence, ought a to G—in either or both of these cases? In each of these cases the statement that a has a reason, and ought to G, is a thoroughly intelligible implementation of the general meanings of the terms, and, suitably understood, is correct; there is no need to choose between them, or to dispute whether a really ought to G or to Y, if, say, G-ing will in fact lead to the fulfilment of his desires, but he does not know this, and wrongly believes that H-ing will lead to such. This issue could be raised if we supposed that there were intrinsic requirements: does the nature of things, in these circumstances, demand that a should G or that he should H? But if we dispense with such a supposition, there seems to be no real issue: in one way a ought to G, in another he ought to H, and that’s that. It is, of course, idle to dispute what general instruction we might give to a: when he comes to implement them, ‘Do what you believe will satisfy your desires’ and ‘Do what will really satisfy your desires’ will guide a to exactly the same choice.

Someone can have a reason, then, for doing what will lead or
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is likely to lead or even is wrongly believed by him to be likely to lead to the satisfaction, perhaps in the remote future, of some desire (etc.) that he now has. But what if he will have (and knows that he will have) some desire or purpose at some future date, and something that he can do now is likely to lead to its fulfilment; does this constitute a reason for his now doing this?

Can we say that he now has a (prudential) reason for an action which will tend to satisfy not any desire which he now has, not even a present desire that his future desires should be fulfilled, but only a desire which he knows he will have later? We can indeed say that he has such a reason, and that (other things being equal) he ought to act in the way that is likely to lead to the fulfilment of the still future desire. But in saying this we are leaning on our concept of the identity of a person through time and the associated expectation that a human being will behave as a fairly coherent purposive unit over time, that his purposes at different times will agree with one another fairly well.

Human beings are more likely to flourish if they show such purposive coherence over time, so that it is not surprising that we have this useful cluster of concepts and expectations. Still, we should note that these peculiarly prudential reasons are sharply distinguishable from reasons which rest upon an agent's present desires. Our established concept of personal identity through time is here functioning analogously to an institution like promising, introducing a requirement for attention to the future well-being of what will be the same human being as the agent in question.

Do the desires and especially the sufferings of other people, if known to me, constitute a reason for me to do something, if I can, or to try to do something to satisfy those desires or to relieve those sufferings? It would be natural to say that they constitute some reason; how strong a reason, how easily overruled by other considerations, may be a matter of dispute. It would generally be thought that there would be a stronger reason if the other people were closely related to me by family ties, friendship, and so on. But the important thing is that if we recognize this as a further class of reasons, independent of any desire that I now have to help these other people, we are again bringing in the requirements of something like an institution; an established way of thinking, a moral tradition, demands that I show some concern for the well-being of others, or at least of some others, and this demand may have been written into ordinary language among rules about what can or cannot or must count as a reason. A faint suggestion of semi-identity between persons is also sometimes pressed into service here: 'No man is an island.' Provoked, perhaps, by Hume's deliberately paradoxical remark that it is not contrary to reason to prefer the destruction of the whole world to the scratching of my finger, we may well say, 'Surely if someone is writhing in agony before your eyes, or starving on your doorstep, this is in itself, quite apart from your feelings, a reason for you to do something about it if you can; if you don't admit that, you just don't know what a reason is, you can't be using the word 'reason' with its ordinary meaning, you can't have the full concept of a reason.'

But if we say this, we are again speaking within the institution. There would be no great difficulty in constructing an argument parallel to Searle's, starting, say, with the premiss 'Smith is starving on Jones's doorstep' and ending with 'Jones ought to give Smith some food.' But the logic of the situation would be similar, though admittedly the institution of helping others is less thoroughly built into ordinary language than that of promising, and starving is not a speech act. There may well be dispute about how near, in some sense, others must be to me for their needs to count as a reason for me to do something about them, and how strong a reason it will then be. Similarly there may be and indeed is dispute about the conceptual limits of (moral) reasoning in general. But all such disputes are idle. However one of them is settled, the conclusion that is firmly established will be only of the form: This institution requires such and such an action. If we move to a prescriptive interpretation, we shall be speaking within the institution. But nothing logically commits us to doing so, and certainly nothing compels us to reinterpret the requirements of an institution, however well-established, however thoroughly enshrined in our ordinary ways.
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of thinking and speaking, as objective, intrinsic, requirements of the nature of things.

