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**NEW CONSEQUENTIALISM AND THE NEW DOING- ALLOWING**

**DISTINCTION**

# Paul Hurley

Samuel Scheffler characterizes traditional consequentialism as a moral

theory holding that “the right act . . . is the one that will produce the best overall outcome, as judged from an impersonal standpoint.”[[1]](#footnote-1) On such an account if action B is the promoting of the impersonally best overall state of affairs, it will never be right not to perform B. Yet it often does seem right not to perform such actions. Thus, to take one paradigmatic example, although it seems clear that I should save five rather than one, it seems equally clear to most people that I should not save five by driving over one.[[2]](#footnote-2) Standard examples of deontic constraints, moral constraints upon acting to bring about the best overall outcome, are also cases of this sort. Thus, I ought not (and morally ought not) to break a promise that I have made to another even if such a promise breaking on my part will somehow result in two others keeping promises that they would otherwise break. The following claim captures this commonsense distinction between doing and allowing:

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*Doing- Allowing/ Agent- Neutral*: Agents sometimes have decisive moral reasons not to do B even though B promotes an agent- neutrally better outcome.[[3]](#footnote-3)

By not doing B I will be allowing an agent- neutrally worse outcome to happen. Nonetheless, I morally ought not to do B. There have been myriad attempts to make something like this distinction more precise, but a common element among virtually all such attempts is the commitment, captured in Doing- Allowing/ Agent- Neutral, to there being decisive moral reasons not to perform some action B even though performing B will bring about an agent- neutrally better outcome.

Although traditional consequentialist moral theories challenge the legitimacy of the commonsense distinction captured by Doing- Allowing/ Agent- Neutral, a new wave of consequentialists have broken with their traditional forbearers and joined Kantians, virtue ethicists, and many Humeans in arguing for the acceptance of Doing- Allowing/A gent- Neutral. Like Scheffler’s traditional consequentialists, such new consequentialists put forward a ranking of outcomes from best to worst, but theirs is an evaluator- relative rather than an agent- neutral ranking of outcomes.[[4]](#footnote-4) Like the agent- neutral, impersonal ranking, such an evaluator- relative ranking takes into account only reasons to promote or bring about outcomes; it differs in taking into account agent- relative as well as agent-n eutral reasons to promote outcomes, e.g., reasons to minimize my rights violations as well as reasons to minimize rights violations overall. The result is a ranking of outcomes that is relative to the agent in question rather than neutral among agents— of outcomes that are better or worse relative to her. Like Scheffler’s traditional consequentialists, these new consequentialists focus on the act that will produce the highest ranked state of affairs, but unlike them the initial focus is upon acts that are rationally rather than morally required; not the right action, the action that an agent is morally required to perform, but the action that the agent ought to perform in the decisive reasons implying sense of ought.[[5]](#footnote-5) Such new consequentialists argue that in some cases not doing B promotes the evaluator- relatively best (highest ranked) outcome, although

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doing B promotes the agent- neutrally best outcome. In such cases agents have decisive reasons, and in some cases distinctively moral decisive reasons, to refrain from doing B. Thus, such new consequentialists join other moral theorists in accepting Doing- Allowing/ Agent- Neutral.

But many such new wave consequentialists shift their target for rejection to a new doing- allowing distinction:

*Doing- Allowing/ Evaluator- Relative*: Agents sometimes have decisive reasons not to do B even though B promotes an evaluator- relatively better outcome.

Doing- Allowing/ Agent- Neutral is a claim about decisive *moral* reasons not to do some action B that is better in virtue of *promoting agent- neutrally better outcomes*; Doing- Allowing/ Evaluator- Relative is a claim about decisive *reasons simpliciter* not to do some action B that is better in virtue of *promoting evaluator- relatively better outcomes*. Like Doing- Allowing/ Agent- Neutral, Doing- Allowing/ Evaluator- Relative accords with commonsense. Moreover, it too is endorsed by adherents to alternative moral theories. But although new consequentialists accept the traditional doing- allowing distinction, they reject Doing- Allowing/E valuator- Relative. Their grounds for such a rejection, the import of such a rejection, and the defensibility of their grounds, are our topic going forward. It is noteworthy that each of these Doing- Allowing claims has the same general form:

*Doing- Allowing/ Form*: Agents sometimes have decisive reasons of some sort not to do B even though B is better in some respect.

I will have occasion to introduce other claims with this general form in the course of my argument.[[6]](#footnote-6)

My strategy in what follows is to clarify the nature of the debate concerning this new doing- allowing distinction, and its importance for normative ethics, by way of a contrast with its more traditional counterpart. In section 9.1 I will take up traditional challenges to Doing- Allowing/A gent- Neutral and highlight certain replies that are frequently endorsed in some form by new wave consequentialists themselves. I will demonstrate in section 9.2 that it is the appeal by many such evaluator- relative consequentialists to a teleological conception of reasons (henceforward TCR), upon which all reasons, both agent- relative and agent- neutral, are reasons 179 to promote outcomes,[[7]](#footnote-7) that commits them to the rejection of Doing- Allowing/ Evaluator- Relative. In section 9.3 I will show that, like Doing- Allowing/ Agent- Neutral, Doing- Allowing/E valuator- Relative finds ample support in the appeal to common sense, but I will demonstrate in section 9.4 that unlike the traditional arguments against Doing- Allowing/A gent- Neutral, new wave consequentialist arguments against Doing- Allowing/E valuator- Relative are grounded in widely held accounts of values, attitudes, and actions. It is this rejection of Doing- Allowing/ Evaluator- Relative, however, that establishes the cornerstone of the consequentialist evaluative framework, that the deontic evaluation of actions is properly determined through appeal to the telic evaluation of outcomes. Moreover, the rejection of Doing- Allowing/E valuator- Relative, coupled with certain commitments that are widely recognized as independently compelling, provides deep structural support for some form of consequentialist moral theory.

TCR is the crucial premise in the new consequentialist argument against Doing- Allowing/ Evaluator- Relative. Critics of TCR, hence of the TCR- based argument against this new doing- allowing distinction, challenge the accounts of value, attitudes, and actions upon which the defense of TCR is based. In section 9.5 I will outline alternative accounts of value, attitudes, and actions that do not support TCR. Adjudication between these competing accounts takes us far beyond normative ethics and even metaethics into central questions in the philosophy of mind, action theory, and the nature of normativity. In section 9.6 I will take up one such question with direct bearing on this debate, the question of the nature of the distinct “directions of fit” characteristic of the theoretical and practical spheres.

