Prima Facie Duties

W. D. Ross (1877-1971) was a British philosopher at Oxford University. He was familiar with forms of utilitarian thinking, and understood Kant’s theory. He was not satisfied completely with either theory, but recognized that each could be correct some of the time. The deontological theory he developed in the 1930s combined aspects of both utilitarian and Kantian thinking, and was very influential in the 20th century.

Intuitionism

An idea popular among twentieth-century philosophers was that some highly abstract principles, in mathematics as well as philosophy, are known by “intuition” rather than by experience. Once we understand these principles we are immediately certain that they are correct. They are “self-evident.” Intuition was thought to be a kind of “common sense.”

Some utilitarian philosophers claimed to know by intuition that “good” means nothing but “happiness.” So to do the most good, they thought, we must bring about the most happiness.

Ross suggested that we can know by intuition that we have a set of fundamental duties, which he called prima facie duties. He thought we see by intuition that we ought to base our conduct on these, rather than on the idea of overall happiness. Ross’s emphasis on fundamental duties makes his theory a form of deontology.

The Prima Facie Duties

The correct moral principles of Ross’s theory are expressed in a list of six or seven duties, or ways everyone ought to act, like a list of commandments.

1. Duties depending on one’s prior actions:
   a. Duty of fidelity (promise keeping)
   b. Duty of reparation (making up for prior wrongful acts)
2. Duty of gratitude (being grateful for others’ acts of kindness)
3. Duty of justice (being fair)
4. Duty of beneficence (benefiting or helping others)
5. Duty of self-improvement (education or practice)
6. Duty of non-maleficence (not harming others)

Conflicts of Prima Facie Duties

When a theory presents multiple principles, it is almost always possible that in certain circumstances some of those principles will generate conflicting duties.

For example, if it is our duty to help people in need, and if it is our duty not to harm other people, we might find ourselves in a situation where we can help someone in need by harming someone else. The one duty tells us we ought to do the helping action; the other duty tells us we ought not do it.
Ross called his principles “prima facie” duties for precisely this reason. He believed that for any duty on the list, there could be circumstances in which it would be “overridden” by one or another duty. “Prima facie” means, “first face,” or “at first glance.”

“Actual Duty”

Because there can always be conflicts of prima facie duties, Ross’s theory says that in any situation our actual duty is the prima facie duty that is most “stringent.” But we often cannot know which duty is most stringent. Ross compared this to knowing our long-term good:

“There is a parallel here between the doing of duty and the doing of what will be to our personal advantage. We never know what act will in the long run be to our advantage. Yet it is certain that we are more likely in general to secure our advantage if we estimate to the best of our ability the probable tendencies of our actions in this respect....”

Advantages and Influence

Ross’s theory seems capable of offering more satisfying answers to moral conflicts than either utilitarian or Kantian theories; and for this reason it has been very influential.

Utilitarians usually have to say that when an action produces greatest happiness it is right, even if it is harmful to someone. Ross’s theory can say that an action producing greatest happiness may not be right, depending on the harm (the duty of non-maleficence may be more stringent).

Kant’s theory must often say that lying is wrong, even it can be beneficial. Ross’s theory can say that a lie may not be wrong, depending on the benefit (the duty of beneficence may be more stringent).

Ross’s theory has been most useful for helping medical professionals, and business people, to understand basic moral principles that apply in their practices. It is helpful to know what prima facie moral principles apply, so professionals can be more or less confident when they encounter moral “hard cases.” Sometimes utilitarian-type thinking seems correct, sometimes Kantian-type thinking seems correct.

Problems for Ross’s Theory of Prima Facie Duties

- A problem for any “intuitionist” theory is knowing when our intuitive knowledge is complete: might there be more (or fewer) prima facie duties than appear on Ross’s list, how do we know?

- Another problem is how to proceed when different people view the stringency of duties differently: what if people disagree on which prima facie duty is more stringent in a given case?

- Ross’s theory seems only “half-baked”: a moral theory is supposed to solve the problem of conflicting principles, not tell us that we usually cannot know what the right answer is.