4. Institutions

We have perhaps been speaking too casually about institutions and their requirements, about endorsing one or other of these, and about speaking within an institution; it may be thought that some further account of these is called for. However, the realities for which these terms are intended to stand are thoroughly familiar, and there should be no obscurity as long as it is understood that this cluster of terms is being used very widely, that 'institution' is meant to cover such diverse items as games like chess, the social practices that centre round the making of promises, and the thought and behaviour that supports or is supported by the notion of the identity of persons through time. Our talk about institutions is intended to bring out and make use of analogies between these superficially diverse items.

Any institution is constituted by many people behaving in fairly regular ways, with relations between them which transmit and encourage and perhaps enforce those ways of behaving. An institution will have rules or principles of action, or both, which the participants in the institution will formulate fairly explicitly, allow to guide their own actions, and infringements of which they will discourage and condemn. They will use concepts closely associated with these rules and principles which cannot be fully explained without reference to these rules and principles; and the rules and principles in turn will usually be formulated partly in terms of those concepts. An institution can be fairly adequately described in an abstract, formal, way simply by stating and explaining the rules and principles and concepts — the game of chess, for example, could be fully described in this way. But the concrete reality is more than this: it is chess-playing as a persisting social practice, not merely the abstract game. The abstract game exists only as an aspect, or rather as several aspects, of the concrete, traditionally maintained, social practice — partly in the (fairly) regular features of the sequences of moves actually made by chess-players, partly as the content of rules and principles which they have in mind and put forward. When I speak of the requirements of an institution, I am referring not only to the normative content of the abstract rules and principles, but to various things actually being demanded, condemned, enforced or encouraged. These requirements, then, are constituted by human thought, behaviour, feelings, and attitudes. To speak within an institution is to use its characteristic concepts, to assert or appeal to or implicitly invoke its rules and principles, in fact to speak in those distinctive ways by speaking and thinking in which the participants help to constitute the institution.

An institution, as I am using the word, does not need to be instituted. It need not be such an artificial creation as the game of chess. Promising may well be a universal human practice, to be found in all societies; it is certainly one that could grow very naturally out of the ordinary conditions of human life. But that does not alter its logical status, or the logical status of conclusions that can be established only within and by invoking that institution.

A promise, and the apparent obligation to keep a promise, are created not merely by a speaker's statement of intention in conjunction with the desire of the person to whom the promise is made that it should be fulfilled, or even by these together with the hearer's reliance on the statement and the speaker's expectation that the hearer will, and intention that he should, so rely. What creates the institution of promising is all these being embedded in and reinforced by general social expectations, approvals, disapprovals, and demands: promising, in contrast with the stating of an intention, can be done only where there is such a complex of attitudes.

It is not hard to understand how and why such attitudes, and hence the institution of promising, can have developed from statements of intention related to another person's wants; but this will become still clearer when (in Chapter 5) we follow
Chapter 4 Universalization

1. The first stage of universalization: the irrelevance of numerical differences

Moral judgements are universalizable. Anyone who says, meaning it, that a certain action (or person, or state of affairs, etc.) is morally right or wrong, good or bad, ought or ought not to be done (or imitated, or pursued, etc.) is thereby committed to taking the same view about any other relevantly similar action (etc.). This principle, in some sense, is beyond dispute. But there is room for discussion about how it is to be interpreted, about its own status, and about what then follows about the content and the status of morality. Does this principle impose some sort of rational constraint on moral judgement, choices of action, or defensible patterns of behaviour?

For the interpretation of this principle, the key phrase is 'relevantly similar'. Though the identity of indiscernibles is not a necessary truth, in practice no two cases will ever be exactly alike; even if they were, they would still be numerically different just because they are two. Universalizability would be trivial and useless, therefore, if we could not rule out many of the inevitable differences as irrelevant.

In the first place, we want to rule out as irrelevant mere numerical as opposed to generic difference, the difference between one individual and another simply as such. It may be that what is wrong for you is right for me; but if it is, this can only be because there is some qualitative difference, some difference of kind, between you and me or between your situation and mine which can be held to be, in the actual context, morally relevant. What is wrong for you cannot be right for me merely...
J. L. Mackie

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