**9.1. New Consequentialism and the Old Doing- Allowing Distinction**

Consider first another doing- allowing claim that instantiates Doing- Allowing/ Form. Like Doing- Allowing/A gent- Neutral, this instantiation appeals to actions that promote an agent- neutrally better outcome. But like Doing- Allowing/ Evaluator- Relative, it appeals to decisive reasons simpliciter, not specifically *moral* reasons, not to perform such actions:

*Doing- Allowing/ Agent- Neutral/ Reasons*: Agents sometimes have decisive reasons not to do B even though doing B is promoting an agent- neutrally better outcome.

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Just as Doing- Allowing/A gent- Neutral would be false if the only *moral* reasons were reasons to promote the agent- neutrally best overall state of affairs, so too this instantiation, Doing- Allowing/A gent- Neutral/ Reasons, would be false if the only reasons were reasons to promote the agent- neutrally best overall state of affairs. Although some theoretical currents may seem to pull in the direction of denying Doing- Allowing/A gent- Neutral/ Reasons, such a position attracts few adherents.[[8]](#footnote-8) It is taken to be obvious that we have agent- relative as well as agent- neutral reasons, and that taking into account such agent- relative reasons we sometimes have decisive reasons not to perform some action B even though B would promote an agent- neutrally better outcome. Although there is no agreement about what these other agent- relative reasons are, or when they are sufficient or decisive, recognition that there are some such reasons is typically taken to provide sufficient grounds for accepting this doing- allowing distinction.

Although few argue against Doing- Allowing/A gent- Neutral/ Reason, many traditional consequentialists have argued against Doing- Allowing/ Agent- Neutral.[[9]](#footnote-9) Often such arguments emphasize that that there is no clear, independent way of drawing such a distinction that can straightforwardly resolve controversial cases.[[10]](#footnote-10) But we have seen that no such clear, independent way is taken to be necessary to vindicate Doing- Allowing/A gent- Neutral/ Reasons. Rather, it is taken to be enough that common sense tells us there are agent- relative reasons, and that they are sometimes decisive reasons not to promote the agent- neutrally best outcome. If, by analogy, common sense tells us there are agent- relative *moral* reasons, and that in at least some cases they provide decisive reasons not to promote the agent- neutrally best outcome, our evidence for Doing- Allowing/ Agent- Neutral would appear to be on equal footing. Moreover, commonsense morality certainly recognizes such reasons. For example, we have already seen that few deny the commonsense appeal of deontic constraints, moral requirements not to lie, cheat, kill, steal, or break promises. Yet deontic constraints seem most naturally to be understood as reflecting the decisiveness of just such impartial but agent- relative moral reasons that agents have not to do some action B even though B prevents more such equally wrongful actions from happening. Thus, if what is needed to endorse Doing- Allowing/ Agent- Neutral is what suffices in the case of Doing- Allowing/ Agent- Neutral/ Reasons, we 181 seem to have what we need. Many new wave consequentialists recognize the force of this parallel.[[11]](#footnote-11)

What of the traditional consequentialist’s “Compelling Idea,” an idea that, on one standard interpretation, rules out any such cases in which I can have decisive moral reasons not to do B if B brings about the agent- neutrally best outcome? Traditional consequentialists take the Compelling Idea to be that it is always morally permissible to promote the agent- neutrally best outcome.[[12]](#footnote-12) Our new consequentialists counter that what is independently compelling is the idea that it is always morally permissible to promote the best outcome, but not the *agent- neutrally* best outcome. The latter, they suggest, is a problematic specification of the Compelling Idea that is not independently compelling, and it is only this problematic specification of the Compelling Idea, not the Idea itself, that raises problems for a consequentialist upholding Doing- Allowing/ Agent- Neutral.

The foregoing are not offered as decisive arguments against the traditional consequentialist challenge to Doing- Allowing/A gent- Neutral. But they do reflect a line of thought that a growing number of evaluator- relative consequentialists accept in some form— that what agents have decisive moral reasons to do is not always what promotes the agent- neutrally best state of affairs. Such consequentialists allow that I have not only agent- neutral reasons to promote the care of children, but also, for example, agent- relative reasons to promote the care of *my* child, agent- relative reasons to promote *my* caring for my child, and agent- relative reasons to promote *my* keeping *my* promises.[[13]](#footnote-13) But recognition of such agent- relative reasons supports Doing- Allowing/A gent- Neutral. An agent with such a moral reason to promote her promise- keeping, for example, can have decisive reasons not to break her promise even when doing so allows more promises overall to be broken.

**9.2. New Consequentialism and the New Doing- Allowing Distinction**

New wave consequentialists break with their more traditional forebears in taking into account agent- relative as well as agent- neutral reasons to promote, generating a ranking of outcomes relativized to each agent. But many also retain an element

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of traditional consequentialism— the teleological conception of reasons (TCR)— according to which *all* practical reasons are such reasons to promote or bring about outcomes.[[14]](#footnote-14) TCR thus holds that when such reasons to promote decisively favor some outcome, promoting/b ringing about this highest ranked outcome will be the action that the agent has decisive reasons simpliciter to perform: what the agent “has most reason to do is to bring about the possible world . . . that she has most reason to want to be actual,” the highest ranked outcome relative- to- her.[[15]](#footnote-15) If we follow the convention of identifying the evaluator- relatively highest ranked outcome as the evaluator- relatively best outcome, and of identifying outcomes that are ranked higher than others as evaluator- relatively better,[[16]](#footnote-16) the action that an agent has decisive reasons to perform is the action that promotes the highest ranked outcome, and the highest ranked outcome is the evaluator- relatively best outcome, the best outcome relative- to- the- agent. When such reasons decisively favor some course of action, we ought, in Parfit’s decisive reasons implying sense,17 to promote the outcome favored by such reasons. Doing- Allowing/E valuator- Relative holds, by contrast, that agents sometimes ought not to do B even though it promotes an evaluator- relatively better outcome:

*Doing- Allowing/ Evaluator- Relative*: Agents sometimes have decisive reasons not to do B even though B promotes an evaluator- relatively better outcome.

To advocate TCR is to reject Doing- Allowing/E valuator- Relative. It is to accept that there is never decisive reason not to do B when the relevant reasons to promote states of affairs favor B, hence when B promotes an evaluator- relatively better outcome. To endorse TCR, as many new wave consequentialists do, is thus to target a new doing- allowing distinction for rejection, Doing- Allowing/ Evaluator- Relative.

**9.3. The Commonsense Case against TCR and for Doing- Allowing/ Evaluator- Relative**

An obvious response to such an argument against Doing- Allowing/ Evaluator- Relative is to reject TCR, the conception of reasons upon which all reasons are reasons 183 to bring about states of affairs. If TCR is false, in particular, if some reasons to act are not reasons to promote or bring about states of affairs, and are only mischaracterized as such, then even if the relevant reasons to promote decisively favor some course of action B, other reasons to act can provide decisive reason simpliciter not to do B. Such an agent will have decisive reasons not to do B even though B promotes the evaluator- relatively best outcome, vindicating Doing- Allowing/ Evaluator- Relative.

Our ordinary practices of practical reasoning seem to fuel skepticism about TCR. For example, because TCR holds that all reasons are reasons to produce/ bring about outcomes, it maintains that what an agent has decisive reasons to do is always to promote some result, to bring about some outcome. TCR thus suggests that all reasons to act are reasons to perform actions of this one particular type, bringings about or producings of results/o utcomes. My reasons to run, or argue, or lie, or build a house are ultimately reasons to perform actions of one type, bringings about of outcomes. I thus might run, and choose intentionally to run, but my reasons to run are reasons to promote/ bring about some outcome, if only to bring about the outcome that I run/ have run.

Yet such actions of bringing about or producing outcomes would seem to be only one type of action among others, and Annette Baier is surely right in pointing out that we take ourselves not merely to have reasons to perform actions of this one type, to bring about or promote outcomes (in Baier’s terminology, “to contribute causally to a variety of states of affairs”), but to perform actions of myriad sorts other than bringings about, e.g., “to write, to walk, to argue, to announce.”[[17]](#footnote-17) We certainly do seem to have reasons to bring about outcomes. But we also seem to perform hosts of other actions that are not bringings about, e.g., keeping promises, going for walks, or contemplating paintings, and to have reasons to perform such actions that are not reasons to bring it about that we do. Reasons to perform all types of actions appear in our ordinary practices to be on all fours. Whether the action is a bringing about or some other type, e.g., going for a walk or keeping a promise, I can ask why you are performing such an action, and expect you to respond by providing reasons. Nor are the reasons offered always reasons to bring about outcomes, or grounded in such reasons. I can of course perform some action, e.g., keeping my promise, in order to bring something about, e.g., that you trust me. But I can also seemingly bring something about, e.g., that a tree is planted in your name, in order to keep a promise. I may have decisive reasons to keep a promise or to bring about some outcome. Why treat such reasons, as TCR mandates, in categorically different ways? In particular, why treat reasons to perform actions of all types as reasons to perform actions of only one type, bringings about of outcomes?

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TCR raises particularly distinctive problems concerning our commonsense understanding of our relationship to our own actions. Consider first an agent’s relationship to the actions of a third person. I can have reasons to bring it about that Sue acts. Typically, I do this by bringing it about that she has reasons to act. For example, I can bring it about that she goes to the meeting by calling in a favor, ordering her, or paying her, thereby giving her reason to go. TCR treats the first personal case, bringing about my own actions, in a structurally similar way. Just as I have reasons to bring it about that Sue goes, my reasons to go are understood as reasons to bring it about that I go.[[18]](#footnote-18) But it is hard to make sense of this first- personal account. As an agent attempting to bring it about that I act, I seem to have the wrong kind of relationship to my action; it is an outcome that I am attempting to bring about, not an action that I am doing for reasons.[[19]](#footnote-19) It is my reasons for going, not my reasons for bringing it about that I go, that are directly relevant to the action of going, and there would appear to be ample grounds for doubting that all of my reasons to act are, or are typically grounded in, reasons to bring it about that I act.

Don’t I often just have reasons to keep a promise or go for a walk? The suggestion by some advocates of TCR is that these are best understood as cases in which the outcome I have reason to bring about just is the act, i.e., in which one runs, for example, or keeps a promise, “merely for the sake of bringing it about that one runs,” or that one keeps one’s promise.[[20]](#footnote-20) I run and keep my promise to bring it about that I run and keep my promise. Once again, however, this seems difficult to square with commonsense practices. My aim in such cases would appear to be to go for a run, not to bring it about that it is true that I do; it is the truthmaker of the proposition— running— that is my object, not bringing about the proposition’s truth— that I run. Indeed, my reasons for bringing it about that I run often seem to be importantly distinct from my reasons to run.[[21]](#footnote-21) The most effective strategy to bring it about that I run may in some circumstances be to put myself in a situation that coerces me to 185 run, or to undergo hypnosis, but such steps to bring it about that I go for a run often seem to undermine or bypass my reasons to go for a run.

In many cases I appear to have reasons not to perform some action, but reasons to bring it about that I do perform it. For example, I may have reasons of mutual respect not to lie, but prudential reasons to bring it about that I lie, e.g., to take steps to lower my inhibitions against telling such a lie. Reasons to bring it about that I act seem to be at cross purposes, in such cases, with my reasons not to perform such an action. In other cases, it is my reasons to act that seem to provide me with reasons to bring it about that I act, not vice versa. Thus, if I have reasons to keep my promise, but know that I am akratic with respect to promise keeping, I have reason to bring it about that I keep my promise, e.g., by taking various steps to guard against such akratic tendencies.[[22]](#footnote-22) I seem to have reasons to bring it about that I keep my promise in such cases precisely because I have reasons to keep my promise coupled with grounds for doubting that I will act for such reasons. Reasons to bring it about that I act come into view in such cases precisely because they are atypical, aberrant cases in which my rational authority is compromised, leading me to suspect that I will not act for the reasons that I have to act.

*Pace* TCR, our ordinary, commonsense practices recognize reasons to bring about outcomes as only some among the myriad reasons that we have to act, and recognize actions that we have reasons to perform that are neither bringings about of outcomes, nor properly rationalized as outcomes that we have reasons to bring about. Kantians, virtue ethicists, and many Humeans align themselves with common sense in recognizing such reasons and such actions, hence in rejecting TCR and endorsing Doing- Allowing/E valuator- Relative. Moreover, such commonsense grounds for accepting Doing- Allowing/E valuator- Relative would appear to be analogous to the commonsense grounds endorsed by new evaluator- relative consequentialists for accepting Doing- Allowing/A gent- Neutral. Why do such consequentialists then accept such grounds in the one case and reject them in the other?

**9.4. Arguments in Support of TCR and against Doing- Allowing/ Evaluator- Relative**

The answer is that new wave consequentialists take there to be powerful arguments for discounting common sense in the case of Doing- Allowing/ Evaluator- Relative, arguments of precisely the sort that they take to be absent in the case of Doing- Allowing/ Agent- Neutral. The real case for TCR is to be found in distinctive— and

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distinctively state of affairs centered— accounts of values, attitudes, and actions, accounts that lead us away from our ordinary, commonsense practices of practical reason giving toward TCR and the denial of Doing- Allowing/ Evaluator- Relative.

It will be useful to characterize briefly the support that the adoption of such state of affairs centric accounts of value, attitudes, and/ or actions provides for the state of affairs centric account of reasons, TCR. I will take up each in turn. In the next section I will demonstrate that other, non-s tate of affairs centric accounts of value, attitudes, and actions provide no support for TCR or for the rejection of Doing- Allowing/ Evaluator- Relative.

## 9.4.1. Value

One such source of support for TCR, hence for rejection of Doing- Allowing/ Evaluator- Relative, is provided by commitment to a prevalent theory of value, the theory upon which the primary bearers of value are states of affairs. Following Douglas Portmore, I will characterize such a view as state of affairs value monism.[[23]](#footnote-23) If it is states of affairs that are the primary bearers of value, then it is natural to take all fundamental reasons to be reasons to promote such valuable states of affairs, and natural to hold that “our relation to states of affairs lies in being able to realize them, to prevent them from occurring, or to make their occurrence more or less likely.”[[24]](#footnote-24) On such a state of affairs centered account, the proper response by a rational agent to value will always be promotion.[[25]](#footnote-25) All ultimate reasons will be reasons to promote valuable outcomes, and what I ought to do will always be to promote the highest ranked state of affairs. TCR finds strong support in such a theory of value. Although all reasons do not seem to be reasons to promote outcomes, acceptance of such an account of value provides grounds for concluding that they are after all.

## 9.4.2. Desire

One prevalent account of practical attitudes such as desires, wants, and intentions also appears to countermand common sense, providing grounds for adopting TCR and rejecting Doing- Allowing/E valuator- Relative. Such an account takes desires to be the fundamental practical attitudes, as beliefs are the fundamental theoretical attitudes. Moreover, although in everyday discourse many desires take *things* as their 187 objects (“I want a Harley Davidson”), and many more take *actions* as their objects (“I want to go to that movie”), such an account takes all desires fundamentally to be propositional attitudes, attitudes which, like beliefs, take *states of affairs* in the world (captured by “that clauses”) as their objects (“I desire that you come”). On such a view, a desire is a “state of being motivated, or of wanting something to happen and being to some degree disposed to make it happen, if we can.”[[26]](#footnote-26) Consider, within the context of this account, the apparently stark contrast between wanting to act and desiring that some outcome obtains. To desire that an outcome obtains is to be disposed to bring about the truth of the state of affairs that is the content of the desire— to bring it about or make it happen. But to want to act, on such an account, is also to be disposed to bring about the truth of a state of affairs, the state of affairs in which I act in the relevant way. The only difference is that in one case the state of affairs that is brought about is (or is in part constituted by) my acting, while in the other case the state of affairs that I am disposed to make happen is not some action on my part. Wanting to act turns out to be a special case of desiring that some state of affairs happens.

Such an account of desire dovetails seamlessly with TCR. Consider first subjectivist, desire- based accounts of reason, which take desires themselves to provide reasons.[[27]](#footnote-27) The reasons provided by desires, thus understood as attitudes of being motivated to bring about states of affairs, will all be reasons to bring about the states of affairs that are their objects— TCR follows naturally. Now consider objectivist, value- based accounts of reasons. Such accounts typically take desires to be attitudes that are sensitive to considerations that count in favor of their objects. If desires are attitudes of being motivated to bring about the truth of the states of affairs that are their propositional contents, the reasons to which such attitudes are sensitive seem naturally to be provided by considerations that count in favor of the states of affairs that are their objects. Again, such an account of the relevant attitudes suggests that practical reasons are considerations that count in favor of propositional contents as to be promoted, i.e., that reasons are fundamentally reasons to promote. The reasonable agent will desire that ϕ if there are reasons that count in favor of bringing it about that ϕ is the case, and will cease to desire that ϕ upon coming to realize that relevant considerations count against its object as to be promoted. On either subjectivist or objectivist accounts of reasons, acceptance of such a state of affairs centered account of practical attitudes invites TCR, a state of affairs centered account

188 of practical reasons as reasons to promote, thereby undermining Doing- Allowing/ Evaluator- Relative.

## 9.4.3. Action

Buoyed by such accounts of value and/ or attitudes, it can seem plausible to follow Portmore in interpreting the platitude that it is through our actions that “we affect the way the world goes” as the claim that “our intentional actions necessarily aim at making the world go a certain way,”[[28]](#footnote-28) i.e., that we always act to bring it about that some state of affairs obtains. Such state of affairs centered accounts of values and/ or attitudes, that is, can make it seem far less problematic to take all reasons for action to be reasons to bring about outcomes and to take all actions to be such bringings about. We saw in the previous section that such an account is hard to reconcile with common sense and ordinary practices of reason giving. But within the context of commitments to such state of affairs centered accounts of value and attitudes we can seem to be drawn ineluctably toward its acceptance. If it is states of affairs that are the primary bearers of value, or desires are attitudes toward states of affairs, then it can seem natural to understand reasons to act to be reasons to promote states of affairs, and to take ourselves always to have most reason to bring about the highest ranked state of affairs. The puzzle for someone with such commitments becomes not why the state of affairs centered theory of reasons (TCR) should be adopted, but what possible grounds there could be for avoiding it. Similarly, the puzzle is not whether Doing- Allowing/E valuator- Relative should be rejected, but why it initially comes across as plausible.

These state of affairs centered accounts of desire, action, value, and reason (TCR), and the apparent support that they provide for the rejection of Doing- Allowing/ Evaluator- Relative, are all in evidence in the work of Michael Smith, a leading advocate of new wave consequentialism. Smith defends an analysis of what agents “ought to do” that proposes a “reduction of one moral concept (the concept of what we ought to do) to another pair of moral concepts (the concepts of goodness and badness),”[[29]](#footnote-29) such that an agent ought to do ϕ if and only if it is the available action “that produces the most good and the least bad”[[30]](#footnote-30) on an evaluator- relative ranking of the outcomes produced. The action that an agent ought to perform, Smith argues, is the action of producing or bringing about the evaluator- relatively best outcome. Moreover, his state of affairs centered account of value is articulated through appeal 189 to state of affairs centered accounts of desire and reason. Judgments of value are about what an agent “would desire to be the case in C if she had a psychology that eludes all forms of rational criticism,” i.e., were her desires “maximally informed and coherent and unified.”[[31]](#footnote-31) Desires are fundamentally attitudes toward states of affairs as to be made the case, actions are the means of making such desired states of affairs the case, and the evaluator- relatively best state of affairs, the state of affairs that an agent ought to produce in any circumstance, is always the state of affairs that she would desire over all others were she rational. Doing- Allowing/ Evaluator- Relative must be rejected on such an account because what the agent ought to do is to produce the evaluator- relatively best state of affairs (when such a determinate state of affairs is available), the state of affairs that she would desire to be the case were her desires maximally informed and coherent.

The argument for TCR and against Doing- Allowing/ Evaluator- Relative makes the case for a state of affairs centered evaluative framework, upon which the deontic evaluation of actions as what ought and ought not to be done is determined entirely through appeal to reasons to promote states of affairs and the evaluator- relative ranking of states of affairs that results: agents rationally ought to do what promotes the evaluator- relatively best state of affairs. Although Doing- Allowing/ Evaluator- Relative is articulated in terms of decisive reasons simpliciter rather than decisive moral reason in particular, its acceptance generates a powerful presumption in favor of consequentialist *moral* theories, upon which the moral deontic evaluation of actions is determined through appeal to the telic evaluation of states of affairs. Consider, for example, the conjunction of TCR with an idea that is widely recognized as independently plausible, that agents are at least morally permitted to perform any action that they have decisively good reasons to perform. If, as TCR suggests, agents always ought to promote the evaluator- relatively best state of affairs, then the Compelling Idea of consequentialist moral theory, that I am always at least morally permitted to promote the best outcome, follows straightforwardly from TCR coupled with this independently plausible idea. It is thus not surprising that philosophers who appeal to TCR to reject Doing- Allowing/ Evaluator- Relative also tend to endorse some form of moral consequentialism as well,[[32]](#footnote-32) and that many philosophers who reject moral consequentialism take themselves to be committed to rejecting TCR and endorsing Doing- Allowing/ Evaluator- Relative.

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I have argued that common sense provides grounds for both a rejection of TCR and an endorsement of Doing- Allowing/E valuator- Relative. But we have also seen that widely held state of affairs centered accounts of values, attitudes, and actions provide support for TCR, hence for the rejection of Doing- Allowing/ Evaluator- Relative. Defenders of Doing- Allowing/E valuator- Relative thus must provide, and provide support for, alternatives to these state of affairs centered accounts of value, attitudes, and action. I will suggest in the next section that this is precisely what many defenders of Doing- Allowing/E valuator- Relative attempt to do.

**9.5. Arguments against TCR and for Doing- Allowing/ Evaluator- Relative**

## 9.5.1. Value

I have argued that state of affairs value monists, holding that states of affairs are the primary bearers of value, have grounds to adopt TCR, hence to reject Doing- Allowing/ Evaluator- Relative. Some opponents of consequentialism and Doing- Allowing/ Evaluator- Relative are sympathetic to such a theory of value, but such sympathies raise notorious problems for their normative ethics.[[33]](#footnote-33) Others leave such an account of value unchallenged, arguing for an account of right action that is prior to and independent of an account of value (the good). But we have seen that left unchallenged, such state of affairs value monism supports an account of reasons that threatens to undermine any such independent account of the right.[[34]](#footnote-34)

Many philosophers, however, reject such state of affairs value monism and adopt a theory of value that is not state of affairs centered. Some, including Kant and many Kantians, can be read as retaining a form of value monism, but arguing that wills rather than states of affairs, for example, are the primary bearers of value.[[35]](#footnote-35) Others are value pluralists,[[36]](#footnote-36) maintaining that other things in addition to states of affairs, e.g., persons and objects, are primary bearers of values, and that the reasons to which they give rise are often not reasons to promote. Nico Kolodny, for example, simply takes it to be a “mistake . . . to think that things of value are sources of reasons only in the sense that, when we are able to bring about something of value, we have reason to do so.”[[37]](#footnote-37) Others follow Scanlon in adopting a buck- passing theory of value, upon 191 which being valuable is not itself a property that provides us with reasons; rather, to call something valuable is to “say that it has other properties that provide reasons for behaving in certain ways with regard to it.”[[38]](#footnote-38) Reasons to promote or bring about are typically recognized on such buck- passing accounts as only a subset of such reasons that are invoked by calling something valuable.[[39]](#footnote-39) Such alternatives to state of affairs value monism invite conceptions of reasons upon which recognition of value is reflected in reasons to act that are not all reasons to promote outcomes, just as common sense suggests.

## 9.5.2. Desire

I have suggested that commitments to the claims that desires are the fundamental practical attitudes and that they are fundamentally propositional attitudes provides presumptive support for TCR and the rejection of Doing- Allowing/ Evaluator- Relative. By contrast, commitment to accounts upon which intentions to ϕ rather than desires that ϕ are the fundamental practical attitudes, or upon which not all desires are fundamentally propositional attitudes, provides no such support for TCR and the rejection of Doing- Allowing/ Evaluator- Relative. We have already seen that ordinary desire discourse appears to support such an alternative view of desire. We cite desires that ϕ, but also intentions and desires to ϕ and desires for ϕ. Advocates of the position that all desires are fundamentally propositional attitudes sometimes cite as a virtue of their account that all desires can be translated into propositional attitude form, but, as Talbot Brewer points out, such translation can also “be run in the opposite direction,” into “desire to X form,” and “intuitively these latter representations seem to yield a more perspicuous representation of the true objects of desires.”[[40]](#footnote-40)

In the next section we will take up deeper arguments, grounded in the direction of fit contrast, for taking desires understood as propositional attitudes to be the fundamental practical attitudes. But it seems clear that absent such additional arguments there is a presumption in favor of taking at least some practical attitudes to be fundamentally intentions, wants, and desires to ϕ that provide, or are sensitive to, reasons to ϕ. On a subjectivist account of reasons, desires thus understood would provide reasons to perform the actions that are their objects, and would provide no grounds for assuming, contrary to common sense, that all such reasons to act are reasons

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to promote outcomes. On an objectivist account of reasons, the reasons to which such desires and intentions are sensitive would be considerations that count in favor of their objects— actions rather than states of affairs— as to be performed. Again, such an account would provide no grounds for adopting TCR or challenging the commonsense appeal of Doing- Allowing/ Evaluator- Relative.

## 9.5.3. Action

Such philosophers who do not accept state of affairs value monism, and who do not accept that desires are fundamentally attitudes toward states of affairs as to be promoted, will not find it at all natural to parse the platitude that actions are the means by which we affect the world as the claim that all actions aim at making some state of affairs obtain in the world. Indeed, this will strike them as an attempt to interpret all actions as bringings about, an interpretation that conflicts with ordinary practice and finds no support in what they recognize to be the most plausible accounts of value, attitudes, and action. With the distinction clearly in view between the platitude and the prima facie implausible interpretation of it, they will embrace the platitude, which provides no support for TCR, and reject the prima facie implausible interpretation as unsupported by either theory or our commonsense practices.

**9.6. Deeper Grounds**

I have sketched accounts of value, desire, and action that provide support for TCR, and alternative accounts that align more with common sense while providing no such support. Such a mapping of the philosophical terrain does little to address the deeper arguments that might be marshalled in support of one or the other of these accounts. Such supporting arguments, I suggest, typically draw upon claims and commitments that lead well beyond normative ethics and even metaethics into deep questions in the philosophy of mind and the theory of action. For example, support for the account of desires as fundamentally propositional attitudes, and as the fundamental practical attitudes, is sometimes taken to be provided by appeal to accounts of the contrasting directions of fit characteristic of the theoretical and practical spheres. On one prevalent view of this contrast, the fundamental attitudes characteristic of the theoretical and practical spheres are distinguished not by their objects, which are in each case states of affairs, but by the contrasting directions of fit that such propositional attitudes take toward the states of affairs that are their contents. The contrast, on this view, is between beliefs that aim to fit the world, and desires that aim to make the world 193 fit them.[[41]](#footnote-41) This contrast takes desires that ϕ to play an analogous and equally fundamental role in the practical sphere to the role played by beliefs that ϕ in the theoretical sphere, and to have such a practical attitude toward a proposition is to be “disposed to act on the world in ways calculated to make the proposition true.”[[42]](#footnote-42) Such an account of contrasting directions of fit can seem to manifest the virtues of both simplicity and symmetry. There are two fundamental attitudes. They have the same contents—s tates of affairs. They are distinguished entirely by the contrasting directions of fit characteristic of these different fundamental attitudes toward states of affairs.

Once we accept the role played by desires on this prevailing account of directions of fit, upon which they are understood as propositional attitudes that play a fundamental role in the practical sphere analogous to the role of beliefs in the theoretical sphere, it is natural to take decisive reasons for acting to be fundamentally reasons for promoting the states of affairs that agents have the most reason to desire, and to hold that the best action promotes the best (highest ranked) state of affairs. Acceptance of such an account of directions of fit thus provides grounds for accepting states of affairs centered accounts of desire, action, and reason, hence for rejecting Doing- Allowing/ Evaluator- Relative.

But although such an account of contrasting directions of fit provides support for desires understood as propositional attitudes, hence for TCR, alternative accounts provide no such support. For example, although G. E. M. Anscombe’s arguments in *Intention* are frequently cited as the locus classicus of this account of contrasting directions of fit, Richard Moran and Martin Stone have demonstrated that such an interpretation of Anscombe is simply mistaken.[[43]](#footnote-43) To the extent that Anscombe is making a case for contrasting directions of fit at all, they show that she is best understood as identifying a normative distinction between the paradigmatic forms of mistake and the correlative standards of correctness that are characteristic of the theoretical and practical spheres. The fundamental contrast is that whereas in the theoretical sphere it is expressions of beliefs that can be mistaken, failing to fit the world, in the practical sphere it is actions performed that can be mistaken, failing to fit the relevant expressions of intention.[[44]](#footnote-44)

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On the theoretical side of Anscombe’s actual distinction the relevant attitudes are propositional attitudes, beliefs that ϕ, and the failure is a failure of the belief expressed to fit with the world. But on the practical side the relevant attitudes are intentions to ϕ, performative (rather than propositional) attitudes with actions (rather than states of affairs) as their objects, and the failure is a failure of performance— a failure to act in a way fitting with the intention expressed.[[45]](#footnote-45) Expressions of beliefs (“He bought asparagus”) and expressions of intentions (“I am going to buy asparagus”) manifest the distinctive, contrasting commitments characteristic of the theoretical and practical spheres— commitments to the world fitting my beliefs and to my actions fitting my intentions.

Note that desires that ϕ do not capture the practical side of this contrast at all. To believe that ϕ is to be committed to ϕ being the case; to desire that ϕ is not to be committed to bringing it about that ϕ is the case. If I have a stronger countervailing desire that ϕ not be the case, I may well have a desire that ϕ while at the same time having an abiding commitment that not ϕ. To intend to ϕ, by contrast, is to be committed to ϕ- ing, as to believe that ϕ is to be committed to ϕ being the case.[[46]](#footnote-46)

Such an alternative account of directions of fit raises challenges to the status of desires that ϕ as the fundamental practical attitudes. Both parties to such disputes concerning the proper understanding of the direction of fit contrast agree that actions are done for reasons, and that the relevant practical attitudes play a central role in rationalizing explanations of actions. Advocates of the standard direction of fit account maintain that desires that ϕ, propositional attitudes, are the practical attitudes that play this central role in the rationalizing explanation of actions.[[47]](#footnote-47) Anscombe and those who follow her, by contrast, take actions themselves, and intendings, plannings, and wantings *to act*— performances and performative attitudes— to play this central role in the rationalizing explanation of actions. Why am I buying eggs? Because I am making an omelet, or am planning to make an omelet, or intend to make an omelet, or want to do so later in the week. Indeed, desires that ϕ, they argue, are particularly ill-s uited to play such a role in rationalizing explanations.[[48]](#footnote-48) Adoption of such an alternative account of contrasting directions of fit, and of the attitudes that play a central role in rationalizing explanations, shifts our focus from attitudes with states of affairs as their objects to attitudes with actions as their objects. The 195 judgments to which such attitudes will be sensitive will be considerations that count in favor of performing the actions that are their objects. Such an account, however, provides no support whatsoever for TCR.

A thorough defense of this interpretation of Anscombe’s account, much less of the account itself, would take us far beyond the scope of this essay. The point of sketching the account here is rather to demonstrate that appeals to practical attitudes, to the direction of fit contrast, and to the nature of rationalizing explanations of actions do not resolve questions in favor of TCR. Instead, they push the debate for and against TCR into deep questions in the philosophy of mind and the philosophy of action. Accounts of value that reject state of affairs value monism provide no support for TCR. Accounts that take performative attitudes such as intending and wanting to ϕ to play the relevant contrasting role to beliefs in accounts of contrasting directions of fit, and that take such performative attitudes to play a central role in the rationalizing explanation of actions, provide no support for TCR. Indeed, they align with commonsense grounds for rejecting TCR and for upholding the new doing- allowing distinction, Doing- Allowing/ Evaluator- Relative, along with the old one, Doing- Allowing/A gent- Neutral.

**9.7. Conclusion**

Traditional consequentialism confronted normative ethics with the denial of the traditional doing- allowing distinction; new forms of evaluator- relative consequentialism confront normative ethics with the denial of a new doing- allowing distinction. Only once the new doing- allowing distinction is revealed for what it is, its relationship to the teleological conception of reasons (TCR) is made clear, the import of its adoption is clarified, and the transethical nature of the grounds for and against it are made apparent, can the debate between advocates and opponents of such a distinction be fully and effectively joined. My project in this paper has been to perform this philosophical ground- clearing.[[49]](#footnote-49)

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1. Scheffler, Introduction to *Consequentialism and Its Critics*, 1. [↑](#footnote-ref-1)
2. This example is introduced by Philippa Foot in “The Problem of Abortion,” and discussed by Warren Quinn in “Actions, Intentions, and Consequences.” [↑](#footnote-ref-2)
3. An agent- neutrally or impersonally better outcome is an outcome that is higher ranked from a standpoint that takes into account only relevant reasons to promote outcomes that are neutral among persons, e.g., reasons to promote overall well-b eing or to minimize overall rights violations. An evaluator- relatively better outcome, by contrast, is understood as an outcome ranked higher from a standpoint that takes into account both such agent-n eutral reasons to promote outcomes and relevant agent- relative reasons to promote outcomes, e.g., the agent’s reasons to promote her own well- being or to minimize her own rights violations. [↑](#footnote-ref-3)
4. See, for example, Smith, “Neutral and Relative Value after Moore”; Dreier, “Structures of Normative Theories”; Louise, “Relativity of Value”; Portmore, *Commonsense Consequentialism*, ch. 4. [↑](#footnote-ref-4)
5. For accounts that explicitly articulate and defend this relationship between what agents ought to do in the decisive reasons implying sense and the evaluator- relative ranking of outcomes, see Smith, “Neutral and Relative Value after Moore”; Portmore, *Commonsense Consequentialism*. [↑](#footnote-ref-5)
6. I am indebted to Elinor Mason for identifying both the general form of these claims and the nature of various particular instantiations of this general form. [↑](#footnote-ref-6)
7. For two articulations of such a teleological conception see Scanlon, *What We Owe to Each Other*, 79– 87; Portmore, *Commonsense Consequentialism*, 56– 83. [↑](#footnote-ref-7)
8. But see recent arguments by Singer and De Lazari- Radek in *The Point of View of the Universe* for a version of this position. [↑](#footnote-ref-8)
9. See, for example, Rachels, “Active and Passive Euthanasia”; Bennett, “Morality and Consequences” and “Negation and Abstention”; Tooley, “An Irrelevant Consideration.” [↑](#footnote-ref-9)
10. Scheffler discusses such arguments in “Doing and Allowing,” 216– 217. [↑](#footnote-ref-10)
11. Such distinctively moral agent- relative reasons to promote outcomes are recognized by Portmore, *Commonsense Consequentialism*, ch. 4; Dreier, “Structures of Normative Theories”; Smith, “Deontological Moral Obligation.” [↑](#footnote-ref-11)
12. For versions of this formulation of the Compelling Idea, see Scheffler, *The Rejection of Consequentialism*, 4; Schroeder, “Teleology, Agent- Relative Value, and ‘Good,’ ” 281; Dreier, “In Defense of Consequentializing,” 100; Sachs, “Consequentialism’s Double- Edged Sword,” 264. [↑](#footnote-ref-12)
13. These examples of reasons draw upon David McNaughton and Piers Rawlings’s important discussion of agent- relative and agent- neutral reasons in “Agent- Relativity and the Doing- Happening Distinction.” [↑](#footnote-ref-13)
14. In Scanlon’s terminology “to aim at some result” (*What We Owe to Each Other*, 84). [↑](#footnote-ref-14)
15. Portmore, *Commonsense Consequentialism*, 56. [↑](#footnote-ref-15)
16. I am setting aside, for the purposes of this essay, challenges to the very coherence of evaluations of outcomes as better and worse relative to an agent. See, for example, Schroeder, “Teleology, Agent- Relative Value, and ‘Good’ ”; Dreier, “In Defense of Consequentializing.” 17 Parfit, *On What Matters*, 33. [↑](#footnote-ref-16)
17. Baier, “Act and Intent,” 653. [↑](#footnote-ref-17)
18. Portmore suggests that the outcome at which we aim “need not be anything having to do with the causal consequences of the act,” because it “could be nothing more than to bring it about that one performs the act” (“The Teleological Conception of Reasons,” 117). But the aim of bringing it about that one performs the act is to bring about a causal consequence— that one performs the act. Moreover, such a consequence can be brought about in myriad ways, e.g., via hypnosis, or self- coercion, or simply by performing the act in order to bring it about that one has. [↑](#footnote-ref-18)
19. As Richard Moran points out, “the stance from which a person speaks with any special authority about his belief or his action is not a stance of causal explanation but the stance of rational agency,” and a “person’s own relation to his . . . intentional actions must express the priority of justifying reasons over purely explanatory ones” (*Authority and Estrangement*, 127– 128). [↑](#footnote-ref-19)
20. Portmore, *Commonsense Consequentialism*, 56. [↑](#footnote-ref-20)
21. This is a variation upon a point made by Stephen Darwall, *Welfare and Rational Care*, 93, and Talbot Brewer, *The Retrieval of Ethics*, 20– 21. [↑](#footnote-ref-21)
22. Such cases are discussed by Moran, *Authority and Estrangement*, 128. [↑](#footnote-ref-22)
23. Portmore, *Commonsense Consequentialism*, 66ff. It is noteworthy that Portmore himself does not endorse state of affairs value monism. See also Jamie Dreier’s arguments in this volume for recognizing the fundamental value of properties, hence for rejecting state of affairs value monism. [↑](#footnote-ref-23)
24. Scanlon, *What We Owe to Each Other*, 80. [↑](#footnote-ref-24)
25. See, for example, Pettit’s argument for this result in “Non- consequentialism and Universalizability.” [↑](#footnote-ref-25)
26. Parfit, *On What Matters*, 43. [↑](#footnote-ref-26)
27. I am here appealing to Parfit’s distinction between accounts that are subjectivist about reasons, upon which our reasons for acting “are all provided by . . . certain facts about what would fulfill or achieve our present desires or aims,” and accounts that are objectivist about reasons, upon which our “reasons are given by facts about the *objects* of these desires” (*On What Matters*, 45). [↑](#footnote-ref-27)
28. Portmore, *Commonsense Consequentialism*, 56. [↑](#footnote-ref-28)
29. Smith, “Neutral and Relative Value after Moore,” 576. [↑](#footnote-ref-29)
30. Smith, “Neutral and Relative Value after Moore,” 576. [↑](#footnote-ref-30)
31. Smith, “Neutral and Relative Value after Moore,” 592, 596. To be rational, for Smith, is to have and exercise “a capacity to have the psychological states that coherence demands” (596). Thus, to judge some state of affairs to be in the relevant sense good, for Smith, is to judge that she would desire it insofar as she was rational. [↑](#footnote-ref-31)
32. See, for example, Smith, “Two Kinds of Consequentialism”; Portmore, *Commonsense Consequentialism*, chs. 5– 7. [↑](#footnote-ref-32)
33. Thomas Nagel, for example, is a deontologist who evinces such sympathies. For discussions of this aspect of Nagel’s account, and the difficulties that it creates for his deontological normative ethics, see Scanlon, *What We Owe to Each Other*, 81– 84, and my *Beyond Consequentialism*, 194– 208. [↑](#footnote-ref-33)
34. Michael Smith makes this point in “Neutral and Relative Value after Moore,” 587, as does Barbara Herman in “Leaving Deontology Behind,” in her *The Practice of Moral Judgment*, 208– 210. [↑](#footnote-ref-34)
35. See, for example, Herman, *The Practice of Moral Judgment*, 214ff. [↑](#footnote-ref-35)
36. See, for example, Scheffler, “Valuing,” 23– 42, particularly his emphasis on “the wide range of things that we value” (33); Kolodny, “Aims as Reasons,” 66– 69. [↑](#footnote-ref-36)
37. Kolodny, “Aims as Reasons,” 68. [↑](#footnote-ref-37)
38. Scanlon, *What We Owe to Each Other*, 96. [↑](#footnote-ref-38)
39. See, for example, Scanlon’s discussion of reasons of friendship and valuing friendship in *What We Owe to Each Other*, 88– 90. [↑](#footnote-ref-39)
40. Brewer, *The Retrieval of Ethics*, 21. See also Thompson, *Life and Action*, 121– 134. [↑](#footnote-ref-40)
41. For presentations of this prevailing form of the contrast, see Platts, *Ways of Meaning*, 256–2 57; Smith, *The Moral Problem*, 111–1 19; Audi, “Moral Judgments and Reasons for Action,” 129; Boyle and Lavin, “Goodness and Desire,” 171ff. [↑](#footnote-ref-41)
42. Brewer, *The Retrieval of Ethics*, 16– 17. [↑](#footnote-ref-42)
43. See the interpretations of Anscombe’s arguments in *Intention* that are developed by Moran and Stone, “Anscombe on Expression,” and Frost, “On the Very Idea of Direction of Fit,” 464ff. See also Scanlon, *Being Realistic about Reasons*, 65– 66, for a very different argument against such appeals to the direction of fit contrast. [↑](#footnote-ref-43)
44. Moran and Stone, “Anscombe on Expression,” 67ff; Frost, “On the Very Idea of Direction of Fit,” 464. Frost is dubious that this distinction identified by Anscombe is any longer plausibly characterized as one of contrasting directions of fit. [↑](#footnote-ref-44)
45. Arguments for understanding certain practical attitudes as performative rather than propositional attitudes, attitudes with actions to be done rather than propositions to be made true as their objects, can be found in Thompson, *Life and Action*, ch. 8; Moran and Stone, “Anscombe on Expression”; Boyle and Lavin, “Goodness and Desire”; Brewer, *The Retrieval of Ethics*, ch. 1; Frost, “On the Very Idea of Direction of Fit,” e.g., 462– 463. [↑](#footnote-ref-45)
46. On this point see Moran and Stone, “Anscombe on Expression,” 46, 64– 66. [↑](#footnote-ref-46)
47. The classic account of this role for desires understood as propositional attitudes in rationalizing explanations of actions is provided by Davidson, “Actions, Reasons, and Causes.” [↑](#footnote-ref-47)
48. Thompson, *Life and Action*, 120– 134; Brewer, *The Retrieval of Ethics*, 19– 24. [↑](#footnote-ref-48)
49. I am grateful to Christian Seidel and Elinor Mason for insightful written comments on earlier drafts, and to audiences at the Friedrich- Alexander- Universität Erlangen- Nürnberg and the Claremont Colleges. Thanks also to Doug Portmore, Julia Driver, Dale Dorsey, Rivka Weinberg, Amy Kind, Andrew Schroeder, and Alex Rajczi for helpful discussions. [↑](#footnote-ref-49)